

AD2021/5.1

SAIRN Security Trials

Bethal Trial

PP 601-800 → label as wrong 2d

this for the first time today.

Did the Security Police never show you a copy of that document? -- No.

Who signed it? -- Signed by Meje.

That is Zacharia is it or is it Jeffrey?

BY THE COURT: No, you are talking about Ngidi is Zacharia.

MR COOPER: Your Lordship is perfectly correct. Please hand that in to His Lordship. Now, can you tell His Lordship why you did not receive this invitation in 1976? -- I do not know. If the organiser does not send one. (10)

But you know you had helped to form the Young African Christian Movement. -- No, the last exhibit is an invitation to the launching of the YACM.

Yes, of course, because you are talking nonsense, with respect to you. -- I have now seen it.

Yes, what do you want to say now having seen it? -- This is an invitation to the launching of the YACM.

BY THE COURT: It says:

"The second conference of the above movement. Invitation YACM at the Kagiso Anglican Church." (20)

And there are going to be three topics: Education, Poverty and Religion.

MR COOPER: So now you realise that you were not correct when you said that this was the launching movement. -- I had not gone through that document.

Now look, Bishop Tutu or Reverend Tutu is a very prominent cleric, is he not? -- Yes.

So you would be interested to know what he had to say, wouldn't you? -- That is so. (30)

Can you tell His Lordship why you were not, if you were

indeed/...

indeed a member of the Young African Christian Movement, why you were not present at this particular conference? -- I was not invited.

Can you tell His Lordship why you were not invited if indeed you were a member? -- I do not know.

Did you actually read about this conference that was held in the Kagiso Anglican Church at 3 p.m. on the 22nd February, 1976? -- No, never read about it.

Did you hear anybody talk about this? -- Never.

Did accused No. 13 ever say to you you know, the Reverend Tutu addressed our conference on the 22nd February, 1976? -- No, he did not. (10)

Do you find it strange that he did not invite you to this conference? -- Yes, it is.

Because you were an enthusiastic supporter of the YACM, weren't you? -- That is correct.

Can you give any reason why accused No. 13 should not have invited you to this conference on the 22nd February? -- I do not know. I do not know of any reason why he did not.

I just want to clear up something. How did it come about that accused No. 13 had said to you that the formation, the launching of the YACM was a great success or was a success? -- I think there were many young people present. (20)

But how - answer my question please, if you can - how did No. 13 come to tell you that the launching - in fact I think you said the launching meeting was at the Anglican Church, isn't that correct? -- Yes, I said so.

BY THE COURT: Anglican Mission, actually. I have got mission here in my notes.

MR COOPER: My junior here has noted that they met at the Anglican Church at Kagiso. Is it true, did he say to you that they/... (30)

they met at - that the foundation meeting was at the Anglican Church at Kagiso? -- Yes, I said so.

Of course you said so. Well, now we have clarity on that. Did you - but it is very funny, isn't it, that the foundation meeting was in fact held at the Congregational Church - well, that certainly will be the evidence.

BY THE COURT: Is this the meeting of the 14th December?

MR COOPER: Yes, the 14th December. -- I was told it was launched at the Anglican Church.

And accused No. 13 told you that. -- Yes, he told me (10) so, Michael Matsobane.

And you are not mistaken about this? -- I am not making a mistake.

You are just making up a story. -- No, I am not making this up, it is what he told me.

Can you advance any reason - assume the fact that this foundation meeting was held at the Congregational Church, can you advance any reason why accused No. 13 should tell you that it had actually been founded at the Anglican Church, Kagiso? -- I do not know. (20)

BY THE COURT: I want to ask you something. Is the Anglican Church and the Anglican Mission to you the same thing? -- They are in the same yard and when I refer to the Anglican Church, then I also refer to the mission.

MR COOPER: But the Congregational Church is very different to the Anglican Church? -- That is so.

And you know that the Congregational Church is referred to as the London Missionary Society? -- Yes, I know it is the London Missionary Society.

Now, let us just go back. You tell us that you - when(30) you were arrested and taken to the police station, you were placed/...

placed in leg-irons. -- Yes.

Tell us on which floor were you detained when you had leg-irons on? -- It was on the 4th floor.

Were you kept on the 4th floor all the time while you were there? -- That is so.

And you have told us that was for 3 days.

BY THE COURT: Five. -- I said about 5 days.

MR COOPER: How many days or how long did it take you to write out your statement on the piece of paper which had been supplied to you by the police? -- I tried on many occasions (10) to hide this organisation of ours. Whenever I wrote down something that they did not believe, then they would tear it.

You tried on many occasions to hide this organisation of ours? -- Correct.

And when you talk about this organisation of ours, to which organisation are you referring? -- I mean the YARM which is the Pan Africanist Congress.

So you were hiding that organisation. -- Yes.

How did you hide that fact from the police? -- On the papers I wrote I did not mention that the YARM is but a (20) cover for the PAC.

But why did you do so? -- Because I knew that the organisation PAC is not wanted, it is not legal.

And on how many occasions did you conceal this fact from the police? -- On many occasions.

Over what period of time? -- The 5 days that I was up there.

Tell me, did you sleep during the 5 days that you were up there? -- Yes, I slept.

You slept normal hours? -- Yes. (30)

Were you the only detainee or person being detained at the/...

the Krugersdorp Police Station or at least the offices of the Security Police? -- I do not know because we are put one in a place.

Did you at that stage know whether any of the present accused was a detainee? -- Some had been arrested long before.

Who were those that had been arrested long before? -- Michael Matsobane, Daniel Matsobane, Nyathi.

BY THE COURT: Johnson is it? -- Johnson, Aaron Khoza, the others were scholars, Themba Hlatswayo, Rodney Tsoletsane and Lucky. (10)

MR COOPER: Did you know where they were being detained? -- Yes, I was aware of it.

Where were they being detained? -- I do not know.

Who told you they were being detained?

BY THE COURT: You said I knew they were detained.

MR COOPER: I want to know who told him. -- Members of people in the organisation and people in the township where I stay.

This was before you were arrested in other words, you knew these people had been taken. -- Yes, we know when people get arrested. (20)

Now tell us, which person, which member of the Security Police tore up the statements that you wrote out? -- Captain Schoeman.

Was he the only one? -- Yes, he did so.

Your friend, Sergeant Tsutsube, where was he while you were incarcerated? Where was Sergeant Tsutsube? -- He was around.

Did he come and visit you? -- He was not with me.

Did he come and visit you? -- How could he visit me when I was in prison. (30)

Well, possibly the word 'visit' is inappropriate. Let us say/...

say did he come to see you where you were detained in your cell?

-- I was not in a cell, I was in an office. I was detained in the office in which they write. He had his chair there and his table. Captain Schoeman also has a chair and a table in there.

Well now, .. (intervenes)

BY THE COURT: Did Tsutsube see you and talk to you in that office? -- Yes, we used to see each other because he was in that office.

MR COOPER: Did he speak to you when he saw you in the office?
-- No, he did not speak to me. (10)

At no stage? -- No stage.

What did Captain Schoeman say when he tore up the statement for the first time? -- He said to me he knows what he wanted me to say, but he would not tell me what it is, he wanted me to say it.

What did you say then? -- I then wrote the same statement which I gave in this court, that is the evidence.

But you did not write that after the first statement was torn up, you wrote a number of statements that were torn up, several statements. -- Yes, I said so, I said I wrote each (20) and every one of the 5 days, trying to conceal what I have said.

And each of the 5 days did Captain Schoeman tear up your statement that you had written? -- He would first read my statement and after going through it, realising I had not written what he wanted me to say, then he would tear it.

BY THE COURT: But the point that Mr Cooper wants to know is how many statements did you write out that the captain tore up? -- Quite a number, many. I do not remember. I was really writing, I was writing.

MR COOPER: Now you weren't ever a member of the PAC? -- (30)
Never.

You never wanted to be a member of the PAC. -- I only went in when we started the YARM.

You never approved of the PAC. -- I had doubts about it because it was the kind of organisation that was not wanted.

BY THE COURT: You mean not wanted by the authorities or what? -- It was banned.

MR COOPER: But even before it was banned, you never wanted to become a member of the PAC. -- No, I never did.

Why? -- I do not go about joining things that are not legal. (10)

You would never think of joining an unlawful organisation. -- Never.

You are not interested in politics, are you? -- Not really, but ..(inaudible) .. yes, I do like politics.

But you are not a man who would be interested in joining a political organisation. -- No.

You would never join a political organisation which had an illegal object or purpose. -- That is so.

Why not? -- Well, if one does not want a thing then he just does not want it. (20)

But isn't the reason that you did not want to be arrested and prosecuted? -- No, it is not so.

Let me put it differently. Would you like to be arrested and prosecuted and sent to prison for being a member or associated with an illegal organisation? -- I do not think anybody likes it.

Of course not. And as you have been a school teacher for many years. -- Yes.

And you know if authorities found out that you were associated with an illegal body you would lose your job. (30)

-- Yes, I know.

And you have got many years' service. -- That is correct.

And you are really only fit to be a teacher, aren't you, professionally speaking. -- Well, if you say so, thank you for the compliment.

Well, I am just merely establishing your credentials, your qualifications. -- Yes.

You are only qualified to be a teacher. -- Only qualified to be a teacher.

Do you know of teachers who have been associated with unlawful organisations who have been prosecuted and sent (10) to prison, don't you? -- I have heard of them.

Sure you have heard of them. Why would you then, if your story be true, be prepared to be a member of a front organisation for the PAC? -- Well, it was said it was a nice church cover.

Who said it was a nice church cover? -- Michael Matsobane said that.

Is he the only one? -- No, he is not the only one who said that.

Who else said that? -- Aaron Khoza and Nyathi Johnson. (20)

Anybody else? -- Nobody else said so.

And when did accused No. 13 say so? -- The day we had a meeting, our meeting at my house.

In which year was that? -- It was during 1976.

In which month was that? -- I do not know which month.

Before or after the 5th August, 1976? -- I did not have a diary, I do not have a date.

Which month was it? Before the 5th August, 1976 or after the 5th August, 1976? -- If I had a diary I would be able to answer the question. (30)

But do you need a diary to tell us which month it was? --

In order that one should be certain of what he said, then he should at least have some documents whereupon to base what he says.

How many times did accused No. 13 say that the Y ACM was a front for the PAC? -- He mentioned it the first time on the day of the meeting at my home and later when we were told to recruit people but these people we recruit must not know that this organisation was .. (intervenes)

BY THE COURT: Was this right in the beginning? -- This was in the beginning when he said that. (10)

MR COOPER: Was this before the YACM was formed? -- It was after the formation of the YACM.

What was your reaction when he said this? -- When he said what?

BY THE COURT: That it was a front of the PAC. -- Well, I had doubts, but I became ..(inaudible)

MR COOPER: But you knew that you were liable to prosecution for belonging to an unlawful organisation. -- Well, if one has a nice cover and one is being told that this is a nice cover, one does not think of being arrested. (20)

You know you were a friend of a security policeman, an SB. -- Yes, even now.

Sure. ..(inaudible) .. -- I cannot hate him now because of putting me in prison, but he did not actually put me in prison, I put myself in prison.

Yes, you actually want to get out of prison, don't you? -- Yes.

You are in fact still being detained under Section 6. -- I know myself to be in prison, I do not know what Section, whether it is Section 6. (30)

Are you being kept in solitary confinement? -- Yes, I am.

Now/...

Now, accused No. 13, when he spoke to you about the YACM being a front of the PAC, knew that you were a friend of a member of the Security Police. -- I believe I think h e did.

Sure, of course, everybody knew that. -- Yes.

Didn't you think it was your duty to go and tell the member of the Security Police that this man was suggesting you join an organisation which was a front for the PAC? -- No.

You did not think so. So he made this suggestion to you that you become a member of a front organisation of the PAC without batting an eyelid. -- Please repeat that. (10)

That you became a member of this YACM, front organisation for the PAC, without batting an eyelid. -- Yes.

You went so far, you said you would help him. -- Yes.

What would you help him to do? -- Help him in recruiting the youth.

What else? -- That was all I had to do.

Recruit the youth for what? -- To join the Young African Religious Movement.

Is that all you had to do? -- Yes, that was all I had to do. (20)

You never agreed to take a group of young men across the borders to undergo military training, did you? -- No, that was the organiser's duty, Michael Matsobane.

THE COURT ADJOURNS.

THE COURT RESUMES ON THE 15th MARCH, 1978.

JAMES SEJANAMANE: still under oath:

FURTHER CROSS-EXAMINATION BY MR COOPER: You have told His Lordship that during the five days in which you were in an office of the Security Police in Krugersdorp, you wrote out various statements which were torn up by Captain Schoeman. Do you remember saying that? -- I said so, yes.

Would you just tell His Lordship, did you actually sleep in this room where you were kept for 5 days? -- Yes, I slept in this room. (10)

And can you tell His Lordship furthermore how did your second statement differ from your first statement? -- What I wrote was concealing the fact that our organisation was the same as the Pan Africanist Congress.

You said that in your first statement? -- Yes, correct, in all the statements.

Those statements that were torn up? -- Yes, that is correct.

So from the word go you said our organisation was the same as the Pan Africanist Congress? Or am I not understanding (20) you? -- No, I was concealing that fact.

Oh, you were concealing that fact. But now, did you keep on writing the same statement over and over for 5 days? -- No, I just kept on changing words, but still concealing these facts.

Now what words were you changing in your second statement? -- That our organisation was a christian organisation.

What else? -- That it was a youth league.

Yes? -- That it was not an organisation that had anything to do with politics.

So in fact you were deliberately concealing the truth (30) from Captain Schoeman? -- Yes, I did so because I was under the/...

the impression that these children did not speak about me, Michael Matsobane mentioned nothing about me.

Oh, you were under the impression that Michael Matsobane had not said anything about you, so you were not going to say anything about the children. -- That is very, very correct.

And what did Captain Schoeman say to you after every occasion just before he tore up your statement? -- He would always say: in this statement you have written out, there is something that I want you to say which you have not said.

And I know what it is. (10)

How does it come about that you mentioned the PAC for the first time in your statement to Captain Schoeman? -- Because I knew.

But what made you decide after 5 days to allege that the PAC had something to do with the organisation? -- I then realised that Michael Matsobane misused me. (Then to

What made you realise that Michael Matsobane had misused you? -- Because he made me recruit children, the children whom he could penetrate.

But how did he abuse or misuse you? -- I have in my (20) school 500 children. I am a scout master. I have 500 children in the Kagiso Township and in order to penetrate these children he had to go through me.

But you were not abused, you were perfectly agreeable to recruit members for this organisation. -- He misused me in that this organisation was a secret organisation and he had to defend me to conceal my name.

But how did he misuse you? You knew, according to your evidence, that this was a front for PAC. -- My status in the Kagiso community made it possible that whatever I say is (30) being taken by the community, is accepted by the community.

But/...

But now you agreed to join an organisation. -- Correct.

He told you this organisation was a front for PAC. --

Correct.

So you knew you went into this, you joined this organisation with open eyes. -- That is correct.

And with this knowledge you then went to recruit members for the organisation. -- That is so.

And he explained to you, accused No. 13, according to your evidence, that he would bring the youth together in an organisation, to take them across the boundaries. -- Not (10) every child was taken across the borders, they were selected.

But he told you that this organisation wished to recruit youngsters who would be sent out of the country for training. That is what you said in effect. -- The position is of the recruited children a certain group would be selected on merit, on intelligence.

But he told you that. -- Yes, this was explained to me.

And after he had explained this to you, you recruited members for the organisation. -- Yes, I did.

Well now how was he abusing you or misusing you? -- (20)
He misused me in that immediately he got away into the children,
then he dropped me.

He dropped you? -- Yes.

How did he drop you? -- Just yesterday certain documents
were shown me here which document I did not know of.

Did you realise yesterday then when I put these documents to you, that the accused No. 13 had dropped you? -- I then realised that he had a private secretary and a private treasurer.

Did you realise then yesterday that the accused No. 13 had dropped you? -- No. (30)

Well, when did you realise that he had dropped you? -- When

I was in the offices of the Special Branch.

And how did you become aware in the offices of the Special Branch that accused No. 13 had dropped you? -- When the police came to fetch me knowing my name and knowing that I belong to this organisation.

The mere fact that the police searched you, made you feel that accused No. 13 had dropped you. -- Yes.

Oh, come, come now. -- Yes, it is very true, he had dropped me.

You realised when you were arrested at your home (10) by the police, that accused No. 13 had dropped you? -- How did the police come to know about my name?

Did you think accused No. 13 had given the police your name? -- He is the organiser of this organisation in Kagiso, so he knows us.

So you thought when the police arrested you that accused No. 13 had dropped you? -- If it was not him, *of this part does not follow.* then his private secretary would have come with this form to show that I was in this organisation.

No, but you are not answering my question. -- I have (20) answered the question.

Well now we will see about that. Did you think that accused No. 13 had dropped you when the police came to arrest you? Answer my question now. -- I said yes.

Why did you think that he had dropped you? -- When the police came, they knew my name when they came to arrest me, to fetch me.

But you are a very well known person in Kagiso. -- Yes, it is true.

The police had known that you were present at a meeting (30) of school principals. -- Yes.

They/...

They knew you were associated with the Parents' Association. -- That is correct.

They knew this already in 1976. -- That is correct.

And your close friend came to arrest you. -- Yes.

Why should you suspect that it was accused No. 13 that had dropped you? -- Not only suspicion that it was Michael Matsobane who got me to be arrested.

It was not only suspicion? -- No.

What else was it that made you believe that Michael Matsobane had got you arrested? -- I would have been (10) arrested together at the same time with them.

But what else was there that made you say that Michael Matsobane was responsible for your arrest? -- If it was not him then there would be a form signed by my with my 50 cent joining fees signed by his private secretary and treasurer.

But now you know that is a silly answer because when the police arrested you, you did not know that there was a subscription fee for the organisation, did you? -- It is now obvious that something wrong was going on that there is now a private secretary and a private treasurer. It is now (20) in the open. That I recruit children and these children are being made to pay 50 cents which are not known to me.

But you did not know that when the police arrested you. -- Yes, I saw them yesterday.

But you did not know that when the police arrested you. -- Yes, I admit that I saw it yesterday.

Sure, but how can that be a reason then why you thought, when the police arrested you, that accused No. 13 had dropped you? -- My form is not here.

But how can that be a reason why you thought that (30) accused No. 13 had dropped you? Reason why you thought, when the/...

the police arrested you, that he had dropped you? -- Michael Matsobane is the person who mentioned my name to the police.

How do you know that? -- I do not know his secretary. I haven't seen his secretary in our meeting.

How do you know that Michael Matsobane mentioned your name to the police? Answer that question now. It is no laughing matter. -- He is an organiser.

How do you know Michael Matsobane mentioned your name to the police? -- He recruited me.

Who told you that Michael Matsobane had mentioned your name to the police? -- The police would not have come to me. (10)

Who told you that Michael Matsobane had mentioned your name to the police? -- Nobody did.

Nobody did, yet you told the Court you know that Michael Matsobane mentioned your name to the police. -- Yes, he is the only person I worked with.

But was he the only one you worked with? -- He is the only person who approached me at different times.

Didn't you work with Aaron Khoza? -- He only came to me when he was invited. (20)

Tell me, Aaron Khoza, where did you meet Aaron Khoza? -- In my house.

In your house, is that the only time you met him? -- No. Any other occasions? -- Yes, in his home.

In his home. Where is his home? -- It is in Ramokgojo Street.

Is that his own home? -- This is his parents's home.

Can you describe that home? -- It is a house that is built of corrugated roofing iron, even the walls are made of corrugated roofing iron. (30)

His house is made of corrugated iron, both the walls and

the/...

the roof are constructed of corrugated iron. -- Yes, right round

The whole building structure is of corrugated iron. --

That is correct.

How many rooms are there in this house? -- I do not stay there.

Well, you went there. Did you not notice? -- I do not go about looking at people's houses.

How did you go into that house? -- Through the door.

Which door? -- Through the front door.

How many doors has that house? -- I used the one door, (10) the door in front. I also went out through that door.

And through which - and in which room were you in that house? -- It is just a room there, I do not know whether it is a diningroom or sittingroom or kitchen.

Was there a stove in the front room? -- No, no stove, there are chairs and tables.

Was there any stove in that house at all? -- I did not see a stove.

That front room is corrugated iron? -- I said the whole house. (20)

Has it got a ceiling that room? -- I said I do not go about looking at people's houses.

I want to put it to you that you are absolutely untruthful, that in fact this house is not made entirely of corrugated iron and that most of this house is made of brick and that the room which you have described now is totally of brick. -- The inside of this room is of brick but the outside this is of corrugated iron. I grew up there and I was born there.

Were you born in this room? -- No, I mean in Kagiso Township. (30)

Was Aaron Khoza's father there? -- No, not in our meeting.

Is there any - the front of the house is made of brick.

-- Well, they know.

But we are wanting to know whether you are disputing that.

-- I said I do not go about looking at other people's houses.

I know my house, I know where I stay.

Is there a fence around this house? -- Yes.

What kind of fence? -- Fence made of wires and corrugated iron, old corrugated iron.

My instructions are that in fact there is a fence, but it is made of wooden slats. -- I am speaking about some- (10)
thing I - this can be confirmed.

Yes, we can confirm that you are in fact not telling the truth. Now tell me, was there any number on this house in front? -- All our houses have numbers written on.

A number? -- Yes.

On the front of the house? -- Yes.

Is that all that is on the front of the house? -- I do not know.

How many times did you go to this house? -- Once. Only the day of the meeting. (20)

You see, I want to tell you my instructions are that in fact the name of the street is in bold letters on the front of the house and cannot be missed; on the brickwork. What do you say about that? -- All our houses, those who are situated on corners as it is in this case is Ramokojo Street and it is the corner of Aitland and the names of these streets are written on that house.

Why didn't you tell me that? -- You did not ask me which street his house is situated.

BY THE COURT: Are your instructions that it is not on the (30)
corner?

MR COOPER: No, my instructions are that it is on the corner.

BY THE COURT: On that corner?

MR COOPER: On a corner. Whether it is on that particular corner I am not aware.

BY THE COURT: What is it? Ramokojo and? -- Ansley.

Well, he has given you the names of the corner.

MR COOPER: My instructions are as well that it is in Ramokojo Road but I haven't got the name of the cross-street. Now, you know a man called Johnson Nyathi? -- Yes, very much.

And where does he stay? -- Johnson stays in (10)
Ramokojo Street.

And how far from the house of Aaron Khoza's father? --
From the corner of Ansley and Ramokojo Street, one counts
Malaza and Modise - Modise and then Malaza Street and then
Nyathi - three houses away from Khoza's house.

Did you ever go to Nyathi's home? -- No, I know the houses
though I do not go there.

Did you ever meet Johnson Nyathi in connection with the
YACM? -- Yes, when they came to recruit me.

Where did you meet him then? -- They came to my home. (20)

Now, when you visited Aaron Khoza's house, were his parents
there? -- Whose parents?

Aaron Khoza's parents. -- I said I did not see them.

Was there anybody else in the house when you visited Aaron
Khoza's house? -- I did not see who everybody was in the house.

Was there anybody else in the house when you visited Aaron
Khoza's father's house? -- I do not know. There are people in
the house and one could not ask who is in all these rooms.

Can you describe the people who were in this house when
you paid this visit? -- I said I did not look who was in (30)
the rooms.

Can you tell the Court what these people were doing in the house when you visited ..(inaudible - interpreter starts interpreting) .. between 6 and 7 in the evening. -- I said I did not know these people, I did not see them.

Now, how many - who were all present on this occasion when you were at Aaron Khoza's house? -- I was there.

Who else? -- Michael Matsobane, Daniel Matsobane, Aaron Khoza was present and Nyathi.

And what happened on this occasion? -- Nothing happened, we only spoke about recruits. (10)

Who suggested that you should go to Aaron Khoza's house? -- Michael Matsobane.

For what reason would you go to Aaron Khoza's father's house? -- He said our meeting should not be held at the same place every time, we should go from one place to another.

When you say 'our' meeting, what were you? A group, were you a committee, were you an executive? -- I mean the people who were there, the group that was there because this was before any elections were made, no executive existed.

Now when you arrived at this house of Aaron Khoza's father, what was said? -- We spoke about recruiting grownup people who could act as people who would also recruit. (20)

Now who spoke about recruiting grownup people? -- Our organiser, Michael Matsobane.

What did he say? -- That we should help by getting influential grownups who could also help in recruiting.

Did he say anything else? -- He then told us how to go about recruiting, the manner of recruiting these people.

How should you go about recruiting? -- That is organise picnics, seminars, days of sports and other things which could bring people together. (30)

Did/...

Did he suggest anything else? -- Nothing further was said. What did you say? -- I did not say anything, I was invited. But didn't you reply to his suggestion? -- Daniel Matsobane had a reply.

What did he say? -- He said he would talk to the authorities, the people who are in authority at the Wilgespruit Community Centre and people at St. Edgars.

What would he ask them? -- To permit us to hold our seminars and picnics.

BY THE COURT: Is that for the picnics and things? -- Yes. (10)

MR COOPER: Do you know, just as a matter of interest, this St Edgars, do you know is it a mission school or do you know it at all? I know you are doubtful about the name that was mentioned. -- It was a school, a boarding school some time back before this location, the Roodepoort Location was built to its present site. The building is still there, the dormitories also are still there. It is also electrified.

I am told that it is known as St Ansgars. Is that all that No. 18 said? -- Yes, he said he would go about getting places where this organisation could go. (20)

And were they the only two people who had anything to say on this occasion? -- They were the only people who spoke.

Aaron had nothing to say? -- I do not remember.

And is that all that was said by accused No. 13 and No. 18?

BY THE COURT: Do you mean about where they were going to hold their things?

MR COOPER: No, about what was said that evening in the house of Aaron Khoza's father. -- And furthermore that our next meeting would be held at the London Missionary Society.

And after that did your meeting terminate? -- That is (30) so, yes.

And you went home. -- Correct.

Or did you run out, starting to recruit? -- No, one does not recruit at night.

Now, I asked you a question and that is, what did you consider yourselves to be? A committee or an executive, the group at Aaron Khoza's father's place? -- I think they were members of the executive because they formed this organisation.

What did you consider yourself to be? -- I was being recruited to be shown the benefits, the good of this thing.

Were you a member? -- Yes. (10)

Now by the way, you told us that you arrived at Aaron Khoza's father's house between 6 and 7 p.m. What time did you and the others leave Aaron Khoza's father's house? -- I did not look what time it was. We did not look at our watches when we were finished meeting, we did not look what time it was.

Yes, but was it a short meeting or a long meeting? -- It was a meeting, could have been long or a short meeting.

BY THE COURT: Is this the one where the question of the different religions came up, when someone talked about the Moslem or the Islam religion? -- That is correct. (20)

And you had a philosophical discussion about beliefs. -- That discussion, the discussion about the Christian and the Islamic came about at the London Missionary Society. At Khoza's home I was told the name, why it had been changed from YACM to YARM.

MR COOPER: Well now that is in response now to a prompting from a question by His Lordship. A moment ago you did not mention any such thing in your evidence. You told us what No. 13 had said and no reference was made to the change of name by you and you told us what No. 13 had said. Is that (30) correct? -- This is in my evidence, the evidence I have already given/...

given.

I am testing your evidence now. -- Oh, I see.

Well, you appreciate that. -- Yes, I am interested in being tested to prove I am telling the truth.

You knew that you would be cross-examined before you gave evidence. -- Asking whether I am telling the truth; yes, this is true.

You are not answering my question. -- What is your question?

You knew, I put it to you, before you went into the witness-box, that you would be cross-examined. -- To test (10) the truth in my evidence, yes.

How did you know you were going to be cross-examined? Who told you? -- This is a court and one expects discussions of this kind in court.

Now you see furthermore when I asked you what No. 18 had said you told us what he had said, that he had referred to Wilgespruit and other matters, but you did not mention any - mention that he had made reference to the change of name, did you? -- I said it is mentioned in my written statement and in this court. (20)

You constantly refer to your written statement. Which written statement is this? -- It is the evidence I have given before this Honourable Court.

No, that is not your written statement. -- It is.

Which is your written statement that you are referring to? -- The evidence that has been given before this Court.

Now I want to suggest to you, you are deliberately lying. -- I am telling the truth.

You know when you say your written statement, you are referring to the written statement you gave to the police. (30) -- It is the same evidence I gave before this Court.

You/...

You say it is the same, but evidence before the Court is not written statement. -- Well, I do not know if I am hearing that.

You are a school teacher. -- Yes.

You are a principal. You know the difference between evidence in court and a written statement. -- They are the same.

You know, I want to suggest to you, that they are different things. -- They are the same.

And when you, I want to suggest to you and give you the last opportunity of being truthful on this point, that (10) when you referred to your written statement, you were referring to the written statement you gave to the police. -- It is a statement that is in this court and which is the whole truth.

BY THE COURT: You mean the contents of what you told the police and what you have told me are the truth? -- Correct.

MR COOPER: Your written statement to the police, did you swear before a police officer that what is in there is the truth, the whole truth and nothing but the truth? -- Yes, I took the oath and I signed.

And you know you are bound by that oath that you gave (20) on that occasion, aren't you? -- Very much correct.

So you cannot depart from that written statement that you made to the police under oath. -- No, I cannot.

Yes, if you do, they will continue to detain you. -- Then I would have told this Honourable Court a lie.

But you know that if you told this Honourable Court a lie then you expect to be detained. -- That is correct.

So that you know if you depart from your written statement to the police, you will be detained. -- This depends on his Lordship. (30)

Who told you that it depends upon His Lordship?

BY THE COURT: I did.

MR COOPER: Did Your Lordship tell him?

BY THE COURT: When I warned him in terms of the Section.
You know the Section.

MR COOPER: I was not aware that it had been mentioned. Some
Courts make no reference to the Section at all.

BY THE COURT: Don't they?

MR COOPER: No, certain Courts do not.

BY THE COURT: I thought we were obliged always to.

MR COOPER: Well, I was also under that impression. (10)

BY THE COURT: Well, be that as it may, he was probably told
this beforehand, it is quite possible he was told beforehand.

MR COOPER: In fact you were told before you told evidence,
weren't you, that whether you were freed depended upon His
Lordship. -- I was only told that it would depend on His
Lordship the Judge what he does with me. I know myself to be
under arrest.

But you were told this by a member of the police, weren't
you, before you gave evidence. -- No, they told me nothing. I
regarded myself as a person who is arrested. (20)

Weren't you interested to know what would happen when you
came to court? -- I do not go about asking questions.

You told us that you have been in detention. -- Yes, that
is correct.

Have you been in detention - I am sorry, I cannot recall
the date of your detention, I think you said November, 1977.

-- No, October. The first week of October.

Have you been in detention all this time? -- Yes, I am
still detained, I am from jail.

During this period were you not released? -- No, I (30)
would have escaped now.

Have you since the first week in October, 1977 ..

(intervenes)

BY THE COURT: Is it October, 1977? -- Last year. I am not certain of the date.

MR COOPER: Have you during this period at any stage been walking around in Kagiso? -- I was very far away from home. If I had gone to Kagiso, I have a passport, I would have escaped.

Well, I have an instruction that you were seen walking in Kagiso. (10)

BY THE COURT: Do you mean a free person?

MR COOPER: Apparently. -- Must have seen my ghost.

And in Bethal, have you been allowed out of your cell? Have you walked around in Bethal in the street? -- No, I am not in Bethal, I am from ..(inaudible)

Yes, but have you walked along out -- have you been allowed out to walk in the streets in Bethal? -- In the street, no.

With your friend Mr Tsutsube.

BY THE COURT: Just let me get clear. I thought you were talking about that he was allowed out as a free person to wander about, not with a constable tagging along. (20)

MR COOPER: I am now asking him whether he was in fact walking around this time with Mr Tsutsube. -- I was brought to Bethal during last week, I think it was on Wednesday. I was told I would be appearing in court. I do not know Bethal.

BY THE COURT: Well the point is have you been able to walk around here since last Wednesday? -- Not with Tsutsube. I was with one Siphuti, we had gone down to the shops.

MR COOPER: You were taken to the shops, were you? -- Yes, they had taken me, they had gone to buy fruit for me. (30)

Were you given an outing? -- Yes, that is correct.

All right, let us go on. So is it correct, as you have told His Lordship this morning, that the change of the name of the organisation, the YACM to YARM that was not mentioned at the house of Aaron Khoza's father?

BY THE COURT: Are you sure he said that?

MR COOPER: That was the impression that I have of his evidence that he said that and then he said ..(inaudible - interpreter is interpreting) .. at the London ... (inaudible)

BY THE COURT: No, no, he said the change was mentioned at Aaron Khoza's house and what I had got wrong, the (10) philosophical debate, if one may call it that, about religion which your Junior will show to you and I see he is correct, took place at the London Missionary Society there was a discussion about religion, Jesus Christ was not crucified and all that, that is the same note Mr Fitman no doubt is showing you.

MR COOPER: Your Lordship is perfectly correct, I am in error. Were you at any place subsequent to this meeting at Aaron Khoza's father's house where Aaron Khoza was present? -- I do not remember. From the meeting held in my house, I was invited to the one at Khoza's home. (20)

At Khoza's home or his father's home? -- The house belongs to his father.

And that was the only occasion on which you met Khoza. Is that correct? -- That is it.

You never went to Aaron Khoza's house? -- I do not know where he stays.

You do not even know where he stays. Now, I want to come back to your statement this morning that you said that when the police arrested you, you thought that accused No. 13 had dropped you. -- Who is No. 13 again? (30)

Michael Matsobane. -- I did not think that he had dropped

me, I realised he had dropped me.

That is when you were arrested? -- Yes, correct.

Now, you decided to tell the police the truth when you realised that Michael Matsobane had dropped you. -- That is so. I realised now the police must get the truth.

That you realised when you were arrested. -- That is correct.

And in the statement that you made then to the police you did tell them the truth. -- I tried to conceal our organisation. (10)

No, but you cannot have it both ways you see. You say that you realised that Michael Matsobane had dropped you when you were arrested and that you then decided to tell the truth. That is correct, you said so? -- I said during the 5 days I kept on writing and I wrote and wrote but what I wrote was not accepted by Captain Schoeman.

So in fact what you wrote was it false? -- As I said I was concealing the organisation because this organisation is a secret organisation. Now if people say they have a secret then it must be kept secret as such. (20)

But at that stage you appreciated that accused No. 13 had dropped you and you decided to tell the truth. Oh, you know who No. 13 is. -- No, he is not No. 13 he is ..(inaudible) Mike Matsobane.

No. 13 please stand up. That is accused No. 13 and do not trifle with the court. --- Oh, I see.

When we now refer to No. 13 it is that accused. -- I understand.

And please do not try and play for time in this pitiful way by having these little diversions. -- I am not trying (30) to pay for time, I am being asked questions by Counsel of things/...

things I know and he does not want to accept that.

Now, although you thought that Michael had dropped you and you decided to tell the truth, you made 5 statements to the police which were untrue. -- Not only 5 statements, many.

That were torn up? -- Yes.

How many would you say were torn up? -- Many. I wrote and I just wrote. If I write, I do write.

And over what period of time did you write these many statements? -- Five days.

Five days. You were writing day and night? -- If it (10) was possible, yes, I wrote.

Yes, well, were you writing day and night? -- No, I did sleep at night.

Did you have a bed to sleep on? -- No, there was no bed. I had the mat to sleep on.

You were sleeping on a mat in an office? -- Yes.

Did you have a change of clothing? -- Yes, my wife brought clothes.

When did you make a statement which Captain Schoeman found satisfactory? -- I made a statement which was acceptable (20) when I realised that this secret of ours has not been kept secret by Michael.

And when you realised that Michael had abused you, as you said, misused you. -- That is so.

That is while you were still in the office. -- Still in the office.

Did you learn that Michael was a member of the PAC or had been a member of the PAC? -- I did not know that and if I knew I would have had nothing to do with him.

Did the police at any stage tell you that Michael had (30) been a member of PAC? -- The police did not say so, they did not mention/...

mention this. He mentioned to me that the police do not want to see him seated at one place.

BY THE COURT: That is what Michael told you? -- Michael.

MR COOPER: Just repeat what did Michael say? -- That the police had eyes on him, that they were watching him.

BY THE COURT: And that is why he had to move around, do you say? -- That was the reason.

MR COOPER: But Michael never said that he had been a member of the PAC. -- No, he did not say that. I only knew that our organisation was a cover for the PAC. (10)

And if you had known that Michael had been a member of the PAC would you have had anything to do with Michael? -- As I have already said, I would have had nothing to do with him.

Nothing to do with it at all. And wasn't it that during detention that you heard that Michael had been a member of the PAC? -- No, he told me in the meeting that was held in my home.

And wasn't it during the detention that you suddenly thought that this man must have been or is a member of PAC, and he has got me into trouble now? -- No.

Well, you see, I want again to say when do you think (20) that he misused you? -- When did he realise?

Yes, when did you realise that accused No. 13, Michael, had misused you? -- He made me a front for the Kagiso school children by holding a meeting in my school. Secondly, he made me a front, the eyes of the Kagiso residents in the meeting that was held in the community hall and as it is right now I am in jail.

Did you resent that he made you a front? -- Very much, very much.

Because you did not realise that he was making you a front at the time that he was using you as a front. -- Altogether (30)

not. I accepted him to be a person who is working together with me.

And it was only after you were detained that you thought that accused No. 13 had used you as a front. -- I realised that. It became very clear that he was using me as a front.

And it was only after your detention by the police that you realised or thought that the YACM was a front organisation for PAC. -- No, he had told me so at the meeting held in my home. That I was aware of.

Then why do you resent being a front when you were willing to be a front? -- The organisation was a secret organisation. (10)

You said you resented the fact. First of all you said you did not know that he was using you as a front when you had the meeting of the 5th August in your school. -- That is correct, I was not aware of it.

But you resented it once you discovered it. -- Very much, I resented it very much.

How can you say you did not know you were being used as a front if your evidence is true that he told you that this organisation that you were belonging to was a front organisation for the PAC? -- Right now you have now produced documents which are not known to me. He has a secretary not known to me, I have never seen the secretary. He has a treasurer not known to me, I have not seen any money. (20)

Is this the time then that you realise for the first time that the organisation you belong to is a front organisation? -- No.

All right, you say you were used by accused No. 13 as a front when you agreed to hold this meeting on the 5th August at the school. -- Yes. (30)

And/...

And you made a fiery speech according to you. -- That is correct.

But then you were not being a front when you made this fiery speech. -- The meeting was convened by Matsobane, Michael. The chairmen were myself and Michael. I did not know what I had to say. He told me what to say.

Oh, now, come, come, you are a man of 47, you are a school principal and you want the Court to believe Michael is the one that told you what to say? -- That is correct.

You belonged to the School Principals Organisation, (10) didn't you? -- That is so.

And you and other school principals had met before the 5th August? -- That is so.

And the parents had met before? -- That is so.

The principals were concerned about the grievances which the young had? -- That is so.

The parents were concerned about the grievances of the young which had led to all the trouble? -- That is all correct.

And you and all the other principals wanted to cool down the situation, to get the children to be calm and for law (20) and order to be restored. -- That is correct.

You felt very strongly about that. -- That is so.

And that was the purpose of the meeting of the 5th August, wasn't it? To discuss the grievances or to hear the grievances of the students. -- Michael Matsobane is not a principal nor is he a teacher.

Sure, but the purpose was to hear the grievances of the children, wasn't it, of the meeting of the 5th August? -- That is what Michael wanted.

Sure, and also you wanted to calm the children. -- No. (30)

Didn't you want to calm the children? -- We wanted them

to tell us what they were against, what they did not want.

You did not want to inflame the children to riot, did you, on the 5th August? -- I would not have done so because my school was amongst the burned down schools.

Sure, and yet you tell this Court that you made a fiery speech, approving of rioting. -- That is very correct.

Yet you were against rioting. -- Yes, though I did not mention there should be rioting.

What did you mention in your fiery speech? -- If one makes a speech, a political speech, one does not actually (10) mention, it is not usual that one should say now look, go on rioting, one does not say keep on fighting. There are different political speeches.

That may well be, but you told the children that they had to unite. -- Yes.

You referred to solidarity. -- Very much.

What did you mean by that? -- Solidarity, come together, be one.

① And you told them that they were getting an inferior brand of education. -- They mentioned this inferior education. (20) What I do is I teach them this inferior education.

② Did you tell those present on the 5th August, 1976, that what they were having was an inferior brand of education? -- They mentioned that they did not want this brand of education. It was the cause of the riots.

③ Did you tell those present that the children were getting an inferior brand of education? -- How can one tell people in speeches that this is not right? What kind of a speech is that? If it is something that is not good.

④ Do you deny that you told the children that their education was an inferior brand of education? -- If I wanted to, (30)

I could have called them in the beginning of this kind of education, Bantu education, because I was teaching already and I could have told them this is not the kind of education I received or alternatively I could have resigned.

On the 5th August, 1976, at the meeting at your school, you did not tell the children that their education was an inferior brand of education? -- It had already been mentioned by them that they did not want this type of education. In fact not only those, but the whole country.

You know, you have not answered my question although (10) I have repeated it at least half a dozen times in this form. You know that. -- You are asking me one and the same question, but only in different ways.

You are not answering it because you are trifling with the Court. -- No, I am not doing so .. (intervenes)

Why are you not answering yes or no to my questions? -- I have. LIE

You have not. How dare you suggest that you have answered my question yes or no? -- I have answered. LIE

Well, the record will speak for itself. Did you or (20) did you not tell those present at your school on the 5th August, 1976, that their education was an inferior brand of education?

-- No.

You did not. Did you tell them, yes or no, that they were involved in, that is rioting, was all right, it was the right thing? -- I said they must unite to become what you call solidarity and I said in that way they can all speak in one voice. If I still remember my speech made some 2 years ago.

So do I gather from what you have said now that you did not tell the students who were present there that what they (30) were involved in, that is the rioting, was all right, it was the/...

the right thing? -- I said to them what they were involved in was a good thing by showing what they reject but further said it is not being done in the right manner.

If anybody said that you told them that the rioting was all right, would that be false? -- It would be false. It would be false before this Court.

And if anybody said that you had said on the 5th August to those present at the meeting that rioting was the right thing, that would also be false. --- How can a person who has lost things in the region of R8 000 in his personal things, (10) still say it is right to riot?

Sure, obviously, and so any such allegation is made that you said that rioting was the right thing, that would be an infamous lie. -- That would be a lie.

Why did you tell infamous lies in your evidence-in-chief to this Court? -- I did not tell any lies to this Honourable Court.

I will read to you from our notes, His Lordship will correct me if I am wrong in my notes. You said to those present that the education was an inferior brand of education. Do (20) you deny that you said that in this court to His Lordship? -- I said to them .. (intervenues)

Do you deny that you said it to His Lordship? Do not give us speeches any more. -- I am not making a speech, I am trying to correct this wrong.

You are trying to evade the evidence, false evidence that you have already given. -- I said to the children if they do not want a thing then they must speak up, but it is not the right way of doing things.

You are not answering my question. --- I have answered (30) the question.

You/...

You see, you are not sitting in judgment, His Lordship is sitting in judgment and I shall have no difficulty in submitting that you are a lying witness on this point, but I want to give you an opportunity. -- I am the person who is being driven, is it not so?

Are you being driven? And while you stick to false evidence you will be driven. -- It is difficult for me for Counsel to want me to speak a lie before this Court.

Do you deny having told His Lordship - and it is a very simple question - that you told those present that the education was an inferior brand of education? -- I did not say so. That was not what I said. (10)

BY THE COURT: ..(inaudible)

MR COOPER: Thank you, M'Lord. What his Lordship says that this is what he wrote down and what he heard you say. And the next thing now, do you deny that you told His Lordship I told them that what they were involved in, rioting, was all right, the right thing. Do you deny or admit having said that to His Lordship? -- I said what they are doing is right, but the manner in which it is being done that it is not right. (20)

Now let me just - you know, His Lordship has great patience, but the way you are answering the questions is really straining his patience and everybody else's patience.

BY THE COURT: My note is that you said both those two things. Let me read you what my note is. Can you just give me a refresher on the place.

MR COOPER: He gave the names of the people who were there, Malita Mogojoe, Mrs Mzimela, Khehla Maseko and then he went into what happened. I told the children that they had to achieve or be Black solidarity; Black education was an inferior brand - that is my note. They were involved in the right/... (30)

right thing, that is rioting, to get things right. That is what my note is of what you said. -- This is probably a mistake made in this court because what I said was not what was written. When I spoke to the children at school, I did not make notes of what I said. There is the possibility that one can make a mistake, one word there and one word there. One can make mistakes of what he said, particularly after 2 years. What I told this Honourable Court is the truth, though I did not write what was being said, I just spoke. Counsel wants me to turn the truth that I have told here to a lie. (10)

I do not want you to do that and I can understand that things can be forgotten and mistakes can be made, but what you will have to try and explain, if you ever can, is how yesterday you say one thing which has a clear meaning, a very specific meaning and today not only do you deny having said that, but in fact you say you would never have said it.

THE COURT ADJOURNS FOR TEA. THE COURT RESUMES.

JAMES SEJANAMANE: still under oath:

FURTHER CROSS-EXAMINATION BY MR COOPER: When the . . . (The witness wants to say something to the Court, M'Lord.) (20)

BY THE COURT: Yes? -- I just want to mention that if questions are being put to one, there is a possibility of one making a mistake in answering. I made a mistake a few moments ago before this Honourable Court because of education which I admitted was inferior. I also made a mistake when I said rioting was not the ideal thing. Yesterday I said to this Court when I made my speech, the address at school, I said the actual cause of the rioting was because of the education. I also said they have the right to fight an inferior education. Another thing is I said it is right to riot, I said they are right (30) in rioting, but the speech I made to the children I said to

the/...

the children the way in which they show their rejection of this, is not being done in the right manner because they involve in burning schools, these schools being the institutions for men. I told them if they burn these places where they get their education, where would they get education from. I am making this explanation, asking His Lordship to pardon me for not having answered the question which I did not understand a few moments ago.

MR COOPER: You understood every question that I put to you this morning. -- It was because of these questions that I made (10) a contradiction of what I had said.

Did you understand my questions this morning or did you not? -- I did not understand the question and I gave a statement which contradicted what I said that .. (intervenes)

How dare you tell the Court that you did not understand my questions? -- I did not understand the question and I gave a statement that contradicted what I said to this Court.

BY THE COURT: Did not understand? -- The question, hence.

Oh, hence.

MR COOPER: But what didn't you understand about my question (20) when I asked you whether you had said to those present that they had an inferior brand of education? What didn't you understand about that question? -- I altogether did not understand the question. I said to the children in fact the education you are having is an inferior education and they had the right to fight in rejecting it and further said they have the right to carry on with the riots but the way in which they were doing it is not correct because they were damaging our educational institutions.

Now will you answer my question and not give the (30) Court a speech? Will you just listen to me now? -- I ask the Court/...

Court to pardon me.

Yes, the Court does not pardon untruthful witnesses. Would you just answer my question? I asked you a question this morning whether, at the meeting of the 5th August, 1976, you had said to those present that they were having an inferior brand of education. Do you remember me asking that question? -- I remember that question.

You understood the question? -- I did not understand what the question - what was implied by it.

Did you understand the words that I uttered? -- Not (10) so clearly.

What didn't you understand? -- I did not understand which direction your question was taking.

You did not understand what direction my question was taking? -- Correct.

And therefore you were thinking which direction I was going to go, you answered accordingly? -- It is only now that I realise what was intended by your question.

But at the time you understood the words that I uttered and which were translated to you by the Interpreter? -- (20) As I said I did not understand the direction.

I am not interested whether you understood the direction, I am interested and the Court is interested to know whether you understood the question. -- Yes, I did.

So you gave a false answer because you did not understand the direction in which I was going? -- That is so.

So you deliberately lied to His Lordship because of the direction that you thought I was taking you in my cross-examination. -- No, I did not lie.

Well, you have just a moment ago said that you lied. (30) -- I have asked the Court to pardon me on that. I said I made

a mistake.

No, but you did not make a mistake. -- It was not a lie.

Wasn't it a lie? -- No, not a lie.

Wasn't it a lie when you said you had not referred to an inferior brand of education? Wasn't that a lie? -- I said I did not understand the question.

Did you say that this morning, that you did not understand the question? -- Hence I made this address to His Lordship.

No, no, but didn't you tell His Lordship this morning: M'Lord, I do not understand the question? -- No, I did not. (10)

Why not? -- I did not know what was intended by the question.

But why didn't you tell His Lordship, simple, M'Lord, I do not understand the question? -- Well, I did not understand the question.

But of course you did understand the question, as you have already admitted to me. -- I heard the question, but did not understand it.

Do you answer questions which you do not understand? -- Anybody being asked questions can make mistakes.

No, we are not talking about making mistakes, but (20) do you answer questions that you do not understand? -- Well, anybody can answer a question in a way ..(inaudible)

No, but that is not the point. You said this morning that it was an infamous lie - you agreed to my suggestion that it was an infamous lie if somebody were to say that you had spoken about an inferior brand of education, you said it was an infamous lie. Did you say that? Did you agree that it was an infamous lie? -- Yes, I agree.

Why did you then agree if it was not an infamous lie? -- It was because I did not understand the question. (30)

But how could you say that something is an infamous lie

when/...

when you do not understand the question? -- Just simple, just as I have been using my brains to answer questions.

Sure you have. Because you see, you have a good command of the English language, haven't you? -- That is so.

Sure, you understand me. -- Yes.

And you understand the English that I use. -- I do.

And the English that I used this morning was not complicated, was it? -- That is so.

And in fact you had an opportunity to think about your answer to my questions because you have the Interpreter first(10) of all interpreting and then you answered. Isn't that true? -- That is so.

Now, then you see you also said it was an infamous lie if it was suggested that you had said that what these children were involved in, that is rioting, was all right, the right thing. -- I did not understand the question.

But what didn't you understand about that question? -- I did not understand the intention, the direction of that question.

No, no, you say the direction, what do you mean about the direction of the question? -- If a person is being asked (20) questions, being told that this thing is like this and he knows about it, he may give a wrong answer.

Do you understand this question? Did you say to those present that what they were involved in, rioting, was all right, the right thing? Do you understand that question? -- I understand that question.

You have no difficulty in answering the question? -- There is a possibility of a difficulty.

What is the difficulty? -- In answering the question.

But what difficulty is there in answering that simple (30) question? -- Questions can be answered in different ways.

Yes/...

Yes, it can either be answered truthfully or untruthfully. Don't you agree with me? -- I agree with you.

Now, you see, again I put another question to you, very simply. Did you say to those present that what they were having was an inferior brand of education? -- Yes.

You understand that question? -- Yes, I do.

When that question was put to you this morning you understood it. -- Not earlier the morning.

Why not this morning? -- It is one question which one could answer rightly or incorrectly. (10)

Did you answer it incorrectly this morning? -- I have already made an admission for this Court that I answered incorrectly.

In fact your admission is that you answered it untruthfully this morning. -- No, it is not so.

Well, what is the truth that you told the Court this morning before the tea adjournment? -- I had made a mistake in answering.

Did you also answer truthfully when you denied to His Lordship that you had said (a) that those present were (20) having an inferior brand of education; and (b) that you told them that they were involved in rioting and that rioting was all right, the right thing? -- The question put to me was not what I have said to the children, hence my reply to that was incorrect.

The question put to you this morning was, and there were a few questions, was whether you admitted or denied that you said certain things on Wednesday in this court to His Lordship. Do you remember that? -- Yes, I do remember.

And you were asked whether you admitted or denied that (30) you had told His Lordship previously in this case that the education/...

education was an inferior brand of education. Do you remember that question being put to you? -- Yes, I do very well.

That is a simple straightforward question. -- I could not answer it correctly because it is what I said.

But answer was it a simple straightforward question? -- My reply is that I did not answer the question correctly.

Was it a simple straightforward question that I put to you? -- It was not complicated, it was straightforward.

And you denied to His Lordship that you had said this previously. -- Yes, that is why I asked this Court to (10) make this correction.

Forget about what you asked the Court. The question which I put to you was a simple straightforward question, yes. -- Yes.

You denied that you had said previously in court that it was an inferior brand of education. -- Yes.

That was a lie. -- It was not a lie.

Was it the truth? -- I did not answer the question.

You did understand the question, you have admitted to me a moment ago that you understood the question. -- I did not understand clearly. (20)

Finally, when you denied this to His Lordship this morning that you had told those present that what they were involved in, rioting, was all right, the right thing, you understood the question which I put to you? -- The question was straight-forward.

Sure, you understood the question? -- Yes, I did.

And you told a lie to His Lordship. -- I did not answer correctly.]

You told a lie. Isn't that true? Isn't that correct? -- I did not answer the question correctly. (30)

Well, I shall ask His Lordship to make the obvious finding.

Now what happened when the Court adjourned just after 11 o'clock and when the Court reassembled at 12 noon, what had happened which made you tender this explanation to His Lordship? In this hour what happened? -- I was sitting and thinking going over the answers I have given to this Court.

Now the explanation that you gave to His Lordship boils down to this, that you did tell the children that you approved of rioting. Is that correct? -- Yes.

And in fact that was an inflammatory thing to tell these children, wasn't it? -- I do admit it. (10)

But you told us this morning that you were opposed to inciting the children. -- The manner in which it was being conducted was not correct. The manner in which the rioting was conducted.

But they must have a different way of rioting. Is that what you are suggesting? -- There are many ways of showing one's rejection of a thing.

Did you want them to riot in a different way? -- Not by burning schools.

Now, in fact isn't it correct that Captain Schoeman (20) interviewed you before you were arrested? Not you personally, but you and a number of other individuals. -- He spoke to us as heads of schools.

Yes, you were called by Captain Schoeman to his office in August - in approximately August, 1976. -- That is so.

Who were all present? -- All principals of our schools.

Yes, and were there also various persons there who were parents? -- He took us in groups when he addressed us, but the parents were present.

He took the principals in a group? -- He started by (30) school principals.

What/...

What did he want to know from the principals? -- His plea to the principals was that they should talk to the children in an endeavour to calm them down.

Did he also ask who were present at meetings? -- There was nothing asked by him about meetings.

Also did Captain Schoeman talk to a group which represented the parents at this same occasion? -- After when the principals left, when we went out, the group that represented the parents, the Parents' Association went in. Let me first say this: when the principals went out, members of the School Board went in. (10) He spoke to them.

Were you there? -- We were not present.

And then he spoke to another group? -- That is so.

They were a group of parents. -- Yes.

Were you a member of that group? -- Yes.

Did he ask those present whether they had attended a meeting called by the Parents' Association? -- The people he was then addressing were members of KAPA.

Yes, but did he ask whether they had attended a meeting (20) called by the Parents' Association? -- They, the KAPA were the people who convened the meeting, the Parents' Association.

BY THE COURT: The meeting with Captain Schoeman or another meeting? -- The meeting which was being addressed by Captain Schoeman there.

MR COOPER: I may not be putting the position clearly. My instructions are that Captain Schoeman called the parents and the principals and he spoke to them in groups; that he asked those present, the parents that were present in that group, whether any of them had attended a meeting called by the (30) Parents' Association; that is obviously a meeting prior to the/...

the occasion on which he was talking to you. -- Was it the former Parents' Association?

Yes. -- Yes.

And did you deny that you had attended any meeting of the Parents' Association? -- I admitted, I told him further that all principals were invited to the library, together with the community.

BY THE COURT: Now what meeting in the library were you talking about? I just want to get clear. You said you told Captain Schoeman that all principals and others in the community (10) had been invited to the library. -- I said so.

Well, what meeting at the library was that? -- It was a meeting by the former Parents' Association.

In the library of? -- The Kagiso Library.

You say your instructions are what?

MR COOPER: That this witness and other principals denied having been in the meeting called by the Parents' Association. That is my one instruction.

BY THE COURT: Well now, are you quite certain that you and he are talking about the same thing? You must bear in mind he (20) is talking about a former Parents' Association and you may be talking or your instructor may be talking about KAPA.

MR COOPER: We are in fact talking about KAPA.

BY THE COURT: You are, you mean the people who are instructing you are.

MR COOPER: My instructions are that it was a Parents' Association meeting.

BY THE COURT: Yes, but you see KAPA was eventually formed, it was a new Parents' Association.

MR COOPER: That is correct. (30)

BY THE COURT: Now he said that he told the captain that he indeed/...

indeed had, as the other principals, been invited to a meeting at the library of the former Parents' Association.

MR COOPER: No, my instructions are - although I suppose I had better clear this up.

BY THE COURT: You had better clear this up.

THE COURT ADJOURNS FOR LUNCH.

THE COURT RESUMES AT 14h00 ON THE 15th MARCH, 1978.

JAMES SEJANAMANE: still under oath:

FURTHER CROSS-EXAMINATION BY MR COOPER: KAPA was the Parents' Association, was it? -- There was originally a Parents' Association before the take-over by KAPA. (10)

And KAPA was chosen by the students. -- That is so.

And you were a member of KAPA. -- That is so.

Actually you were proposed as chairman but you were not elected. -- That is not so.

Now, after the riots Captain Schoeman called KAPA, principals, the School Board and the SRC to the police offices. -- Yes, these organisations were called.

You were present that day. -- I was present that day.

And Captain Schoeman spoke to the principals. -- Yes. (20)

And the principals were asked whether they had been present at a meeting called by KAPA. -- There was no meeting called by KAPA during those days.

A meeting called by KAPA before the riots. -- I do not know of any such meeting.

There was a meeting called by KAPA after the riots. -- I do not know of such meeting.

Anyway, my instructions are that KAPA called a meeting after the riots. -- I am hearing that for the first time.

But the principals denied to Captain Schoeman that any of them had been present at this meeting called by KAPA. -- Well, (30)

I am hearing it.

BY THE COURT: I just want to get clear about something.

After KAPA had been elected, that was Mr and Mrs Mogojoe, Michael, you and Hippo, you were elected to that position. -- That is so.

Wasn't a meeting of KAPA held, that is a meeting of KAPA held at Mrs Mogojoe's house? -- This day at Mrs Mogojoe's was the day when Moses was co-opted and Daniel Matsobane and others were not elected.

Was that a meeting though of KAPA? -- Only to choose (10) a chairman ..(intervenes)

Yes, but it was a meeting of KAPA. -- Yes.

Moses was chosen as the chairman, Michael was the secretary and Mogojoe was the treasurer. -- That is so.

And then there was another meeting of KAPA at the Kagiso Community Hall. -- Yes.

MR COOPER: And you were present at that meeting. -- Yes, I was.

BY THE COURT: And that is where members of the SRC or new people of KAPA were introduced. Is that correct? -- Yes.

And Shun Chetty was the guest of honour. -- That is so. (20)

And then you say there was another meeting of KAPA. Now, what I do not quite understand is you have said to Counsel that there was no meeting called by KAPA. -- Counsel said after we had been called by Captain Schoeman. The meeting that was held at the hall, was held before we were called by Captain Schoeman.

Yes, that is so. Which hall? The community hall? -- The Kagiso Community Hall.

Or the library? Is that the same thing? -- No, it is not. At the Kagiso Community Hall.

I still do not really know. Anyway, go on. (30)

MR COOPER: I will clear it up in a few minutes, M'Lord. Anyway, Captain/...

Captain Schoeman asked you whether principals had attended a meeting called by KAPA. -- Which meeting?

Any meeting called by KAPA.

BY THE COURT: A public meeting?

MR COOPER: A public meeting, yes.

BY THE COURT: A public meeting arranged by KAPA. Did Captain Schoeman ask you whether the principals attended such a meeting? -- Yes, principals were present at the meeting called at the hall and all the community members of the community were also present. (10)

But did Captain Schoeman ask you about that? -- Yes, he did.

MR COOPER: And did the principals deny that they had attended that meeting? -- Nobody denied.

Did they admit that they had been at that meeting? -- They admitted.

BY THE COURT: What meeting?

MR COOPER: That is a public meeting called by KAPA.

BY THE COURT: Where? I do not understand this evidence. I mean it is no use just - what hall?

MR COOPER: May I ask the witness at which the hall ... (20)
(intervenes)

BY THE COURT: Well you are putting something to the witness. You must have a hall in mind from your instructions.

MR COOPER: I have in mind the community hall. Now the meeting that you have referred to now which was called by KAPA at which the school principals were present, where was that meeting held? -- It was at the Kagiso Community Hall.

And you see, my instructions are that the principals all denied that they had attended this meeting at the Kagiso Community Hall. -- No principal denied. Those who had attended were there and there are some which did not go. (30)

You/...

You were one of those who attended that meeting at the community hall. -- I was present, yes.

And my instructions are you were rebuked by Captain Schoeman for denying that you had been there. -- I did not deny this.

BY THE COURT: Now before you go on. Before the adjournment, you said something about a meeting of the former Parents' Association, that is the one before KAPA took over, at the library. Is that correct? -- Yes.

But that was not KAPA, that was the Association of (10) Parents, the association before KAPA took over, is that what I understand? At the library. -- That is so.

MR COOPER: Did you not at that stage when you were at the Krugersdorp Police Station being questioned by Captain Schoeman, think it necessary at that stage to reveal of your association with accused No. 13? -- No.

You did not think it was necessary to go and tell him that the one body that you had been involved with, was a front for PAC? -- No.

Why not? -- It was a secret organisation. (20)

So that is the reason? -- Yes.

Now let us begin where your evidence started and that is where you allege that accused No. 13 spoke to you about the formation of a youth organisation. You remember referring to accused No. 13 in your examination-in-chief. -- Yes, I said so.

You told us that. In truth and in fact you are a member of the Methodist Church of Kagiso? -- I am.

You attend the church regularly? -- Yes, I do.

Would you say you go every Sunday? -- Not every Sunday.

I am a church choir conductor. (30)

But in 1975 you went to church regularly on Sundays. -- We have/...

have two churches. One is in Kagiso Extension, one is in the old Kagiso Location.

Do you know a Reverend Pitso? -- Yes.

Does he preach at your church? -- Yes, he preaches in different churches.

Did he not in 1975 announce at a church service one Sunday that there would be a meeting and that this meeting would be held with a view to involving the youth in the activities of the church. -- Yes.

That is correct. And he announced when that meeting (10) would be held. -- That is correct.

Now, that was the first time that you heard any suggestion that there should be an attempt made to involve the youth in the activities of the church. -- It is so.

The purpose of this meeting was actually to start a body which would involve the students in the activities of the church. -- That is so.

And there subsequently was a meeting at which the involvement of the youth in the church was discussed. -- That is so.

You were at that meeting. -- I was present. (20)

And was Errol Letseleha present? -- He was present.

Anybody else present there? -- Mrs Mogojoe was present, Moeketsi was present, Boqo was present and many others, people I do not remember.

Was accused No. 18 present, Dan? -- They were both present.

BY THE COURT: Dan and? -- Dan Matsobane and Michael Matsobane.

MR COOPER: My instructions are that No. 13 was not there, but I am not going to pursue that. But this meeting did not get anywhere. -- It progressed in that an organisation was started.

Well, my instructions are that at the end of this (30) meeting it was announced that another meeting was held and that the/...

the other meeting was never held. -- Well, you say so, but I say that we did start an organisation.

You did. Who did start an organisation? -- We, the youth of the church.

What did you call your organisation? -- It was the Church Youth League.

Yes, what was its name? -- It did not have a name.

Did it have a function? -- To help the minister.

Yes, but did it ever meet, this organisation you are referring to? -- Yes, it did. (10)

Did this organisation have a committee? -- Yes, it had a committee.

Were you on that committee? -- I was on the committee.

And what happened to this organisation? -- After some time it just ceased to exist.

Just who was on the committee of this? -- I was on it.

What was your position? -- A committee member. Moeketsi, ..(inaudible) .. Matsuso, Moeketsi, Boqo, Kgomongwe, Mrs Mtshiki.

Are those the members of the committee? -- Those I still remember. (20)

Did this committee meet? -- Yes.

Regularly? -- Yes.

And who was the chairman? -- Moeketsi was.

And what was the function of this committee? -- To encourage to attend church services, to come to church.

Did it organise any functions? -- Yes, it did.

What were the functions it organised? -- We had White ministers coming to address us about the youth.

Yes, other activities? -- And to teach us how to go about encouraging the youth to come to church. (30)

Now accused No. 13, 14, 15, 16, 17 they were not involved in this youth movement? -- Two of them were.

Which ones are that? -- Michael Matsobane and Dan Matsobane.

But Michael was involved with the YACM.

BY THE COURT: No, but this is all history. I do not know how, I was wondering how you thought this was important. This is all stuff he told us about what happened before the YA whatever it is got started.

MR COOPER: I think Your Lordship is perfectly correct.

BY THE COURT: This is all history that was led in initio. (10)

MR COOPER: This organisation fizzled out. -- Yes, it fizzled out.

And as far as that - when this organisation fizzled out, your interest in youth movements, did it also fizzle out? -- No, I am still active in the youth of the church.

But it was not Michael who started the first youth movement, was it? It was the church. -- No, not the church. He asked for it whereas there was a youth organisation already in the church, many other youth organisations.

But the youth organisation that Michael dealt with, (20) the YACM, you had nothing to do with that. -- There was no YACM at the time we started the youth organisation at our church.

But up to the time that the YACM was started, you were involved in the first youth organisation. -- Yes.

You were a member of the committee. -- That is so.

You attended the meetings of the committee. -- Yes.

You attended the functions organised by this movement. -

That is so.

As far as the YACM was concerned, you never became a member of the committee? -- After it had been started, I was on (30) the committee.

What was your - in the YACM what was your position on the committee? -- I was supposed to have recruited.

So you claim that you were actually on the committee of the YACM? -- Yes.

A committee consisting of how many people? -- When we started it was the two of us, Mike told me they had started this organisation. He told me there are two others who are helping him.

Who were they? -- Daniel Matsobane and Khoza and many others he named. I have forgotten the others. (10)

But was it your evidence that you and Michael and Daniel and Khoza now constituted the committee of the YACM? -- We had not become a committee yet, he had asked me to recruit.

But you were in fact running the YACM. -- I was recruiting.

But you see, I want to suggest to you that Michael's evidence will be that this is completely false evidence on your part. -- I am talking the truth.

He says you never became a member of the YACM and he never asked you to become a member of the YACM. -- If he had not invited me then I would not have been in that organisation. (20)

He says that you never filled an application form and you agree about that. -- There was none. I do not know of any application form.

You never paid a subscription. -- No, I did not.

You never attended any executive or committee meetings of YACM. -- I was invited to a meeting - two or three meetings which I did attend.

And you never participated in any of the activities of the YACM. -- I was in the meeting held in the church on two occasions. Three meetings that were held in my home. (30)

Now the YACM was a very active body. -- I think so.

Yes/...

Yes. Did you know that in fact the YACM attended a Muslem youth convention in Durban? -- No, I do not know a thing about that.

That is in April, 1976. -- I do not know.

Have you read about it in the newspapers? -- Never.

This convention was at the University of Westville. -- Well, you are saying it and I am listening.

But do you dispute it? -- I was not there, I cannot dispute it.

But you were now a person who was on a committee (10) with Michael and you do not know about these things. -- Maybe he was involved in other things which I did not know. I was recruiting.

Didn't you read in the newspapers:

"Moslems, Christians in talks. In what has been regarded as a breakthrough in Christian and Islamic relations a big meeting involving the Youth African Christian Movement and the Moslem Youth Movement at which closer ties between the (2) two were discussed, was held at the University of Westville, Durban, during the Easter weekend."

Ever read a report like this? -- I have never read a report. It probably came out of the newspapers which I did not read. I do not know .. (intervenes)

It goes further:

"The theme of the convention was living Islam in South Africa. Delegates from as far afield as Mauritius and America (30) attended. The president of the YMCA of South/...

South Africa, a Mr Cello Motsobane said indeed the YMCA may claim to be the first Christian movement to have addressed a Moslem convention. It has built a working breakthrough and destroyed the bridge between christianity and Islam."

BY THE COURT: YMCA?

MR COOPER: It is obviously a typing error, it is actually YACM. Your Lordship can see that.

BY THE COURT: No, I do not want to see it. Anyway, he (10)
says he has never read it.

MR COOPER: You were so closely associated with this man and you know nothing about this. -- No.

Well, are you saying the committee was unaware of this activity or are you saying that you were unaware of this? -- I believe I am the only one who did not know.

Well you see there was a further occasion where YACM representatives addressed a conference of interdenominational African ministers of South Africa in the first half of 1976. Do you know about that? -- Where was this held? (20)

It was held in Wattville. Does that help you? -- I do not know it.

Now, as far as YARM is concerned, when was that YACM changed into YARM? -- I was told of the change of this name the day I was at Khoza's parents's home.

Was it known, did the public get to know that the YACM was changed to the YARM? -- He told me, I do not know whether he told the others.

But did anybody, didn't the people you associate with, discuss the YACM first of all? -- You mean about the (30)
change of the name?

Yes/...

Yes. First of all did he discuss the YACM with any person apart from the accused here and Khoza? -- Those who were present at the meeting held at Khoza's parents's home.

Are those the only people you ever discussed the activities of the YACM with? -- Excepting those who were together with me in church.

And now the YARM was it public that the YACM had changed its name to the YARM? -- Yes.

And did this change of name occur at any meeting? -- In the church. (10)

Was there a public meeting? -- It was not a public meeting.

Well, who were all present at this meeting at the church?

-- I was there, actually it was in the mission house, the minister's house.

And who were all present? -- I was there, Michael Matsobane, Daniel Matsobane, David Morubi, Phatidi Mogashoa, Bethuel Mongwaketsi.

Were those the only people present there? -- Those were the people when we started going to church, those are the people I remember. (20)

But were those people there by virtue of the fact that they belonged to the executive of the YACM? -- They had not yet been elected to the executive.

But by virtue of the fact that they were members of the YACM executive? -- No, they were not yet the executive. The executive should have been chosen at the following meeting.

Was there a following meeting? -- Yes, correct.

Did you attend it? -- I was present.

Was an executive chosen? -- We were promised that an executive would be chosen the day we met with different other branches. (30)

Well/...

Well, did you meet with different other branches? -- Not where I was present.

You see, I want to put it to you that you were never present at any meeting where a decision was taken to change the name of YACM to YARM. -- I was present.

That you had no connection with YACM whatsoever. -- I was.

And you had no connection with YARM. -- I was present.

And that what you have dished up to this Court is basically on facts which were common knowledge in Kagiso. -- Yes.

That is perfectly correct. -- Yes, I agree. (10)

And as a result of the interrogation by the police of you.

-- No.

And that in point of fact accused No. 13 and other accused here at no stage said to you that YACM or YARM is a front for PAC. -- This they discussed with me.

And you considered yourself to be a law-abiding person didn't you in 1975 and 1976? -- Correct.

Sure. You were very friendly with various members of the Police Force. -- Very correct.

That is right. And as at 1976 you were opposed to the (20) PAC. -- I did not approve of it.

You did not approve of it certainly. You would not have wanted to assist the PAC in any way whatsoever. -- I would not have assisted in any way.

Certainly you would not have done so. And if anybody had mentioned - requested you to either join the PAC or assist the PAC you would have reported this matter to the police that you knew. -- That is correct.

Sure. Is that your friend in the Security Police. Sergeant Tsutsube, did he ask you or suggest to you that if (30) you heard of any subversive movement in Kagiso you should report

this/...

this matter to him? -- No.

But didn't you - wouldn't you have thought it was your duty to report the existence of any subversive movement to him? -- No.

Why not? You are a law-abiding person. -- If a person is friendly to a policeman and he smokes dagga, then he does not tell the policeman he is a dagga smoker.

Well, you did not consider yourself a dagga smoker. Anyway, tell His Lordship what do you know about Errol? -- Is that Hippo?

That is Hippo. -- I know him. (10)

Yes, how long have you known him? -- He was a member of my school committee.

What is his job? -- He is employed by AMCOR.

Was Errol ever a member of YACM? -- Never seen him in any of the meetings I had attended.

That is not an answer to my question. Was Errol a member of YACM? -- I do not know.

Was Errol ever a member of the YARM? -- I do not know.

Was he ever a committee member of either of these parties?

-- I do not know. (20)

Did you ever discuss YACM with Errol? -- No.

Did you ever discuss Y ARM with Errol? -- No.

Was Errol present at the meeting on the 5th August, 1976, at your school? -- He was present.

Wasn't Errol at your house on the occasion when accused No. 13 came to ask permission to use your school as a meeting place? -- I did not see him.

You never saw him. -- I did not see him.

Did you and Errol ever get together and discuss the YACM being a front organisation for PAC? -- Never. (30)

When last did you see Errol before your arrest? -- Quite a long/...

long time. He had even stopped coming to the school committee meetings.

Where is Errol now? -- I do not know.

Do you know - I am referring to No. 41 of the co-conspirators, M'Lord - Papuis Seroka? -- I do not know him.

Never met him before? -- I do not know him, but if this person was shown me I will probably recognise him.

And Felicia Sehume? -- She is a student.

Do you know her? Have you ever discussed the YACM with her at any time? -- I know her very well, but I have never discussed the YACM with her. (10)

Have you ever discussed the YARM with her? -- No.

Was she a member of either of these organisations? -- I do not know.

Now Christopher Sompondo, do you know him? -- I do not know him.

You do not know him at all? -- Altogether not.

You have certainly never spoken to him? -- Never spoken to him.

Never seen him? -- Never seen him. (20)

What about Thabo Jonas? -- I do not know him.

So we can take it you have never seen him and never spoken to him. -- That is correct.

Adam Kunupe? -- I do not know him. //

So we can take it you have never seen him and never spoken to him. -- That is so.

Hendrik Kwenyame, do you know him? -- I do not know him.

You have never spoken to him or seen him? -- No.

Certainly you have not attempted to further the interests of the YACM or the YARM with any of these gentlemen that I have mentioned now. -- That is very true. (30)

Now/...

Now very shortly before your arrest, when was the last time you saw accused No. 13? -- It had been quite some time that I had seen him.

Could you tell us in which month it was? -- I do not remember.

Could you tell us which year it was? -- I do not remember.

I am not surprised because you had very little indeed to do with him. All right, you do not wish to answer the question, do you? -- Is it a question?

Yes. -- It had been some time that I had last seen him. (10)

And accused No. 14, can you tell the Court when last you saw him prior to your arrest? -- I last saw him during the year 1976, the day we had been in Michael Matsobane's house. That was the day we had the meeting of KAPA and SRC.

And accused No. 15, when last did you see him? -- The same day as well.

And No. 17 when last did you see him? -- Accused No. 17 also.

On what occasion was this? -- The day we had the joint meeting of KAPA and the SRC. (20)

And No. 18? -- The same time.

Did you speak to them on that occasion, any one of them? -- We were speaking in the meeting.

Did you ever recruit any pupils for the YACM? -- Yes, there are two.

How were they recruited? -- I told them an organisation had been started and that the person who organised it, the organiser would come and talk to them.

Did you tell them the nature of the organisation? -- I did not. (30)

Did you tell them the name of the organisation? -- I gave them/...

them the name of the organisation, said the organiser would explain to them further.

Who were these two individuals? -- Bruno Mosai and Solomon Lulwana, pupils in my school.

And what did they do after you told them that the organiser would speak to them? -- I do not know what they did.

You do not know what they did. You in fact did not introduce them to any of the accused. -- I told Michael Matsobane as the organiser.

BY THE COURT: Did you tell Michael Matsobane about these (10) two people? -- I went to tell Michael Matsobane about these two and told him they were interested in helping in the organisation.

MR COOPER: Whether in fact they became members of the organisation you did not know. -- I have no idea.

Where are these two pupils? -- They are not around, they are at home.

Are those the only two students that you recruited or attempted to recruit as members of the YACM? -- Those are the only two.

And you never attempted to recruit any pupils, any (20) students to become members of the YARM? -- No.

And yet you were daily in contact with 500 school children. -- Yes.

And you, according to you, had promised to help to recruit students for the YACM. -- I helped, I did in fact help.

Did you give the accused the names of these two students? Accused No. 13. -- Yes, I did.

Did you give him their addresses? -- Not their addresses. I told him to come and see them at school.

Oh, you told No. 13 to come and see them at school? (30) -- Yes.

At that stage, according to you, accused No. 13 had told you that the YACM was a front for the PAC. -- That is so.

So you were inviting a man who was a member of an organisation which was a front for the PAC to come to your school and recruit supporters for this PAC front organisation? -- Yes.

The two names that you have given us of pupils were those of two members of your SRC, aren't they? -- That is so.

But did you tell these two pupils that the organiser or representative of YACM wanted them to go overseas to undergo military training? -- No, that was the organiser's duty. (10)

Did you think it was proper as a principal of a school, who disapproved of the PAC to invite a person who was now furthering the interests of the PAC to come to your school? -- We had a nice cover, a cover of - a religious cover.

Did you think it was proper to invite a person who now says that he is the moving spirit in a front organisation of the PAC to come to your school and recruit pupils? -- Yes.

You thought it was perfectly proper. -- Yes.

Why did you think it was proper? -- This was because they had to put in feelers and to select the students. (20)

You see, I am telling you now what you have told this Court is quite untrue. -- What I am telling this Court is the truth.

And I want to tell you furthermore that your suggestion that you went to accused No. 13's house is also untrue. -- I was there.

On how many occasions do you say? -- One.

On how many occasions did the accused visit you at your house? -- Quite a number of times about during the meetings we had. (30)

And how many times did the accused speak to you at your school/...

school according to you? -- Quite a number of times too.

Now, I want to suggest that the whole story that you have told about the PAC and this YACM being a front organisation of the PAC is something which was inspired while you were in detention. -- That is not so.

You see, you did not mention the PAC to the police on the first day of your arrest. -- No, I did not.

You did not mention it on the second day. -- Not on the second day.

You did not mention it on the third day. -- I did not. (10)

~~You did not mention it on the fourth day. -- I did not.~~

And you did not mention it on the fifth day. -- But when I realised that the police knew about this.

How did you know that on the fifth day? -- Because the statements I had written, in the statement I had made I did not mention that this organisation is the PAC.

And then on the fifth day what dramatic incident took place which made you now allege for the first time that PAC was involved in the YACM? -- It was then so obvious that they know about this organisation. (20)

What made it so obvious? -- The way in which I had concealed this organisation of ours, I thought I was also safe.

But what made it so obvious on the fifth day that the police suspected that the YACM was a front organisation of PAC? -- It was obvious because I had not mentioned anything about this organisation of ours.

No, but what made you aware or believe that the police believed that the YACM was a front organisation for the PAC? What happened? -- I realised the only way would be to speak the truth. (30)

You have not answered my question. -- I have answered
the/...

the question.

What made you believe or think that the police on the 5th day the police thought that the YACM was a front organisation of PAC? -- Captain Schoeman said to me he knows what he wants me to say and that is the truth I have to tell him.

But what made you think that Captain Schoeman thought that the YACM was a front organisation for PAC? -- I realised that we are lost and he knew.

No, but you still have not answered my question. Why are you refusing to answer this simple question? -- I am not (10) refusing.

You are. -- Captain Schoeman knew that this organisation was in fact the PAC, but I was concealing that fact.

How do you know that Captain Schoeman knew that this organisation was in fact PAC? -- I do not know.

Then why do you tell the Court something and you say then I do not know? -- I only realised that he knew.

But how? What did he say that made you realise that he knew? -- By not accepting the statements I had made. I did not want to be shackled, to be put in jail. *But how did he know Schoeman. Answer P.A. (20)*

You say you did not want to be shackled, be put in jail. -- Yes.

You were prepared to say anything to get out of the shackles. -- I was bound to tell the truth.

You were desperate. -- I was arrested and I wanted to speak the truth.

No, you were desperate to get out of the chains. -- I do not know, they could have shackled me because I was still in chains after I had made my statement.

What did you say to Captain Schoeman on the fifth (30) occasion when he tore up your statement? On the fifth day. --

Do you mean what did I say to him when he accepted my statement?

When he tore up your statement. -- He only said he wanted me to speak the truth and he said it in Afrikaans: Ek moet net die waarheid praat.

Now tell us, did Captain Schoeman interrogate you? -- Yes, he did.

He asked you what you knew about PAC? -- He did not mention the PAC.

Did Captain Schoeman never use the expression PAC? -- Altogether not. (10)

He never asked you whether you knew if any of the accused was a member of the PAC? -- Never.

Now, you said you decided to tell the truth. How long did you take to make your statement on the fifth day? -- A long time.

How many hours? -- I have no watch, I do not know.

Did it take the whole day? -- Not the whole day.

Half a day? -- Yes, I would say so.

And who was present when your statement was made? -- I was alone, there was nobody there. (20)

BY THE COURT: Did you write? -- I was writing.

MR COOPER: And after you had written, what happened? -- The Monday they came and read it.

And after they had read it? -- He then told me I was being charged with Section 6(1).

And was your statement typed out? -- My statement was brought to where I was, already typed.

And that statement, what happened to that statement after you signed it? -- They took it along with them.

Have you seen the statement since that day? -- Yes, I (30) have seen it.

On how many occasions? -- I asked for it once.

When was that? -- During my stay in Standerton.

At how many police stations have you been kept during your detention? -- Krugersdorp, then to Kliprivier. I was then taken to Standerton. Now I am in Bethal.

And at each of these police stations you have been kept locked up alone? -- Yes.

Before you were called on Wednesday, last Wednesday I believe it was, did you - were you taken through your statement? -- Yes. (10)

Who by? -- The Attorney-General.

And how long did that consultation last? -- I do not have a watch, I do not know how long.

Now, in your evidence this afternoon, you said: I made a statement when I realised that the secret had not been kept, the secret by my Michael Matsobane. Do you remember saying that? -- Altogether not.

You never said that? -- He did not keep the secret.

Do you remember saying that? -- Yes, I said that.

When did you realise that Michael Matsobane had not kept the secret? -- When I was in the office of Captain Schoeman (20)

Because Captain Schoeman told you that Michael Matsobane had not kept the secret. -- No.

Well then finally what made you realise that Michael Matsobane had not kept the secret? -- Because I had concealed this fact and I was told to speak the truth.

On the 5th day of your arrest did you think that Michael Matsobane had let you down? -- Yes.

Was that the first time you thought so? -- That is so.

You had never thought of that before? -- Never thought (30) so before.

And/...

And you were very angry then with Michael Matsobane on the 5th day. -- Yes.

Up to that day you had never thought that Michael Matsobane had let you down. -- That is correct.

You had never thought that he had used you as a front. -- Never occurred to me.

On that day for the first time you thought Michael Matsobane has used me for a front. -- It became very obvious to me that he had badly misused me.

And Captain Schoeman made that clear to you during the (10 5 days prior to you making your statement. -- Captain Schoeman did not talk to me. He gave me papers to write on.

Tell me, did Captain Schoeman tell you why you were arrested or being detained? -- Yes. he did.

What did he tell you? -- He wanted me to explain the relationship between myself and Matsobane and to explain about this organisation .. (intervenes).

BY THE COURT: He has answered this question several times already.

MR COOPER: Did you believe that you had committed an (20) offence when Captain Schoeman arrested you? -- Yes.

What offence did you believe you had committed? -- By being a member of the Young African Religious Movement.

Only being a member of the Young African Religious Movement -- Yes.

Do you believe today that you have committed an offence? -- Very much.

RE-EXAMINATION BY MR HAASBROEK: No questions.

NO FURTHER QUESTIONS.

THE COURT ADJOURNS.

(30)

THE COURT RESUMES ON THE 16th MARCH, 1978.

MR COOPER ADDRESSES THE COURT AND INFORMS THE COURT THAT:

Mr Cooper, Mr Pitman and Mr Skweyiya will now appear on behalf of accused Nos. 1, 2 and 13 to 18.

Mr Wilson, Mr Pitman and Mr Skweyiya will now appear on behalf of accused Nos. 3, 4, 5, 6, 8, 9, 10, 11 and 12.

Mr Saaiman appears for accused No. 7.

MR COOPER FURTHER INFORMS THE COURT THAT:

they have been approached by Mr Allard who is the First Secretary of the Swedish Legation and Mr Baltimore, the Second (10) Secretary of the American Legation, both members of the Diplomatic Corps - they do not belong to any information service - they have asked Counsel to apply for permission to attend these proceedings.

MNR. HAASBROEK SPREEK DIE HOF TOE EN MAAK BESWAAR TEEN DIE AANSOEK.

MR COOPER ADDRESSES THE COURT IN REPLY.

MR WILSON ADDRESSES THE COURT and asks that these two people be allowed to attend.

BY THE COURT: I shall take time to consider this matter (20) and I shall give a ruling in regard to your application in due course. In view of what is likely to happen today, this will not be before Monday.

MR ACKERMANN: M'Lord, I call Felicia Sehume.

FELICIA SEHUME: sworn states: (Through Interpreter)

MR ACKERMANN ASKS THE COURT TO WARN THE WITNESS AS AN ACCOMPLICE.

THE COURT WARNS THE WITNESS IN TERMS OF SECTION 204 OF THE CRIMINAL PROCEDURE ACT.

THE WITNESS INDICATES THAT SHE UNDERSTANDS THE WARNING. (30)

EXAMINATION BY MR ACKERMANN: The evidence about to be given

is/...

is in connection with count 2, but more in particular in relation to Schedule 13 paragraph (3) in general, Schedule 14 paragraph (1)(ii), Schedule 15 paragraphs (1), (3) and (5), Schedule 16 paragraphs (1) to (4) as well as Schedule 17 paragraphs (1) and (2). What is your present age? Do you know? -- 18 years.

During 1976 were you a student at the Masupatsela High School in Kagiso? -- Yes.

In which form were you? -- Form 3.

Am I correct if I say that is about the equivalent of (10) standard 8? -- Yes.

BY THE COURT: Is it 7 or 8?

MR WILSON: It was 7 when I went to school.

MR ACKERMANN: Do you see any of your erstwhile fellow scholars here in court? -- Yes, I do see.

BY THE COURT: Tell me who are they? -- Themba Hlatswayo.

MR ACKERMANN: Accused No. 15. -- Mothlagegi Thlale.

Is he also known as Lucky? -- Luga and not Lucky.

That is No. 16. Yes, anyone else? -- Rodney Tsoletsane.

Accused No. 17. Any others you know? -- No, those (20) are the only people I know from the school.

Now, in 1976 during February did you have a meeting with Mothlagegi Thlale? Accused No. 16. With respect, I have to start off at some or other place in 1976 with some or other occasion. The mere fact that these people met is not of any incriminatory nature.

BY THE COURT: I think, Mr Cooper, what is your objection? You know .. (inaudible) .. start somewhere, a meeting apparently or something.

MR COOPER: M'Lord, he can say during 1976 did you meet - (30) you attended a meeting. Did you meet any of the accused?

BY THE COURT: Well then we are going to get - they were at school together.

MR COOPER: Well, I mean, on a particular occasion and then the witness can come out and tell her story.

BY THE COURT: Well, I think he wants to start there.

MR COOPER: Well, .. (inaudible)

BY THE COURT: What I am trying to get at is that unless we are going to have her tell us day by day her career at school and how she met these and played together, we are never going to get anywhere. (10)

MR COOPER: M'Lord, I do not think that will happen. If it does happen then Your Lordship would obviously intervene and let the examiner probably be a little more leading.

BY THE COURT: Well, I mean surely let us hear what ..(inaudible) Did you have a meeting with Lucky or did you meet him? -- I first met him.

When and where? -- It was during 1976 at school during February.

All right, go on, let us hear about it. -- I then asked him to lend me his history textbook which he did. After (20) using the book, I returned it to him, when on my returning the book he asked me if I would not like to lend some more of his books.

Who was this now? Lucky or Luyg or Luchy. -- Luchy.

Yes, we will call him Lucky. Yes, go on. -- Then thereafter he lent me a book titled 'Case of the Community' which was a political book. He then on lending me the book said that I must read this book privately at school and return it to him that very day, that is after school hours. He then further said to me : seeing that you will not finish reading this (30) book, I will explain some of the contents to you. I then returned/...

returned the book to him that is after school hours. When I returned the book to him, he told me that it was a political book. We, the two, then started discussing the contents of the book. He then next time brought me a pamphlet from SASO.

MR ACKERMANN: What does SASO stand for? -- South African Students' Organisation.

Yes? -- It was after four - after I read the contents of the pamphlet I then returned the pamphlet to him. Then Mike came to the school to introduce YACM.

BY THE COURT: You say Mike? -- Mike came to school. (10)

Who is Mike? -- Matsobane.

Is he here? -- Yes, he is.

Well, just have a look there please. -- The one there.

Stand up please No. 13. Is that Mike Matsobane? -- Yes.

Came to school to introduce who? -- YACM.

MR ACKERMANN: What does YACM stand for? -- Young African Christian Movement.

Yes? -- We were brought together in the hall at school when he came and introduced this YACM.

Was he accompanied by anybody? -- Yes, he was in the company of a person Nyathi. I do not know what that person's first name is. (20)

Do you see him in court today? -- Let those right at the back there lift their heads for me to see.

Which one is it? -- The one next to Michael Matsobane.

BY THE COURT: No. 14.

MR ACKERMANN: Yes, and what happened in the hall? -- He then read the constitution of YACM and told us that this was not a political organisation. He further said he wanted students to join this organisation because he will prevent them from delinquency, hooliganism, etc. After he had read the contents (30)

of the constitution he then said to us if there is anything we did not understand, we are entitled to ask questions. A question was raised about what was his aim of opening YARM. He replied to the question the person who had put the question to him was not satisfied with his reply to the question and another question was seeing that he is no longer a youth, why is he now interested in a youth movement and in fact wants to be the president of a youth movement.

BY THE COURT: Is this referring to Mike? -- Yes. That was the last or the end of questioning to him and then thereafter(10) he said that seeing that there are no children interested in joining the movement or organisation, he then said that if there are any of you who will later be interested in joining the organisation, they must give their names to Themba Hlatswayo and Lucky. Two weeks after that meeting, Themba then organised a meeting at the school hall. The meeting was convened by Themba under YACM. He was the chairman of that meeting. He then read to the people in the hall the constitution of YACM, persuaded students to join YACM. It was on that day that students joined YACM and a committee was elected. As chairman (20) of the committee Themba was elected. His vice was Benjamin Manamela, secretary Lucky, vice-secretary Nkoki. Then thereafter some additional committee members were also elected. It was then suggested that that be postponed because there were no funds for this organisation, therefore there was no treasurer elected. That is how that meeting ended.

MR ACKERMANN: Now you told us that Themba was elected. What was his position? -- Chairman.

Yes, go on. Then what happened? -- After some time I was then called by Benjamin Manamela and in fact told me that (30) there was a meeting held behind the laboratory, that is at the

back of the laboratory. I attended the meeting at the back of the laboratory. The chairman there was a person called B.J. This meeting was about SASM and he read a constitution to us, that is SASM constitution and further told us that this works hand in hand with YACM.

Did he tell you what SASM stood for? -- Yes, South African Students' Movement.

Yes? -- He then further told us that look, in fact this is not the end of the whole thing, this SASM and YACM. There are some superiors or people above in control of this, (10)
.. (inaudible) hear from Mike on Wednesday.

MR COOPER: M'Lord, I do not want to interrupt, but is B.J. alleged to be a co-conspirator?

MR ACKERMANN: I was coming to this.

BY THE COURT: Well, let us just get it down please. It may become inadmissible or irrelevant but I am just trying to write it down like you, Mr Cooper. I assume that the State knows what the bounds or relevance and admissibility are. It is quite impossible in a trial like this, you know that, to - the most we can do is get it all down and that is difficult (20) enough.

MR COOPER: .. (inaudible - not into the microphone). I was merely asking my Learned Friend whether it is admissible.

MR ACKERMANN: M'Lord, yes, I was bound to ask the witness whether this .. (inaudible)

BY THE COURT: This is not the whole thing, this YACM and SASM, there are superiors above and Mike is going to tell us about this. -- On Wednesday.

MR ACKERMANN: Now you said B.J. chaired this meeting, was the chairman of this meeting. -- Yes. (30)

What is his surname? -- Manamela is his surname.

Is he the same person as Benjamin Manamela? -- Yes.

BY THE COURT: Yes, very well, Mike was going to address you on Wednesday. Yes, go on. -- That meeting was then over. The following day there was another meeting held where we were told that Mike changed the YACM to YARM, which is Young African Religious Movement. A question was raised by one of the students why all of a sudden is the name of the movement changed. Then an explanation was that it was changed because Mike belongs to Islam religion, so he is the person who will give us further explanation as to why it was changed. On (10) that day then we were told to get there, that is at Mike's place.

Yes, go on. -- We then went to Mike's place the following day. We then went to Mike's place in the company of Rodney. It was after school hours. On our arrival there at his residence, he invited us into the diningroom where a meeting was held with some of the students who were there. There Mike was the chairman. He then told us that he changed the name from YACM to YARM because he belongs to Islam religion and in Islam religion they believe that Jesus Christ was only born for the Whites and that the Black Jesus Christ will be born for Blacks. (20) That is why he changed the name. He further told us that he is a former member of the PAC and further told us that he was detained and he was held on Robben Island. He further told us that he wants to revive PAC and the only way in which they can revive PAC is to propagate with the two movements, namely YACM and SASM. He further told us that YACM and SASM are the covers for PAC. He further told us that this PAC has got an army based outside South Africa. The army is named Liberation Army, which will be prepared to come and fight for liberation in South Africa, and that army needs some students to (30) strengthen it. He further said if there are any of the children, referring/...

referring to the students, who are prepared to join the military, they can go; in fact those interested in joining the military, there are scholarships. Those who will not be interested in joining the military, there are scholarships offered for them.

Let me just get this clear. For those that are interested in joining the military, there are scholarships? -- Those who are not interested in joining the military, there are scholarships.

Not interested in joining the military. -- That is correct.

Yes? -- He further told us that he has already opened (10) branches for this YACM, some are in Soweto, some in Germiston, Natalspruit. He further told us that the money he is using for opening these branches is not his own money but money which he gets from the PAC officials. He further told us that where he had already opened the branches is what parents who have already joined is only at Krugersdorp where he does not have parents who have joined and further told us that he was going to open a bulk buying scheme in order to recruit parents by means of this buying in bulk scheme. He then further told us that we do not have to be afraid to join this movement, because (20) they have got quite a number of lawyers at Braamfontein whenever we can get arrested, they will defend us. He further said we do not have to be afraid because PAC covers us all right and since he had come back from Robben Island the police are keeping an eye on him. So he said it was better for him to use students and this preferably Themba in order to open other organisations. He will be in the company of Themba in opening these other organisations, he will in fact use Themba, that Themba must do the talking. About YACM and SASM, he himself will talk about Islam and YACM. The meeting was over. (30) We then left. On my way home I was in the company of Rodney.

MR ACKERMANN: Before going any further. How many people were present at this meeting at Michael Matsobane's house? -- Between 12 and 15.

Can you perhaps give us the names of people present there? -- Themba Hlatswayo.

No. 15. -- Themba Mazibuko, Rodney Tsoletsane.

No. 17. -- Mothlagegi Thlale.

No. 16.

BY THE COURT: That is Lucky, isn't it? -- Yes, Lucky.

No. 16, yes. -- Adam Kunupe, Bonaventure Malaza, Benjamin Manamela, myself and other students. (10)

Now you say you were on your way home from this meeting with Rodney. That is as far as I have got. -- Yes.

Yes? -- On our way we then started discussing what transpired in the meeting and we agreed that we no longer belong to YACM because it was a propaganda of PAC. The following day at school we decided to tell Lucky to take our message to Mike that we no longer want to be members of YACM. In reply to that he said it will not help.

Lucky said so? -- Yes. He will not go to Mike to tell him that, that is to tell him we are no longer interested to be members in this, because we are already involved. If anything can happen that we must be arrested, we are also going to be arrested. We left it at that. Later Lucky and Themba then spoke to me about this that I must not react like that; I cooled off as a result of what they discussed with me. After some time we then attended a meeting at Mike's place. On our arrival there a meeting was held in his diningroom. He then started repeating what he said to us in the previous meeting. The only different issue which was discussed there is in fact when he told us that - the only one which was added on (20) (30)

what/...

what was discussed previously was that the PAC army, when coming to fight in South Africa, they will not get into South Africa in one place, but they will use different angles in order to defeat the South African army and members of the PAC who are already in South Africa, will be told what to do by that time.

He then further told us that YACM has got a seminar at Wilgespruit. He further told us that there are some courses at Wilgespruit. We may be interested in them and follow the courses. And further told us that he was going to arrange transport for those who will go to the seminar. I did not (10) go to the seminar. After that I did not attend meetings at his place. After June, during the riots, on the 18th in the morning at school, our school was burned. We were in the vicinity but not in the yard or premises of the school, in the company of Lucky, when Benjamin came up to us and asked Lucky where did he end the previous day.

Where did he? -- Where last he ended the previous day.

What did he mean ended? Ended what? -- After they had burned the bottle store and the school. In reply to that Lucky told him that he went home and then Benjamin told Lucky (20) that he consumed some of the liquor or beer from the beer-garden, he got drunk.

Who? Benjamin or Lucky? -- Benjamin.

Did Benjamin got some beer and got drunk? -- Yes. There is a blank space there where he slept somewhere in the vicinity.

Do you mean an open space? -- Open space.

That is where he slept? -- Yes, that is what he said.

And then what happened? -- He then started to organise students there to march to Randfontein.

Who did this or who told you that he had done this? (30)

-- He was organising the students, I was there. I was not told/...

told, I was there myself.

Yes, but who is that now? Lucky or Benjamin? -- Benjamin. He organised the students, they marched to Paghama in Randfontein with a view of instigating the children there to start the riots. The following day we heard that Nkoki was shot, he was in hospital, namely the Lethong Hospital in Krugersdorp. Me and Rodney went to visit him at the hospital. When we were visiting him there at the hospital, he told us that he was shot on the way and B.J. just left him there. After the re-opening of schools in July, I was with Rodney Tsoletsane in the (10) library.

THE COURT ADJOURNS FOR TEA. THE COURT RESUMES.

FELICIA SEHUME: still under oath:

FURTHER EXAMINATION BY MR ACKERMANN: We were last at the re-opening of the schools in July. -- Yes.

BY THE COURT: What were you going to tell us? -- We visited Nkoki at the hospital after he had been shot.

Yes, you told us. Did you visit him more than once? -- No, only once.

You told us you visited him in hospital and he told (20) you that he had been shot on the way and Benjamin had just left him there. -- We met Benjamin at the library, that is myself and Rodney, where Benjamin told us that he is skipping the same night.

What did he mean by skipping? -- He is leaving South Africa, he is getting to Botswana for military training, he will be leaving in the company of two Soweto youngsters and two from Randfontein. He then said that we must go with him. We said in reply that we are not prepared to leave. He further said to us if we do not see him the following day at about 12 (30) midday then we must know that he had left. We then gathered at the/...

the assembly of the school on the instructions of the principal who told us that there are some parents who would like to meet with us. About 19 to 20 students were elected at that meeting at the assembly to get to Tsholetsega where a meeting was to be convened. I was one of the students elected to get to that meeting.

What is the place? -- Tsholetsega.

MR ACKERMANN: Tsholetsega is it a building or a school or something like that? -- It is a school.

BY THE COURT: Anyway, you were one elected. -- Yes. (10)

Yes? -- On our arrival at Tsholetsega there was a meeting with parents. A certain teacher was the chairman of that meeting, assisted by Mike and Sejanamane. At that meeting on that day we were told that a students' council is to be formed which will work hand in hand with parents committee. I was then again there elected as a member of the Students' Council. In fact we were told to raise our grievances to that meeting where everybody was free when grievances were raised and all that.

You were told to raise your grievances at that meeting? -- Yes. (20)

Well now, you say everyone was free to raise them. Did everyone then raise their grievances? -- Whoever felt to say something, said something then. After that the members of the Students' Council and Parents' Committee remained, when Mike then said that the Parents' Committee and the Students' Council there will have to link themselves with the Parents' Committee and the Students' Council from Soweto. That was the end. Then it was said that we were going to meet as time goes on in connection with these meetings. After that I attended two different meetings which were held at Mike's place. (30)

Those/...

Those were meetings of the Parents' Committee and Students' Council. No politics were discussed in those meetings. The West Rand Administration Board were burned if I am not mistaken in September. The following morning Lucky told me that they were the people who caused the fire on those premises belonging to the West Rand Administration Board. He then said the next building which will be attacked was the library at Kagiso.

MR ACKERMANN: Now finally there is only one thing I want to clear up. You made mention of a meeting at Mike Matsobane's house, that was the first meeting on a Wednesday afternoon. (10)
-- Yes.

That is before the riots? -- Yes.

Now, when was this more or less that this meeting took place? -- Somewhere in March.

You said that Themba Hlatswayo as well as Themba Mazibuko inter alia attended that meeting. -- Yes.

You also said that accused No. 13 said that a certain Themba was to act as spokesman for him.-- Yes.

Which Themba was this? -- Hlatswayo.

BY THE COURT: That is No. 15. (20)

MR COOPER ASKS FOR AN ADJOURNMENT TO CONSULT.

R U L I N G

BY THE COURT: This morning an application was made for certain two people to be present. I said I would give my ruling and the reasons therefor on Monday. It seems to me that as a matter of courtesy and to prevent any unnecessary disarrangement or incommoding of the various persons who are concerned, that I should now say that in fact I have decided and I shall again of course give my reasons in due course, (30) but in order to, as I say, as a matter of courtesy to prevent any/...

any person from coming down, thinking that they may be able to attend the trial, I want to say now that the application by Mr Cooper and Mr Wilson for the attendance of these two persons is refused.

THE COURT ADJOURNS.

683 — 688

Ruling to be
inserted after
revision.

THE COURT RESUMES AFTER THE TEA ADJOURNMENT ON 20th MARCH, 1978.

FELICIA SEHUME: still under oath:

CROSS-EXAMINATION BY MR COOPER: When were you asked to be a witness? -- After I made a statement.

When did you make a statement? -- The first day when I was arrested.

On what day was that? -- On the 23rd June, 1977.

To whom did you make the statement? -- To Captain Schoeman where Tsutsube was present.

Is that Constable Tsutsube - Sergeant? -- Yes. (10)

That was in 1977? -- Yes.

And are you still in detention? -- Yes, I am.

At which police station did you make your statement? -- Krugersdorp Police Station.

What time of the day or night did you make your statement? -- During the day.

Did you swear to your statement? -- Yes, I did.

What were you told when you swore to your statement? --

That I must swear to that I was telling the truth and I will be taken to court in connection with that statement. (20)

And what were you told if you departed from your statement?

-- That the Judge will decide what to do with me.

Did you ask what the Judge could do with you if you departed from your statement? -- No, I did not. All what they told me is that the Judge is going to tell me.

Have you only made one statement to the police? -- Yes.

Have you only sworn to one statement to the police? -- Yes.

Did Captain Schoeman administer the oath? -- In connection with my statement, yes.

What time of the day were you taken to the Krugersdorp (30) Police Station? -- I was detained at night at about two and in the/...

the afternoon I made the statement.

You were detained about two, and where were you detained? --
Krugersdorp Police Station.

Weren't you first taken to Kagiso Police Station? -- We
were first taken to Kagiso Police Station. We were not detained
there because we were not taken to any cell. We were kept there
until at 8.

When you say we were taken to Kagiso Police Station, who
is 'we'? -- The students who were detained that day.

But who? Can you give me their names? -- Rodney (10)
Tsoletsane and Themba Mazibuko.

Rodney being one of the accused, No. 17. Themba Mazibuko
is not one of the accused. Who else? -- And some other students
who were not with us at the same school so I do not know what
their names are.

Thandi Sibisi? -- Yes, I know him.

Was he also among those who were detained? -- Yes.

Is she a girl? -- Yes, she is.

And another person by the name of Stephelia. -- Yes.

Was she one of those detained? -- Yes. (20)

Also a girl? -- Yes.

And was there a girl by the name of Sibina Makobane also
detained? -- Yes, she was also there.

Now if you were all detained at Kagiso Police Station. --
We were kept at Kagiso Police Station until at 8, but we were
not taken to the cells. I would not say that we were detained
there.

All right, you were kept at Kagiso Police Station. Now,
weren't you fetched from your house on the 22nd June, 1977,
a Wednesday? -- I think it was on the 23rd. (30)

BY THE COURT: 2 a.m., that is the morning of the 23rd. -- Yes.

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