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SAINR Security Trials

Bethal Trial

pp 4801 - 4955

22nd 1974, dealing with an application for funds for Urban Resources Centre."

That is correct? -- Correct.

That is what you wrote. -- Yes.

"The director of Wilgespruit Fellowship Centre informs me that he transferred only R4 000 to the Urban Resources Centre account for which I am very grateful."

-- Yes.

Now why did you state that in your letter? -- I will (10) explain. When I took over the South African Council of Churches vetted all the applications. In fact now there was just merely reminding them and then this particular instance now they acted through it was a cheque which came from overseas from the payments there through the South African Council of Churches and they passed it through Wilgespruit.

But you stated here without any doubt:

"The director of Wilgespruit Fellowship Centre informs me that he had transferred only R4 000 to the Urban Resources Centre.."

(20)

-- I mean that it was not a transfer of money from Wilgespruit, it was a cheque from them. You see the money came before I came you know the money came from overseas from donors and it went through the South African Council of Churches and then through - this in particular I get it now I mean it was transferred now.

BY THE COURT: Why did it go through Wilgespruit? -- I do not know how they were working you know this it was my early time when this - the applications there were not mine, they were done by my predecessor. I was merely acknowledging (30) the receipt of the money in turn by .. (inaudible) .. but the money/...

money came from overseas.

But you suggest there that the money came from Wilgespruit at Wilgespruit's discretion. -- No, no, no.

It is only R4 000. -- No, well, we were promised I mean according to I mean this .. (intervenes)

You see I am afraid to ask you because ... -- No, no, let me explain ... (intervenes - both speaking simultaneously)

.. the Urban Resources Centre. -- But if I will try and explain it the way I understood it. You know the donors generally give so much money you know in a lump sum or (10) over a period or over some time.

I do not know. -- No, no, I mean I am telling you how it is our donors you see they promise so much. Then sometimes it happens that it lapses you see, they do not send mail for two years you see and then at the end of the second year then they send money then without having sent the money for the previous year so that now if it was 400 it means that now we are expecting about 8 000 instead of 4 000 for a certain period. That is how I understood it, but this was - I am merely making that - but this I was merely acknowledging the words that (20) was done previously before.

MR HAASBROEK: But why did the donation .. (intervenes)

MR WILSON: M'Lord, the next paragraph of the letter might make it clearer to Your Lordship if my Learned Friend would read it.

BY THE COURT: Well, I think I must allow Mr Haasbroek to go on with his cross-examination.

MR HAASBROEK: Why did the donations go via the Wilgespruit Fellowship Centre then to the Urban Resources Centre? -- No, I do not know what was prior arrangement but during my (30) time for the rest of my time when I was there, every donation came/...

came through Urban Resources Centre through me and I banked that money myself.

Then the next paragraph which my Learned Friend is referring to:

"In pursuance of this matter I wish to apply for the remaining grant of R8 000 to cover the next two years."

Now did you then ask them to send you the R8 000 directly? -- They did send that - what I know by the time of my arrest I had already received that money. (10)

There is another statement which I wish to put to you, dated 28th February, 1975. -- Yes.

That statement must have been compiled by yourself. -- What, what?

28th February, 1975, a statement about the tentative financial - well, it is entitled: Tentative financial statement of the Urban Resources Centre as per 28th February, 1975. -- Yes.

And this was also found by the police among your documents. -- That was now in the files. (20)

Yes, you had it in your files. -- I had it in the files of the ..(inaudible)

Will you have a look at it please and see whether you recognise that document. -- Yes.

You compiled it. Can you have a look at the list there of income. There is another amount of -- Excuse me, I have made - this one here is for the - it is not for the whole Urban Resources Centre this, it is for the that is the community art centre as I see now the items there.

But you received another amount of R1 800 from the (30) Wilgespruit Fellowship Centre according to that list. -- Yes,

I will be able to explain that.

Yes? -- Now, this again it is the property that Wilgespruit now gave to the community art centre.

BY THE COURT: Is this another R1 800? -- Now there I mean this is not one this one this was drawn by the community art centre. You see it was drawn by Rob this one, it is not mine. It is not mine that one.

MR HAASBROEK: I understood that you said that you had -- No, no, when I looked and checked I did not see - when I looked and checked .. (intervenes) (10)

MR WILSON: M'Lord, my Learned Friend put those words into the witness's mouth and he said I want to look at the document before I say that.

BY THE COURT: Mr Wilson, you will have ample time to argue these matters, you know. I think you should allow the cross-examination to proceed. Your witness can explain, as he has done. It is not necessary for you to say it. He explained it. He said he wanted to see it. He can put that, as your witness has done, he has explained it.

MR WILSON: My Learned Friend put to the witness that he (20) had said something which the witness did not say.

MR HAASBROEK: Did you not compile this document? -- No, it was compiled by Rob.

By? -- Mr Rob Collins that is now the man who was running the community art centre. You remember when we were doing those.

BY THE COURT: St Ansgars? -- St Ansgars, yes.

Now all I want to know I want to try and understand something financial. Was this R1 800 now ... -- This R1 800?

Well you mentioned R1 800. -- Is it R1 800? (30)

MR HAASBROEK: R1 800. -- I do not know if it is R1 800.

You can have .. -- No, there is a mistake now, it could not be R1 800 there you see, I am sorry. I put it as R1 000 something because I looked at the first item there, I saw R200.

BY THE COURT: What is the figure? I have not seen it. -- It is R18 264.

MR HAASBROEK: No, R1 800. -- R1 000 no, no, it is, if it is R1 800 it is .. (inaudible) .. it is more, it is even R10 000 if it is drawn for urban resources as a whole. This now for the art centre. That is the running now of the art centre. (10)

Received from the Wilgespruit Fellowship Centre. -- Yes, they got certain things from them.

And was the art centre part and parcel of the Urban Resources Centre? -- Yes, we inherited them from I mean originally it was I mean assisted by Wilgespruit. Wilgespruit gave us many things when they pulled out.

BY THE COURT: All I would like to know is, is that R1 800?

-- Yes, R1 800.

R1 800 something. What is the exact figure? -- It is (20) R1 8 00 ...

MR WILSON: I think he is looking at the wrong figure.

BY THE COURT: Just take your time. Do not rush things and say things that you have to correct. Just take your time and look at it. There is no rush about it. -- No, I think it is the same.

What actually is that amount? Just tell me. -- It is R1 800.

Exactly? -- Yes .. (inaudible - not into the microphone)

I think you had just better repeat that. -- I think (30) it is a continuation of the properties that we bought from

Wilgespruit/...

Wilgespruit. I mean it was now a reflection. Now I cannot really explain it but whatever money we obtained from I mean whatever during my period I never received anything in cash from Wilgespruit. Anything that came from Wilgespruit it was in terms of property. I remember one time they gave us I mean at least they gave us a loom that is now the loom.

But what precisely was it that you took over? What precisely was it? -- Now, when I .. (intervenes)

A loom, you have mentioned one. -- Yes, that loom, material now for the that is now for the study - I mean (10) for the art centre, there are a lot of things there.

What? -- Clothes, many things, property, papers and so on, you know and then we had typing machines they gave us you know. Then we had tables and desks and many other things. There were quite a number of things that they gave us there.

I just want to go back to that letter. It is clear from that letter which is before your time. -- Yes.

You know, things which you were writing - you know the letter in December you wrote to Switzerland. -- Yes.

I know it is difficult for you because you had only (20) just come but it is clear to me from that letter that Wilgespruit and the Urban Resources Centre prior to you coming there had a close financial tie-up, the money came via Wilgespruit to the Urban Resources Centre. -- I would not dispute that because .. (intervenes)

Is that how you understood it? -- Urban Resources Centre is a child of Wilgespruit, so naturally they would - I would not dispute that, it might have been.

That was before your time. -- Before my time, yes.

Because that is not the impression I received from (30) the Rev. Dale White I regret to say. -- No, what I mean is that

now they received things from Wilgespruit donated to -
Wilgespruit at that time had also loaned us their Hi-Ace which
I was using. I was using the Hi-Ace now from Wilgespruit.

MR HAASBROEK: M'Lord, these documents are handed in as
EXHIBIT CCCCCC.1, 2 and 3.

MR WILSON: Is the first one the interim balancesheet, the
5 months interim balance sheet, the second one is the letter
and the third one is the balance sheet for the whole year.

MR HAASBROEK: There was another statement compiled for the
9 months ended April 30, 1975. Did you compile that (10)
statement at the time? -- That is from what period?

Income and Expenditure Statement for the 9 months ended
April 30, 1975, of the Urban Resources Centre. -- I think I
must have.

You must have compiled that. -- Yes.

Were you the only person who compiled those statements? --
Yes, well, I did the compiling well subject to the - I was
checked by the .. (inaudible)

Now I wish to show you this particular statement which
was also found in your possession, in that file you (20)
referred to. Will you have a look at it please. Do you
recognise it? I am only concerned with the first page, you
need not look at the other pages. -- Yes.

Now there is also an amount mentioned of R1 800 which was
received from the Wilgespruit Fellowship Centre. -- It must be
a repetition of those figures. I think so. When one does not
have you know that - when what you are basing them it must be
the same. It is still the same figure reflected in different
ones.

That is then EXHIBIT CCCCCC.4. Another document (30)
was also found in that file of yours. It is entitled Wilgespruit
Fellowship/...

Fellowship Centre Budgets 1974. Will you have a look at it? It was found in your file. -- Yes, I see it.

According to this budget the Urban Resources Centre in the last column on the sheet received R12 000 from the Wilgespruit Fellowship Centre. -- I would not know. That is not mine, I know nothing about it.

BY THE COURT: That was up to when? The end of 1974?

MR HAASBROEK: Yes, the end of 1974. Do you know, have you any knowledge of such a large amount which was received from the Wilgespruit Fellowship Centre? -- How much was it? (10)

R12 000. -- No, I have no idea.

BY THE COURT: Does it surprise you from your experience thereafter? You say you got no money. -- No money. What I am merely saying, these things may not be in cash you know.

Now this could not be typewriters and things like that. -- Oh, I see.

R12 000. -- No, this was .. (intervenes)

MR WILSON: M'Lord, this does not indicate a donation that my Learned Friend is suggesting to the witness. This is a Wilgespruit Balance sheet and under Urban Resources Centre (20) amounts are listed under 'personnel, housing, office, administration, quarters and conference, travel, capital, other'. It is not just a donation. Their expenses were in connection with the Urban Resources Centre and my recollection is it was about then that they were still running too. Your Lordship will recollect that Wilgespruit started running this and then handed it over. This is their budget for the beginning of the year, their projected budget for 1974, provided all the items they were going to spend money on. It does not reflect a donation. It reflects what they thought (30) that during the year 1974 they would spend R12 000 on travel, conferences/...

conferences, the whole lot. My Learned Friend I respectfully submit should not cross-examine the witness on the basis that it shows R12 000 being given. This is Wilgespruit's proposed budget.

BY THE COURT: When was it that they gave it over? 1974, June. The .. (inaudible) .. was completed in 1975, is that correct?

MR WILSON: That is so, M'Lord.

MR HAASBROEK: On the same document, the second half of the page provision was made for expansion in 1974. I am (10)
just putting it to you, I want your reply, not Mr Wilson's reply, that according to that certain items of the URC are also specified: 'personnel R2 000; housing and office, administration R3 200; courses and conferences R1 500; travel R1 000; capital R4 000; other R360' and the grand total of that was R12 060. That was for expansion. Do you know about such considerable expansion of the URC? -- I do not know.

You know nothing about that? -- No, I do not know anything. I just took over you know, well I do not know from what (20)
point it was.

Does this surprise you? -- I cannot recollect anything as far as I am concerned you know. There was no cash which I received from Wilgespruit so that now I cannot be aware of expansion which they envisaged.

Now this was also found in your file, you had it in your file with the other documents. Perhaps I will not hand this in as an exhibit. Mike Matsobane was also on the trustees committee. -- Correct.

And you testified that he was an old supporter of (30)
the PAC. -- Correct.

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the PAC. -- Correct.

Why did you then include him in the committee, Mike specifically? -- In the first place I did not include him on my own. It was a recommendation of Mr Chimane Moruri who was a field worker and then he knew who these people were better than I could do, better than I do.

Did you not make any recommendation as far as Mike Matsobane was concerned? -- When I recommended him to the trustees, I was basing it on the report which I received from Moruri and if I may say what the reason for Mr Moruri advanced was this: Mr Matsobane was a man who was involved in the (10) programmes in this area where he was operating. Secondly, Mr Matsobane had a car and that would facilitate his attending meetings.

What was your personal relationship with No. 13? -- It was just a normal relation.

Were you personal friends? -- Well not - we were acquaintances.

And did you know of a youth organisation which No. 13 was about to launch? -- Yes, I heard of the youth organisation which he had launched. (20)

What organisation was it? -- I do not just remember exactly what it was from the beginning, but it was actually publised in the newspapers.

And did you know about the aims and objects of that particular youth movement? -- Some of them were published in the newspapers.

BY THE COURT: Did you - do I understand you got all this information from the newspapers? -- Not all the information from the newspapers.

Did No. 13 tell you? -- No. (30)

MR HAASBROEK: Was accused No. 13 involved in a youth movement

of the Urban Resources Centre? -- I would say no in a sense and say - let me say no, but it is a qualified no.

BY THE COURT: Well what is the answer? -- Well the answer is that now you know I have written sometimes there to say when I report you will notice that especially when I was doing my funding, I mentioned all the activities which were taking place in Kagiso and those activities which took place in Kagiso, I regarded them as having been motivated by our community workers who worked there because that is the essence of community work that is now you motivate the people and then they do things (10) by themselves. So whatever activities there especially if it involved those whom you know that are involved in some of the activities that you found it - you regard all those as having been motivated by your efforts.

MR HAASBROEK: He testified that he had never been involved in a youth program of the Urban Resources Centre. -- That is correct. I mean that is h e.

You say he is correct? -- Yes, that is his. I see I am taking it now there is activity here, people involved in this activity are most of them come from the activities which (20) we you know encouraged or motivated so that now it is because of the motivation that was put in. That is how I was reporting this. You will find that now all those we know, many of them I have put them that way and in addition of course .. (intervenes)

BY THE COURT: I do not know, you say put what? -- No, I mean any some report.

Oh, are you talking about reports you made? -- Ja, I made. I mentioned many organisations there to say that now .. (inaudible) .. there are these organisations now which are (30) under us or have been motivated by URC, you see that, but that

does not mean that I or the - I actually did it but it is the people who have been motivated by the activities of URC.

Can I just get that down. You say that in certain reports or in your reports.. -- Yes.

You stated that there were many activities or organisations which were part of the URC. -- No, I may not put that exactly, but I mentioned certain organisations. I say now such and such an organisation, such and such an organisation, such and such an organisation when I make funding, those organisations are under Kagiso program, of URC. (10)

MR HAASBROEK: But he gave evidence that he was not involved in a youth program of the Urban Resources Centre. -- Yes, I mean ..

Is he correct or is he wrong? -- He is correct, he is correct in the sense that now he that is himself now I think he founded that but his family and all belonged to the program of Urban Resources Centre which is now bulk buying. You see, many you find that now many of the members of some of them whom I knew that is of this organisation were .. (intervenes)

BY THE COURT: Which organisation?-- That is now the youth organisation. (20)

Are we talking about YACM? -- I am talking about the organisation which was there.

No, but ... -- Yes, I am talking about YACM.

It is very confusing. -- I am talking about YACM and all the organisations, YACM, that is now literacy classes, and many others.

Stick to YACM because that is the youth organisation. -- Yes, that was the youth organisation.

Now, I have written down here and I think I have fairly reflected it, you must just tell me. -- Ja. (30)

That you stated in reports that there were many activities, organisations/...

organisations in Kagiso were under the Kagiso Program of the URC. -- Yes.

Now, one of those, do I understand you to say that in a report you stated that YACM for example was under a program of the URC in Kagiso? -- When I talk of youth organisations then I would say YACM was in the program of Kagiso.

In the program of the Urban Resources Centre ... -- Of Kagiso, yes.

Yes. -- And to go on further, it was not just that I was doing. My field worker, that is now Moruri, had reported to(10) me that now he did work with the youth organisation in Kagiso. He mentioned now working with Mike, Mike's field worker, that is now .. (intervenes)

.. (inaudible) .. I thought that Mr Moruri had resigned before YACM was actually started. -- No, no, - yes, Mr Moruri, but you see .. (intervenes)

Am I right? -- You are right, but now he was working with youth organisations there. Say now all the youth organisations there were under - he was working with them. He resigned in August, those were the - that was the impression he gave (20) me you see that is now the organisation he was working with all the organisations in Kagiso.

MR HAASBROEK: You see, accused No. 13 testified that YACM or YARM had nothing to do with the Urban Resources Centre. -- Yes, I mean I did, you see Urban Resources Centre did not make - organise YACM you understand, but YACM was operating in Kagiso. Then all the activities which were motivated as a result of the activities of YACM - of the activities of the Urban Resources Centre, well, when I reported, I just brought them in, you know. (30)

No. 13 testified that he had nothing to do with the youth program/...

program of the Urban Resources Centre, YACM had nothing to do with the Urban Resources Centre. -- I agree it had nothing to do with it in the sense that now we had nothing to do with them, we did not tell them what to do, we did not even teach them anything, we just you know, we had nothing to do with it.

Then you wrote a letter to a Mr S. Andres in Zurich, Switzerland. You know it, it was provisionally handed in as EXHIBIT TTTT. -- Yes.

Asking for funds. -- Yes.

Now I wish to refer you to page 3. (10)

BY THE COURT: Is that one of the reports you told me about?

-- Yes.

Oh, I see. -- Yes.

MR HAASBROEK: Under the heading: 'The Youth Program'. -- Yes.

You wrote the following. I will show you the letter after having quoted this paragraph:

"In 1976 the program will be expanded to include a wide range of activities such as drama, arts, crafts, sports, music, jazz and classical, youth clubs and children's supervised play groups. (20)

This has been facilitated by the fact that two people from Kagiso community have offered to assist in organising the youth. One of them is a local pastor, Rev. Mongakwetse of the London Mission Church and the other is a local layman, Mr M. Matsobane. They are offering free services."

Why did you write that? -- What is the date? (30)

It was dated 11th December, 1975. -- Yes, it is precisely for/...

for this reason that about Matsobane I got it from my field worker before he resigned in August that Matsobane was working for I mean for a youth organisation and .. (intervenes)

But it was not the URC youth organisation. -- No, well, I - it was not a URC - I mean you do not seem to understand the principles of community work. Community work does not only any project - projects belonging to the people but as soon as projects have been started it was of the motivation of the people there I mean of the motivation I mean as soon as the organisation has been started because of the motivation (10) of Urban Resources Centre then I regard now all activities which have taken part in Kagiso now as a result of our organisation.

Did you then ask for funds for the URC as a result of what accused No. 13 was doing at the time? -- Not only accused No. 13 but all the activities.

No, you referred to Mr M. Matsobane specifically. -- Well I did mention him but as you see it .. (intervenes)

Why did you mention his name in particular then? -- Well, he was running - he was doing the youth organisation in that area, I knew that he was doing youth organisation but I mean(20) it was common knowledge I mean my reporter told me, my worker, told me that Matsobane was engaged in this.

You knew about his youth organisation. -- Yes.

Did you have discussions with him about his youth organisation? -- My community worker had told me this, had reported, then I was acting on the strength of the report as I told you.

But your community worker could not have told you that YACM or YARM was actually a youth organisation falling under the URC. -- No, he told me that they were - I mean there I knew that now there was - you see there was a community (30) I mean organisation which was operating.

That/...

That may well be so, but according to accused No. 13 he was responsible for that youth organisation, YACM and YARM. It had nothing whatsoever to do with the URC. -- Yes, I mean I did not - I think here we are in - I am explaining my standing. I say accused No. 18 did not tell me personally.

No. 13. -- I mean No. 13 did not tell me personally but I knew of the fact.

I am afraid I cannot understand that. You also referred in your letter to the local pastor, the Rev. Mongakwetse. -- Yes. (10)

What did he do? -- The same. He was engaged in youth activities in fact from the beginning always Mr Moruri reported about him.

Why do you claim Matsobane's youth activities for the URC? He said it had nothing to do with the URC. -- Now may I answer this question again. Activities which arose in Kagiso as a result of the motivation of Urban Resources Centre I regarded them now as having been influenced by Urban Resources Centre. They are not ours, we do not own any and this was just a funding letter. (20)

How can you say that YACM was founded as a result of the activities of the URC? -- It is a youth organisation.

Yes, but .. -- No, what I am saying .. (intervenes)

.. you said you never discussed it with accused No. 13. -- No, no, let me tell you this now. YACM has many people there and most I mean some of the people whom I met, ordinary members of YACM for instance people like Letsela and so on, were involved in activities, other activities.

What other activities? -- Well, they were involved in the bulk buying scheme and some of the women were involved in the sewing scheme and so on. (30)

Now this letter was dated 11th December, 1975 and if my memory serves me correct, YACM was launched the next year.

BY THE COURT: No, the next day.

MR HAASBROEK: Yes, well, it started in December. You also wrote another letter, the one I hand in as EXHIBIT TTTT - yes, provisionally.

BY THE COURT: Who is this person Mr Andres, ..(inaudible) .. Zurich? -- He represents one of the donors there. I do not know, I can't just remember whether they - they are some of the donors. (10)

What donors? -- Our donors, that is Urban Resources donors.

Well who are they? -- They are a church organisation.

What church organisation? -- I can't just remember now unless I have the documents, I cannot just say offhand who they are, but they are a church organisation in Switzerland to whom we had applied for donations .. (inaudible) .. donation to support the activities of Urban Resources Centre.

There was also another letter written to : Dominee T. van Weelie, Posbus 14100, Utrecht, Holland and the date of (20) that letter is the 10th December, 1975. I have got a photo-static copy of that letter. Do you remember that letter? Have a look at it. -- It must be one of the donors. Diakonale Raad.

Will you read the address out? -- It is Van Weelie, Posbus 14100, Utrecht, Holland. These were also some of the donors. Some of these donors I found them there already, it was a matter of re-applying to them.

You did write this letter, is that correct? -- Yes.

In order to obtain funds from these people. -- Renewing the .. (intervenes) (30)

Application. -- Donations. The donations are - the grant

has/...

has already been given so it was a matter of renewal mostly, I was renewing.

I am only concerned with page 2, about the middle of the page, under 'The Youth Program'. -- Yes.

I quote the following from that paragraph which is more or less - or which is perhaps exactly the same as the paragraph in EXHIBIT TTTT:

"The program will be expanded to include a wide range of activities such as drama, arts and crafts, sports, music, jazz, classical, youth clubs and children's supervised play groups. This has been made possible by the fact that two people from the community have offered themselves to assist in organising the youth. One of them is a local pastor, Rev. Mongakwetse and the other is a local layman, Mr M. Matsobane and they will render free service." (10)

You wrote that? -- It is the same letter because I was just now redirecting the application for various renewals - renewing donations of various donors. (20)

Yes, and you repeated here that Mike Matsobane was busy organising the youth. -- Yes, it was a question of asking for funds.

Yes, I appreciate that. This is being handed in as EXHIBIT DDDDDD.

BY THE COURT: It is dated?

MR HAASBROEK: 10th December, 1975.

BY THE COURT: To Holland? (30)

MR HAASBROEK: Yes, Utrecht, Holland.

THE COURT ADJOURNS FOR TEA. THE COURT RESUMES.

ZEPHANIA MOTHOPENG: still under oath:

FURTHER CROSS-EXAMINATION BY MR HAASBROEK: Then Dan Matsobane, No. 18, became one of your field workers. -- Yes.

And you approached him to become one of your field workers?

-- I approached his employer, that is the Rev. Dale White.

You did not approach him personally? -- No.

But you mentioned to Rev. Dale White that you wanted to have accused No. 18. -- Yes, that he should be lent to me.

BY THE COURT: Sorry, do I understand you had not spoken (10)
to No. 18 beforehand? -- I did I mean speak to him but not
officially.

So you had approached No. 18. -- Well I did sound it out,
his opinion whether he would.

MR HAASBROEK: Why did you decide on him specifically? -- Well
he was already working in Kagiso with Moruri.

What particular qualities did he possess? -- He was
experienced, he that is now he was trained now already in
community work.

And what experience did he have? -- Well he was (20)
working for Wilgespruit. I had known that he had worked for
Wilgespruit.

And did you know about his background at the Turfloop
University? -- No.

And did he drive you around in a car at times? -- I do
not understand.

Accused No. 18, Dan Matsobane, did he drive you around in
a car at particular times? -- Well I asked Matsobane about - I
think it was about - I think I had a driver by - if I am not
mistaken - about that time I had my own driver. (30)

You had your own driver? -- Yes.

And/...

And you never made use of him? -- No, not as a driver.

He testified that he drove on certain occasions when you were a passenger. -- But at the time when I engaged him, I think I had a driver.

So then you never engaged him. Is that what you mean? -- Well I would not dispute that, I do not remember, it might have happened.

Now, did Dan take you to deliver an invitation to accused No. 13 to attend a meeting of the URC ..(inaudible).. Committee? -- I do not remember exactly what happened there. I do (10) not know whether it was Mr Moruri because you mean which - at least which meeting? I am sorry, before I make an answer.

Well, I cannot refer you to the particular meeting right now, but there was one instance was there not, when you delivered the invitation to accused No. 13. -- Well by the time I delivered I think I had my own driver.

And so it is not possible that Dan could have taken you? -- I do not .. (intervenes)

You had your own driver. -- I do not remember Dan driving me to No. 13. I always remember my driver doing for me. (20)

You remember that your driver did it for you? -- Yes, I did ..

Is that what you say? -- One time I think once.

Did you personally deliver certain invitations to the Urban Resources Centre Trustees Committee Meetings to accused No. 13? -- I think once I did.

Why did you do that? Why did you hand it to him personally? -- No, it was not a question of - I happened to be in Kagiso that day, I was going there for other things, so I decided to take it to him. (30)

Did you have personal contact with accused No. 18? -- I think/...

think that day, I am not sure, I think that day. Once I phoned him.

BY THE COURT: No. 18? -- No. 18. What about him?

Well that was the question.

MR HAASBROEK: Apart from his work. -- Could you repeat the question?

Did you have personal contact with accused No. 18 apart from his work as a field worker? -- Apart from - no. I mean apart from assisting me as a field worker.

You never had personal contact with him? Apart from (10) his work as a field worker you never had contact with him. As a field worker. -- I only had contact with him as a field worker.

And accused No. 13, did you visit him at his house? -- Number?

No. 13. Mike. -- Mike, I think the only time I went to him was when I delivered.

This was the only time? -- The only time.

Is it possible that there were other times that you visited him? -- No, I would remember. (20)

You would have remembered that. -- Yes.

Where were you on the 15th June, 1976, the day before the riots broke out? -- I was at work, but I started in town, in Johannesburg.

Yes, and when did you leave your office? -- It was in the afternoon.

Afternoon? -- Yes, about 1 or 2, but I had already heard that there was trouble from the areas.

And where did you go to then? -- I went straight home.

Home? -- Yes. (30)

When did you arrive at your home? -- I arrived late in the/...

the afternoon at about I do not know .. (inaudible)

I cannot hear. -- I think between 14h00 and 13h00.

Between 13h00 and 14h00? -- Yes.

Did you leave as early as that for your home? -- Well, I heard that there was trouble.

And what did you do that afternoon then having arrived at your home? -- Well I stood outside - well there were many people there, it was almost difficult to do anything. I got home with great difficulty.

BY THE COURT: I wonder perhaps if you have got - you are (10) now replying to something on the 16th.-- I mean .. (intervenes)

The question was what were you doing on the 15th. -- Oh, I am sorry, I was replying - I am sorry, I was replying now ahead. No, on the 15th I said now I was at work.

MR HAASBROEK: And when did you leave your office? -- No, I left normally.

At what time approximately? -- Well, about generally well I leave at about 15h00 or 16h00.

Yes, and after that, did you go home? -- Yes, I went (20) home straight.

And when did you arrive at your home? -- Well, it would take me about if I start straight from there it takes me about an hour, half an hour, more than half an hour, 45 minutes or so.

Yes, having arrived at your home, what did you do? -- Well it was an ordinary school day. I must have gone to school, I went to study centre at 18h00.

Oh, at 18h00. -- Yes.

And how long did you remain there? -- The normal time, (30) up to 22h00.

And/...

And after that? -- I went home.

You went home? -- Yes.

BY THE COURT: Where is your office in town? -- No, it is not in town. At that time it was still at St Ansgars.

MR HAASBROEK: And on the 16th June what did you do? -- I have already answered that. On the 16th June I went to work as usual, but I started from town, I was in town.

Early the morning? -- Yes, early in the morning. Then I left.

Why were you in town? -- Well generally sometimes I (10) went to see .. (inaudible) .. then we were arranging the merger at that time of - I was taking over that is now from SACHED I was taking a project of SACHED which was - had to do with study centres to match with Urban Resources Centre. So I had gone there about such business.

And for how long were you busy with that business? -- I got there at about between 08h30 or so.

Until 08h30? -- Yes. Then I drove to Roodepoort.

To Roodepoort? -- Yes.

To St Ansgars? -- St Ansgars. (20)

When did you arrive there? -- Well, it takes some time you know.

More or less. -- It would take about one and a half hours.

Yes, and how long were you then busy there at St Ansgars?

-- It was not for a long time, then I learned of it - I learned you know that there was trouble in Soweto.

You learned that there was trouble? -- Yes, close to 13h00 or so.

Yes, but why didn't you stay on there at your work for the rest of the day? -- When I heard that there was trouble (30) in Soweto I became anxious so I drove back straight. In fact

I went through town.

Then why did you become so anxious? -- If there was trouble in Soweto I mean I would not just like to - because the reports through the air just said now there was trouble and when they mentioned the area - when they said Phefeni, then it touched me because Phefeni is my home. Immediately I realised that now well it would be difficult for me, I must get home and see what happens.

But the trouble only involved schools and government buildings and the police ... -- But with a riot next to (10) your home nobody can remain calm about that. I was anxious. Phefeni if you know when it is Phefeni it is right where - when they mentioned you know, Uncle Tom, well.

You were not in danger. Why were you anxious? -- Well, they mentioned that there were riots at Phefeni, I knew that my wife was working at the clinic there. If it happened there my wife you see I was anxious about her.

You went straight to your home? -- I went straight to my home.

And did you remain there? -- I remained there. (20)

And what about your wife then? -- No, fortunately by that time you know she came.

When did she come back more or less? -- It was about 14h00 round about that.

And how long did you remain there in your house that afternoon? -- Well, I remained the whole afternoon. It was not easy to move around there.

Why? -- There were riots there I mean if you ..(intervenes)

Around your house? -- Yes, it was just there you know (30) my area was almost a battlefield. You could hardly walk out there/...

there.

What were they doing there? -- It was up and down, it was police, people running about, milling around, excitement.

And you were also excited. -- Well, I would not say excited, I was distressed.

Distressed? -- Yes.

Why? -- Because I could not understand why things should have been left to that extent that children should I mean get to that point.

Well what are your views actually about the rioting (10) of the children at the time? -- My view is just that the whole thing was, it was carelessness(?) in the whole thing, the whole thing really came around, resulted because it was not attended in time. Those who were concerned with the children, did not attend to the matter in time.

And you were a prominent leader there at the Urban Resources Centre, etc., etc. What did you do in this regard in order to assist the children prior to the riots? -- The matter was left in the hands of school committees and the school boards and parent committees I mean those who - the (20) schools concerned. One thought that now these people would be attending to this matter properly.

But why was it necessary for them to riot? -- Now well in the first place I would say I do not know, but what was a fact is that now what I saw with my own eyes was that now that thing went there for a fuse(?) you know because the school which brought about this .. (inaudible) .. that is now Orlando West Junior School and it continued there for some time.

You were also concerned with the youth as director of the URC. -- Well but I was not operating there. (30)

Did you have no influence among the youth? -- As I say it

was/...

was a matter of school committees. At that stage you know it was a matter of school committees and inspectors and in fact things which made matters worse was I suppose if I am quite - if I remember well when the inspector flatly refused you know to make some concession for the children.

It was all in connection with Afrikaans. -- Yes, as a medium, yes, as a medium.

And it was a well known fact at the time, isn't that so?

-- Yes.

The rioting was in connection with Afrikaans. -- (10)

Precisely.

And it is also well known then that the authorities decided to abolish Afrikaans as a medium. -- But it was done afterwards.

No, the riots continued after that. -- No, no, what I am saying that now well the riots had taken place. The rescinding of Afrikaans if ever, it was announced during that period.

Yes, but it did not stop the rioting. Do you agree with that? -- Well, it continued, yes.

So was it not in fact true that adults were behind the rioting of the children? -- I would not say so. I would (20) not say the adults were behind because if you were there you would find that even the stoppage going to work, it was the school children who stopped people at Phefeni. I was near the action. It was the school children who stoned the trains which were taking adults. You see .. (intervenes)

That is probably accepted but ... -- It was not the adults.

I put it to you that adults instigated this. -- No, it was not the instigation of the adults. I mean the adults wanted to go to work, adults wanted to go to work.

Certain adults. Certain adults belonged to political (30) parties. -- I would not say so.

The/...

The PAC for instance. -- Well I would not know about PAC if it did .. (inaudible) ..

Was Enoch Ngomezulu a good friend of yours? -- He was an acquaintance.

Only an acquaintance? -- Yes.

Through the PAC? -- Well, I had met him I mean during the time we were arrested.

And he was a trusted acquaintance of yours. -- I had nothing to do - I have never had anything to do with Ngomezulu.

But there was no animosity between the two of you. (10)
-- We were acquaintances as I have said.

Now you testified that his evidence was untrue. -- Yes, I mean yes, in relation to me it was untrue.

Now, do you mean that all his evidence is untrue? -- Yes.

Everything he testified to? -- Yes, it never took place.

It never took place? -- Yes.

You do not agree with him as far as the parts in his evidence are concerned which refers to your activities in the PAC? -- No.

You disagree with everything that he said? -- I disagree (20)
agree what I say now, I mean those things that he said I did it on Robben Island and those things that he said I did thereafter my release in 1967.

And you testified that there was an occasion when you had met him on the train. -- Yes.

And you did not talk to him? -- No, we just greeted each other in the train.

Why did you not talk anything? -- The train in the first place was full, he was at a distance from me.

How far from you? -- Well he was as far as you know (30)
the coach as far as that is Mike there, but there were many
people/...

people in between, you know standing.

About 4 paces. -- Yes, in the Orlando train, the people there are packed like sardines especially in the morning - that day it was packed like sardines.

Was he not next to you? -- No, he was not next to me.

Do you know Joe Makwanazi? -- No.

Don't you know anything about him? -- No, I have never met him.

And Malinga? -- I met him once in 1963.

What about? What about did you meet him? -- He was (10) arrested.

With you? -- Yes, it was during the swoop.

Was he also a supporter of the PAC? -- No, he was discharged.

BY THE COURT: .. (inaudible) .. -- No, I see, I see, I would say now.

Was he a supporter of the PAC? -- No, not as far as I knew.

MR HAASBROEK: And Joe Moabi ? -- I knew him, we were together in 1960 in prison. (20)

And he was a supporter of the PAC. -- Yes, he was arrested for PAC what is this now I mean he launched - he took part in the campaign of 1960.

And Makwetu? -- Makwetu I met him on Robben Island.

Was he also a supporter of the PAC? -- Well, he was arrested for PAC activities.

Did you see him subsequent to your release? -- No.

BY THE COURT: It does not help saying he was arrested. Do you know Makwetu? Did you know him? -- Before - I met him at Robben Island. (30)

Now was he a supporter of the PAC from your conversations with/...

with him. -- Well, he was a PAC .. (inaudible) .. I mean in the past you know I mean he was a member of PAC.

MR HAASBROEK: Do you know where Joe Moabi is at present? -- I think I read in the newspapers if I am correct.

Yes? -- That they said London.

Where? -- London.

London? -- Yes.

And Saki Mafatshe? -- No, I do not know him.

Is he a total stranger to you? -- A stranger.

Pascot Vakaliza is also an old member of the PAC. -- (10)

Yes, well I met him in 1960.

And he must be a friend of yours also. -- Well, I would not say a friend you see, he is an acquaintance of mine.

Only an acquaintance? -- Yes.

Through the PAC? -- Yes, I mean I met him when we were arrested for PAC.

But he must have been more than just an acquaintance because he attended a wedding at your house, isn't that so? -- Well, he invited me .. (inaudible)

Oh, he invited you too? -- Yes. (20)

Well the same applies then. What do you say to that?

-- Well I suppose - well we were together in prison you know .. (inaudible)

Now at that wedding at his house, were there other members or old supporters of the PAC who attended the wedding? -- I saw Mlonzi was there.

He was an old member of the PAC? -- Yes, and Ngomezulu was there.

Ngomezulu and who else? -- I do not remember now.

What is the christian name of Mlonzi? -- Lennox. (30)

Lennox? -- Yes.

And/...

And you testified that Robert Sobukwe had sent you a message that he longed to see you. -- Yes.

And had you been in contact with Sobukwe before your visit to him then? -- No.

No contact whatsoever? -- No contact.

Now, he wanted to see you .. (intervenes)

BY THE COURT: Why did you not keep up your acquaintanceship with Sobukwe? Was there anything to stop you? -- No, there was nothing to stop me but we never just wrote to each other. We never met. You know he was in Kimberley, I was in Johannesburg you know, I was working in town and it just happened that way. (10)

MR HAASBROEK: After having received this message, why didn't you just phone him to talk to him? -- Well, if I had a chance of going there I mean it would have been preferable because I would see it is better to see him you know if you can.

Yes, but you could have sent him a letter also. -- Well, there was .. (inaudible)

Having learned that he wanted to communicate with you. -- For the first time actually Thloloe had said that Sobukwe had asked them that when they go there for their next assignment they should take me along. (20)

But you had not seen him for a long time. -- For a long time.

And there was no communication between the two of you. -- No.

Now all of a sudden you decided to travel down to Kimberley. -- Well he was my friend you know, we did very well, I mean in the sixties we were together and of course earlier, another thing which made him ask not get into contact, I think he was banned and I was banned you know if I am not mistaken/... (30)

mistaken.

Didn't you go down to discuss matters relating to the PAC with Sobukwe? -- No.

He was then still considered to be the leader of the PAC inside South Africa. -- Well, according to the newspapers I mean the reporters I mean to say but we were no longer I mean regarding him as the leader of PAC because there was no PAC then, but the papers always referred to him formerly the leader of PAC and so on.

Yes, and when you visited him what did you discuss (10) with him? -- Well, for the first time you know it was just about his health, about his health which he told me, he thought it was declining.

You never discussed any matters ... -- Political, no.

Relating to the PAC? -- No.

You knew that he was, according to the newspapers, still the leader of the PAC. -- No, no, it was not - the newspapers did not say he was the leader, the ex-leader of the PAC, otherwise if the paper would say Sobukwe is the leader of PAC he would sue that paper. (20)

And you were also an ex-leader of the PAC. -- Well, we might say so.

And the two of you got together. -- Yes.

And you conversed. -- Yes, I mean as I say now, the difficulty is this, you see, when people will say discuss about PAC, they seem to think you would discuss about what action - yes, we did refer to well in a way, in passing, you know.

To the PAC. -- History, you know what we did together is that .. (inaudible) .. of PAC, what we did.

You did discuss. -- I mean in passing you know .. (30) (inaudible) .. Leballo, such and so, but nothing, just laughing at/...

at certain incidents which happened and what somebody else did somewhere, but not discussing PAC you know, all these things. I mean that is all what I can say. Our past experiences, some of .. (intervenes)

You had time to discuss your past experiences when you visited him. -- Not much you know, not much, just referring to a few instances.

And then when was this first occasion? -- This first occasion I think if I am correct it was in the beginning of 1975. (10)

And the second occasion? -- The second occasion it was about towards the middle of 1975.

And on the second occasion why did you not beforehand arrange an appointment with Sobukwe? -- Well, I went there again accidentally because I accidentally met Mzileni and when he spoke I was together then he promised that he was going to make some arrangements that we should go.

And you went down with Mzileni to him. -- Yes.

Only to find out about his ailing health. -- Well, and also about congratulating him on his lawyer .. (intervenes) (20)

Becoming an attorney. -- Ja.

Was that the only purpose you travelled to ... -- Yes, there .. (intervenes)

The long road from Johannesburg to Kimberley. -- Yes, especially his health.

His health? -- Yes.

But why didn't you phone him to enquire about his health? -- Well, as I say we never just kept you know that is now correspondence and phoning and so on, but here again there was an opportunity there and I got somebody now who was going (30) to Kimberley.

And/...

And you did not even make certain before you went to Kimberley that he would be there? -- No, the same as the first occasion well I do not think I would make arrangements.

But isn't it that you were actually going to him in secret? -- No.

To go and discuss certain important matters relating to the PAC? -- No.

You deny that? -- I am denying that.

You must have been very great friends with Sobukwe. -- We were, we were. (10)

To have taken all the trouble also on the second occasion. -- We were. Not only Sobukwe, even the families are great friends.

How did you know about his admission as an attorney? -- Oh, well, we read from the newspapers.

Newspapers? -- Yes.

And you did not pick up the telephone to congratulate him? -- Well, I hardly knew his telephone really but I did you know care.

BY THE COURT: Do you say you did not know his telephone number? -- No. (20)

MR HAASBROEK: And on the second occasion did you mention anything about the PAC when you conversed with him? -- No.

Not a thing? -- Not a thing.

The only thing you did was to ask him about his health and to congratulate him on his admission as an attorney. -- Yes, I asked him about his health and we would talk about his admission and further of course he also contributed. He told me that in the first instance about his health, he revealed something to me that he was towards the end of his term on Robben Island was poisoned by the police. (30)

Poisoned by the police? -- Yes, and he said now Zeph you are the only man, one day you will be able to tell the world. Then in fact when he did that, he gently - I mean his outlook really, I mean his face and all you know, it was the first time I had seen Sobukwe in that mood, but after he had told me that he now relaxed again.

And he died of cancer. -- No, I mean that is what he told me I mean. Then secondly we discussed again he told me that now his principal wanted him to form partnership together with him but he was reluctant to do it and I also discouraged (10) him from doing it.

But what did you have to do with that? -- With the partnership?

Yes. -- Well, he was my friend, he was taking - I mean he wanted my opinion on it.

When was the last occasion? -- It was about July, round about there.

I have got here a register which was kept by Mr Laher with your handwriting appearing there on the 22nd July, 1975. Did you sign a register when you - at the top of the page. (20)

-- Yes, there it is.

Is that the book that you signed? -- Well, I do not know whether it .. (intervenes)

But your signature is there. -- Yes.

So it must be the book. -- Yes.

Did Mr Sobukwe visit you at your house at Orlando? -- No.

On no occasion whatsoever? -- On no occasion.

Do you know a man called Maphetla Mohapi? -- Well, I have heard about him.

Did he not also tell you that Sobukwe wanted to see (30) you? -- No.

At Hammanskraal in June, 1975? -- I did not - I have not -
no.

You deny that? -- I deny that.

Now, on the second visit why did you have lunch at Laher's
house? -- Well, Mr Sobukwe had arranged for it.

Was there not a special reason for that? -- No, there was
no special reason.

And did I understand you correctly that Sobukwe had lunch
in a separate room? -- Yes.

But why was that? -- Well, he was a banned man. (10)

I beg your pardon? -- He was a banned man.

BY THE COURT: He could not have social gatherings.

MR HAASBROEK: Not even with one person? -- Well, we were many
there in the diningroom you see, it was myself and Mr Laher and
the wife .. (inaudible)

Now that Indian, Mr Laher, were you suspicious of him? --
No.

This was testified by Mzileni. He said that you were
suspicious of the Indian. -- No, I was not suspicious but I
did not know him to start with. (20)

I beg your pardon? -- I did not know him to start with.
I mean I did - I just - I had hardly made acquaintance with
him.

Did you not at one stage when Mr Laher was away, go with
Robert Sobukwe outside into the yard of the house? -- No, from
there we drove out with Mzileni back home. That was after our
lunch.

You see, Mzileni testified that on page 774 at the bottom:

"It was during that time when the Indian
was away, that No. 1 and Mr Sobukwe went (30)
outside into the yard. The Indian later

came/...

came back, my car was being driven by the Indian's driver."

What do you say of that? -- I did not see that incident.

"We then took Mr Sobukwe to his office and I came back with accused No. 1. Accused No. 1 said to me he does not trust this Indian because he wants us to sign a house register."

-- To start with, we did not take Sobukwe back to his office. We drove straight from there for Johannesburg. (10)

And he added:

"He was suspicious that the Indian was following Mr Sobukwe."

-- No.

You deny that? -- I deny that.

You made use of Mzileni to convey you to Robert Sobukwe on two occasions. Is that correct? -- I did not make use of Mzileni to convey me. For the first time it was Thloloe who was responsible for my going there, Joe Thloloe.

Yes? -- Even for the second time when we met there, (20) I asked him when will you be going to Kimberley again.

BY THE COURT: Who? Joe? -- No, I met Mzileni there. Then I was thinking of them going there as a team for their assignment. Then he said now, I will find out from the office and so he took me there. So I had Joe - I was thinking ..

(intervenes)

MR HAASBROEK: He was willing to assist you. -- Well he came and he took me so I mean.

Yes. And he was also a man who was a reporter of Drum.

-- I think he was a photographer of Drum. (30)

Yes. -- Yes.

And/...

And as such he was in a position to move freely around the country. -- Well it is obvious, yes.

Did you not use him for other purposes as well? -- No, that was the last time I met Mzileni.

You never saw him again? -- Until I met him here.

THE COURT ADJOURNS.



THE COURT RESUMES ON THE 9th APRIL, 1979.

ZEPHANIA MOTHOPENG: still under oath:

FURTHER CROSS-EXAMINATION BY MR HAASBROEK: You testified on Friday that Robert Sobukwe had told you that he was poisoned by the police on Robben Island. -- Yes.

And he asked you to tell the world about it. -- Yes.

Was that all that you had discussed with him in this connection? -- And the fact that he was asked by his principals that they should form a partnership.

But you did not ask him any further particulars about (10) this alleged poisoning? -- We did not go into - we did not have much time to go into it all but he told me that because we were moving along as we were going to his home.

But you were the man who had to make it known to the world. -- Yes.

Why didn't you ask him? -- Well, I did .. (intervenes)

.. ridiculous. -- I did, I did, but well there was not much time to explain everything. He just said they poisoned him.

It is a well known fact that he died of cancer. -- I (20) am just stating here what he told me.

Now, Enoch Ngomezulu testified about a cell committee on the island. -- I heard that.

Consisting of five members. Do you agree with that that there had been a cell committee? -- Yes, there was a cell committee.

And that was more or less for the purpose of taking care of discipline. -- Yes.

Is that correct? -- Correct.

He testified that this committee had to look after the (30) discipline of the PAC members. -- It is not correct. I am not aware/...

aware of that. I do not think it is correct.

And then there was also a disciplinary committee according to him. Did you know about that? -- No.

Well he even supplied the names of the members of the committee. Ntwasa, Zixeshia (if my pronunciation is correct), Mokoena, Ghani and Jantjie. -- During my time they were not there I mean that committee was not there.

And there was then eventually also a national executive committee according to Ngomezulu - no, I am sorry, this disciplinary committee was responsible to the national executive committee. -- I am not aware of it. (10)

But you had been a member of the national executive committee. -- Outside, yes, I was a member of the national executive committee. Before I mean in the sixties I was a member of the national executive committee.

And then on the island was also a lecturing team, a team giving lectures. Do you know anything about that? -- In my cell there were no lecturing teams.

They had to lecture about the aims of the PAC and about capitalism, socialism and communism. (20)

BY THE COURT: Let me just get one thing clear. Were you in one cell all the time? -- Yes, until I left.

Until you went to hospital? -- Until I went to the hospital.

Well that is not quite right. You were first in one cell called .. -- It is the same cell. It was a matter of changing the .. (intervenes)

I see, the name was changed, the name of the section was changed. -- Yes.

MR HAASBROEK: Now according to Ngomezulu the lecturing team had to visit the cells for these lectures and every (30)

member/...

member of the PAC was thoroughly schooled on PAC history. --
In my time or in my cell I did not experience that.

And according to him it was very easy to change positions with one member from a cell and to go and lecture in another cell. -- Well I stated my position in this court.

You deny that? -- I deny that.

And he also mentioned the inner core which was a secret body on the island. Do you know anything about that? -- No.

And there was also a task force on the island. -- No, I know nothing about those. (10)

And do you know anything about the split between two groups of prisoners there on the island? -- I must say that I was fortunate because during my time there was no split, people were more or less on working conditions until I left, until December, 1964. I mean there was I did not experience any that is misunderstanding among the members of I mean when I say members I mean prisoners, political prisoners.

Were you a supporter of Selby Ngendane? -- No, it is not true.

According to Ngomezulu he said more or less the following: (20)

"Zeph Mothopeng arrived in June, 1964."

That is correct? -- It is about that time more or less, June/July.

"He gave his full support to Selby Ngendane's administration."

-- I did not, I had nothing to do with Selby.

And he said that Zeph and Selby gave lectures. -- I did not give lectures with Selby at no stage did I do that.

And according to him Zeph actually discouraged the opposition to Selby Ngendane. -- I never addressed anybody (D)

or talked about the position because it was not there during my time, I did not observe it, I did not experience it.

So according to you these matters were sucked from his thumb, that is Ngomezulu? -- Well, I do not know where he got them from.

BY THE COURT: And I think you gave talks, did you, on Pan Africanism and those sort of matters. -- But you see ... (inaudible) ...

I quite ... (intervenes) ... -- .. yes, I did I mean .. (inaudible) (10)

Matters you felt were important. -- Yes, general I mean discussions you know on topical question of the time and so on but these just arose I mean on that occasion in my cell that one day I spoke on Pan Africanism, but there were no organised talks by PAC, we were just cell members, there were very many ANC people too in my cell.

MR HAASBROEK: But Pan Africanism was also an integral part of the policies of the PAC. -- As I pointed out previously that Pan Africanism was not the sole property of PAC, it was not PAC property only. (20)

But you were all old supporters of the PAC. -- Not all in that cell, we were members of various organisations who were arrested there.

But mostly members of the PAC were in the same cell. -- admit
Well, they were - I would/that there were more PAC members because PAC - I mean those who were PAC members were more were arrested, they were in the majority in Robben Island.

Do you know anything about a fist fight on the island?
-- No.

Among the prisoners? -- No, it did not take place (30)
during my time.

According/...

According to Ngomezulu a small group decided to remain loyal to Selby Ngendane and this group then formed the disciplinary committee. -- I think if there was such a thing, it must have happened when I had left but during my time nothing of that kind did happen. In my cell it was orderly until I left.

And do you know anything about a coordinating committee?

-- No.

And an administrative committee? -- No.

According to Ngomezulu that was the last committee (10) which was formed on the island.

BY THE COURT: Well, he would not know about that.

MR HAASBROEK: You know nothing about that. -- No.

And you were together on a train with Ngomezulu eventually after your release. -- Yes, some time towards the end I think of 1974 if I am not mistaken.

And that was between Soweto and Johannesburg. Is that correct? -- Yes, to be precise, between Phefeni and Park Station, Johannesburg.

Was that only the one occasion? -- The only one (20) occasion.

Did you ever look for two reliable people with passports to act as your couriers? -- No.

And were you visited by Ngomezulu at your home? -- No.

Never? -- Ngomezulu has never visited me at my home.

So this information was sucked from his thumb then according to you, it was a fabrication. -- I do not know where he got it from.

Well, he said it was towards the end of March, 1975. -- No. (30)

And were you visited by him during the course of April the/...

the same year? -- No.

He testified that you had reported that Sam Malinga had reported from Swaziland that Mozambique authorities had asked the PAC to suspend their program for sending recruits for a certain time. -- No, I never heard anything like that.

And he also visited you in April, 1976. -- No, it is not true.

That is not true. -- No.

And you discussed a visit which you had received from Saki Mafatshe. -- It is not true. (10)

And according to him you gave three instructions.

BY THE COURT: Sorry, I just want to get myself orientated. He is called Mafatshe, he is called Saki. I just want to get my mind on him. He is the one who .. (intervenes) .. and he came to see people during December, 1975.

MR WILSON: Yes, he met accused No. 4 at the shebeen, that is the man.

BY THE COURT: That is the one we are talking about. You do not know him. -- I do not know him at all.

Have you never met him? -- No. (20)

Not at all. -- But I heard he was on Robben Island.

He was on Robben Island. -- During my time I learned he was there but I never met him.

You do not know this Saki, this Mafatshe at all? -- I do not know him and I never met him at all.

MR HAASBROEK: So it follows then that you had not given him three instructions as alleged by Ngomezulu. -- Correct.

Namely that he should base himself in Lobatsi and that he should forward a complaint to the PAC headoffice in Tanzania about radio broadcasts in connection with the PAC and thirdly that the headoffice of the PAC should end the split/... (30)

split in the PAC abroad. You know nothing about that. --
Quite correct.

And Saki never visited you at your home. -- Quite correct.

Because Ngomezulu testified about an occasion early in
1976:

"Zeph was shocked to see Mafatshe at his
home."

It is all a tissue of lies according to you. -- Yes.

And you never chased Saki Mafatshe away. -- He never
came to me. That is correct. (10)

As alleged by Ngomezulu. -- Quite correct.

And did you send Mike Mzileni to Botswana to look for
Solly Ndlovu? -- No.

BY THE COURT: Let me just get this. Mike ... -- He is the
photographer.

The photographer. -- Yes.

And he worked? -- I do not know, I think for Drum or
some other.

MR HAASBROEK: Drum.

BY THE COURT: Drum. That was Mike. And he is the one (20)
who said that he would be able perhaps to take you to
Kimberley. Is that correct? -- Correct.

But you never sent him with any messages or anything
like that to either Swaziland or Botswana. -- Quite correct.

MR HAASBROEK: And according to Ngomezulu all the lectures
on Robben Island were to indoctrinate the prisoners there,
the members of the PAC in the aims and objects of the PAC and
also to prepare them for the revival of the PAC after their
release. -- It is not correct. At least those that I ..
(inaudible) .. had nothing to do with that... (inaudible) (30)
members of the PAC.

And/...

And Joas Mogale also testified that you had given ...

(intervenes)

BY THE COURT: Sorry, can I just ask. Did Michael Mzileni give evidence in this court?

MR HAASBROEK: Yes, he did.

BY THE COURT: For the State.

MR HAASBROEK: Yes, M'Lord.

BY THE COURT: Yes, he is the one who said he went down to Makwanazi and Joe Moabi.

MR HAASBROEK: Yes. And even Joas Mogale testified in (10)
this court that you had given lessons on PAC policies on the island. -- No, it is not correct.

Do you know him, Baker Joas Mogale? -- Yes, he was in the same cell.

Did you see him subsequent to your release? -- No.

BY THE COURT: Was he also at Robben Island? -- Yes.

MR HAASBROEK: And he testified about a split in the PAC on the island between the Makwetu group and the Ngendane group. You disagree with that. -- As I have stated, during my time it was not there. I do not know what happened later. (20)

When you were there, there was nothing. -- There was nothing at that time.

BY THE COURT: Joas ... -- He is the man who said he was working for the bank in - I mean for the African bank. Do you remember?

That is right. -- Yes, that is the man.

And for the African Chamber of Commerce. -- The Chamber of Commerce, that is what I mean.

I have it now, yes, thank you.

MR HAASBROEK: And Joseph Mogashoa who testified against (30)
you, do you know him? -- I do not know him.

BY THE COURT: Just a moment, this Mogale did you know him before Robben Island? -- No, I did not know what he was.

He is a Pretoria person, is he? -- Well, his parents are from Pretoria. I know his parents.

You knew his parents? -- Yes.

But did you know him before? -- No, I met him on Robben Island.

MR HAASBROEK: Joseph Mogashoa. -- I do not know him.

Is he a stranger as far as you are concerned? -- He is a stranger to me. (10)

You never saw him on the island? -- No.

You see, he testified more or less the following:

"I came across a man called Zeph Mothopeng.

I did not know him but changed cells with

him when there were discussions about PAC

and ANC policies."

-- That incident never took place because I never changed any cells.

And he mentioned the two leaders of the PAC on the island as being Selby Ngendane and Zeph Mothopeng. -- It is (20)
common cause that we were leaders of PAC when it was operating
I mean .. (intervenes)

BY THE COURT: Were you, you mean you were the two senior people before you had been arrested? -- Yes.

Selby and yourself. -- And myself.

From the national executive. -- Yes, so that that was common knowledge there this of my name by people there.

MR HAASBROEK: And he also gave a description of the cell committee and the inner core and the disciplinary committee.

You disagree with that. -- During my time there was only (30)
a cell committee. I did not observe these others because

if there was a disciplinary committee we had during my time nothing and there was no occasion where it had to work so that probably it would have been the time - but as far as I was aware there was no disciplinary committee.

BY THE COURT: When did Selby arrive? -- He arrived early in 1963 I think - I am sorry, towards the end of 1963.

MR HAASBROEK: When you met Selby there was he a friend of yours on the island? -- Well, we knew each other with Selby, we had been together for a long time.

And were you ever seated with Selby in the quarry (10) discussing matters? -- Selby was working with a different small little span which was actually digging out the stones which we were crushing. So we could never sit together because I was crushing the stones and he was far away from me.

And what about dinner times? Did you sit together? -- Well, we sat together, we mixed freely, we mixed freely.

And after working hours also? -- Well, we were in the same cell.

And John Moeketsi Mohapa do you know him? John Moeketsi Mohapa who also testified for the State. -- Mohapa? (20)

Mohapa. -- Yes, I know him.

Do you know him well? -- I know him from 19 - we were in the same - that is now we were arrested during 1960 together.

And were you on friendly terms with him while you were together the last time? -- Those were younger men you know so that now really I would not form such good friendships with them. I do not know whether it .. (inaudible) .. you know among Africans those are just my children.

I appreciate that. According to him there were lectures on the PAC on the island given by Ngendane and Mothopeng. (30)

You deny that also? -- Yes.

You/...

You never discussed anything ... -- I have never given a lecture anywhere. There is only one topic or I mean ... (intervenes)

.. Pan Africanism. -- Which I made on Robben Island.

Now according to Mohapa you did give a lecture on Pan Africanism. He described it Pan Africanism compared with Communism. Did you do that in your lecture? -- No.

And did you ever say that the PAC was following the Pan Africanism as mentioned by Nkrumah? -- No, I would not say I mean that is a well known fact I mean it is common (10) knowledge if you talk about PAC well it is common knowledge. I would not say I do not know whether during my time in my cell I did mention that, but I do not think I mentioned such a thing because we were talking generally.

And he continued:

"Pan Africanism will be the ideology to prove the division between the Western Bloc and the Eastern Bloc"

according to Mohapa that is what you had said. -- I only spoke about Pan Africanism in my cell. (20)

And you added more or less the following:

"We must try our best not to allow communism."

-- Well I do not know if I would say that, I do not know, because .. (intervenes)

Don't you remember? -- Because Pan Africanism is really not competing with communism or anything, it is an ideology on rights, so it projects itself as such and it relies on its own merits to succeed.

But were you in favour of communism or were you (30) against it as part of your policy of the PAC? -- I believe

in Pan Africanism strongly and communism it is one of those ideologies.

How does it fit in with your Pan Africanism or the policies of the PAC? -- Well communism is, as I say is an ideology and ideologies they are fundamental, they are based on fundamental principles so that now it would not be true and even any intellectual would not be true to himself when he says now there is an ideology which rejects everything as which one ideology stands for because these are human that is the ideas, modern ideas. But as I say Pan Africanism is nothing to do with (10) communism as such.

And he added more or less the following:

"Mothopeng said we must be prepared even the day when we are released to fight for the PAC."

Did you ever say such a thing? -- No.

Now, I wish to refer you to the evidence of Silas Ntengo.

Do you remember him? -- Yes.

And according to him some of the people arriving on the island were still very young, they were ex-members of POQO. (20) Is that correct? Was that the case? -- Yes, there - we had young people, we had old people, there were many.

And he referred to accused No. 1, that is you, and he pointed out to you as 'my leader'. -- As I said that is common knowledge and he was there during the inception of PAC.

BY THE COURT: Is that Silas? -- Silas.

Did you know him before ... -- He is from Orlando West but Orlando West No. 2, yes, I know him.

But did you know him before you went to the island? -- Yes, he is a man of Orlando. (30)

Who was he? -- He is a short man, towards the end he was here/...

here, almost of the order of - I mean but oldish.

What is he doing now? Can you remember? -- No, I do not know if he was working.

MR HAASBROEK: And did you meet Pascot Vakaliza? -- Yes.

Did you meet him on a train? -- Not on a train.

Never on a train? -- Never on a train.

Well he testified that he had met you in the summer of 1974/75 on a train between Johannesburg and Soweto. -- It is not true.

BY THE COURT: Did you know him before you arrived on (10)
the island? -- Yes, I knew him. We were together with the arrests in 1960 and I met him at No. 4 then I also met him on Robben Island.

MR HAASBROEK: And you say that never occurred? -- No.

And there was no conversation between the two of you about the PAC? -- No. The only time I met him it was at my home when he had come for I think an invitation card.

For a wedding? -- For the wedding.

BY THE COURT: Was that your daughter's wedding? -- No, his (20)
son's wedding.

I got confused. Wasn't there a wedding at your place? -- Yes, mine was much earlier. My daughter married quite earlier, it was still in the seventies.

There was a wedding at your place? -- It was, yes, there was a wedding at my place.

MR HAASBROEK: Pascot testified on page 458:

"Accused No. 1 is still my friend although

I give evidence against him."

-- I did not hear that.

"Accused No. 1 is still my friend although (30)

I give evidence against him."

-- I mean we are ordinary friends because we know each other, in that sense I mean ordinary friends, we did not quarrel, we are ordinary people, we just meet as ordinary people, but not to say now he is a good friend or anything, he is my friend, ordinary friend to me.

And referring to the evidence of Mike Mzileni, there was a discussion with you and he arrived at your place and you wanted to send him to Moabi in Swaziland. -- That never took place.

And according to him you mentioned a password, more (10) or less the following, stamp your - when he ... -- (intervenes - inaudible) ..

.. Moabi there, stamp your foot three times and say the kettle is boiling. -- No, it is not true.

BY THE COURT: Do you know Moabi? -- Moabi was arrested in 1960 with us.

That is Joe Moabi? -- Joe Moabi.

And Makwanazi? -- I do not know Makwanazi.

MR HAASBROEK: And according to him he went to Swaziland and he brought a message in return for you, accused No. 1, (20) about 30 girls for special duties and apparently they were needed there, they had to be sent through to Swaziland. Do you know anything about that? -- No.

BY THE COURT: Did you ever on your trips to Kimberley with Michael, while you were discussing going to Kimberley or coming back, did you have occasion to discuss Joe Moabi? -- No.

MR HAASBROEK: And did you know anything about Solly Ndlovu in Botswana? -- No.

Mzileni mentioned that you had said that where you were employed with the South African Council of Churches, you (30) would be able to obtain funds. -- I never said such a thing.

In the first instance I was never employed by the South African Council of Churches.

BY THE COURT: Wasn't that (intervenes) .. -- No, well, he said it was part of as we were going to Sobukwe. I think if I am not mistaken.

Was the South African Council of Churches involved in St Ansgars? -- It was not involved as the one which gives us money I mean in that, it was just one of the donors you see. I would not but the way he put it here it is as though now I was employed by them and I was raising money from the (10) South African Council of Churches, if I am not mistaken. That would not be the position.

MR HAASBROEK: Were you satisfied with Radio Tanzania? -- I never heard it.

You never heard what was said by Mzileni? -- No, I never heard - was I satisfied by Radio Tanzania, I am just replying to that question.

You never heard it? -- No, my radio set well does not in fact was not working very well for a long time.

And you also listened to the evidence of Dorcas (20) Mosweu. -- Yes.

And she overheard you there at the time saying more or less the following to the woman Hazel. Was that the woman who was with you there during the tea? -- Well, I do not know Hazel, well there were many people we were talking to as we were going to tea. I do not know Hazel.

And you had said more or less the following, that you would not repeat the mistakes of the sixties, this time all people should be organised, youths, adults, men and women.

-- As I said the other day that I did not remember this (30)

- particularly remember this incident but I pointed out if

it did happen, it might have been I was discussing - if she heard me probably mentioning about organisation and in particular in the sixties it might have been in connection with the work that I was doing at the time, because I had had some experience of organising for funds during that time and my experience was that now there was an old community that is now St Mary's where ordinary people you know they were told, children and old - their grandmothers and so on, and that is their project was the most successful.

Did children have anything to do with your fund raising? -- Yes, they did. (10)

In what respect? -- Well in that way they did you know because now they visited the homes, they took messages, errands and so on.

And Adam Kunupi is he unknown to you? -- I do not know him.

Because he testified about an occasion towards the end of May, 1976 with accused No. 15 and No. 13 present and also accused No. 17, accused No. 18 and then there were about five other people. Do you remember that piece of his evidence? -- Yes, I remember. (20)

And he referred to three adults being present and No. 13 said that they had been the leaders from Soweto. -- I was not there.

You were not there. -- No.

And according to him then you had stood up and you informed them to organise riots, stay-aways from school and to destroy government property in order to cripple the economy of the country and the date would be sent when the youths in Kagiso would start with all these. -- It is not true.

BY THE COURT: Just something I wanted to ask you yesterday. (30)
Just think back to the last quarter of the year of 1975. --

1975, yes.

You were appointed to your position in 1974. -- 1974, yes.

Now, Moruri was dismissed, left in August, 1975. -- 1975.

That is right, is it? -- Yes.

Now do not get confused. Am I right, 1975? -- 1975, yes.

Now, in the last quarter of 1975 did you discuss with No. 13 in any way the formation of an organisation which eventually became known as YACM? -- I did not discuss that well

I had received - whatever I reported there I was covering ..

(intervenes)

(10)

I only want to know. -- No, no, no.

Had you discussed with No. 13? -- No.

Not with anyone else. With No. 13. -- No.

Are you quite sure? -- I am sure.

Now do not get confused and do not answer to quickly. --

I see.

In the last quarter of 1975. -- No, I do not remember.

Do I understand you that what you knew or heard about this organisation, this youth organisation, you had obtained or received from Moruri? -- Moruri, yes, and it was discussed you know generally, it was not only Moruri only I mean by that time I was moving around among the people who were what can I say now I mean who were involved in these activities, so that now there was common discussions about some of these things.

(20)

No, I am only interested in the youth organisation. -- Yes, that is what I am saying because now even the youth organisation at that time you know it was being organised, reported in the newspapers I think and then if I am not mistaken now .. (intervenes)

(30)

All I want to know is did you get what you have told me

or/...

or what you told the people in Switzerland or Holland, and I understood you to say you got that from Moruri. -- Yes.

Not from Mike. -- Not from Mike.

Can you give me anyone else's name with whom you discussed the formation of this youth organisation except Moruri? -- Letseleha was .. (intervenes)

Hippo? -- Hippo generally we met quite often with Hippo, yes.

Is he another one that comes to mind? -- He is another one who comes to my mind, yes, he was involved. (10)

Hippo and Moruri. -- Hippo and Moruri, yes.

MR HAASBROEK: Now, Papuis Seroka also testified against you. Is he also ... -- I do not know him. It is not true.

What he said was not true? -- It is not true what he said. I heard what he said.

What he said was more or less the following: on that occasion of the second meeting at accused No. 13's place:

"No. 13 introduced Zeph (accused No. 1).

No. 1 said the riots would take place and the alarm would be given. There would be stay-aways and they would let the economy crumble and they would make the White man listen to the Blacks." (20)

You never said a thing like that. -- It is not true.

And even a week after the riots there was a meeting addressed by Mike with you present. -- It is not true.

And there the general strategy was discussed and military training, etc. You do not know anything about that. -- No, I do not know anything about that.

But can you suggest why these people who did not even know you, would come and fabricate all sorts of stories with/... (30)

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