

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

CASE NO. 18/75/254.

8th December, 1975.

In the matter of:

THE STATE

versus

S. COOPER AND EIGHT OTHERS

VOLUME 46

(Pages 2563 - 2612).

COURT RESUMES ON 8th DECEMBER 1975

MR. SOGGOT ADDRESSES COURT: M'lord, before the matter commences, I have been instructed, M'lord, to place some matters before you ..(Mr. Rees intervenes)

MR. REES: M'lord, before my learned friend commences, there is a matter to which I would like to reply. Your Lordship had asked me on Friday about the transportation of the Accused, I would like to inform Your Lordship of what my investigations have brought to light. Edele, die beskuldigdes het hierso beswaar aangeteken dat die trok 10 waarmee hulle van die tronk af hierheen vervoer word met 'n seil toegemaak is, en dat daar onvoldoende lug daarin is, of onvoldoende ventilasie is. Die polisie sê dat hulle wel die kante van die trok met 'n seil toegemaak het, die polisie beweer dat die stelling dat daar nie genoeg ventilasie is nie onwaar is, hulle sê die lug waai van voor deur die trok se kap, die kante van die trok is voorsien van diefwering en is met seile bedek, die seile is nie heeltemal dig nie, en kan ventileer. Die rede waarom die kap bedek is is dat die beskuldigdes wanneer hulle hier uitgaan en op pad na 20 die tronk toe demonstreer, hulle steek gebalde vuiste deur die kant van die trok uit, hulle uiter slagspreuke wat aanstoot gee vir lede van die publiek. Die polisie het klagtes ontvang, onder andere van 'n lid van die Provinsiale Raad, wat beswaar maak teen die geraas en die verstoring van die rus, en dat die polisie voel dit is noodsaaklik in die behoorlike uitvoering van hulle pligte dat die trok aldus - die seile aldus oor die trok gehou word, en dat dit gedoen word met die minste moontlike ongemak vir die beskuldigdes.

MR. SOGGOT: M'lord, on the question of the demonstrations 30 and the clenched fist sign, I am awaiting instructions now.

M'lord / ...

M'lord, on what seems to be the main justification, it is unfortunate that Your Lordship has to be burdened with this, but it does seem as if the main justification for the police use of this sail is that the Accused make particular power signs or clenched fist signs, and that they shout slogans. This, M'lord, I am instructed, does not take place. M'lord, as far as the Accused are concerned, they have already expressed to Your Lordship through Mr. Pitman on Friday their complaint that the vehicle which is often immobile and also stands in the sunshine becomes intolerably hot, 10 and therefore they have made that complaint. But that, M'lord, is not the only complaint which they have made and which apparently has given rise to this rather unfortunate difficulty, the other problem is that the vehicle they say is driven in a reckless manner and inspires in them fears for their safety. And what has happened, M'lord, is that unfortunately this morning they were confronted with the same vehicle which had this tarpaulin on the sides rolled down, and they did not want to get into this vehicle, M'lord. and they were then forcibly pushed into the vehicle and 20 some of them in fact, M'lord, show signs of cuts or abrasions. Their complaint, M'lord, is also that they were threatened, they were threatened with assault and also threatened, one is not saying that this is seriously intended, but they were in fact threatened with death. Now the problem, M'lord, is that the Accused do feel very aggrieved by this, they feel that it does affect their dignity and their safety, M'lord, and if this continues the attitude of the Accused is they do not wish to come to Court. Now, M'lord, that is approaching a situation of, 30 -- if I may put it this way, M'lord, this does suggest a degree / ...

degree of upset on their part which should be avoided, and we did approach my learned friend this morning and asked him whether he could discuss the matter with us and find out whether in fact he had taken up the issue as suggested by Your Lordship, and whether the problem cannot then be resolved, his attitude was he did not want to discuss it with us. And, M'lord, obviously Your Lordship is sitting in a criminal matter, and there is no question of asking Your Lordship for any civil relief, but this is a matter which does distress the Accused, it is unfortunate that 10 time has to be spent on this, M'lord, the Accused apparently deny that they conduct themselves as the police suggest, and obviously, M'lord, what is implicit is that they will not conduct themselves in that way if they were to be put in an open vehicle.

COURT: Well, Mr. Rees, are the authorities prepared to just give it a try, if they do not behave themselves they roll down the tarpaulin, if they behave themselves, well then there is no need for that. Now we have an undertaking that they will not do it. 20

MR. REES: M'lord, we have coupled with a denial that they have been doing it, any person who walks out here every afternoon ...(Court intervenes)

COURT: I do not want to investigate that, I am leaving it to the discretion of the authorities, if they see that they misbehave well, it is their responsibility and it does not fall within my jurisdiction, but I do not think it is an unreasonable request to give it a try, and let them travel in this vehicle without the tarpaulins down, and if they misbehave in any way then they roll the tarpaulins down. 30

MR. REES: I appreciate that, M'lord, and I will convey that
to / ...

to the police ..(Court intervenes)

COURT: And then also they complain about the manner of driving of the driver. Well, is it necessary to convey them at high speed?

MR. REES: M'lord, may I just make a few points clear here, M'lord, when I said at the beginning that the Accused's denial is coupled with their request, I did not intend for Your Lordship to decide the matter, I am just placing before Your Lordship the fact that it is extremely clear that that denial is untruthful, it is not necessary for Your Lordship 10 to decide that. Now that is the type of problem the police have to contend with, but I will convey this to the police and ask them to take the necessary steps. M'lord, as for the driver, if he is driving in that way he is certainly exceeding his orders, and the Accused's remedy lies in bringing it to the notice of the police, it has now been brought to the notice of the police, and if in fact there should be any substance in it the matter will be put a stop to, M'lord, straightaway without any complaints being brought to the Court. It appears to me that the Captain in charge 20 of these persons is a most responsible police officer, and I am persuaded that he will not allow this type of thing to happen, but I will personally bring it to his attention and ask him to see that the driver drives according to the accepted road safety standards. M'lord, further than that I cannot take it, I will convey Your Lordship's request to the police and ask them to act accordingly.

COURT: Thank you.

MR. REES: M'lord, I think I should mention this, I am informed that this vehicle is escorted through the streets 30 by police and I understand the Traffic Department, the whole reason / ...

reason for all this is the manner in which the Accused misbehaved themselves on the way up to and from the prison.

COURT: Yes, well as I say we will give it a try, the matter is in their hands, if they misbehave, well then they must suffer the consequences, if they behave, well, then there is no need to treat them in that way.

STOFFEL JOHANNES VAN DER MERWE, NOG ONDER EED:

KRUISONDERVRAGING DEUR MNR. SOGGOT VERVOLG: Mr. van der Merwe, have you got the revolutionary context that you made reference to last week? ---- Edele, ek dink ek kan daar n 10 paar dokumente kwoteer. Edele, ek sou in hierdie verband wou verwys veral na SASO O.1 en SASO R.1 en SASO J.1. Edele, ek sal miskien eerstens verwys na SASO R.1, in hierdie konteks van hierdie dokument sal u sien eerstens op bladsy 207 die derde paragraaf daar van bo af:

"Black people should therefore create a new social order, where people will be people for the simple reason that they have been created in the image of God"

Ek wil my bepaal by die woorde "create a new social order" 20 en dan as ons net terugkom na bladsy 206, die tweede laaste lyntjie:

"Black Consciousness, we believe, is the preparatory stage of the people's revolution a precedence to a just and human society"

en as 'n mens net na daardie selfde paragrafie net die vorige sin ook kyk, net so vier lyntjies op:

"Accordingly therefore we feel that the Black man must learn to know that no ballot has ever preceded the bullet but the opposite is true. The hypocrisy 30 of democracy by Whites is to be counteracted by

this / ...

this opposite above"

Ek stel dit, Edele, dat Black Consciousness hierin 'n redelik revolusionêre konteks direk vermeld word.

And when you use the word revolution then do you mean change by violence as being hinted at? --- Dat daar aanduidings is dat die oplossing gewelddadig behoort te wees.

Yes, will you carry on, Mr. van der Merwe, are there any other contexts as you referred to in this regard?
--- Edele, die stuk SASO J.1, sien ons hier 'n verwysing na die onwettigheid van die owerheid en van die hele regime 10
in die woorde:

"When Black people were mercilessly murdered by
the illegal Verwoerd regime"

en 'n bietjie verder af aan die einde van die tweede paragraaf:

"When actually we are being terrorised by Vorster
and his gang"

Daar is taamlike aanduidings van geweld deur die stelsel dwarsdeur hierdie stuk, daar is ook 'n verwerping van tuisland leiers, en dan die paragrafie daar op bladsy 212:

"The blood that flowed in Sharpeville is ours, is 20
our mothers, fathers, uncles, who died at the hands
of the enemy, racists, imperialists, settlers,
colonialists, their days are numbered. They are left
with a few seconds before they crawl with their tails
between their legs"

En dan net die paragraaf voor dit:

"A unit that will refuse - (dit is 'n oproep na
eenheid) - a unit that will refuse to be reduced to
sub-human beings, a solid Black family that will
relentlessly struggle for its liberation, our weapon 30
is unity"

Edele / ...

Edele, en dan op bladsy 213, vind ons die woorde:

"Power to the Black people, long live the guerrillas"

Die element van Black Consciousness wat hier ter sprake is, is die element van Black Solidarity.

Do you know whether these last two exhibits that you have referred to have any connection with SASO or BPC? I am referring to J.1 and R.1? ---- Ek het geen persoonlike kennis daarvan dat dit is nie.

Are there any other documents that you can refer us to? ---- Edele, ek het ook SASO O.1 wat dan 'n Transvaal Regional formation school is waarin daar op bladsy 131 byvoorbeeld voorkom: 10

"A discussion on the abovementioned topic was considered very futile by the members of the commission in view of the fact that we are all aware of our final goal liberation"

En dan is daar verwysing na "guerrilla warfare, urban warfare", daar volg dan vanaf bladsy 132 'n taamlike lang bespreking en uiteindelik 'n verwerping van tuisland leiers, en dan op bladsy 136 kry ons "recommendations - preparing the minds of the people, making them aware what the Bantustans mean", en dan "conscientisation that is for e.g. if a freedom fighter comes to the house of an individual, he should be prepared to house him". Dan op bladsy 137 is daar weer: 20

"The involvement of BPC or relevant organisations in the rural areas and conscientisation. Send out groups to the different people to bring in contact with them on a conscientisation programme or major field, areas near the border should be conscientised to indentify themselves with freedom fighters, such people / ... 30

people should be prepared"

En dan op bladsy 139 daarvan, is daar dan 'n "commission" wat blykbaar ondersoek ingestel het na politieke aangeleenthede onder andere, en daar sal u sien in daardie eerste paragrafie onder politieke die laaste sinnetjie daar:

"It was stated that we would need a dictatorial form of government to implement our ideologies"

en dan 'n bietjie verder af onder die punt van Black communalism:

"We believe that communalism will lead us into the realisation of our goal of having an egalitarian type of society",

en weer op bladsy 140:

"... Black Communalism as the alternative political system we want"

Dan gaan hierdie dokument verder, Edele, en op bladsy 142 byvoorbeeld:

"The commission also realised that although resorting to arms (getting to the bush) is a practical necessity, in coming back we might find ourselves fighting an alien war. Our people regarding us as terrorists. Hence the necessity of preparing the minds of the people"

en dan weer kan ek net op bladsy 143 wys op die tweede laaste paragraaf:

"It was realised that we need the backing of an ideology and moral conviction in the struggle for liberation and the importance of indoctrination to achieve this ideal."

Is that all, or is there anything else? --- Dit is al voorlopig, Edele.

Well / ...

Well, Mr. van der Merwe, it is a matter of importance to establish it now, I take it you have gone through the documents to see what examples you can find of this particular thing. Is there anything else that you can refer us to now? --- Edele, daar is nie iets anders, ek het nie kans gehad om al die dokumente spesifiek met die oog op hierdie spesifieke kombinasie deur te gaan nie. In hierdie verband het ek hoofsaaklik na die SASO dokumente gekyk; ek vermoed dat 'n mens in BPC dokumente ook dit kan kry, u weet daar was 'n hele klomp vrae wat aan my gestel is deur die 10 Verdediging, en hulle het vir my gevra vir 'n voorbeeld waar hierdie Black Consciousness in 'n revolusionêre verband voorkom, en ek het gesoek totdat ek 'n voorbeeld gekry het, nie totdat ek al die dokumente deurgegaan het nie.

I do take it that when you read these documents right in the beginning, any phrases which indicated a possible intention to go for guerrilla warfare or violence, would have attracted your attention? --- Dit is korrek, Edele.

Mr. van der Merwe, then may we leave the revolutionary context for the moment, and could I refer you to the exhibit 20 which commence with the phrase "Steadfast - Standvastig". M'lord, may we hand to Your Lordship a copy, I have handed a copy to my learned friend, and we have taken the liberty to number the pages for convenience, I think this will be EXHIBIT X, M'lord, it is a general exhibit.

MR. REES ADDRESSES COURT: M'lord, ex abundanti cautela, I would like to reiterate my objection to the admissibility of these documents.

MR. SOGGOT: Mr. van der Merwe, I wonder, have you numbered these documents according to the numbering of Mr. Rees' 30 exhibits? --- Edele, ek het hulle so gerangskik, so genommer,

ek / ...

ek hoop my nommering is reg.

Well, I wonder if we could perhaps begin at the beginning, and that is page 1, and may I refer you to the second paragraph, and that is:

"It is clear that members of the Cabinet are not aware of the serious situation that faces South Africa. The total situation at home is being influenced by events outside. It is apparent that the hopes of Black people are rising sky high, they know the day of liberation is drawing near. Their politics are based on hope for the future, the White man's politics are based on fear". 10

Now, would that involve mobilisation and also the unifying idea? --- Kan ek net weer daarna kyk uit daardie oogpunt? Edele, daar is 'n element van mobilisering daarin maar nie baie sterk nie.

And the hopes of Black people, that would have an element of the unifying idea, not so? --- Baie vaagweg, ja.

And the day of liberation, coupled with the phrase "their politics are based on hopes for the future, the White man's politics are based on fear", would you say that that involves what you subsequently labelled the potential revolutionary idea? --- Edele, die kwessie van "it is apparent that the hopes of the people are rising sky high" ek sal nie sê, ek meen dit is nie "the hopes of the Black people" - pouse - 20

Mr. van der Merwe, I am referring to "they know the day of liberation is drawing near", that is the phrase that I was referring to. --- Sorry. Edele, daardie verwys eerder na iets anders, en dit is om daardie verwagtings op te wek 30 ek meen daar is 'n klein element van mobilisering daarin voorvat,

maar / ...

maar ek sal nie sê dat dit in die konteks van hierdie dokument spesifiek aansluit by die idee nie. Ek weet nie of ek nou -
pouse -

And 'the White man's politics are based on fear', would that be an undermining of the White man's legitimacy? --- Ja, ongetwyfeld.

And of his system? --- Yes.

And then "remember the nationalist election cry 'vote Vorster for safety', see those who claim to be leaders of this country play parlour games of moving away from discrimination 10 is a sad commentary of the state of thinking in White society. Our motivation is that Whites are still motivated politically by just plain racism". That I think again would be an attack on the legitimacy of the Whites and their system, according to your code? --- Dit is korrek, ja.

"The real issue at stake is whether we are moving towards a new South Africa, a South Africa where every man regardless of race or colour will enjoy full citizenship. The true mobility in our system and the basic rights that make a man feel that his proud to be a South African and 20 that he has a real stake in this land". What appears from the whole of that I would suggest is that they want a total liberation for the Black man? --- PAUSE

The words "full citizenship" would, I have thought, made that abundantly clear. --- Ja - kan u net weer sê wat u daarvan afgelei het presies?

That their object is the total liberation of the Black man? --- In soverre as - u weet die kwessie van "total liberation of the Black man" is 'n frase wat 'n bietjie vaag is in sekere opsigte, sodat soverre as wat "enjoy full citizenship" in ooreenstemming is met die idee van "total liberation", tot

op / ...

op daardie punt toe stem ek saam.

And wouldn't that be part of the potentially revolutionary idea? --- Hier is, Edele, 'n ideaal stelling van, sal ek sê, soos dit in Engels gestel word "an egalitarian society" waarna gestreef word, en as sodanig sou dit potensieel 'n idee wees waar rondom mense sou kon veronig.

I will come back to that question, may we just read the next few lines, that is all I want to read on this page:

"White South Africa has shown more than once that it has chosen its road, it will cling to White control 10 White privilege and the biggest share of the cake until the bitter end. The writing on the wall is as clear as daylight for all to see, the sun for Whites only is setting, a new sun is rising where all of us both White and Black, will have to sit around the conference table and plan a new South Africa".

Now, that again would involve an attack on the legitimacy of the Whites, because of the allegation that they cling to their privileges, not so? --- Ja, en die kwessie van onversetlikheid wat daar na vore kom. Dit is nou ten opsigte van die eerste 20 paragraaf in daardie tweede kolom.

What this is suggesting is that the Whites will have to yield control, not so? The reference to the sun being a symbolism of the inevitability of that yielding? --- Ja, dat daar is 'n insinuasie daar dat die Blankes alleen beheer of alleen seggenskap sal moet laat vaar.

And would you not say that that, I am now not talking about the context of the rest of the documents from the Labour Party, but that alone is part of what you have described as a potentially revolutionary idea? --- Edele, 39 behalwe vir 'n paar elemente wat ek tog graag sou na wou ver wys,

en / ...

en dit is, hy sê daar in daardie selfde deel - "a new sun is rising where all of us, both White and Black, will have to sit around a conference table and plan a new South Africa: The talk should be about working towards constructive change", dan noem hy weer die ideaal waarna hy streef, en dan weer n paar lyntjies verder: "discussion should be about" so en so, en daaruit blyk duidelik n mate van steun vir die stelsel, en n bereidwilligheid om - of nie net n bereidwilligheid nie maar n voorneme om die griewe wat daar bestaan en wat duidelik uit die dokument na vore kom op n konstruktiewe wyse deur 10 diskussie met die Blanke op te los. Sodat hoewel daar ongetwyfeld elemente is van die afbreking van steun vir die bestaande stelsel, en by name ook spesifieke afbreking van die steun van die bestaande beleidsbekleders, in ander woorde die bestaande party aan bewind, sal ek sê hoewel daar in ander woorde vir sowel die owerheidsbekleders as vir die regime taamlike afbreking van steun plaasvind, en daar n ideaal stelling is, wat weer herhaal word, is daar - en hoewel daar n mate van oproep tot aksie, dit wil sê n mate van mobilisering en n suggestie van eenheid in betrokke is, is daar aan die 20 ander kant beslis die idee van "constructive change through dialogue". So daarom sou ek nie die dokument in sy geheel as per se bevordering van revolusie beskryf nie.

Could we go on to page 2 please, the second paragraph, "I am giving a personal point of view (this is the vice chairman of the Labour Party) because the person must accept Black Consciousness, the change must really take place within him. No Black Consciousness is a conversion from the practice of racialism - I am sorry - to Black Consciousness is a conversion from the 30 practice of racialism to the practice of being truly human / ...

human. Often I have heard it said what are the oppressed people doing about the situation in South Africa. It is my firm conviction that Whites in South Africa will only change when Black people change. There can only be a master if there is a slave. Somebody accepts being a slave. Despite all the truth the oppressed people say about what has been said against them, it is also true that Black people by and large accept the position they themselves are in. We must examine why it is possible for / ^{4 million} Whites to dominate and rule 18 million Blacks". 10

Now that I think one can categorise as undermining support?

--- Ja.

And mobilisation of the oppressed around an idea of Black Consciousness? --- Edele, ek sou nie sê nog dat hier, as u na die paragraaf kyk spesifiek met die oog op daardie element wat ek nog nie hierin so mooi kan vang nie. Edele, ek sou nog nie sê dat daar in daardie - ek meen in daardie stuk die enigste wat ek sien is "we must examine the position of why it is possible", dit is miskien 'n oproep in 'n mate tot aksie in die sin dat dit 'n oproep is tot 'n self ondersoek, maar 'n oproep tot eenheid daar rondom kry ek nog nie daarin nie. 20

Well, I don't know how this differs at all from the Black Consciousness in other documents, but let us carry on page 3 ..(witness intervenes) --- Ek het spesifiek ten opsigte van daardie paragraaf gepraat.

Well, Mr. van der Merwe, I think it would be an appropriate suggestion for me to ask you to interpret the paragraph in its context, the elements are there ..(witness intervenes / ... 30

intervenies) ---- Edele, ek meen daar word nou vir my in onreg aangedoen in die sin, dat my aandag is spesifiek op hierdie paragraaf gevestig en daar is vir my gevra: vind jy in hierdie paragraaf daardie elemente.

HOF: Dan het u die mening uitgespreek dat as mnr. Soggot u na 'n ander deel verwys sal hy u seker vra of dit u mening ten opsigte van hierdie paragraaf varieer? ---- Dan sal ek daarmee saamgaan, Edele.

MR. SOGGOT: On page 3 please the second paragraph:

"Professor Eric Renkin (?) said the following in 10
his paper: this is the meaning of 'Black is beautiful',
it is the Black man's sober contemplation of his
future, his material reflection of himself, his past.
It is his critical discovery of himself who he was
and who he is, and his eminent satisfaction in being
Black. It is a victory implicit in his survival,
his final escape from the entrapment of an alien
civilisation, which for 500 years spared no effort
and no device to dehumanise and make him a thing. It
is his joy in the realisation that the white man 20
has failed, that the White over Black is neither
normative, inevitable, nor a condition of the future.
Black identity, Black conceived is the sign of ethnic
health, and the surest road to political power"

Now there you have an exposition in part of Black Consciousness
would you say that the reference to the White man and the
alien civilisation is an undermining of legitimacy and support?
---- Ja, ongetwyfeld.

Would you say that this is a call for the Black man
to rid himself of this alien civilisation and take political 30
power? ---- Die suggestie hier is bloot dat Black Consciousness
of / ...

of soos wat dit dan ten dele hier verduidelik word, die middel kan wees waardeur hy homself kan soos dit hier geskryf staan "his final escape from the entrapment of an alien civilisation", en "...the surest road to political power". Hier is nog net sover die aanduiding dat hierdie gedagte die moontlikheid inhou.

Well, does not the word "surest road" imply something more than "moontlikheid"? --- Dit is 'n sterk aanbeveling.

Yes, not just a "moontlikheid".

HOF: Maar as 'n mens nou hierdie so lees soos dit daar 10
gesê is, is dit nie maar 'n self-analise, is dit bedoel om enige oproep te wees, is hy nie maar net besig om uiteen te sit wat is Swart bewustheid in die konteks van die situasie van die Swartman nie? --- Edele, dit is presies my kontensie, dat hierdie is nog net 'n uiteensetting daarvan in hierdie gedeelte hier ..(Hof kom tussenbei)

Maar is daar geen oproep om enige iets te doen nie dit is 'n ontleding van die situasie? --- En die enigste wat 'n mens implisief daarin kan lees, Edele, is dat daar miskien 'n aanbeveling is, 'n aanduiding is dat hierdie metode van 20 self kritiek, 'n middel kan wees, maar daar is inherent nie, stem ek met u honderd persent saam, inherent is daar nog geen oproep om te doen nie.

MR. SOGGOT: But surely mobilisation in the sense that you defined it, namely, an attempt to change the attitude and lock this person in a unifying idea? --- Ek dink u interpreteer nou my woorde waarskynlik.

HOF: Met ander woorde stem u saam met wat nou aan u gestel word, of stem u nie saam nie? --- Nee, Edele, in dié sin dat ek gesê het dat hierdie is waarskynlik, laat ek dit 30
sò stel, miskien die begin proses, die eerste stappie in die rigting / ...

rigting van mobilisering, maar as sodanig is dit nog nie.

Mr. van der Merwe, just so that there is not any confusion, I just want to refer you to your own definition of mobilisation? --- Asseblief, ek sal bly wees.

And that is on page 2044. You say: "Die eerste punt wat ek wil noem is die mobilisering van die massas, en wat ek daaronder bedoel om dit baie kortliks te stel is die politieke bewusmaking van die mense, en wat dan sal die mense wat in die verlede moontlik passief gestaan het, sal oorreed om aktief op politieke terrein op te tree"? 10

--- Korrek, ja.

In other words this amounts to a psychological re-orientation, to lock them into a unifying political idea? --- En hulle aan te spoor na aksie. En dit is wat ek nog nie hierin vind nie. Hier vind ek hoogstens die, sal ek sê 'n oproep tot introspeksie.

And "the surest road to political power", what is the relationship between the introspection and political power do you think? --- Dit is soos ek sê waar daar 'n aanduiding is dat hierdie gebruik kan word, dat hierdie 'n moontlikheid 20 is, 'n moontlike idee of 'n moontlike - hoe noem 'n mens dit -- weg is waarlangs politieke mag uiteindelik verkry kan word.

Well let us see how he develops it, on page 6 if you would? --- Ja, ek meen my kommentaar is net oor die stuk so ver.

More or less in the middle of the page:

"White in South Africa is not a colour, but a certain kind of life, by and large a materialistic life of mean exploitation and suppression of us. Note it is a kind of life". 30

Now again that would be an undermining of support and

legitimacy / ...

legitimacy? --- Dit is reg, ja.

And don't you have here the same thing as you have in the other SASO/BPC documents, and that is this is an alien type of life, alien civilisation by which they mean oppressive and unfair, which they want to get rid of?

--- Daar is 'n effense verskil tussen "alien" and "oppressive", sins kan die twee goed eenders wees, maar ek sou nie sê dat alien en oppressive hier spesifiek as sinonieme gesien moet word nie, nie in hierdie konteks nie.

I use the word alien because it is referred to earlier, what they are really saying to cut through to the heart of the matter is that you have got a civilisation here, which is wrong, and it is oppressive? --- Ja. 10

And when they say it is wrong whatever word they use, whether it is alien or alien to the Black man, what they are meaning is it is wrong because it abuses people? --- Ek maak net effens beswaar hier Edele op hierdie stadium teen die woord "alien", ek meen voorlopig maak ek net effens beswaar daarteen.

All right, then let us just continue ..(Court intervenes) 20

COURT: Let us just get clarity on that point, what do you suggest the meaning of alien is here?

MR. SOGGOT: M'lord, I am taking this paragraph with the previous paragraph, which Your Lordship will remember is on page 3.

COURT: Yes, I remember, but now what does that mean, western civilisation or what?

MR. SOGGOT: I think that that - if I may put it to the witness, M'lord, alien civilisation as referred to on page 3, obviously is referring to the western civilisation as

brought / ... 30

brought about by the White man, and imposed on the Black man and his culture? ---- Laat ek dit net weer kry?

In the middle of that page, Mr. van der Merwe?
---- Edele, ja, 'n mens moet net versigtig wees met hierdie ding hier dat wat ons hiermee te doen het is 'n aanhaling van 'n persoon in die konteks van Amerika.

HOF: Ja, die 500 jaar, in 1492 is dit nie, het Amerika begin, wel dit is nie 500 jaar nie. ---- So ek meen Edele ek wil onmiddellik ...(Hof kom tussenbei)

Dit is 1492 is dit nie - when was America discovered?10

MR. SOGGOT: I imagine M'lord is right.

COURT: 1492, that is 500 years, so dit is in die Amerikaanse konteks? ---- Ja, in die Amerikaanse konteks.

Van 500 jaar, so dit is die Witman se beskawing.

---- Ja, daar maak die woord "alien" sin ..(Hof kom tussenbei)

Wel, hoe sal dit nou ..(getuie kom tussenbei)

--- Edele, ek wil net omdat ons hier met Kleurlinge te doen het, wil ek net my voorbehoud ten opsigte van die woord "alien".

COURT ADJOURNS

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COURT RESUMES:

MR. VAN DER MERWE, NOG ONDER EED:

CROSS-EXAMINATION BY MR. SOGGOT CONTINUED: Mr. van der Merwe, at page 6 in the second last paragraph:

"Apart from all this in South Africa this Whiteness has created a vast structure, one group is exploiting another group, because if you do not accept people as persons you end up looking on people as things. Black people have therefore become an unlimited supply of human energy readily available, easy to acquire, 30 and easily converted to the turning of the wheels
and / ...

and picking of the fruit and the tilling of the soil, the nursing of the children, the cooking of the food and so on. To White South Africans the Black man is really an extraordinary machine, he can think and his thinking can be controlled, he could be programmed for loyalty, it is natural for Whites to think this way because they have also been conditioned to think this way"

Again this would involve an attack on the legitimacy of the Whites and their system? ---- Ja, en op die steun vir die stelsel in die algemeen. 10

And it would again have a mobilising and unifying effect in so far as it portrays to the Black man their being misused? ---- Edele, ek sou nie die mobiliserende en verenigende daarin baie sterk lees nie. Om die waarheid te sê dit is baie baie baie elementêr daarin teenwoordig, die begin daarvan.

Yes, and if you could go on to page 6. --- Ons is op bladsy 6.

I am sorry, page 7 of the Court numbering, the second paragraph: 20

"Some Whites view Black Consciousness as throwing out the White liberals. I know some Blacks give them that impression. Black must assume leadership so that they can learn to use the ropes. No person learns to swim in a library. Black Adam Small is right when he says that Black Consciousness is not directed at the White man's backside, it is directed at Black people. Some White liberals remind me of the French colonel who said: tell me my men, which way you want to go, because I want to lead you. 30

SASA / ...

"SASA is right when it says that you are either part of the solution or part of the problem"

Now would you say it sounds as if he is referring to SASO and not SASA? --- Ja.

And what he is saying here is that in the struggle they want to be alone, they do not want the White man - referring more specifically to the White liberals - to lead them? --- Edele, ja, die insinuasie hiervan is dat die persone nie deur Wit liberales gelei wil word nie, dit is die insinuasie daarvan.

10

This is what Dr. Buthelezi said at the recent fair at Athlone:

"Black Consciousness is a possible identification, as it means a unity in order to create a unity to destroy. It is a unity to uplift one, not a unity to oppress,"

which purports to be the same thing as what SASO says and BPC and that is that it is for the benefit of all - I use the word purports, Mr. van der Merwe, so we don't have to get into a debate. --- Laat ek dit sò stel, Edele, soos wat 20 Black Consciousness hier in hierdie spesifieke paragrafie omskryf word, met verwysing daar na spesifiek 'n "unity in order to create and not a unity to destroy. It is a unity to uplift one, not a unity to oppress", in daardie verband kom dit voor asof dit dan 'n kreatiewe -- dit kom voor as 'n kreatiewe gedagte, en dit stem ooreen met sekere van die uitlatings wat - of hoe sal ek sê dit herinner in 'n mate aan sekere geïsoleerde uitlatings van SASO.

You say geïsoleerde, I mean does that really differ from page - I am sorry, from EXHIBIT SASO T.1 which is amongst the exhibits which you put into Court, and there on page 279

where / ...

where they say, paragraph 5:

"SASO believes that the concepts of - ... (getuie kom tussenbei) ---- Eiskuus tog, watter bladsy?

Page 279, that is the original numbering from the volumes - I mean do the elements of creativity differ here if you look at paragraphs 4 and 5, especially 5 which says:

"SASO believes that the concepts of integration cannot be realised in an atmosphere of suspicion and mistrust. Integration does not mean an assimilation of Blacks into an already established set of norms drawn up and motivated by White society. Integration implies free participation by individuals in a given society, and a proportionate contribution to the joint culture of the society by all the constituent groups. Following this definition, therefore, SASO believes that integration does not need to be enforced or worked for, integration follows automatically when the doors to prejudice are close through the attainment of a just and free society".

20

Is there anything different there in what they purport to say, and that is they want to create a democratic free society for everyone, and that Black unity is their method? ---- Edele, as n mens net hierdie twee paragrawe hier in isolasie neem, 4(c) en 5, is dit waarna u verwys, ek meen is dit die paragrawe waarna u verwys?

That is correct. ---- As n mens net weer hierdie twee paragrawe in isolasie neem, dan is daar op die oog af en veral in paragraph 5 nie iets teenstrydig soseer met die paragrafie van Black Consciousness uit hierdie dokument, hierdie drie lyntjies, waarna ons hier verwys het nie.

30

Behalwe / ...

Behalwe dat as 'n mens na paragraph 4(c) toe gaan, waar dit sê:

"SASO believes that a truly open society can only be achieved by Blacks"

en 'n mens dan daardie gedagte in gedagte hou wanneer 'n mens die laaste sinnetjie van paragraaf 5 lees:

"Integration follows automatically when the doors to prejudice are closed through the attainment of a just and free society"

dan is daar in hierdie paragrawe hier 'n baie meer 10 eksplisiet as die paragraaf op bladsy 7 waarna hier in hierdie dokument verwys word. Sodat daar nie vir my, of sal ek sê dat daar in 'n sekere mate 'n identiteit tussen die twee goed bestaan, maar hierdie paragrawe 4(c) en 5 spel dinge baie duideliker uit as die paragraaf op bladsy 7 van die ander dokument, sodat daar nie 'n spesifieke identiteit kan wees nie, en ..(Mr. Soggot intervenes)

Except that they want to throw out White liberals a fortiori the other Whites, because the White liberals presumably would be seen as closest to them? --- U verwys 20 daar na "SASO believes that a truly open society can only be achieved by Blacks" in verwysing met die ...(Mr. Soggot intervenes)

Page 7, "Some Blacks view Black Consciousness as throwing out the White liberals" --- Ja. Goed, daar is 'n mate van idee ooreenstemming ook daar, maar dit is ook nog weer nie 'n idee identiteit nie. In die een geval, Edele, as ek mag net aangaan, beteken dit dat sal ek sê in die geval van die SASO dokument beteken dit dat daar geen aandeel eintlik vir Blankes in die "achievement" van hierdie nuwe "society" 30 is nie, maar die dokument hier op bladsy 7, verwys nie daarna dat / ...

dat daar nie op ander vlakke samewerking met ander Blankes kan wees nie.

But the only point which is of importance is that the Blacks must assume their own leadership and fight their own fights, that is the identity and that is the only identity? --- Dit is 'n identiteit op 'n baie hoë vlak daardie.

All right, then Mr. van der Merwe, can we get on ...

(Court intervenes)

COURT: I just want to get clarity on that. Ek volg nie heeltemal die onderskeid wat u tref nie? --- Edele, in die 10 SASO dokument waar hulle sê "it can only be achieved by Blacks" daar beteken dit dat Blankes byvoorbeeld, interpreteer ek dit dat Blankes ook nie 'n sê het in die daarstelling van die nuwe "society" nie, en hier gaan dit meer vir my in hierdie dokument op bladsy 7 oor die samewerking van Blankes binne dieselfde organisasie.

MR. SOGGOT: M'lord may I continue. Mr. van der Merwe, I have let you answer in that fashion because I want you to compare your answers there with the second last paragraph if I may just jump, which makes the point so clear: 20

"This is how I see the task of Black Consciousness, Blacks must liberate themselves and eventually liberate White people from their own Whiteness.

Isn't that as abundant and explicit as you could hope?

--- Wat is duidelik daarin?

That the struggle is the Black struggle and the Whites cannot do it for them, the Whites cannot help them.

"White people who wish to stick to Whiteness must know that we are not prepared to walk the road with them, we will shake their dust off our feet" 30

I think that is much stronger than anything you will find

in / ...

in SASO, but the only point I am making there is that they are unequivocal in saying the struggle is ours "Black man you are on your own, the White cannot help us, he can perhaps impede us in our struggle". --- Reg.

Well, may we get on with the middle of the page please, there is a reference to what Dr. van der Merwe says, and the quotation there is, M'lord, it is more or less in the middle of the page, it starts off with "I cannot understand" but I am quoting from:

"The fact that they show certain distinctive characteristics and the fact that Coloureds have had Coloured forebears for many generations, however, indicates that they are maybe a nation in the making, and they are in fact regarded as such by the government and by many Coloureds themselves. This process of a nation in the making will be assisted by the present policy in the political and social spheres and by geographical distribution". Just insert the word Black instead of Coloured, and the same words take on another meaning, White South African is the father of Black Consciousness. The youth that were born during the last 25 years do not know White people, White people have shown quite clearly that they reject Black people. At first we fought for integration, now separation or integration have become irrelevant, it is liberation that we want. Not only liberation to walk South Africa as free citizens, but also liberation from this Whiteness we were born into"

Now there, Mr. van der Merwe, we have I think a clear attack on support and on legitimacy, and what he says they want is liberation / ...

liberation, and that is what they will struggle for. Now, is that not the potentially revolutionary idea? --- Edele, dit is so dat daardie idee, dit is so dat daar in hierdie dokument in die algemeen daar 'n taamlike sterk aanval op die regime voorkom, ek meen ek sou sê 'n baie sterk aanval, en as sodanig sal dit die steun en die legitimititeit laat afneem.

And what we have there also is the emphasis on Black unity meaning the Coloureds and the Blacks? --- Dit is korrek, daardie punt kom ook na vore. 10

Now the next paragraph:

"White people will find that Black people will not be prepared to integrate with them on White terms"

--- Ja.

Now isn't that exactly the same as what SASO say and that is it will be in terms of a decision of the majority of all people? --- Dit is 'n graad verskil, Edele, in die sin dat hier word gesê "White people will find that Black people will not be prepared to integrate with them on White terms", aan die ander kant word daar gesê in SASO dokumente dat die 20 Witman sal hier bly op die Swartman se voorwaardes. Nou ek wil toegee dat daar 'n sekere mate van ooreenstemming daartussen is, maar 'n belangrike verskil.

Do you think it is a "belangrike verskil" to the people who read it, it may be a "belangrike verskil" in exegetic terms for a political scientist but does history and the man who reads this read it ^{with} such a magnifying and analytical eye? --- Ek dink dit is 'n baie opvallende en 'n baie sterk verskil, Edele.

Well, all I want to suggest to you is we will contend 30 that the "verskil" is nil. I wonder if we can go on:

"Black / ...

liberation, and that is what they will struggle for. Now, is that not the potentially revolutionary idea? --- Edele, dit is so dat daardie idee, dit is so dat daar in hierdie dokument in die algemeen daar 'n taamlike sterk aanval op die regime voorkom, ek meen ek sou sê 'n baie sterk aanval, en as sodanig sal dit die steun en die legitimiteit laat afneem.

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Well, all I want to suggest to you is we will contend 30 that the "verskil" is nil. I wonder if we can go on:

"Black / ...

"Black Consciousness is the awakening of a critical consciousness, and it is this consciousness that leads the way to the expression of social discontents, precisely because these discontents are the real components of the oppressive situation" --- Ek het nie nou die verwysing nie?

It is immediately after the phrase "White people will find that Black people" ---- Ja, goed.

"Black Consciousness is the awakening of a critical consciousness, and it is this consciousness that leads the way to the expression of social discontents,10 precisely because these discontents are the real components of being truly human. Sooner or later being less human leads the Black man to struggle against them who ...(getuie kom tussenbei)

--- Wag net so 'n bietjie, u het iets daar uitgelaat dink ek.

I am sorry, you are right, I left out:

"The South African way of life is a distortion of being truly human. Sooner or later being less human leads the Black man to struggle against them who made him so. In order for the struggle to have meaning, Black people must not in seeking to regain their humanity, which is a way to create it, become in turn oppressors of their oppressors, but rather restorers of the humanity of both"

20

--- Ja.

The same thing there that it is for the Black man who can, he is the only one who can and will reconstruct the new society, and the same harping on the theme that in fact Blacks live in a most unfortunate state of oppression?

--- Ek gee toe, Edele, hoe sal ek sê, dit is nie 'n kwessie van toegee nie, dit staan hier duidelik die kwessie van

algemene / ...

30

algemene onderdrukte posisie van die Swart mense, maar dan is dit weer 'n keer hier soos wat - ek meen daar is daardie verwantskap met die dinge wat in SASO voorkom, naamlik, dat die nie-Blankes die voortou moet neem in die herkonstruksie van hierdie nuwe maatskappy. Maar dit sluit nog nie direk die deelname van die Blanke uit nie.

"This is how I see the task of Black Consciousness,
Black must liberate themselves and eventually
liberate White people from their own Whiteness"

Would you say that is again the potentially revolutionary 10
idea, coupled with mobilisation? ---- Nee, wag 'n bietjie,
wag 'n bietjie - laat ek net weer die frase kry daar?

I focus on "Black must liberate themselves and
eventually liberate White people from their own Whiteness"
---- Waar is dit nou?

It is the first line of that paragraph, it starts
off "This is how I see the task of Black Consciousness"
---- Ja, nou goed.

And my question is, isn't that what you later call
the potentially revolutionary idea? ---- Ek meen dit is 'n 20
element daarvan, dit is 'n element van 'n idee wat potensieel
revolusionêr kan wees. En daar is ook, dit word in die
imperatief gestel "Blacks must liberate themselves" en in
daardie opsig is dit sekerlik 'n mate van mobilisering.

And organisation and unifying, all your indeces are
there. ---- Die kwessie van organisasie en wat is die ander nou
wat u genoem het, vereniging is baie baie onderliggend en
nie uitdruklik nie.

And, Mr. van der Merwe, just en passant, the phrase
"we will shake the dust off our feet", how does that strike 30
you, that is addressed as a metaphor, an implication of
violence / ...

violence? --- Ek sou dit interpreteer as 'n sterk disassosiasie van die mense waarna verwys word.

But that is metaphorical language surely, by shaking the dust off we will be forceful, in ridding ourselves of the Whiteness? --- Ek sou dit nie daarin lees nie, Edele.

When I say **forceful**, I do not mean by force, Mr. van der Merwe, in other words we will be positive and take positive action? --- Ja, sekerlik, ons sal dit beslis doen, dit is determinasie sekerlik.

What I want to ask you in this context, in fact in 10 this sort of documentation you do use perhaps a rather emphatic form of rhetoric, they use phrases for example which they obviously do not mean literally? --- Edele, retoriek is 'n integrale deel van feitlik enige politieke geskrif. En 'n mens kan nie altyd 'n ding spesifiek op sy letterlike betekenis neem nie, selfs nie ..(Mr. Soggot intorvenes)

I mean they say for example that Shezi was a warrior sacrificed his life for the cause, they do not mean here that he was a guerrilla fighter and took up a machine gun, it is just extravagant language talking about a man who 20 went to SASO meetings and made speeches and eventually died as a result of a letter bomb, but they do not mean by that language ..(witness intervenes) --- Nee, ek sal nie sê in daardie opsig dat hulle daarmee bedoel dat hy 'n geweer gedra het en mense doodgeskiet het nie.

Or that he was involved in a physical war of any kind, sorry I said Shezi I meant Tiro. --- Ja, nee, ek moet 'n mens moet enige metaforiese taal moet 'n mens binne die konteks van die dokument verstaan.

COURT: Yes, but what can it mean, Mr. Soggot: "we will 30 shake their dust off our feet". In the context it is

required / ...

required of them to walk along this road together with the Black man, but if the White man does not walk with the Black man, well the Black man will shake their dust off the Black man's feet.

MR. SOGGOT: Or it might mean, M'lord, dust which has accumulated from previous walks, in other words the sediments or the dust which has come from an alien civilisation as perceived. But my only interest, M'lord, was to test the witness' own response to that sentence. If I may continue:

"Black people cannot do this from a position of subservience in the hierarchy, they must do this as equals. If any Black person cannot accept a White or another Black as his equal, then Black Consciousness is not for him. The reason why Whites and some Blacks do not accept Black Consciousness is because they view it as a threat to the position they hold in the South African society. Whites resent it because they find their inferior roles more comforting than taking up a role of standing up for their rights. The voiceless and voteless groups in South Africa are slowly realising they cannot hope for change from White South Africans" 10

The same theme, and that is you are on your own, the Whites cannot help you. --- Ja, dit is korrek.

And obviously that would be mobilising and again there is an element of unification. --- Onder andere. Ek kan nog nie sê, Edele, dat bloot in daardie sinnetjie mobilisering en vereniging daarin ..(Mr. Soggot intervenes)

Well, let us just carry on:

"No oppressed people ever became free by waiting for change from the oppressor. White people will change / ... 30

change when Black people do"

--- Ja.

So that implies that you cannot get your freedom by waiting, you have got to have action of some sort.

--- Ja, dit sluit dit in in 'n mate, ja. Dit is op 'n lae vlak gestel maar dit is so.

And just in this context I want to refer you to something which we referred to this morning, and that is that the "ballot never preceded the bullet", now apart from the status of that document which I will not debate 10 with you, was not the person who wrote that document really in rather in more forceful terms saying the same thing? And that is you do not get things by asking, you have got to act, he used the word bullet as an extreme form of political activity which we know it is? --- Edele, daardie frase sou 'n mens interpreteer, ek meen dit is weer 'n keer metaforiese taal, in die sin dat die "bullet" is verteenwoordigend van geweld en die "ballot" is verteenwoordigend van vreedsame metodes, van demokratiese metodes. En ek dink in daardie sin is dit metafories, dat jy praat nie van 20 'n koeël en 'n stembriefie nie, maar jy praat van hierdie twee dinge as verteenwoordigend van iets.

That is right. And the bullet an extreme metaphor, I say extreme because I don't think one can go further, for action? --- Of vir oorlog.

Oh yes, I use the word extreme, I obviously include it. --- Ja.

Yes, perfectly so, Mr. van der Merwe ..(getuie kom tussenbei) --- Ek meen ek het/daarin toegegee dat 'n mens in daardie spesifieke verband daar dit slegs kan aksie beteken 30 nie, ek meen ek het dit nie ..(Mr. Soggot intervenes)

Oh / ...

Oh no, that was not suggested, Mr. van der Merwe.

"The spirit of non-dependence on Whites is growing, the current idiom is Black man you are on your own when the forces for change become stronger the Black man will move more strongly into a position of bargaining"

SASO also talks about getting strong so that they are in a better bargaining position, not so? --- Ek dink daar is enkele verwysings na "bargaining" in SASO, Edele, dit mag wees, ek sal dit graag wou sien.

10

Mr. van der Merwe, I wonder if we can get to the last paragraph here, which is apparently a quotation:

"It is now for the Black man to work, it is a work that involves a whole human re-orientation, the Blacks must awaken spiritually, socially, morally, culturally, and in many other ways that make life worth living. If the Whites do not want to change their attitude, let the Blacks advance and leave them behind, and when they have been left behind, let them be waited for on the day they realise the value 20 of change. The important thing to realise is that what Blacks are striving for is more valuable than racial hatred. The Blacks must know what they cry for freedom. They should not be put in the situation whereby when they get this freedom, they do not know what to do with it. The struggle is more than a racial one, it is also a human one. A human struggle involves development in all human activities that are the marks of the true civilisation"

--- Mmmn.

30

Which again is an expression - perhaps an optimistic one / ...

one, but an expression of their hope and belief that a true civilisation to use the SASO words "a true co-operation and equality can be achieved"?

MR. REES OBJECTS: I must object to this every time "to use the SASO words, if my learned friend wants to use SASO words, he must produce them. M'lord, there is nothing so misleading as a generalisation, and my learned friend is trying to put in the odd generalisation about SASO here, and he is going to argue very forcefully just now that this witness said this and that specifically about SASO, which changes the picture completely, M'lord, if he wants to use SASO quotations he must produce the document and show it to him. 10

MR. SOGGOT: M'lord, I was referring to paragraph 5 which we dealt with not long ago, and that is "following this definition, therefore, SASO believes that integration does not need to be enforced or worked for, integration follows automatically when the doors of prejudice are closed through the attainment of a just and free society". That is from Q.1, Mr. van der Merwe. Mr. van der Merwe, may I refer you to page 10 please. --- Edele, ek dink 'n mens moet net op hierdie stadium daarop wys, ek meen of sal ek sê die Verdediging het my nie die kans gegee om my totale indruk van die dokument te gee nie, hy het grepe daaruit geneem. 20

Well, obviously, if you do want to qualify yourself I think you should be allowed to do so, there are a number of Labour Party documents here that belong to the same party, could you perhaps give your qualifications, whatever you want to give after we have gone through all of them, Mr. van der Merwe, because you might qualify yourself in respect of one aspect which then becomes -- which falls away when one considers another document? ---- Goed, ons kan dit so doen. 30

Then / ...

Then if you would proceed to page 10, about line 3:
"How poor a spot was Athens, yet it formed the
intellect. Moses was one, Elias was one, David
was one, Paul was one, Ethanasias was one, Leo was
one, grace works by the few. It is the keen vision
the intense conviction, the indomitable resolve of
the few, it is the blood of the martyr, it is the
peer of the saint, it is the heroic deed, it is the
momentary crisis, it is the contemplated energy
and so on"

10

Now does the blood of the martyr there suggest anything to
you, do you draw any inference from that phrase? --- Edele,
in die konteks hiervan, van hierdie paragraaf soos dit
hier staan, waar dit geskryf staan tussen 'n hele klomp ander
sal ek sê wyses van iets bereik, is dit 'n redelik neutrale
stelling, maar 'n mens kan weer daarvan aflei dat die bloed
van martellare ook soms nodig is vir die bereiking van 'n
sekere saak. En dan die - pouse -

Does that imply a revolutionary idea? --- Nie
sondermeer soos dit daar staan nie.

20

Would it suggest to you a preparation for violence,
I am not saying it does, I am merely asking you your response?
--- In die konteks sover as ons gekom het beslis nog nie.

Then if you would go to the bottom of the page, Mr.
van der Merwe, there is a quotation from Ghandi:

"The English have not taken anything we have given
it to them, they are not in India because of their
strength but because we keep them. Black people
have to develop an inner strength as a source
without political power. At this stage of fighting 30
for full citizenship, which really means true freedom

we / ...

we have to see the situation in which we find ourselves. We have to analyse it and see how we can plan a programme of action. We have to discover our identity, our humanity, so that we can build something positive out of our experience, namely our slavery in South Africa"

Now that there, fighting for full citizenship, coupled with the reference to a programme of action, would that be a potentially revolutionary idea? --- Die kruks van wat hier gestel word is dat in die konteks van die situasie, dit wil sê dat die situasie ontleed moet word ten einde 'n program van aksie gebou moet word, en om terug te slaan daar na die vorige bladsy toe "Black power ^{sic} has to develop an inner strength as the source without the political power", dit hang beslis daarmee saam. In ander woorde dit gaan hier oor politieke aksie, en aksie gebore uit eenheid. En dan laat hy dit taamlik oop: "we have to discover our identity, so that we can build something positive out of our experience" hier is nog nie sprake hier van wat gebou moet word nie. 10

No but the mere phrase "fighting for full citizenship" meaning freedom, isn't that a potentially revolutionary idea? --- Fighting as such?

Fighting for full citizenship, does it not mean fighting for freedom? --- Ja, ek meen dit kan 'n element wees, dit kan 'n element wees van 'n idee wat potensieel revolusionêr kan word onder omstandighede, ja.

Well you know, when you dealt with a similar question - a phrase in a BPC document, and that was the struggle for freedom, you said without qualification that is part of the revolutionary idea? --- Om terug te gaan sal 'n mens moet sien in watter konteks ek dit gesê het, Eddele. 30

Well / ...

Well, I will refer you to that context, if we can just carry on with this, in the middle of the page:

"In order for the struggle to have any meaning, the oppressed people must seek to restore his own humanity, because he can only stand up and fight for his rights when he becomes a man. Our South African society wants us to be men with jelly backbones so that they can keep us down".

Now that again would be an attack on the system. --- Ja.

An attack on support. ---- Ja. 10

And an attack on legitimacy. ---- Ja.

Then on page 12:

"Black Consciousness must not merely mean an intellectual exercise quarreling over the definition of words, it must be a liberating consciousness which can be put into practice. The oppressed fear freedom, they have become so conditioned to their oppression in which they are immersed, that they have become resigned to it. They feel as if imprisoned, and therefore they cannot escape from this mental gaol. They fear waging the struggle for freedom, because they see themselves incapable of running the risks it requires. If you gave them the key to the door of freedom, they would ask you: are you sure it is the right key". 20
Now, again, the potentially revolutionary idea is there?
--- Waar is hy?

And that is "it must be a liberating consciousness which can be put into practice" --- Mmmm. Daar is 'n element daarvan daar, ja.

"And running the risks it requires", would that be mobilising? ---- Edele, as ek dit kan kort sny, hierdie 30 paragraaf hierso sien ek hoofsaaklik as 'n uiteensetting van

die / ...

die redes waarom gemobiliseer moet word, waarom dit nodig is om die mense te mobiliseer.

Which is in itself - anyone reading this would be mobilised if you have a tendency to mobilise, in terms of your approach? --- A tendency to, yes.

Like any other SASO document which talks of the need for Black Consciousness and action? --- Edele, dit is 'n verskil - grootliks 'n verskil van graad.

Well, we will deal with the degree, Mr. van der Merwe, if you could please have a look at page 15 - I am 10 sorry, it is 18:

"Having stabilised and strengthened the party's branches of information, the party's whole structure becomes the launching pad for positive planned action. This action can be centered around two things, spending power, working power"

--- Ja.

"Oppressed people must be constantly reminded that they have power. Black people in South Africa have buying power, we can withdraw financial support 20 from the shops and firms which discriminate in wages, facilities, etcetera. We must investigate these firms and have talks with them".

Now there you have organising, is that right, around the central idea? --- Ja, hier in die dokument is hier heelwat - word hier heelwat tyd en sal ek sê heelwat spasio spandeer aan die kwessie van organisasie.

"Let us make a list of them and act on firm No.1 which has the biggest Black support. We can thus concentrate our efforts on one firm. We must have 30 reports from groups who will talk to the management.

We / ...

We must have community reports from people. Talk to the staff about salary structures and conditions of service. An example of action in any area can come through discussion in branches and groups. We have seen in the past how conditions improve if pressure is applied on firms. Our working power can be a form of action. Labour Party members must become members of trade unions, and take active part in its programmes. Either the people run the unions or the unions run them. Sports boycotts whether local or international must again be called for. 10

Foreign investments must also be investigated anew."

Now this has quite a strong echo has it not of what the SASO and BFC people spoke about, and that is taking action in individual areas with the people concerned? --- Ja, Edele, hier word dan spesifiek gesê, en as 'n mens dit dan sien teen die agtergrond van die ontevredenheid wat daar is en die oproep tot mobilisasie waarna die beste voorbeelde nie verwys is nie, en organisasie waarna die beste voorbeelde nie verwys is nie, dan sien 'n mens waarvoor daar gemobiliseer en georganiseer word, en dit is naamlik hulle sê "we must investigate these firms and have talks with them" -- "we will talk to the management, talk to the staff about salary structures". Dit is baie individuele dinge wat op 'n onderhandelingsbasis die aksie lê. 20

With the threat of boycotts, Mr. van der Merwe?

--- Ja.

And with the threat of strikes? --- Dit is korrek.

And they seem to have the same idea in mind, and that is that pressure should be put on South Africa because of its sports policy? --- Dit is korrek, daar word aksie bepleit / ... 30

bepleit teen internasionale sport, sport boikotte. 'n Mens sal miskien hier moet opmerk dat die verskil hierso kom weer duidelik na vore "foreign investments must also be investigated anew", dit is 'n suggestie dat die ding miskien verwerp kan word, maar ook die suggestie dat dit moontlik nie verwerp kan word nie.

But what does appear, although he is obviously not very explicit in those two lines, is that what is in their minds is the use of methods to undermine foreign support on the sports level or on a financial level? --- Op die sport 10 gebied het hy 'n besliste ondermyning van internasionale steun op die sport gebied, maar daardie "foreign investments must also be investigated anew" hoef nie noodwendig sal ek sê te impliseer dat dit moontlik verbied kan word nie.

No, that is why I used the phrase what they have in mind, they may even throw foreign investment boycott out as a waste of time, but what is in their minds is in your terms the undermining of foreign support? --- Nee, dit kan ook iets anders wees.

What are you thinking of? --- Dit kan wees dat - dit 20 kan presies die teenoorgestelde wees, ek meen of dit kan wees om sekere soorte beleggings aan te moedig en ander soorte te ontmoedig.

"The people must see the party through its branches operating in their area. They must know that the party is acting with them and for them. The party must become their source of strength, and they must become the party's source of strength. If we protect our people our people protect us. If we support them they will support us, what we sow we will reap" 30

And then there is the suggestion that they must go into welfare bodies / ...

bodies, churches, councils, school committees, sports bodies, and influence such organisations to liberation?

--- Dit is reg.

It is similar to the theme in SASO/BPC where they talk about the creation of other bodies? --- It is similar.

But what I want to just suggest to you is if there is a difference of "graad", here they say influence such organisations, whereas if you look at BPC documents they say independent Black organisations like community bodies and representative bodies and trade unions must be established? 10
--- En daar word ook in SASO dokumente gesê dat vyandige organisasies, organisasies wat vyandig is moet geïnfiltreer word, indien hulle nie daarmee slaag nie, moet hulle geëlimineer word.

Well, I think you may be referring to one document, are you referring to any particular exhibit when you say that, Mr. van der Merwe, the infiltration? --- Ja.

That does appear in the formation school? --- Ja, ek dink - ek is nie honderd persent seker nie, maar ek dink dit verskyn elders ook die begrip infiltrasie, maar daar 20 spesifiek.

Mr. van der Merwe, apropos of the feeling expressed in what we have read this morning, there is a strong feeling of - there is an expression here of a feeling of being oppressed? --- Dit is korrek.

And if the man is honestly reflecting his feelings, it is a reflection of something which is deeply felt, not so? --- Wel dit is 'n hipotese.

That obviously follows? --- Kom net weer 'n bietjie met daardie? 30

I beg your pardon? --- Just say that again?

That / ...

That if these documents honestly express feelings felt, these people who write this sort of thing feel deeply about their circumstances? --- Edele "deeply" is weer 'n kwessie van graad. Hulle voel ongelukkig, ek sal dit toegee, hulle voel ongelukkig oor hulle situasie.

Do you think from your knowledge of South Africa that the expression which you get here in these Labour Party documents is an honest expression of their sense of oppression as such?

MNR. REES: Edele, ek maak beswaar daarteen, my geleerde 10
vriend vra die getuie om 'n opinie uit te spreek in verband met aangeleenthede wat nie hier ter sake is nie. Wat maak dit saak wat enige party politici se gevoelens is soos hy hulle uitspreek op 'n politieke vergadering of in 'n dokument of enigiets oor die skuld of andersins van hierdie beskuldigdes, dit maak geen saak of hy hulle probeer mislei of ernstig is of nie ernstig is nie, die affekteer nie die beskuldigdes se skuld nie, dit affekteer ook nie hierdie getuie se getuienis oor hoe hierdie dokumente vertolk moet word nie.

COURT: I think it would be going beyond his competence. 20

MR. SOGGOT: M'lord, that may be, but I wonder if the witness can say that if he wishes.

COURT: Well what value has it, I have to construe these documents, he can try and interpret them from a political point of view.

MR. SOGGOT: Well, M'lord, may I then put it to him on a hypothetical basis. I want you to make the assumption, Mr. van der Merwe, that what you read here, written by Black members of the Labour Party is an honest expression of their feelings? --- Dit kan as 'n hipotese aangeneem word. 30

I want you to accept that. If that is true, would
that / ...

that fact alter your interpretation of what the documents are intended to bring about, or the effect that they are intended to have? --- In die sin, ek sou nie sê in die sin dat ek probeer om die dokumente te ontleed volgens wat daar staan, en as ek weet dat die mense baie ongelukkig voel of so nie, ek meen, daar mag sekere punte wees waar 'n mens miskien, maar ek glo nie, ek kan nie dink dat 'n mens kan van sal ek sê eksterne omstandighede gebruik maak om die dokumente - ek meen dit is wat ek probeer, om die dokumente te interpreteer soos wat hy staan, maar binne die politieke 10 konteks.

But you see if a man expressing what he perceives to be a state of misery and oppression, makes these extremely uncomplimentary, derogatory critical attacks of the system and of those who support it, and obviously expresses his desire to put pressure on the system to alleviate things, and in the course of doing that he in fact hits on every one of your indices, isn't that then relevant to ask yourself to review your whole approach and to say well, if this is an honest expression and an honest desire to do something, 20 can this then be revolutionary? --- Edele, maar in daardie vraag is daar nou 'n veronderstelling in dat daar ongekwalfiseerd op elkeen van hierdie elemente en aan elkeen van hierdie elemente voldoen word in hierdie dokument, en dit wil ek nie toegee nie.

COURT: I think you are at cross-purposes at the moment what are you driving at, Mr. Soggot, I mean if a person uses this type of language does it matter whether he genuinely wishes to use the language or whether he is just trying to mislead the masses, I mean does it really matter? 30

MR. SOGGOT: Well, M'lord, on the assumption that it is a genuine / ...

genuine expression of feeling of a genuine sensibility it would be one of our fundamental contentions, and I say this in front of Mr. van der Merwe, that this explains the type of statement on which Mr. van der Merwe imposes the suggestion that this is aimed or calculated to have a revolutionary consequence. And whether given that knowledge that this is almost a reflex to a situation or assuming it, whether that would not, as a political scientist, affect his attitude to such documents.

HOF: Mnr. Soggot se punt is dat indien n man ernstig en 10
opreg so sterk voel oor sy eie situasie, is daar nie n
moontlikheid dat u n fout maak deur n konstruksie te plaas,
n politieke konstruksie te plaas op daardie dokumente, wat
eintlik nie geregverdig is nie, omdat die dokumente vertolk
eintlik maar net n sterk gevoel, en nie eintlik, dit is nie
so gerig op die gevare wat daardie gevoel inhou nie?
--- Edele, laat ek dit so stel, as n man ernstig voel oor
sulke sake kan n mens verstaan dat hy hom in sterk terme
uitdruk, en op n heeltemal ander vlak van redenasie kan n
mens hom moontlik nie daarvoor blameer nie. Maar dit neem 20
nog nie weg dat hy daardie sake in baie sterk terme stel,
juis omdat hy so sterk daaroor voel.

Nou om dit net van daardie punt af verder te vat,
mnr. Soggot sê word dit nie gedoen om die intensiteit van
sy gevoel te openbaar en nie om eintlik revolusie of die
gevolge te beoog nie? --- Edele, as n mens dan, hoe sal ek
sê, sy sterk gevoel sal dan juis wees dit waaroor dit gaan,
of hy die stelsel steun, of hy die stelsel nie steun nie.
Met ander woorde sy sterk taal gebaseer op sterk gevoel sal
juis sy gevoel van steun of nie steun nie weergee. 30

Nou dit is juis die punt wat hy maak. Daardie sterk
gevoel / ...

gevoel teen die stelsel wat hy veroordeel, veroorsaak dat hy woorde gebruik om daardie stelsel te kondemneer. --- Ja.

Maar nie eintlik met die oogmerk om 'n bedoeling te openbaar dat hy geweld wil hê om daardie stelsel omver te werp nie? --- Edele, met ander woorde dit kom daarop neer dat hy sterker taal gebruik as wat sy aksies sal weerspieël.

Ek dink die onderliggende idee lyk dit vir my, as mens nou byvoorbeeld 'n bedoeling moet bewys om die huidige stelsel met geweld omver te gooi, en ons aanvaar vir 'n oomblik dit is iets wat subjektief moet bewys word, dan 10 openbaar hierdie subjektiewe uiting van die persoon nie 'n bedoeling om met geweld die stelsel omver te gooi nie, maar alleen 'n bedoeling om die stelsel as sulks te veroordeel? --- Edele, heeltemal reg in die sin dat hy mag miskien sterk negatief voel teenoor die stelsel en dit in sterkte taal uitdruk, sonder om die voorneme te hê om die stelsel omver te werp. Dit is so.

MR. SOGGOT: And in fact, Mr. van der Merwe, when Easton talks about the dynamism of social regimes and systems, does he not in fact consider the expression of such resentments a 20 healthy feedback for the very persistence of that regime? --- In beginsel is wat u stel korrek, ja.

And that in fact if these people were forced to shut up and be mute, that in fact could create a greater danger for the persistence of the regime? --- Ja, nee, dit is korrek.

I wonder, Mr. van der Merwe, whether we could, with His Lordship's consent, pass on just to deal briefly with certain statements made by representatives in the Coloured Representative Council. I refer to page 20, and perhaps, I 30 want to get a move on, if we could refer to page 21:

"The / ...

"The member concerned for social welfare is but a small cog in this machine ..(witness intervenes)

--- Watter paragraaf is dit?

It starts at the very bottom of in effect 617, but in the right hand column? --- Ek dog u sê bladsy 21?

Yes, then it goes on over the page. --- O, ja.

"The member concerned for social welfare is but a small cog in the machine, and I think the time has arrived when we must confront these people who want to use us as those little things on which Mr. Hollander spoke the other day, things to be manipulated according to their desires and their purposes".

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Now, Mr. van der Merwe, just to establish this, this Council is in fact something which is established under legislation of South Africa. --- Dit is korrek.

It is analogous for the Coloured people as the Bantustan homelands system of government is applicable to the Blacks? --- Met ander woorde hierdie Raad is vergelykbaar met die wetgewende rade van die tuislande?

20

That is correct? --- Dit is so.

And in your Eastonian terms they would be raw material? --- Ja.

And if you are looking at it as a social community these people in these particular body, you would expect them to be as it were the elder statesmen of the Coloured community, the more responsible, possibly more conservative members? --- Daar is geen rede om dit te vermoed nie.

Well just to perhaps put it this way, and that is you would expect to find students to be a little bit more direct and perhaps colourful in their expression of feelings

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than / ...

than members who are elected by a community? ---- Edele, daardie veralgemening kan n mens nie maak nie.

Very well, but what he says here is that "we must confront these people", meaning the system not so? ---- Ja.

And what he is objecting to here is the way in which they are being manipulated and used, is that right? ---- Ja.

This I suggest would be an attack on the system not only generally but on the system in so far as the Coloured Representative Council itself is part of the system?

---- Spesifiek, ja.

10

And the words "we must confront", has that got any particular connotation for you? ---- Ja, dit het.

What does confrontation suggest to you? ---- In die konteks van Parlementêre of hoe sal ek sê van institusionele verhoudings, beteken dit dat n eis gestel word in sterk terme.

And paragraph 3:

"For too long we have equated valuebleness with that which is White, so when the White Minister of the White Parliament as was the case with the budget of this morning decides for you what is good for you, therefore valuebleness because it comes from the White man, these two things are therefore equated. This again shows what **this** dominance of the Whites has done psychologically to the people in this House, because they are prepared to be used as instruments within the system. It has destroyed the will of us to see ourselves as people we really are. When one remembers the remarks that were made there by the member concerned in the presentation of his portfolio report during the budget debate, one can see again how the whole question of separation of inferiority,

of / ...

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of getting less than the White man gets, is underlined here. Perhaps during the Committee stage of the budget we could speak to that again".

Now, this is an attack on the Whites generally, ergo an attack on their system, ergo an attack on their legitimacy?

--- Ja, dit is.

And also it is an attack again on the use of the C.P.R.C.? --- The use?

The use or misuse of the Coloured People's Representative Council by the system? --- Ja.

10

"It is important to realise that we must get away from White people deciding for us and for the South African nation as a whole by themselves"

this is the same theme that we are getting, and that is that Whites must not control, they must just participate in the decision-making process? --- Daardie tema is korrek, ja, daardie tema is daar.

"And this is the principle which is underlined or which is missing really in the presentation of a Bill of this nature. Surely the concern of all of us - sorry - of all the people of South Africa must be the concern of all of us. Let us not get into a system which determines for you, you shall decide this for those of a particular colour, you shall decide this for that, this is good enough for you". And then, Mr. van der Merwe, if you would please look at the last paragraph:

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"I believe that the time is now when we must say to these White people who are so concerned about us, so concerned to determine what is good for us: you know people who are appointed to commissions because of their knowledge of Coloured affairs,

30

people / ...

people who are appointed as senators because of their knowledge of the Coloured people, we must say to these people in particular and to the people who make these appointments that the oppressor can never know the oppressed."

That is a Black Consciousness theme, and that is that the Black man has so peculiar - that is the wrong word - so unique and different an experience that the White man cannot really have a proper insight into his experience? ---- Daar is daardie element. 10

Well, in what way does it differ from that theme in Black Consciousness, I am explicating that theme in Black Consciousness, and if there is any difference between the theme expressed in Black Consciousness and as it is expressed here could you tell us? ---- Kan ek net 'n bietjie verder lees. Edele, wat ek hier vind is dat daar is daardie idee dat die Blanke kan nie behoorlik peil hoe die Nie-Blanke voel nie.

So the Black Consciousness point is here? --- Ja, maar die "Black Consciousness point" gaan verder.

Oh, no, I am only talking about this aspect now? 20
---- Nee, maar ek meen dit gaan verder op daardie aspek.

Well would you then elaborate? ---- In die sin dat hy dan daar voortgaan en sê om daardie rede kan die Blankes geen aandeel hê in die skepping van die toekomstige nuwe maatskappy nie. Hierdie gaan nog nie sover nie.

There is nothing in any of the literature of Black Consciousness which we have been referred to which suggests that the Whites cannot participate in the creation of a new society, what they say is the Whites cannot participate in the struggle for freedom? ---- En die "struggle for freedom" 30 is natuurlik daar "to create the new society.

Yes / ...

Yes, but let us be realistic, that is a struggle against the White man as they perceive it, not so? --- Reg.

As they perceive it that struggle is in fact against the White man's system? ---- Maar dit is 'n stryd om 'n nuwe maatskappy tot stand te bring.

But we have gone through this, after the struggle there is no suggestion that the White man will be voteless or that he will be thrown into the sea or anything like that? ---- Ek meen dit gaan nie nou daaroor nie, dit gaan nie nou daaroor nie, die punt is net weer, dat die Blanke se 10 aandeel in die skepping van die nuwe stelsel word nie erken nie, en hier gaan dit nie sover nie.

And on page 22: (first paragraph)

"I believe that as long as we are going to be prepared to be used by people to implement their ideas, this is going to be the stumbling block in our whole eventual emancipation. We have got to get away from a willingness to say: now look, this is bringing more powers, we are getting more powers here, we are getting more powers there. We know, and I think I underlined this principle the other 20 day that no oppressor is ever going to give the oppressed that which he desires on a plate. You have got to struggle for this". Now we have here all the elements of the potentially revolutionary idea, freedom, equality and struggle, not so? ---- Potensieel, breedweg, baie breed.

The potentially revolutionary idea? --- Ja, baie breed. Maar ek meen dit word gekwalifiseer.

And what is the qualification? --- Gaan maar net verder.

I think, Mr. van der Merwe, if there is a qualification which you understand let us hear what it is? --- Ek meen die

punt / ...

punt is dat hier - wat hier ter sprake is is emansipasie, nie "liberation" as sodanig nie maar emansipasie wat effens n ander begrip is ook. En soos wat hier gesê word ook: "no oppressor is ever going to give the oppressed that which he desires on a plate, we have to struggle for this", en dit word net baie sterker gestel, dieselfde gedagte word net baie sterker gestel in SASO en BPC dokumente. En waar n mens hier te doene het met n gesprek binne n institusie wat deur die Regering geskep is dan neem hierdie idee n ander kleur aan, as wanneer n mens te doene het daarmee binne n organisasie wat enige samewerking met die bestaande stelsel verwerp. Dat hierdie selfde idee later in n revolusionêre idee sou kon ontwikkel.

10

Mr. van der Merwe, as n matter of reality, is there that difference between a Black student organisation which says: we are against such Councils because they do not help us, and the very men in those Councils who are saying in stronger and stronger language: this is useless, we are being manipulated, we are being diverted? --- Maar nogtans is hulle besig om binne in hierdie stelsel op te tree. Hulle is nog deur hulle optrede binne in die stelsel besig om sterk steun aan die stelsel te verleen.

20

By saying that it is deceiving them, that they are being put off their proper path ..(getuie kom tussenbei, --- Dit is kritiek wat kan afbrekend van steun wees aan die een kant, maar deelname aan die ander kant.

But if students are expressing their criticisms aren't they working within the system in similar terms, where is the difference? --- Hulle maak nie van die bestaande instellings wat geskep is vir verandering in die stelsel, maak hulle nie gebruik nie, en hulle verwerp dit.

30

What / ...

What I do not understand is your approach on the documents, if in any particular document the same point is made by a SASO man, it is revolutionary or inflammatory or whatever way you look at it, but when it is made by these people it is constructive? --- Omdat dit gesê word as deel van deelname, daardeur wil ek nie die negatiewe kant ontken nie, maar wat ek wil byvoeg is dat daar n sterk positiewe element daar bykom.

Is your point that the difference between the two statements is that the one crowd is in fact working in the Representative Council? ---- Dit is een baie belangrike verskil, ja. 10

Are the universities not part of the system? ---- Ja.

And how then is it different if they express themselves, let me put it this way, do you not think it is the duty of students, in fact of any citizen, to express criticism? I am talking now about his democratic duty, and I am assuming that it is not against the law? --- Dit is n normatiewe stelling daardie.

It is his duty? --- Nee, ek wil my oor daardie stelling nie uitlaat nie, want dit is n normatiewe stelling. 20

If the students in the context of the universities as part of the system make criticisms, how really is that different from this gentleman, Mr. Pieterse, or whatever his name is who is complaining bitterly about the system in Cape Town? ---- Die punt hier is dat die organisasie wat hulle geskep het - of laat ek dit sò stel, dat hulle deelname nie via die normale kanale van die universiteit is nie, en dat hulle, sal ek sê, hulle basiese aanname is dat hulle nie gaan werk deur die "government created institutions" nie, sover as wat dit enige verandering in die stelsel betref nie. 30

Mr. / ...

Mr. van der Merwe, if I may just put this one question to you, if you look at the next few lines, doesn't that kill your proposition, because he says:

"We know, and I think I underlined this principle the other day, that no oppressor is going to give the oppressed that which he desires on a plate, you have got to struggle for this"

Isn't that saying we will never get this by just talking in this Council, we have got to struggle? ---- Binne die konteks van, hoe sal ek sê, debatterende liggame kan "struggle" nie 10 so geïnterpreteer word nie. Of laat ek dit so stel, die eerste, hoe sal ek sê, die eerste idee wat 'n mens het is dat dit 'n stryd tussen instellings is.

The only point I put to you is that the moment he talks in language of oppressor and oppressed, he is disregarding the "instellings", he is saying: we have got to take our own initiative in our own way? ---- Ek dink nie 'n mens kan so 'n aanname maak nie.

You disagree with that? ---- Ja.

COURT ADJOURNS

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/VMD.

Collection Number: AD1719

State v S Cooper and 8 others.

PUBLISHER:

Publisher:- Historical Papers, University of the Witwatersrand

Location:- Johannesburg

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DOCUMENT DETAILS:

Document ID:- AD1719-Vol46

Document Title:- Volume 46, Pages 2563 - 2612.