

IN THE SUPREME COURT OF SOUTH AFRICA
(TRANSVAAL PROVINCIAL DIVISION)

CASE NO. 18/75/254.

5th DECEMBER, 1975.

In the matter of:

THE STATE

VS

S. COOPER AND EIGHT OTHERS

VOLUME 45

(Pages 2524 - 2562)

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LUBBE RECORDINGS (PRETORIA)

/AHC

DIE HOF HERVAT OP 5 DESEMBER 1975.

MNR. REES: Die getuie is nou reg vir die kruisverhoor, maar voordat ons daarmee aangaan, die getuie kaptein Oosthuizen, staan nog af in verband met die kruisverhoor in verband met die band, ek dink dit is Bewysstuk 26 en die transkripsie, bewysstuk BPC.E.4, dit is die toespraak wat onder andere beskuldigde No. 4 sou gemaak het by die Kajee Saal op 21 Maart 1973. Ek sal die Hof se verloff vra om net die kaptein af te handel, hy staan al vreeslik lank af, sy verloff gaan daarmee heen en hy moet hier in (10) Pretoria bly waar hy diens in Durban kan verrig. Ek wil ook dan net vir die Hof meedeel dat die Verdediging het die afskrifte van die bande reeds 'n paar maande gehad en dat hulle oor die laaste paar dae het hulle en die Staat, die Staat se verteenwoordigers, sal ek maar sê, of die polisie in besonder, na die bande geluister en die Verdediging het sekere woorde wou verander, ensovoorts en ek het besluit om die saak kort te sny en ons is bereid om vir die doeleindes van hierdie saak, sonder om toe te gee dat dit juis reg is, maar vir die doeleindes van die saak toegewings (20) te maak van al die punte wat hulle wil hê, behalwe twee frase of sinsnede .. (tussenbei)

MR SOGGOT: If I may interrupt my Learned Friend. It may well be that instructions which I will get at tea time will put all disputes out of the question. My Learned Friend - the accused have been busy with members of the Security Police listening to the tapes and I was told this morning that there were certain passages which were disputed. I told my Learned Friend that and then I have had further consultations and it may well be ... (?) ... I will get (30) instructions which might put out of the question any
disputes/...

disputes.

MR REES: I am indebted to my Learned Friend. Then can the matter stand down until after tea time.

MR PITMAN: M'Lord, there are two matters which I have been instructed to raise. I hope to deal with them very briefly. The first one is the accused have asked me to mention that members of the public, friends of the accused, have not been allowed in court today on the basis that I understand that they haven't got jackets on, some of them have apparently some other kind of thing called a ... (?) which (10) was not quite a formal jacket. I understand that this has not been the practice in this trial earlier to exclude them on that basis, but there seems to be a much stricter test today. I myself have not been able to establish what the test is that is being applied that people are being kept out of court. This is the one matter that the accused asked me to mention. Some people are at the moment still excluded from the court, their feeling being that up to now it has not been a criterion for .. (intervenues)

BY THE COURT: Yes, but they must be properly dressed (20) when they come to court.

MR PITMAN: I accept that they must be properly dressed. The only point that I wish to make was that apparently up to now it has not been obligatory to have a jacket on. The other matter that they wish me to raise was that they are brought to court every day in a van and just recently apparently the canvass blinds right behind this van had been rolled down and they say that it is unbearably hot in there without ventilation in this van in which they are in for something like 20 minutes to half an hour in the (30) morning and some time in the afternoon again. Apparently there/...

there has been some negotiation with the police about this over the last few days, but they have been unable to persuade the police to lift these blinds and I understand this morning the accused were not at all enthusiastic about getting into the van, it being very hot and eventually dogs were used to persuade the accused to get into this van. They asked me to raise this because they are unable to get the police to make any concessions in this regard. I do not know whether Your Lordship is able to do anything about it, but I am instructed to put this to Your Lordship. (10)

BY THE COURT: Mr Rees, what is the position?

MR REES: M'Lord, with regard to the dress it is a matter with which I am not personally concerned, but I would point out that it is in the interests of the proper respect for the Court that objective standards should be maintained and I believe that is what the police are doing; no more and no less; that when the people come into this court that the police see to it that they are properly dressed. It is really a matter for Your Lordship's decision and (20) the position is that the Court will uphold the dignity of this court. If people want to come, they are entitled to come, provided they adhere to the basic standard of proper dress. With regard to the question of how the accused persons are brought to court, the police are concerned both with the bringing them here properly and preventing interference with them and with interference by them with the public and I submit that is a matter which is subject to negotiation between the accused persons and the police and I submit it is not a matter with which this Court (30) should concern itself with respect to them. I do not want

to/...

to say anything further .. (intervenes)

BY THE COURT: Is there a legitimate reason for wanting the canvas up?

MR REES: I haven't received specific instructions. I shall do so.

BY THE COURT: Yes, at a later stage. As far as the dress is concerned, the Court must uphold the dignity of the Court and the decorum of the Court. One can't just throw these essentials to the wind. If people do not take the trouble to dress properly when they come to court, (10) then they must know that they will not be admitted to the court. And as far as the van is concerned, I do not know what the reason is for refusing to lift the canvas up.

MR PITMAN: I understood that it was said that there was - accused made too much noise. I spoke to the accused about this and they said that in fact the sirens and so on made a far greater noise than they could ever make. I just mention that I have made some enquiries along that line. That may be what is said to be the main cause of keeping them down. (20)

BY THE COURT: As long as the accused realise that taking them through the town is not an occasion for demonstration or anything like that, and if they behave I do not suppose the police will trouble to keep the blinds down, but if they misbehave it may be .. (intervenes - both speaking simultaneously).

MR PITMAN: M'Lord, I am instructed to mention that the accused say they are driven very, very fast and dangerously. I must also bring that to Your Lordship's notice. I really cannot say much more about it than that. (30)

VAN DER MERWE/...

STOFFEL JOHANNES VAN DER MERWE: nog onder eed:

FURTHER CROSS-EXAMINATION BY MR SOGGOT: At a previous stage in the cross-examination you indicated to His Lordship that you would try and find the context which you referred to as the revolutionary context. Do you remember that? -- Yes, I can remember.

Have you found such context? I am referring to 2318 of the record. -- May I just have a look at that?

I am sorry, that is the question of notes and the other is 2349 where we dealt with the question of con- (10) text and at the bottom of 2350. I do not know if there is a spare copy, but what you said was, His Lordship asked you:

"Volg u die vraag? -- Ja, Edele, ek volg dit in so 'n sin dat ek voorbeelde moet aanhaal van waar die idee van Black Consciousness in 'n revolusionêre verband gebruik word.

MR SOGGOT: Will you be able to do that,

Mr van der Merwe? -- Ek hoop so." (20)

Now have you done that? -- Ek het plekke gekry daar in daardie verband. Ek sou verkies net om my notas in daardie verband - die klem het in die laaste tyd 'n bietjie op ander goed geval - net 'n bietjie te hersien in daardie verband. Ek weet nie as dit miskien net kan oorstaan tot effens later, die besondere punt.

May we deal with it then perhaps after tea for that point. Will that make you happier? -- Ja, na tee sal in orde wees.

Then if we may just go through the various points.(30) You refer on page 2353 to Homeland leaders who have not completely/...

completely accepted all the facets of Black Consciousness.

Do you remember that? -- Ja.

And you were asked at the top of 2353:

"I am only asking you to name any person, any homeland leader who conforms to your description? -- Edele, ek meen ek kan nie nou op hierdie stadium uit die vuur uit hierdie of daardie naam noem nie. Ek sal wel my stelling kon substansieer mettertyd."

(10)

Now can you help us there now? -- Ek het nie daardie verwysing daar verstaan as dat ek dit wel moet gaan doen nie. So ek het nie op daardie spesifieke punt ingegaan nie.

With His Lordship's permission could you bear that in mind please? Have you not got a copy of the record? -- Nee, nie van alles nie.

I wonder whether arrangements can be made for the witness to get a copy. -- Ek het daardie nie verstaan so as dat ek moes gaan verwysings gaan .. (intervenies)

Well, there is no criticism suggested there. (20)

If you now appreciate that, we should like to hear you on this particular point. -- Ek mag miskien net daar byvoeg dat dit mag dalk substansiële navorsing verg.

All I can say is that it is, as far as my part of the cross-examination is concerned, I do hope to finish it on Monday and we certainly will oppose the matter standing down any further. So if I may, with His Lordship's permission, make the suggestion to you that you try and get this information, if it is in your power, between now and that time. Then on page 2419, at the bottom of 2416 (30) you were asked:

"Are/...

"Are you saying there are some authorities who say political science can predict? -- Ja.

I just want to suggest to you that the authorities which you yourself cite are against that, and that Calvert for example - perhaps before I put this to you could you tell His Lordship one authority who says that political science can predict? -- Ek kan dit vir u naslaan, (10)
Edele."

Now can you help us on this point? -- Op daardie punt kan ek u help.

Yes? -- Ek verwys hier na 'n boek van Vernon Van Dyck. Die boek se naam is Political Science - A philosophical analysis. En dan verwys ek spesifiek na bladsy 43 van die boek, net vir die konteks onthalwe lees ek die een sinnetjie en dan 'n ander sinnetjie:

"In other words the rational(?) choices that people make among opponent courses of action in all spheres of life reflect their expectations or predictions concerning the consequences." (20)

En dan het hy 'n opskrif:

"The basis for prediction.

Now the question is on what basis are predictions made. The answer is that they have approximately the same basis as explanations. Predictions, like explanations, are based on knowledge of relationships between thought and action, means/... (30)

means and ends, causes and effects, conditions and consequences. (The qualification should perhaps be noted that predictions may be based simply on knowledge of correlations, whereas by definition explanation calls for knowledge of the why of the correlation.) We know that certain kinds of actions go with certain kinds of thoughts, reasons, motives, attitudes, similarly within limits (10) that we seek to expand. We know what kinds of ends go with given means and what effects follow from given causes and what consequences ensue from specified conditions. If knowledge of these relationships can provide explanation of past events, why can they not serve as a basis for predicting future events; if on the basis of hind-sight we can say with assurance what the reasons and rules (20) were, that led to an action, then it is reasonable to infer that had we known the reasons and rules tied to the actions we could have bettered it."

Tot sover.

Can we have that for our inspection over the tea interval. Do you know whether Mr Van Dyck has any reputation or status in the political science community? -- Van Dyck word heel dikwels aangehaal in ander bronne.

Do you know who he is? -- Who he is? (30)

Yes, where he has a chair, if any? -- Ek is nie seker,

University/...

University of Iowa.

'And can you tell us who has relied on him? You say he is quoted elsewhere. -- Dit is weer 'n kwessie van 'n mens loop kwotasies - mens loop verwysings na hom hier en daar en verskillende plekke raak en ek sou kon gaan soek daarvoor. Maar ek kan u die versekering gee dat daar heelwat kruisverwysings na hom is.

And do you know whether he is relied upon on the issue of predictability? -- Deur wie?

Any other political science expert, I am assuming (10) someone who has a certain stature. -- Dit is 'n baie moeilike vraag om te antwoord daardie, want dit is weer iets wat wyd verspreid in die literatuur van Staatsleer hou.

The only reason why I am putting the question is, we are trying to establish the authoritativeness of this particular person, his acceptability in the political science world. May I refer you to page 2413 on the question of mobilisation, in the middle of the page:

"Now the next thing I want to ask you is this, the mobilisation, or rather the (20) organisation around the unifying idea. The organisation or organising which goes into it, where does that idea find support? -- Edele, ek meen ek het nie nou my notas waarop ek my direk kan beroep as die verdediging vir my wil vra op watter bronne ek gestaan het vir hierdie of daardie punt dan kan ek vir hulle mettertied daardie bronne gee."

Now, can you assist us on that particular point? -- (30)

Ja, ek sal kan. Ek verwys na John Thomas Johnson se

"Revolution/...

"revolution in the Social System", bladsy 60 vandaan:

"If one assumes that the system which produced revolutionary party ...(?)
.. is disfunctional, then the question becomes how the revolutionaries instilled in the masses an effective awareness of the disfunction of conditions. In practical terms the revolution must discover an ideological appeal that will give meaning to the grievances felt by the masses and they must convey this ideological appeal to the masses by propaganda." (10)

That is on page 60. -- 60 - 61.

And can you tell us when referring to mobilisation there whether Mr Thomas Johnson is referring to a frank revolutionary group or an ordinary overt political organisation? -- Ek kan miskien verder lees:

"The Chinese communists under Mau prior to two such appeals in the years 1928 and 1949. The first was to the endemic man hunger of the ...(?). ... central ... and the communists held out a promise of land re-distribution. This appeal failed to achieve overwhelming mass support because it was devisive(?), it did not appeal to the rich and middle peasants, And partly because it was not sufficiently exclusive. Both the CCP and the KNP made the same appeal and neither could deliver on their promises until the war was over. (20)

A second appeal was to the spirit of Chinese/... (30)

Chinese nationalism during the period of communist led resistance to Japanese invasion of World War II. This appeal was successful in providing mass support for the communists in the Japanese occupied areas, the same areas in which the CCP won the revolutionary war against the(?) .. during 1945 to 1949."

On a question of fact in 1928 and 1945, the Chinese Communists were busy with actual revolution, real (10) revolution involving clear use of violence and weapons. -- Ja, en u sê in watter tye?

In 1928 and 1949, the dates which Johnson refers to. -- Ek kan miskien op daardie punt net uit 'n ander boekie aanhaal, 'n boekie van H.R. Lass, "Die Grondleggers van Rewolusionêre Oorlogvoering". Dit verwys hier na redelik vroeg in die eeu, 1919 - 1921, dit is op bladsy 74 tot 75:

"Met die stigting van die Chinese Kommunistiese Party het die Kremlin gepoog om beheer in China te verkry/^{deur}onder andere (20) ook politieke en militêre adviseurs daarheen te stuur. Verder ook - hulle het verder ook finansiële hulp verleen aan die Kwo-Men-Taung(?) die nasionalistiese party wat deur Su Jat Sen in die lewe geroep is om nasionale eenheid te probeer bewerkstellig vry van die inmenging van vreemde moonthede. Die Kremlin was nie ten gunste daarvan dat die kommunistiese party in China 'n onafhanklike koers moes inslaan nie, maar hulle strategie was (30) daarop gemik dat die lede van die Chinese kommunistiese/...

kommunistiese party die Kwo-Men-Taung
moes binne sypel en sodoende sleutel
posisies daarin moes bekom as voorbereiding-
stap vir die uiteindelijke oorname daarvan."

En dan net .. (intervenies)

May I interrupt you? That quotation which you have
just given His Lordship, has that any relevance to the
question I put to you and that is in 1928 and 1949,
according to Johnson, the communists were up to revolution
and guerilla warfare with the government? -- Dan (10)
verwys ek net in verband met hierdie, u weet, teen die
agtergrond, ek wil net miskien verder gaan ten opsigte van
hierdie, dit is myns insiens relevant. 'n Entjie verder op
bladsy 75 word daar verwys na 'n betoging waarin een persoon
doodgeskiet is en dit word dan gesê:

"Dit vorm een van die belangrikste water-
skeidings in die rewolusionêre stryd in
China en dat Mau hier gebreek het met die
belangrike beginsel van die Russiese
kommunistiese party deur die stedelike (20)
proletariaat te vervang met die kleinboer
en hierna het hy ywerig voortgegaan met
die organisering van kleinboere."

En dan net in verwysing daarmee, 'n klein sinnetjie op
bladsy 127:

"Net soos in die geval van China was die
organisasie fase reeds ver gevorder, toe
... oorgeneem het en daar gedink is in
terme van gewapende stryd."

Hierdie is eintlik 'n verwysing na Viëtnam en 'n (30)
vergelykende verwysing dan na China.

I/...

I just want to suggest to you, with respect, that one must avoid a situation if possible, where one has a dialogue so to speak of the death. Those passages which you have quoted do not throw any light on, as far as one can understand, on the only question which I put to you about 5 - 10 minutes ago, and that is in 1928 and 1949 following Thomas Johnson's dates, were the communists not busy with the organisation of the guerilla warfare. -- Dit is so dat hulle reeds in daardie stadium waarskynlik in daardie stadium reeds besig was, sou ek sê, dat daar (10) reeds in 'n mate 'n mate van geweld uitgebreek het. Ek wil net vir u wys daarop dat daar analities eintlik geen- hoewel hierdie verwysings is miskien na gevalle waar daar reeds geweld uitgebreek het, dit nie analities noodsaaklik is dat mobilisering slegs kan plaasvind nadat geweld uitgebreek het nie.

No, that may be, but we are interested, you see, in the sources of your inspiration. The only point is Thomas Johnson is referring to periods when there was a frank revolution with violence. -- In 'n baie vroeë stadium. (20)

1928 and 1949. The gun was in existence in their hands. That is the only point I want to make. -- Ja, dit is korrek.

Then if we may go on to the next point, on 24/4, in the middle of the page, you refer to "sielkundige voorbereiding vir revolusie" and then you talk about die Vietnamese revolusie and it is put to you that:

"You have at last got something objective. The Vietnamese example. Are you now referring to the organisation of the present struggle by the Communists (I think that/... (30)

word must be "peasant" struggle) in Vietnam? -- Ja.

The P.L.A. -- Ja."

I think the P.L.A. is the People's Liberation Armed Forces, P.L.A.F.

"Now what did they do in the way of psychological warfare? And preparing people for violence? -- Edele, al hierdie dinge sal ek kan antwoord wanneer ek my bronne by my het. (10)

But when one is talking about this sort of thing you are now talking about what people have done in order to bring about revolution not so?"

Now, have you got your "bronne" in relation to the psychological preparation by the Vietnamese? -- Ek wil net weer daarop wys dat op daardie stadium in die kruisverhoor daar enigsins druk op my uitgeoefen was om voorbeelde te noem. Sodat daardie voorbeeld wat ek daar genoem het, miskien nie 100% opgaan in die sin dat daar was die bron waarna ek verwys het, het te doen met revolusie waarin daar reeds geweld uitgebreek het. Maar ek wil weer net verwys na - dit is nou spesifiek oor die sielkundige voorbereiding vir geweld. Is dit korrek? (20)

That is correct. -- In die boek van Berman, sal 'n mens baie duidelik die sielkundige voorbereiding kry, maar dit is dan in effense ander vorm in die sin dat dit dan mense is wat gerekruteer word en dan voorberei word vir geweld.

Just to define what Berman is about. Berman is talking about mobilisation and the psychological (30)
I suppose brain-washing, inspiration, whatever word is used,
of/...

of people who were in fact absorbed into an army and gaining(?) something on that. Isn't that right? -- In 'n rewolusionêre situasie, ja.

In one word Guerilla warfare. -- Wat deel van rewolusie kan wees.

But you see we are in the end only interested in one thing and that is whether your machine or your formula is diagnostic of what is a revolutionary movement and what is an overt political talking body on a mass basis and have you examples of such a body, the latter body having (10) carried out preparations of a psychological order for revolution or for violence? -- Die hele kwessie van mobilisering sluit in die voorbereiding vir optrede, dit is die gereed maak van mense vir optrede, maar dit kan natuurlik optrede vir verskillende doeleindes wees of dit kan net mobilisering wees vir aksie met 'n ongespesifiseerde doel ook. Die, sal ek sê die sielkundige voorbereiding vir geweld is iets wat kan plaasvind terwyl die rewolusie aan die gang is, maar daar is analities geen rede hoekom dit nie ook voor die tyd kan plaasvind nie. (20)

We would suggest that there is perhaps no limit to possibilities, but what we are interested in is having something which indicates probabilities and all I asked you was not to speak of possibilities but whether you can give His Lordship one example of open mass public organisations which in fact have used this method of psychological preparation for revolution or violence. -- Een konkrete voorbeeld daarvan glo ek nie sal ek kan gee nie.

Thank you. And may I just refer back to Van Dyck for a moment. Can you give us any authority, any other (30) authority on the question of predictability apart from Mr Van

Dyck/...

Dyck? -- U het gevra vir een.

No, I am not being - it is true we asked for one. All I am asking now is whether you have another. -- Ek het nog een.

Could you please give it to us? -- Ek verwys na 'n boek van Allan C. Isaac, Scope and Methods of Political Science, bladsy 100 daarvan:

"One more justification of the political scientist's concern with explanation should be mentioned. A characteristic of (10)

scientific explanation which will be examined later in this chapter, is its logical identity with scientific prediction, that is the logical structure of explanation and prediction is the same. The difference between them is pragmatic, i.e. based on the way they are used. Is the objective account for a past event or a present state of affairs explanation or is it to describe a future event or state of affairs prediction? (20)

If this identity is valid, then prediction and therefore explanation ought to be one of the major concern - ought to be a major concern of political scientists. For one of the primary activities is to provide advice on policy matters and policy decisions are always based on an expected outcome. A prediction about best means for implementing a given end."

Dan verwys hy ook na David Truman hierso wat gesê (30)
het:

"We/...

"We cannot escape the necessity to predict."

And you say that Mr Isaacs there in fact is authority for the position that you can predict? -- Dat in Staatsleer voorspellings gemaak kan word.

May I perhaps put it to you in this particular way: it is our contention that in a specific condition, for example in a specific town, if there are certain things where a political scientist might be able to give a rough sort of prediction like a weather bureau prediction, he can say, given certain conditions such as hunger, (10) unemployment and events such as a war, heat in summer, that having studied statistically, the association of these factors with let us say riots, a political scientist can say you are beginning to have perhaps an ominous re-assembling of these factors in the town of Chicago or wherever it is. In that sense a political scientist can give - can venture a very rough prediction on probabilities; he can say that a riot is likely to take place, more likely than not, something like that, but we dispute any predictability of the kind that you are imputing to (20) political science, which we would suggest in fact has the claims of an astronomer as to .. (inaudible)

MR REES: M'Lord, I think this is just a vague question. Whether it has the characteristics of an astronomer's activities or my Learned Friend says that this witness - the kind of predictability. This witness has referred to a number of aspects and one does not know what my Learned Friend is referring to. This is just a nebulous question. Perhaps he could phrase it specifically.

MR SOGGOT: What I am suggesting to you is that you (30) are claiming a power of predictability it seems - if my question/...

question is wrong there you must indicate it - it goes far beyond the claims of authoritative men in the political science field. -- Ek dink u moet net miskien 'n bietjie duideliker wees oor watter .. (intervenes)

BY THE COURT: Are you not misconstruing the evidence? I mean, going from the authorities that he is relying on, he says it is a matter of logical structuring, that is what he means by predictability. In the same way as you can explain an event, in the same way you can sort of sort out factors which logically speaking can have that result. (10)

MR SOGGOT: That is something which one can understand, but in fact his authority's contingent use of the word "if" and all I would like to establish from Mr Van der Merwe now is whether he claims any power of predictability other than of a vague probabilistic kind which I put to you and give you an example about the probabilities of riot or non-riot in a particular area. -- Ek meen ek sal nie aanspraak maak op enige presiese voorspellings kapasiteit op grond van die raamwerk wat ek aan die Hof voorgehou het nie in enige baie spesifieke voorspelling soos om te sê rewolusie sal (20) op so en so 'n dag uitbreek of soiets nie. My kontensie is eerder een daarvan amper van identifisering wat gebaseer is op sekere veralgemenings en teoretiese konstruksies en so meer, wat min of meer sal ooreenstem met die tipe van voorspellingswaarde wat Mr. Soggot voorgehou het. Hy het dit net effens in 'n belaglike sin voorgehou.

I am interested in your suggestion that what you are attempting to do really is to have something in the nature of an identification, a formula for identifying something. Is that right? -- Identifisering van sekere aksies (30) en so meer as bydraende tot rewolusie, of bydraende tot

die/...

die skepping van voor-rewolutionêre omstandighede.

Well, all I wanted to put to you is that in fact if you want to identify a movement as being revolutionary as opposed to non-revolutionary, it involves characteristics and that you cannot logically do it unless you have made the most detailed and intensive research of the characteristics of revolutionary movements on the one side and non-revolutionary public political bodies on the other. -- Ek het nie hier te doen met die identifisering van organisasie as synde rewolutionêr nie. Al wat ek (10) hier mee te doene het is dokumente wat na die lig tot my beskikking bydra tot die skepping van voor-rewolutionêre omstandighede.

With the proviso that what they do is peculiarly characteristic of activities of revolutionary bodies. Otherwise it is meaningless. -- As u net weer daardie - as daardie vraag net weer herhaal kan word.

That all that presupposes that these activities which you say can lead to revolution, are characteristic activities or bodies which have revolution in mind. -- Dit is in (20) 'n mate waar en ook nie heeltemal nie. In die sin dat sekere van die aktiwiteite - of laat ek dit so stel: sekere van die veronderstellings waarvan ek uitgaan, gebaseer is op waarnemings wat 'n verskeidenheid van skrywers gemaak het ten opsigte van rewolusie en rewolutionêre bewegings, waaruit dan sekere beginsels feitlik voortkom en waarvandaan 'n mens dan geregtig is om ook logies verder te redeneer.

But your diagnostic framework is to distinguish between activities of revolutionary and non- (30) revolutionary persons. -- My model is om te onderskei of 'n document/...

dokument sal bydra tot die skepping van voor-revolusionêre omstandighede.

I put the question again. Is your claim not to be able to diagnose a difference between activities of a revolutionary and non-revolutionary? -- As 'n mens so ver - as mens daardie vraag so moet interpreteer dat as 'n mens 'n sekere dokument voor jou kry dat jy dan volgens die diagnostiese model, as ek dit so mag noem, moet kan sê hierdie is 'n dokument van 'n revolusionêre organisasie. Ek weet nie of dit min of meer die strekking is van (10) wat mnr. Soggot wil weet nie.

Well we know how you use the document. I merely want to get clarity on one thing. Is your model not to distinguish the purpose of it, not to talk about that piece of paper or that piece of paper, but I repeat now the third time, to distinguish between activities of revolutionaries and non-revolutionaries? -- In daardie sin, nee. In die sin dat ek kan bloot - ek maak slegs daarop aanspraak om te kan sê dat hierdie dokument sal bydra tot die skepping van voor-revolusionêre omstandighede. (20)

Well, all I can say is that you have shifted ground remarkably. On page 2359 that question was put to you:

"Mr van der Merwe, is it the purpose of your diagnostic model to enable you to distinguish between the activities of revolutionaries and non-revolutionaries? --"

And your answer was as clear as anything:

"Ja, dit is korrek."

-- Soos u sal sien is die twee punte taanlik naby aan mekaar en ek sal - en ek hou by die punt wat ek nou (30) het, en dat soort van in die hitte van die oomblik waarskynlik/...

waarskynlik ek daardie punt effens verder toegegee het as wat ek behoort toe te gegee het.

Well, then I do not know. Is there anything left which is diagnostic in your model? -- In die sin dat ek op grond van die benadering wat ek gebruik kan vasstel of sekere aktiwiteite bydra of min of meer vasstel, ek meen mens moet dit effens kwalifiseer, maar ter wille van die argument, dat mens kan vasstel dat hierdie aktiwiteite sou bydra tot die skepping van voor-rewolutionêre omstandighede. (10)

Allright. Could we just carry on and try and complete this list, please. On page 2427, at the top of the page.

"Now, on the question of mobilisation, can you refer us to any particular instance where the organisation has mobilised, we would like to know what sort of model you are thinking of or examples? -- Edele, weer 'n keer sal ek verkies om my bronne te raadpleeg voordat ek die vraag antwoord, maar ek vermoed dat 'n mens die Vietnamese revolusie sou so kon - dit daar aantref." (20)

Can you add to that at all? -- Ek dink in daardie verband is wat ek hier vir u reeds voorgelees het in die boek van Lass.

Is that Lass, page 75? -- 127.

127, is that the relevant part? -- Ja.

"In 1941 het die Vietnam 'n plan goedgekeur vir die vorming van guerilla eenhede in die grens provinsie Kaubang. Hierdie taak is aan Tjab oorgedra. Tjab se taak (30)

is/...

is aansienlik vergemaklik as gevolg van die feit dat die politieke organisasie reeds 'n redelik gevorderde stadium bereik het, wat te danke was aan die ywer wat Ho Tu Ning reeds vanaf 1925 aan die dag gelê het."

Die organisering van persone in 'n politieke organisasie sluit mobilisering in sodat dit daarin vervat is.

And was this before or after the Japanese occupation?

-- Ek skat dit was seker na die Japanese besetting.

If we may move on to page 2428 please, the top (10)
of the page:

".. foreign investment, the undermining of foreign support, can you now as you stand there give us one example of a revolutionary group that has sought to do this? -- Nee, Edele, en ek weet nie of ek spesifiek - want dit is 'n baie fyn spesifieke punt, ek kan nie waarborg dat ek 'n spesifieke voorbeeld daarvan sal vind nie, ek sal probeer." (20)

Can you give us any assistance there please? -- Nie spesifiek wat ek in literatuur raakgeloop het nie, maar 'n mens kan dink aan die aktiwiteite byvoorbeeld van die Portugese bannelinge in die tyd van Salizar in Kaitana; 'n mens kan selfs dink aan die aktiwiteite van die A.N.C. ten opsigte van Suid-Afrika.

Did they appeal for a foreign investment? -- Ek moet net op hierdie punt effens terugkom in die sin dat die skema van my praat nie van foreign investment nie, maar praat van die ondermyning van buitelandse steun wat (30)
onder andere foreign investment insluit.

We/...

We appreciate that. What did the A.N.C. try and do? -- Hulle probeer om sover as moontlik steun vir die Suid-Afrikaanse stelsel in die buiteland te ondermyn.

Well, presumably their slogan was not "don't give them support", they probably aimed at something specific. Can you tell us what it was? -- Dit is in baie opsigte is dit breed, so breed as ondersteuning. Ek het voorbeelde gegee, ek skat ek sou seker kon verwysings daarvoor gaan kry. Die versoek was vir voorbeelde.

We are not suggesting any criticism of the (10)
A.N.C. for using Estonian language. The only thing is this, the specific terms can you tell His Lordship what they called for, what sort of support? One can think of all sorts of things. Trade, buying South African goods, no foreign investment, no sports. There is a whole spectrum of things which have been going on since 1960. Can you tell us what the A.N.C. did? -- Edele, nie so spesifiek nie. Ek sal moet - ek meen die beginsel is daar baie duidelik en ek sal kan gaan kyk of ek kan voorbeelde kry oor spesifiek wat hulle gedoen het stappie vir stappie (20) wat hulle gedoen het.

Do you know that parties of a much more innocuous character such as the Liberal Party organised or inspired the boycott of South Africa on a trade and financial level? Do you know that?

MR REES: Which Liberal Party where?

MR SOGGOT: I do not know, there were many Liberal Parties, but for my Learned Friend's benefit, the one which was disbanded, it disbanded itself in 1968.

MR REES: In South Africa or in England or in Russia (30)
or where? We do not know.

MR/...

MR SOGGOT: Do you know the Liberal Party in South Africa disbanded itself? -- That is correct.

Do you know that they were instrumental in calling for boycotts? -- Ja, ek neem aan dit sou seker so wees. Ek kan nie aan spesifieke voorbeelde nou dink nie, maar ek neem aan 'n mens sal dit wel kan kry.

Then on page 2452 you were asked the question, towards the bottom of the page, line 18:

".. when you gave evidence you said that certain documents reduced the legitimacy (10) of the White people, and as such that reduced the legitimacy of the system. Can you point to any passage in Easton which authorises such a line of reasoning or thinking?"

And then I think you said you would look that point up.

-- Ek is jammer ek soek net die relevante gedeelte hierso.

DIE HOF VERDAAG. DIE HOF HERVAT.

MNR. REES: U Edele, die kwessie van kaptein Lu Toit. Die Verdediging is nog nie in staat om tot enige vergelyk (20) te kom nie. Die probleem wat ek het is dat soos ek sê hy is so lank hier in Pretoria, hy wil sy jaarlikse verlof neem en hulle is besige mense en wil graag wegkom. Ek dink my Geleerde Vriend moet sy houding aan die Hof meddeel en so nie moet ons die Hof dan miskien vra dat die getuie dan afstaan tot volgende jaar. Ek weet nie hoe lank hulle nog besig gaan wees met mnr. Van der Merwe of wanneer hulle gaan besluit dat hulle gereed is om aan te gaan met die getuie nie. Miskien sal mnr. Soggot vir u kan verduidelik.

MR SOGGOT: M'Lord, may I inform your Lordship as to (30) what has happened. As I indicated earlier apparently

yesterday/...

yesterday and the day before the relevant accused, that is accused No. 4, listened to the tapes with members of the Security Branch. My instructions at this stage are that the contents of the transcripts are not admitted, but what I have been asked is the following: the accused wants to consult with me this afternoon on the approach, whether there is going to be an admission or not and whether the admission will be wholly or in part and what I can undertake is that I will have definitive instructions on Monday. Unfortunately that does not help Captain Du Toit (10) who apparently wants to get away, but I cannot - I have discussed this matter and I cannot take the matter further. I am putting my instructions to the Court.

BY THE COURT: When is he going on leave do you say?

MR REES: I understand he is already on leave and he has to sit in court and his arrangements are that he will go back this afternoon, then he has to come - the history of this thing I think I am entitled to tell the Court. This particular recording the version which is laid before this Court was already tested in the Regional Court in (20) Natal and it was accepted by the - it was again played when they went on an appeal in the Natal Supreme Court and I am also able to lay evidence before the Court of a transcript that was made by the C.S.I.R. which in respect of the disputed passages are exactly the same as the State claims they are. That is so. If the matter is going to be disputed, I will have to lead the evidence of - at least if the dispute continues I will have to lead the - amplify the evidence from Captain Du Toit and we may have to put the C.S.I.R. man in as well, but if they (30) are prepared to make the concessions then of course we will have/...

have to - the matter goes in. It seems therefore if there is any possibility I would like Captain Du Toit's release now, certainly until such - if the Defence then on Monday are prepared to admit the correctness of this thing, then he need not come back, but as to otherwise he must stand down until after the Court resumes after the recess, subject to Your Lordship's instructions.

BY THE COURT: There must be finality now, Mr Soggot, we cannot just keep this man here.

MR SOGGOT: I told Your Lordship all I am doing is I (10) am conveying instructions and I cannot take the matter further. I may indicate my Learned Friend has indicated that this was dealt with in the Regional Court. All I do want to at this stage say is that we do ... arguments before Your Lordship an application to Your Lordship to exclude this on the basis of a previous conviction which it should be excluded in terms of the law of evidence, but that is I do not think something which involves the solution at this moment. The problem is - M'Lord, may I make this suggestion - I think on the question of Captain (20) Du Toit's movements which is - he wants to get away - I think perhaps if Your Lordship allowed me a quarter of an hour consultation now, I might be able to get instructions which will at least eliminate the problem of Mr Du Toit's appearance in the witness-box.

BY THE COURT: It is most desirable that the man should know what his position is.

MR SOGGOT: Yes, this is, with respect the most proper action.

THE COURT ADJOURNS. THE COURT RESUMES.

(30)

MR SOGGOT: M'Lord, if I may suggest as an immediate solution/...

solution or a partial one, may I cross-examine Captain Du Toit on some of the problems we have relating to the tape and then he can be released and then the accused can decide over the week-end as to what their attitude is.

PETRUS LODIEWIKUS DU TOIT: verklaar onder eed:

KRUISONDERVRAGING DEUR MNR. SOGGOT: Ek het ongelukkig nie u getuienis voor my nie, maar in elk geval, u was betrokke met die opname van die toespraak van beskuldigde No. 4.

-- Dit is korrek. Dit was 'n vergadering op 21 Maart 1973.

En soos ek onthou het julle twee onafhanklike (10) verskeie bandopname masjiene gebruik. -- Ek het twee band opnames gemaak.

En daardie twee bande nou, as ek van twee bande praat, dan bedoel ek die twee aparte bandopnames, was hulle in u besit gehou? -- Hierdie bande was in my besit gehou. Die vergadering was op 'n Vrydag. Die daaropvolgende Maandag het ek dit aan adjudant-offisier Taylor oorhandig met die instruksies dat hy dit in sy bewaring hou en vir my konsep transkripsies maak. Ongeveer twee weke daarna het hy die bande met die konsep aan my terug gehandig en (20) sedertdien was daardie bande in my besit, behalwe vir die tydperk wat die by die Hooggeregshof in Pietermaritzburg op appèl was, wat ek dit aan kaptein Welman oorhandig het.

Die bande wat u gebruik het, was hulle nuwe bande? -- Nee, dit was nie nuwe bande nie.

En die - op 'n latere stadium het julle laat afskrifte maak van daardie bande? -- Ek het 'n paar dae na die vergadering het ek 'n afskrif op 'n band van een van die bandopnames gemaak.

En wat het van daardie afskrif geword? -- Daardie (30) band was ook in bewaring gehou en was ook ingehandig as 'n bewysstuk/...

bewysstuk destyds in die saak.

Op daardie stadium. In hierdie saak het die Verdediging afskrifte gekry van daardie Kajee Hall bande, nie waar nie? -- Dit is korrek.

En die afskrifte wat ons gekry het, was dit eintlik nou as 'n korrekte weergawe van die oorspronklikes? -- Ek het dit aan die W.N.N.R., dr. Jansen oorhandig om die nodige transkripsie te maak .. (tussenbei)

Sover die oorspronklike aangaan, het julle aan die begin van die band die opname - of laat ek dit so (10) stel: het u van die begin af die band gebruik van die eerste punt of het u in die middel begin of wat? -- Reg van die begin af.

Van die begin. En weet u of daar enige ander materiaal is of gesprek is op daardie oorspronklike band afgesien van hierdie toesprake wat julle opgeneem het? -- Aan die einde van - die band het twee kante. Aan die einde kan daar ander gesprekke op wees want dit was voorheen gebruik.

Ek verstaan sover band 3(a) aangaan is daar op dieselfde band 'n afskrif van 'n hele ander vergadering (20) waar sekere persone, Sam Tiro, Pillay en iemand anders gepraat het. Weet u enigiets daarvan? -- U meen die afskrif wat ek gemaak het van die oorspronklike?

Die afskrif wat hulle in hulle besit het. -- Nee, die sal ek nie kan sê nie. Ek het my oorspronklike bande aan dr. Jansen van die W.N.N.R. oorhandig en hy het afskrifte gemaak.

Maar het u .. -- Dit mag wees dat daar op die oorspronklike bande dan ander stukke is wat hy dan ook volledig afgeneem het en dit mag dié wees. (30)

En op band 3(c) byvoorbeeld is daar sekere passate wat deur/...

deur mnr. Welman gedikteer word in verband met dr. Turner. Weet u enigiets daarvan? -- Ek dra nie kennis daarvan nie. Ek het nie daarna geluister nie.

En ook in verband met die Amerikaanse verteenwoordiger of Senator Dicks. Weet u enigiets daarvan? -- Nee. Ek het net konsentreer op die vergadering wat ter sprake hier is en die toesprake daarop het ek getranskribeer.

As ons dit nou net kortliks kan afhandel. Daar was eers 'n konsep gemaak deur mnr. Taylor. Is dit reg? -- Dit is korrek. (10)

En was dit op die basis van die een oorspronklike band? -- Dit is beide die oorspronklike bande was gebruik om die konsep te maak.

En het u daardie konsep aanvaar en was dit daarna vergelyk met die W.N.N.R. se woergawe? -- Ek het die konsep ontvang van mnr. Taylor, daarna het ek self male sonder tal die bande deur gespeel, want daar was nog baie onderbrekings, die bande is ongelukkig, daar is baie stourings op en tot en met voor die dag van die verhoor, ek dink dit was 10 September 1973 het ons weer die bande deurgegaan en (20)

verdere wysigings aangebring en daarna het ek die konsep ingehandig wat volgens my sover ek dit so volledig as moontlik kon kry, ingehandig as die bewysstuk in die saak aldaar.

DEUR DIE HOF: Die wysigings aangebring in die proses? -- Daar was net 'n paar wysigings, dit is net waar onderbrekings is, soos byvoorbeeld die sekondes en .. (tussenbei)

MNR. SOGGOT: Die hele tyd het julle die twee - gesteun op die twee verskillende bande om mekaar te help? -- Wel, eintlik was die drie bande gebruik. Die derde band was gemaak hoofsaaklik vir die doel om transkripsies te maak want die konsep bande is - ek was bang dat daar kon

dalk/...

dalk - dit kon breek of daar kon enige skade aan kom en dan is dit nutteloos as bewysstuk.

Maar wat ek bedoel die twee aparte opnames was gebruik om mekaar te help. -- Ja, dit is so.

Nou die bandopname was aan die beskuldigdes gegee, is dit nou 'n sintese, as ek die woord mag gebruik, van die twee bande of is dit net van die een band? -- Daar kan ek - het ek dr. Jansen versoek om die band wat volledig is, te transkribeer en dit sodat ons dit aan die Verdediging kan beskikbaar stel. (10)

Maar ek verstaan nie. Watter een is die volledige band? -- Kan ek net die bande kry? Ek het hulle gemerk.

M'Lord, I want to say immediately that one of our problems is that there is a tremendous indistinctness and that is giving difficulty. -- Die band wat in die destydse saak bewysstuk 2 was, hy is nie volledig nie.

As u sê nie volledig nie, u bedoel dit bevat nie al die toesprake wat in die ander band vervat word? -- Nee, daar is - as ek mag uitwy s soos ek destyds uitgewys het, in die toespraak van Harry Singh, bladsy 7. (20)

Bewysstuk BPC.E.4. -- Dit is korrek. Ongeveer tweederdes van bladsy 7, die onderste gedeelte tot ongeveer 'n derde op bladsy 8, dan die laaste twee lyne op bladsy 8 tot aan die einde van die eerste paragraaf op bladsy 9, kom nie voor op band 2 nie, op bewysstuk 2. Die rede hiervoor is dit is twee afsonderlike bandopnames. Die opnames was gemaak deur middel van radio transmissie en weens die steurings wat daarop voorgekom het, het ek hierdie besondere band afgeskakel om verstellings te maak en dit is waarom daardie gedeeltes nie daarop voorkom nie. Die band (30) wat gemerk was bewysstuk 1, hy is volledig.

En/...

En die afskrif dan wat die beskuldigdes gekry het is dit nou 'n afskrif van die volledige een? -- Ek het nie daardie band nagegaan nie, so ek kan dit nie bevestig nie.

Ek weet nie eintlik of my instruksies juis is of nie, derhalwe is hierdie naer net 'n vraag. Het u in die Streekshof miskien gesê dat u nuwe bande gebruik het in die Streekshof saak? -- Nee, ek het gesê dit was alreeds gebruikte bande. Ek het daar ook uitgewys op die twee bande is datums aangebring 8.2.1973 in my eie handskrif en dit was die datum waarop hierdie bande aangekoop was. (10) Met ander woorde, dit was in gebruik deur ons - deur die polisie vir bietjie meer as 'n maand in gebruik.

Nou soos ek verstaan, u weet nie of die beskuldigdes die volledige opnameband gekry het nie. -- Dit kan ek nie bevestig nie, maar die Verdediging was in besit van die bewysstuk BPC.E.4 en hulle kon dit maklik vasstel op die band.

Nee, die vraag eintlik wat ek wil vra is, is een van hierdie bande beter as die ander een? Is die volledige een meer duidelik as die onvolledige? -- Hulle is min of (20) meer dieselfde. Hier en daar is daar gedeeltes waar die een miskien 'n bietjie beter as die ander is.

Maar die beskuldigdes, sover u weet, het net geleentheid gehad om na een van daardie bande te luister. -- Nee, ek het eergister saam met beskuldigde No. 4, 3 en 9 in die teenwoordigheid van prokureur Chetty vir hulle die bande oorgespeel, deur die hele transkripsie.

Is dit nou julle bande in vergelyking met die beskuldigdes.. -- Laat ek net verduidelik.

Ja, gaan maar aan. -- In die eerste plek het ek (30) dr. Jansen se eie afskrif wat hy gehad het, gebruik, maar ek het/...

het moeilikheid ondervind met ons masjien. Daarop het ons een van die oorspronklike bande gevat en deur gespeel. Dit was die band wat nie volledig is nie. Ek het die beskuldigdes gesê die ander band is beskikbaar, hier is hy, ons kan hom speel. Hulle het dit nie nodig geag nie.

Die enigste punt wat ek wil vasstel is al hierdie tyd het hulle 'n afskrif van net een van daardie opnames gehad, nie van die twee nie. -- Ek neem so aan.

Om net nou dit af te rond, sou u saamstem dat hierdie bande is onduidelik? -- As ek dit mag stel, daar is (10) steurings, hulle is nie baie duidelik nie. Dit is moeilik vir 'n persoon wat net die eerste keer daarna luister om die volledige trant te volg, maar wanneer 'n persoon herhaalde kere daarna luister dan kan hy die trant van omtrent die hele gesprek volg. Soos die transkripsie nou is, is daar 'n paar plekke waar daar onduidelikhede is aan die begin 12 tot 13 sekondes, lateraan weer 7 sekondes, ensovoorts. Daar is 'n paar plekkies waar daar gerasse is as gevolg van die applous en ander geraas, waar daar woorde ontbreek. Die res is so volledig as wat ek dit (20) moontlik kon doen.

Eintlik ons weet u het ongeveer - kaptein Du Toit het ongeveer twee weke daarmee gewerk. -- Kaptein Taylor.

Met die konsep, nie waar nie? -- Mnr. Taylor.

Mnr. Taylor. En daarna het u herhaaldelik geluister om dit te kontroleer, nie waar nie? -- Kontroleer en te verbeter. Daar was baie onderbrekings op die konsepte.

Die enigste punt is dit: is dit nie baie moeilik wanneer dit so onduidelik is, om in jou verbeelding iets te verstaan wat gesê word wat eintlik nie gesê word nie? (30) Met ander woorde, wat ek stel is, mens kan mens self mislei.

--/...

-- Ja, dit is iets wat ek probeer voorkom het en daarom het ek na hierdie bande herhaalde en herhaalde kere geluister omdat ek objektief wil wees en nie iets wou neerskryf wat ek nie kon hoor op die band nie. Met ander woorde, iets wat ek dink ek hoor, neerskryf nie. Wat ek neergeskryf het is wat ek hoor op die bande.

En laat ons nou maar net om nou af te sluit, net die een ander probleem aan u stel. Weens die feit dat die geluide so onhelder is, onduidelik is, bestaan daar nie 'n gevaar dat as 'n mens 'n transkripsie het, dat jy vir (10) jouself sal verbeel dat wat nou in die transkripsie staan, daar eintlik gesê word? -- Ek glo nie as 'n persoon dit objektief benader en luister daarna en wanneer hy onseker is omtrent iets, dan glo ek nie soiets kan jou beïnvloed nie.

M'Lord, I think that is as far as I can take it. I thought I should put our problems to the witness. The tapes obviously will speak for themselves. I think that we are all rather anxious to spare the Court the problem of having to follow the tracks of Mr Taylor and Mr Du Toit and (20) that is as far as I can take it at the moment.

HERONDERVRAGING DEUR MNR. REES: Ek wil net hê u moet die Hof meedeel. U sê u het herhaalde kere na die bande geluister. -- Dit is korrek.

Het u die twee bande met mekaar vergelyk? -- Dit is so.

En wat het u net oor 'n luidspreker geluister of watter ander metodes het u gebruik om te luister? -- Ek het die meeste van die tyd gebruik gemaak van oorfone.

Stel oorfone u in staat om ander gerase uit te skakel en net daarna te luister, net te luister wat oor die (30) bande ..? -- Dit is so.

Ek/...

Ek wil u vra om na BPC.E.4 te verwys. Met verwysing na die tweede paragraaf op die eerste bladsy. -- Ek het dit.

Dit lees:

"Brothers and Sisters, we haven't come here to mourn the death of these people, we haven't come here to regret the steps they took, but we have come here to say we pledge ourselves to follow closely and intimately in those steps that they have taken. We have come here to declare ourselves that we are prepared to lay our heads on the block." (10)

Nou is u nadat u die ding geluister het, oortuig van die juistheid van daardie afdeling soos u dit daar geskryf het? -- Ek is.

Het die Verdediging waarby beskuldigde No. 4 betrokke was, in die vorige saak, dit is in die saak in Natal, ook hulle weergawe van die band aan die Hof voorgelê? -- Hulle het.

En die gedeelte wat ek vir u nou gelees het, sal (20) u net kyk na die afskrif van die rekord en vir die Hof sê of die Verdediging op daardie stadium enige van hierdie woorde wat ek nou vir u gelees het, betwis het of nie? -- Net in die tweede lyn, die woord "regret" het hulle as "redress", "regret" in hakies. En dan "we pledge" net daarna het hulle "place" in hakies "ourselves". Dit is die enigste verskil tot en met die woord "block".

Dan is daar 7 sekonde en dan vervolg die paragraaf:

"We are prepared to have our blood spilled just as much as the blood of our brothers spilled at Sharpeville, at Langa, (30)

at/...

at Bulhoek, at Wonderswart(?) and at countless other places in this country in the liberation movement."

Is u tevrede dat soos daardie woorde daar weergegee word, dit die woorde is wat op die band voorkom? -- Dit is so. Die 7 sekondes na die woord "block" daar word gepraat, maar daar is baie geraas en die woorde is onduidelik, maar vanaf die woord "we are prepared" tot by die "movement" is ek oortuig dat dit is wat gesê is.

Was enige gedeelte van daardie sin deur die (10)
Verdediging in die Natalse saak aangeval? -- Net die gedeelte na die 7 sekondes, "we are prepared to have our blood spilled".

Wat het hulle aangevoer in verband daarmee? -- Volgens hulle transkripsie is dit net dotjies en as ek reg onthou het hulle voorgegee dat hulle niks kon uitmaak daar nie.

Nou gister of eergister toe u en die beskuldigdes die saak deurgegaan het, wat het hulle toe voorgegee? In verband met daardie besondere paar woorde. -- Hulle het gesê dit is dieselfde woorde, "we are prepared to (20)
have our blood spilled" het hulle voorgegee kon hulle nie hoor nie.

GEEN VERDERE VRAE.

DIE GETUIE WORD NOU VERSKOOON.

STOFFEL GERHARDUS VAN DER MERWE: nog onder eed:

FURTHER CROSS-EXAMINATION BY MR SOGGOT: You were looking for a text. Could you find it? -- As ek miskien net die hof rekord van daardie spesifieke deel kan kry om net weer seker te maak presies wat was die vraag destyds. (30)

I think we were dealing with 2452. Have you got that?

-- Et/...

-- Ek het dit, ja. Op bladsy 237 van David Easton se boek is daar 'n tabel, tabel No. 3: Types of legitimacy, waarin daar aangetoon word dat die "belief in the structure" dit wil sê die legitimititeit van die bekleders van rolle na die regime soos gedefinieer oorgedra kan word en andersom en net in die spesifieke verband is daar 'n aansluitende kwotasie op bladsy 231. Miskien wil ek net eers so stel, om 'n vorige stelling af te rond. In die dokumente word die Blankes dikwels gelyk gestel met die regime en ook as rolbekleders en word ook gesien as rol- (10) bekleders in die regime sodat daar reeds getuienis is van daardie oorfloei van legitimititeit vanaf die rolbekleders, dit wil sê die owerheid na die regime en dan wil ek net hier op bladsy 231 kwoteer. Dit gaan hierso oor "feelings of discontent". Dit sê:

"Initially the discontent may be directed toward the authorities but if where possible these are changed and especially if this happens again and again and still little improvement in outputs occur," (20)

dit wil sê indien daar, soos wat dit hier staan, "discontent" met die "authorities" is en daardie ontevredenheid oor 'n lang tyd nie uit die weg geruim word nie,

"it will be impossible to prevent the dissatisfaction shifting toward the regime and even the political community."

Are those the passages you rely on? -- In breedte, ja.

Is there anything else you wish to rely on in Easton?

-- Ek glo nie. Ek meen ek sal nog kan gaan soek vir meer spesifieke verwysings daarna. (30)

And then does that amount to saying that an attack
on/...

on the White people constitute an attack on legitimacy of the White incumbents? In other words to say the White man gives us starvation wages or a phrase like that? Is that what you say is an attack on legitimacy of the White incumbent? -- Indirek ja, in die sin dat waar daar so dikwels die vergelyking getref word dat die regering en die regime en die Blankes is dieselfde.

We just want to understand that. And then on the question of relevance members, you contended that relevant members would include members who had economic power (10) as opposed to political power. -- Die voorbeelde wat ek daar gegee het van ekonomiese mag teenoor politieke mag, was bloot voorbeelde waarna ek gesoek het as't ware in die afwesigheid daarvan om die spesifieke passaat te vind op daardie stadium. Die saak kan miskien meer duidelik reggestel word. Ek haal aan Easton op bladsy 154, voetnota 2:

"I shall use it here to refer to those members of the system who can be said to count or whose attitudes mean to be taken (20) into consideration in the processing of demands."

Dit wil sê mense wat oor enige vorm van mag beskik wat die stelsel noodsaak om hulle eise in ag te neem. Daardie mag kan ekonomies wees, dit kan polities wees.

Are there no other passages in Easton which give an insight into what he means by relevant members? -- Ek dink daar is nog ander. Ek het hulle nie nou oop spesifiek voor my nie.

As to what is a relevant member is something which (30) must be established empirically after much and detailed research/...

research, isn't that right? -- Dit moet empiries vasgestel word, eintlik sal ek sê dit moet vasgestel word in die konteks van elke samelewing.

And to do so you would have to apply yourself to a tremendously detailed and comprehensive analysis of how the society works and what goes into the making of decisions for example. -- Nie noodwendig nie.

Well, can you perhaps very briefly tell us how you would consider that you would determine what is a relevant member without the most detailed research? -- Bedoel (10) u nou in die - bedoel u nou ek moet uitbrei op die definisie of?

No, I mean, following Easton's concepts, he refers to a relevant member which is not more precisely defined by your quotation, because it says it is those who count, it sound rather tautologous. So you are left with the problem of determining in any society who counts. Now I am asking you can you do that without the most detailed analysis of what goes into the decision making process in any political community? -- Mens sou, as 'n mens wou (20) vasstel in fyn detail, met ander woorde, byvoorbeeld sou wou gaan vasstel of een besondere persoon wat miskien op die rand van die definisie rond lê of op die rand van die begrip rond lê of hy polities relevant is, dan mag dit miskien baie spesifieke navorsing verg, maar ek glo dat sover as wat breë groepe persone aangaan, is 'n redelik algemene kennis van die stelsel voldoende om te bepaal of lede relevant is of nie.

And I think this is the last question relating to the various points. Can you indicate what the (30) revolutionary contexts are that you were going to refer us to/...

to? It is the first question I started off with this morning. -- Ek het ongelukkig nie - ek sal moet 'n bietjie rond soek daarvoor.

Have you got nothing at the moment? -- Nie spesifiek wat ek - ek sal dit kan bring. Ek meen dit is net my notas ten opsigte daarvan is nog nie heeltemal volledig nie.

DIE HOF VERDAAG TOT MAANDAG, 8 DESEMBER 1975.

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