

N. NIKOMO

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

79
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CASE NO. 18/75/254.

DATE: 4.5.1976.

In the matter of:

THE STATE

vs.

S. COOPER AND EIGHT OTHERS.

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LUBBE RECORDINGS (PRETORIA).

THE COURT RESUMES ON 4th MAY, 1976.

STEVE BIKO (Still under oath)

EXAMINATION BY MR. SOGGOT (Continued): Mr. Biko, I wonder whether you could not turn to the origin and formation of BPC. We covered the starting point yesterday when you told His Lordship about a SASO executive meeting at Fort Elizabeth which took a certain resolution? --- That is right.

Would you tell us what that resolution was? --- Well, it was mainly a resolution mandating the executive to send a team to consult with several Black organisations throughout the country, with a view to increasing the level of coördination amongst the various organisations that existed within the Black society. I think yesterday I named some of the organisation. (10)

You named some of the organisations, that is correct. Who, if you can remember, was present at this executive meeting? --- The SASO one?

That is correct? --- It was Barney Pityane who was president, Linele Mabandla who was in the tenure of vice president, Charles Sibisi who was in the tenure of vice president, myself, I was publications director at the time. There was a man called Job Matwinjana who was cultural affairs director. There was - let's see now .. that is all I can remember now. (20)

Alright, now subsequent - perhaps before I take you to subsequent events what was the thinking underlying the moving of that resoltuion, if you would just pause and give us your reply of the position please? --- I think it stems from what we regard as totality of involvement, with the Black community. By this we mean that Blacks must be able to offer for themselves the kind of services they need in various areas affecting them. Be it in the field of culture, education, student leadership, religion, /... (30)

religion, and if you like even politics. Now we felt that we had as students a valuable contribution to make to stimulate this kind of positive thinking within the Black community. And we also felt that there needed to be a certain level of coördination, consultation, and sharing of views amongst the various Black organisations. Our view is that if you are in a voluntary organisation as the Black man, you are there really not for yourself but on behalf of a number of people within the Black community, and that if we make this a shared effort it has the result of planned growth of the Black community in a prescribed direction. (10)

Can you just indicate whether at this stage already the thinking was in the direction of forming some sort of organisation, whatever its structure might be? --- Right. I think SASO foresaw the possibility, without wanting to ram it down the throats of the various organisations, of some kind of consultative organisation in which all the organisations representing various aspects of the Black community could be represented, and in which they could share their views and we should act also as some kind of guardian of standards, of performance for each particular organisation. (20)

What do you mean by guardians of standards of performance? --- Precisely what I said earlier on, that when people do get into an organisation they are performing on behalf of the Black community so to speak. If you are an organisation of ministers for instance, you are there on behalf of many many people who are Christians within the Black community. So that what you want now to do in the consultative community is to make sure that you challenge anything which you feel is not in the interests of Black community, and let them defend it. (30)

Yes, bearing/...

Yes, bearing in mind that later on we know that the proposal was to form what was described as a super cultural organisation? --- Yes.

Had that idea crystalised yet? --- I think only the rudimentary idea of that.

Only the rudiments, thankyou. Would you carry on, was anything done then in pursuance and in execution of that resolution? --- Yes, in the first few months of 1971 a delegation was formed by the SASO executive comprising people like Barney Pityane, myself, Mabandla, and as I said yesterday I think (10) Aubrey was also - yes, he in fact definitely was put into that organisation.

Accused no.4? --- That is correct.

ASSECA

Is that Aubrey? --- Yes. Now this delegation then went to see several organisations, we made one trip to Johannesburg for SASO because a number of little organisations are based here, namely Idamasa, Aica, Afeca.

Yes? -- We also had on the programme then a side-issue to tackle with Nusas. We wanted to settle some basic student problems that was there between Nusas and SASO. (20)

Whatever it is you then had a bi-lateral discussion? --- That is right.

And what was the subsequent development? --- Well, I think out of these several bi-lateral meetings it was decided in principle that SASO would leave further handling of the negotiations to Idamasa (Intervention).

That is the Ministers' Association? --- The Minister's Association, yes. And Idamasa was supposed to call a consultation amongst the same organisations and others that it saw fit to call, to a conference you know, wherever the venue would be. (30)

Now I/...

Now I would just like clarity on that. Was the idea at that stage that SASO would then fall out of the picture? --- SASO would feature as an organisation.

As an organisation? --- But they would not do the calling of other organisations to the meeting.

The initiative being left to..? --- To Idamasa.

Good, then did Idamasa do anything about this? --- Yes, we received an invitation to attend a consultation at Bloemfontein. I think this was some time in April of the same year, 1971. We sent along Barney Pityane and Vuyelwa Nashalaba. (10)

Is he a doctor, the latter person? --- She is a doctor.

And they went along and what was reported? --- Well, they reported that at least they had reached concensus on the idea of a consultative organisation and they had also set up some kind of ad hoc committee to call a further meeting of the same organisations, to explore possible lines of consultation, in other words to look at the issues a little bit deeper to get people to motivate and speak on the various aspects affecting Black people, at a subsequent conference.

Would this then be the first ad hoc committee which (20) eventually after various metamorphosis in BPC? I just want to get the ... --- In a sense, genetically yes.

And was a name given to the proposed conference? --- They decided to adopt the name National Organisations Conference.

And when was that to meet? --- The first meeting they envisaged was to be some time in August at Elendale, Pietermaritzburg, My Lord.

Now what happened at the August meeting? First of all, were you there? --- Well, I was no more in SASO then but I had been invited to this meeting to speak on some topic relating to (30) African/...

African cultural concepts.

Was that your topic? --- That was my topic, yes.

Yes, and would you tell us what was decided at that meeting?

--- I would have to see you know the Minutes to remind me really.

I think My Lord it is LL. Was this at Edendale? ---

Edendale yes, August.

I wonder if he can be shown LL, please. Now those purport to be the Minutes of a meeting. Are those the Minutes of the meeting you are referring to? --- That is correct.

Have you seen this document? --- I can't remember if I have seen it before. (10)

Well, there is a reference to you on page 1. --- Yes, I can see that.

Concepts

"Conflicts of African Society"? --- Yes.

Is that in fact what you spoke about? --- Well, the topic was some aspects of African culture, it was the correct topic, yes.

May I ask you to turn to page 5, please, of that document, about the last quarter of the page, where it says : "In the discussion that followed it was pointed out by the conference that ..." ----- "It was pointed out by the conference (20) that (a) violence was not the answer to our political struggle. (b) Demand for more land should be intensified. (c) Our attitude to the policy of separate development should be made clear. (d) It is difficult to see how one can reject the policy and yet operate within its framework without confusing and misleading the masses that look upon you as their leaders. They will tend to think that it is a good policy because their leaders has accepted it in practice. The masses are normally not concerned with the ideological analysis and minute fineries. (e) Those (30) working/...

working outside the system does not necessarily constitute an opposition to those working within the framework of the system. They may become a?.. to those working within.

(f) The process of Black Consciousness and Solidarity does not exclude but includes all Blacks, those within and outside the Government structure of separate development.

(g) We cannot regard the System as an answer to our political future as long as it is based on ethnic grouping and the principle of divide and rule. (10)

(h) The African political future lies in Black Solidarity and unity of purpose."

Now the first question I want to ask you, does this reflect as far as you remember what was said at that conference? --- Yes, this reflects the series of conclusions arrived at after the presentation by Chief Gatsha Buthelezi of his paper.

What was the main thrust if I might use that expression, of Chief Buthelezi's speech? ---Well, he spoke on the political future of Blacks as far as I can remember. He certainly spoke (20) on the political future of Blacks.

BY THE COURT: He is no.6 on the agenda. Now I see your name appeared just below his? In brackets. Now what is the name in brackets? --- The procedure at the conference was that to each speaker there would be a main respondent who would highlight the points made by the speaker, and focus discussion around important issues in the speech to avoid a loose discussion. So I was appointed to respond to Chief Gatsha Buthelezi's speech. And of course the essence of his speech was in essence an attempt to say to the meeting there is no need for any operation except (30) a considered/...

a considered support for what he regarded as well-motivated people within the separate development policy, and I think he Ndamse mentioned specifically himself and the late Mr. C.M. Sidamse?

MR. SOGGOT: Well, have a look at page 5 where it starts of saying "Today"? --- Yes.

"Chief Buthelezi stated that some Africans and some African leaders of various African ethnic groups accept the policy of separate development. They believe that it was a solution to the problems of co-existence of all race groups in South Africa. He (10) was the odd man out because he did not accept the policy yet he operates within its framework with clear conscience because "my people were compelled to comply with it". He does not see what else could be done."

Now does that correctly reflect part of what he said? --- That is correct, yes.

And did the house go along with that expression of opinion? --- No, not at all.

Mr. Biko, what I wanted to deal with is this. Bearing in (20) mind the eventual outcome of - at the Donaldson Centre, you indicated to His Lordship that the idea was to have a - as it were a liaison or a sort of super cultural organisation? --- That is correct.

How did it come about that these political themes figured so largely at this Edendale conference in 1971? --- Yes, I think this was per mandate from the Bloemfontein meeting. The ad hoc committee was asked to examine the areas of concern in which the various organisations were working and it had to be I think that any fear affecting Black people had to reflect a strong political (3) complaint/...

complaint precisely because a lot of the problems have got essentially a political root.

If I may put the question bluntly, was SASO or were SASO members responsible for - in any way for the introduction of the political thinking or political contents of this meeting? --- No, SASO was represented certainly on the ad hoc but the main ASSECA planning was between Idamasa and Afecca who were based here in Johannesburg and who did all the invitations and the decisions on what areas were to be covered and who should speak. I was the only SASO speaker at that meeting and certainly all the (10) speeches that were given reflected essentially a political grumble drumble within the Black community.

Yes. --- And I think the most overtly political speech came from Chief Gatsha Buthelezi who also realised the problem and pointed to it as being essentially political. And he was not invited by SASO, at that time anyway could not be invited by SASO.

Yes, then ... (Court intervenes).

BY THE COURT: In fact were these Movements, if I may call them that, were they not primarily involved with culture, weren't they (20) cultural organisations? --- Some were educational, some were cultural, some were religious and there was - some were of course a number of quasi-religious like Y.W.C.A., Y.M.C.A. and then there was a senior -- a senior organisations platform.

MR. SOGGOT: Can you perhaps try and recollect what other organisations were there? You have mentioned AECA, Idamasa, Afecca, AICA, ASSECA, Y.M.C.A. --- Y.W.C.A. I would not remember the others.

You won't be able to remember the others? --- No.

Would you indicate to us, bearing in mind the initiative was left in Idamasa's hands, who were the people in this organi- (30) sation/...

organisation and what was this organisation about and what was its connection with SASO? --- Which one? Idamasa?

Idamasa? --- Well, Idamasa is an association of Ministers, Black Ministers, in this country. It has direct affiliation by individuals to the organisation. It does not have church affiliation, and as such it operates like a Ministers' Fraternity. As far as I know, the operation, what they basically concern themselves with is pastoral work and the significance of pastoral work, and how pastoral work should be conducted in a situation like this particular one. They all (10) belong to churches which are affiliated to more structurally orientated church organisations like SACO and Iaca. But basically their interest is as I say in pastoral work and what they should do in that sphere.

AICA

Is it an organisation which expresses sentiment with political views? --- No, it is mainly ministers, you know, it is not certainly people who are primarily motivated - they have got political views.

That was not my question, I might have misled you. I am not suggesting that they were politicians. --- I see. (20)

In other words what was the political and social outlook of the ministers? --- A number of them are - well, politically concerned if one may say - people like Enoch Skakani, people like Mr. Radebe who was then the secretary and the present president, I think it was Mr. Porswa? all of whom are people I know personally.

Moerane

The meeting was evidently chaired by a Mr. ...? --- Morani.

ASSECA

Who was he? --- Now Mr. (Morani) was head of Afeca, which is an educational and cultural organisation and he too, he is a man who has profound political feelings, I think. (30)

Yes, and/...

Yes, and both of these organisations, what was their connection at that stage with SASO, if any? --- Well, there connection was I think purely through the kind of initiative SASO had taken. There was no structural connection, but I think they were beginning at the time we met them anyway to share and reflect on the new thinking that SASO had been responsible for. We had made use of some of their men for instance at some^{of}our seminaries before, we had asked Mr.

MOERANE Morani to speak at a seminar of SASO which he did.

Which he did? --- Yes. (10)

Now subsequent to the Edendale meeting, what happened? --- Well, there was another ad hoc - I don't know if they call it ad hoc or interim committee. Let us call it ad hoc. There was another ad hoc set-up, this time to try and relate the thinking which had come through the various papers and the various decisions taken to formulate it into the form of working paper which would then be looked at for adoption this time by various organisations at a subsequent meeting. A date was set for this meeting. It was to be I think the 16th to 19th of December somewhere like that. I remember it was to start on the 16th(?), (20)

MOERANE and onto this ad hoc were elected people like Mr. Morani, Mr. Moleko, ...

Who is he? --- He is a lawyer in Maritzburg.

Was he politically orientated in any way? --- Sort of middle order, but he has certainly got his political ideas.

BEN KHOAPA Yes? --- Then there was Mr. Nkoapa. There was myself

KHOAPA Is that Ben Nkoapa? --- Ben Nkoapa, yes.

Now what was he at that stage? --- He was head of the African section of Y.M.C.A.

KHOAPA Is this Mr. Nkoapa a person who became subsequently involved(3
or was/...

or was ever involved with SASO? --- Not directly. I think he was appointed or had been appointed already at that time onto the SASO advisory panel.

I see, now ... --- Then there was myself. I can't remember the others.

Mr. Koka, did he figure at all? --- Yes, Mr. Koka was there.

What was he, what organisation? --- Mr. Koka, I am just trying to think. I don't know what he was working for at that time. I think it was some educational project which had something to do with Trade Unionism. (10)

And what task was this committee given? --- The task was to draw up a working paper which would have to reflect very strongly on the kind of organisation we wanted, to answer to the various needs spelt out at the Maritzburg conference.

When you say to reflect the organisation, would this be in respect of its principles or its machinery or its constitution, or what? --- Essentially structurally, that is constitutionally, but also entailing the kind of thinking which was there. You know, which was spelt out at the Maritzburg meeting.

And was this committee given any particular mandate to (20) draw a constitution along any particular lines? --- Well, I think **blank** it was given what one might call a black cheque on the assumption that this would be looked at you know, on review, at the subsequent conference.

A blank cheque? --- Yes, in other words there was no suggestion from the Maritzburg conference, no explicit suggestion, that this is what we want. You know, people spoke, people discussed, the people reflected their views and the ad hoc was allowed to glean material from all this in order to be able to draw up the working paper that was required for the subsequent (30) conference./...

conference.

Yes, then what was the next step? Was a working paper in fact drawn up? --- Yes, the ad hoc met immediately after the conference where we analysed what had been going on there and we met once in between the two conferences in Maritzburg at Mr. Moleko's place and I think we also met shortly before the conference

And what did you draw up? --- Well, again the ad hoc felt that they were in a pretty untenable position, because some people were in Johannesburg, some people were in Durban, so they allowed a still smaller section of the ad hoc to work on a draft paper. So they asked Nkoapa mainly - with my assistance, to draw up a document. They did reduce it to some kind of thought. Now their interpretation was a little bit varied, in that some people felt we should stick to the coördination idea and some other people on the committee felt that they had in fact emassed at the meeting a much more explicitly political orientation and that without necessarily saying it in so many words, what the people were now looking for was some kind of vanguard movement, if I may borrow that term, to lead the entire Black Consciousness thinking, and this vanguard movement had essentially to be a political movement to be able to fulfil all the requirements of a vanguard movement. (10)

Yes? --- However, this thought was in the minority within the ad hoc, it was defeated in favour of drawing up a paper that reflected what people called a coördination idea, or the coördination theme of the conference.

And did they draw that up? --- They drew it up.

What was that called? --- Well, it was called Central Bureau for African Development which was called CENBAD.

As a matter of interest, have you been able to lay your hands/... (30)

hands on a copy of that document? --- No, unfortunately.

And as a further matter of interest, what was your attitude in that dispute? --- Well, I was with the minority view.

With the minority view? --- That is right.

And in favour of political organisation? --- That is right.

And did you persist in that view or did you give in, or what? --- Well, I think there was a fair debate and I think I was convinced and I think I thereafter paid allegiance to the ad hoc's view.

To the ad hoc's view? --- That is right. (10)

Which was in favour of CENBAD? --- In favour of CENBAD, yes.

Can you just tell us briefly what CENBAD projections? ---

Well, CENBAD projected an organisation which would have as a basic working structure some kind of secretariat, a secretariat which would be consisting of experts in the various fields, economics, culture, education, religion, and these people would continually be doing research work and feeding their results into the various organisations that were involved with the Black world. They would certainly also act as some kind of

coördinating council where reports from the various organisa- (20)

? tions would be continually - be They would draw up fundraising papers for the various organisations, they would centralise all fundraising for the various Black organisations. And they would also insist on maintenance of certain basic standards of performance. They actually did draw up some standards for the various spheres. They were supposedly fulltime secretariat functioning to fulfil the organisations.

Now was the next step then the meeting at the Donaldson Centre? --- That is correct.

Which took place in? --- That took place as I said between(3

the/...

the 16th and the 19th, I think it actually started on the following day after the 16th.

How did you attend that conference? --- Yes, I did.

And can you - perhaps I should refer you to the Minutes of that conference. My Lord, if the witness may be referred to BPC A.1. Now Mr. Biko, could you in brief outline and if you want to - if the Minutes confirm any aspects, refer to them, and indicate to His Lordship what happened at the Orlando meeting? --- Well, in the first place those Minutes are hardly legible ... (10)
BY THE COURT: They are hardly legible. --- But I could - unless there is a point of dispute?

MR. SOGGOT: No, no, you can just tell us what you remember? --- Right, well, we started off by reading the Minutes of the Maritzburg meeting and then we were asked to present the working paper that had been drawn up by the ad hoc. It was presented and I think there was a dispute very early in the reading of this document about the preamble of the document. I have forgotten now essentially what was wrong with it, but some members of the house felt that it was an apologetic preamble and was not focusing attention on what had been the underlying idea at the Maritz- (20)
burg meeting.

Yes? --- The chairman I think ^{veted} ..?.. this, and I think subsequently the SASO delegation I think then walked out. It came back (Court intervenes).

BY THE COURT: Well, just check up on the Minutes. I think the SASO delegation wanted to move a - well, gave notice of a motion? --- Yes?

Well, just speaking from memory I got the impression that that gave rise to the withdrawal of the SASO delegation? --- I think it had to do with an attempt to refuse? the amend - at least the preamble, to the document. (30)

MR. SOGGOT: /...

MR. SOGGOT: Mr. Biko, would you just have a look at - on the first page of this document - I imagine it is your first page as well? --- Right?

The second last paragraph, I think that is what His Lordship is referring to. --- Right.

Will you just have a look at that. --- I think what I am referring to is the last paragraph where it says : "The SASO delegation returned and moved a motion calling on the conference to discuss the rationale in the working document." - Their target was always the rationale, which(10) is the same as preamble.

Yes, would you carry on? --- Right, I think people had started talking about this document, they had begun to change the name for instance as the Minutes say from CENBAD to Organisation for African Development, when the SASO delegation came back and re-raised the whole discussion on the rationale.

Now can I just ask you to pause there. --- (Court intervenes).

BY THE COURT: The working document, that was really to be in the nature of a draft constitution? --- That is correct.

MR. SOGGOT: But the rationale of that draft you say was opposed by the SASO crowd? --- That is correct.

Who were the SASO people? --- The leader of the delegation was Mr. Nengwekulu, ...

Harry Nengwekulu? --- Harry Nengwekulu. Mr. Mokoape was - whether he was an official of the delegation I am not quite sure now.

Is that accused no.4? --- That is correct. There were others, I just can't lay my hands now on the names.

Yes well, let me put this to you, the one resolution is signed by Nengwekulu, Mokoape, that would be accused no.4. (30)

D. Madiba?/...

D. Madiba? --- That is correct, D. Madiba.

And B. Shezi? --- Yes. I think that would constitute the full delegation.

Now Mr. Biko, at that stage were you in SASO? --- Now this was when?

The end of 1971? --- Oh yes, I was in SASO but I was not on the executive.

Now do you have any personal knowledge of the appointment of those/
SASO men as delegates? --- No.

Have you any knowledge whether they went there with a mandate to push any particular line? --- I would not personally know. (10)

You would not personally know? --- Yes.

And let me just ask you this, when the SASO members put their line across, what at that stage was your attitude? --- Well, it was an ambivalent attitude as I say, because in essence I agreed with their interpretation of what was the underlying idea, the Maritzburg conference, but I was bound in honour by my agreement with the ad hoc, so in actual fact I opposed that at this meeting.

You opposed SASO? --- That is correct.

I am sorry I interrupted you, but just carry on, what happened then? --- (Court intervenes). (20)

BY THE COURT: You were saying there was a disagreement between SASO and the rest on the question of the rationale, that is of the preamble? --- That is correct.

Yes, and then? They withdrew you say? --- They withdrew and then they came back and they still pushed the same line at the meeting. I think what they did this time was to put across the idea that a political organisation ought to be formed and Mr.

MoERANE Morani put a counter motion to that idea. He moved that we should/... (30)

should not accept the resolution to form a political ~~union~~ organisation because ...?... we are not in a position to do that.

Now there was a long debate over that counter motion of Mr.

MOERANE Morani which was reflecting in essence the whole - I mean the feeling of the entire house, people were divided on it. I

KGWARE remember people like Mrs. Kgwari speaking very strongly in favour of a political organisation. I remember that at some stage there was some adjournment you know, for people to do counter caucusing. They got back to the debate and eventually

MOERANE a vote was taken and the view of Mr. Morani was rejected by (10 the house. The house agreed in effect that what had been foreshadowed by the Maritzburg meeting was a political organisation, and that time was over for this super cultural organisation which scratched at the top. What we needed was a real political organisation to focus attention on real issues and to evolve a method of response from the people to political problems.

Would you say that any particular person or persons persuaded the house in favour of that resolution? Or rather against that resolution? --- The viewpoint was widespread within the (20 house, you know, people are not endowed with the same powers of articulation, certainly the students are much more articulate than the rest of the crowd, but I think Mrs. Kgwari too is quite articulate, but there are many other people who held the same viewpoint.

KGWARE

And what was the eventual outcome? --- Well, after this the whole tenor of the conference changed. There was a bit of confusion because the one constitution which had been considered up to then was you know diametrically opposed in structure and function to the idea which was then accepted. So I think there (30

was/...

MODERANE

was some other group ..(inaudible) ... there was some other smaller group set up now to specifically look at that was regarded as the cardinal point of a political movement, you know, aims, structure, and so on, to present them back to the meeting, and of course the notable thing is that despite the change in emphasis people like Mr. Korani, they were opposed to a political movement at the time, still felt that well, they are going to continue chairing the meeting up to the end.

And did he in fact remain in the organisation, in BFC?

--- Yes, being a member of BFC I know this, I don't know whether he has withdrawn his membership now. (10)

BY THE COURT: So is it correct to say that his attitude was that the draft constitution did not contemplate a political organisation, it contemplated a cultural organisation which would sort of then embrace all the other national organisations?

--- That is correct, I think the whole house will agree that the draft constitution contemplated, a cultural organisation, but what he was - what was in focus was not so much the draft constitution but the underlying spirit of the Maritzburg meeting, that is what the people were debating about. (20)

MR. SOGGOT: On the interpretation of ... --- On the interpretation of the spirit, whether it was for a cultural organisation or for a political organisation. So in effect this resolution favouring the establishment of a political party was a censure of the interpretation by the ad hoc of the Maritzburg meeting.

BY THE COURT: Was that the type of difficulty that you people had on the ad hoc committee where you decided to join the ...

--- That is correct, it was the same difficulty, yes. (30)

MR. SOGGOT:/...

MR. JOGGOT: Now if you turn to the penultimate page of those Minutes I think you will find that there are resolutions there. Resolution 1 and resolution 2. It should be at the end. --- Okay. Right.

I think will you just have a look at those resolutions without reading them, do these Minutes correctly reflect the resolutions moved? --- Yes, this was a resolution from SASO which was you know, withdrawn later.

And Resolution 2? --- I think this is the final resolution which was taken before - for the political organisation. (10)

And was the voting result in fact all one way except for three abstentions? --- Abstentions, yes. I think this is correct.

MOERANE Yes, now I would ... --- The main debate was on the middle order resolutions by Mr. Morani, and by the time we went back to this resolution obviously we had already discussed the main issues, and we adopted the resolution. The first vote on the - on what you call the counter motion, there was the debate on the MOERANE motion by Mr. Morani that we should not form a political party and when that was defeated and we were faced now with the main resolution, you know, people had already had all the points (20) in favour, and I think some of these people who were against could have been people who wanted not to participate because of a mandate money from the organisations, but I can't remember who.

For technical reasons? --- For technical reasons.

BY THE COURT: Is it correct to say that the first resolution which figures as - or the first motion - well, that was the motion in respect of which the SASO delegation gave notice? --- That is correct.

So when they decided to continue with this motion, then they eventually withdrew this motion, and decided on the Resolution No. 2?/...

No.2? --- That is correct. The first resolution reflects the SASO feelings, the second one reflects the house feelings.

MR. DOGGOT: Were there any people there who on the merits of the debate namely whether there should be a cultural organisation or a political organisation, opted for the cultural organisation? --- Well, I think the starting point was that there was quite a number of people who felt like the ad hoc as a whole, you know, felt that we should form a cultural organisation. But once debate was opened obviously the whole idea of the ad hoc was not being questioned, and people were being thrown from(10) one side to the other. I myself opposed the initial idea, but finally voted with the resolution to form a political organisation.

KAWARE

Mrs. Igwari, who was she? --- I only knew Mrs. Igwari at that time as the wife of Professor Igwari who was lecturing at Turfloop.

And can you remember today what organisation she represented? --- I am not sure, I don't remember.

Now the - was an ad hoc committee meeting again appointed at that ... --- There was an ad hoc with a number of members (20) appointed at this meeting.

Well, can you tell us who was on it? --- Well, I remember Mr. Koka, Mr. Mokoape, there were names like Dr. Mthlana(?), but I can't remember really all the names.

And did they have power to co-opt, do you know that? --- They had power to co-opt, and this was in response to a point that I had made. When I had objected initially to the formation of a political organisation embracing the whole concept of Black Consciousness, part of my line was that the platform which we had (30) taken was not the right one, in the sense that we envisage forming a comprehensive/...

a comprehensive Black organisation that involved everybody, and there was certainly - there had been no attempt by the organisers of that meeting to invite people from the Indian and Coloured communities within the Black world, so that if we want to concede forming a political organisation, we should go out of our way to first of all get a venue where people can all come and make sure that invitations had been sent properly, to Indian and Coloured folk. But then the line from our - was that well, this was just adopting this resolution in principle, we are going to put up an ad hoc and this ad hoc (10) will have all the powers to co-opt from the other groups, you know, people who are then going to plan a proper conference for a political organisation.

Yes, and did any of the accused then come on the stage? As far as that ad hoc committee was concerned? --- I know for a fact that Mr. Mokoape was in the original group, and I know *discussions* also that several detachments, ^{not} bot so much in conference now, but amongst ourselves as people who have accepted this idea, of what kind of criteria we are going to use. I think specifically with reference to the Durban situation, we know that (20) there was an NIC at the time in existence, a very strong group which was pro Black Consciousness, and I remember specifically that the names of people like Mr. Cooper and Mr. Moodley were mentioned.

That is accused no.1 and no.9? --- That is correct, yes.

Were they co-opted, do you know? --- I think - yes, eventually they were co-opted because I subsequently heard of them being at meetings, at least I saw them at meetings of this group.

Now can you tell us when this ad hoc committee met again?

--- I cannot remember the order, but I do remember that they (30)

haha/...

had a meeting in Johannesburg early in January. They also had another meeting at Allan Taylor Residence - I cannot vow that there were no other meetings in between.

These were these two meetings and then eventually the next meeting would be Edendale, is that right? --- That is correct.

Was anything of interest decided at the Johannesburg meeting of the ad hoc? --- I can't remember specifically.

As far as the meeting at the Allan Taylor Residence is concerned, I wonder if you would have a look at the Minutes of (10) that conference, meeting, which would be BPC A.2. Yes, that is right. Mr. Biko, please have a look at that? Would you tell us whether those Minutes correctly reflect the meeting as you remember it? Would you have a look? --- Yes, I think generally speaking this is what went on at the meeting.

Now what I want to ask you is this, do you remember what happened after the morning session? --- After the morning session? There was an adjournment I think ... (Inaudible).

Well, the Minutes say at 1.p.m. the meeting adjourned for lunch? --- That is right. (20)

Does that ring a chord in your memory? --- At one yes, it did.

Now what happened thereafter? --- I think some people in the meeting wanted to attend a - I think it was a protest meeting of people, students from Westville, which was somewhere in town.

Did you go such a meeting? --- No.

You didn't? --- No.

KHOAPA Did you remain behind? --- Yes, Mr. Nkoana and I went to (30) my rooms/...

my rooms where we had some beer with ...

Yes, now what I want to know is when did the meeting re-convene? --- Well, it would be as late as the Minutes suggest.

Well, according to the Minutes it was 5.30? --- That is correct, yes.

Do you know whether the meeting in fact continued between 1 o'clock and 5.30? --- Not to my knowledge, I don't think it did continue. Because as the Minutes suggest we were pushing a point and - in the first part of the meeting, which was that we cannot wait until BPC has made itself known before the first(10) conference, and this point was in dispute from other folk like Mr. Nkoapa I know specifically, and this is what we were infact talking about, Mr. Nkoapa in my room, and when the meeting re-convened we started from where we had left.

KHOAPA

Yes. --- So that I think the Minutes are quite accurate.

And just on this one point, on page 1 in the paragraph starting with "A date of convention", there is a phrase there -

national grassroots

"Mr. B. Nkoapa intimated that it is absolutely necessary to have national grounds for its support before we can call a convention in order to obviate the Movement (20) becoming a limited?..... and bureaucratic Movement."

elitist ?

Did he say that? Have you got that? --- Yes, I have got that. Yes, I don't know if he necessarily used these words, but certainly he had this thought, and this was his line, that you got to consult with the real people. What he was against was a CPC which reflected intellectual thinking only without accommodating the feeling of the real people in the townships or the State.

Without being truly representative, is that it? --- That is correct. (30)

Did you/...

Did you share that approach? --- With him?

Yes? --- No, well, I certainly shared it philosophically, but I felt that the approach could be you know different with the same result of informing the properly. I felt that part of the necessity to kick off was the costly existence of an executive which was called ad hoc all the time. It had been ad hoc from 1971 - you know all the time there had been ad hoc and even in July, it was still ad hoc, so I felt that they must launch a conference to have a proper executive that can see that it is working for the creation of the Move- (10) ment, and you know, they must regard this kind of feedback to the as our first step, within the organisation.

Yes well, what conclusions were arrived at at that meeting? If any? --- Yes, I think Mr. Whoapa's point prevailed, if I remember correctly. I think it did, yes, Mr. Whoapa's point prevailed.

Then would be - the next point of interest would be the Edendale conference in the middle of 1972? --- That is correct.

Now as far as that conference is concerned, I wonder if you would have a look at the Minutes - I am not going to (20) take you through the Minutes other than certain selective points. Those Minutes are reflected in BPC B.1. Now I just want to refer you to certain pieces of these Minutes. Would you please have a look at - I think it would be page 2, the typed page 2. Have you got that? --- Yes.

The report on the urban and rural politics commission? --- Yes, that is right.

Now first of all, were you on any particular commission yourself? --- I was on the general planning.

Well, we will come to that in due course. Now just to deal with it/...

with it in an overall manner at first. The report of the commission is presented to the conference, is that correct?

--- That is correct.

And what would then happen, would there be a debate on it?

--- There would be a debate on it, yes.

And then? --- And then after that the report would be adopted.

It would be adopted? --- That is correct.

And what would the effect of such an adoption be? --- Well, (10)
because of the status of the conference, the Maritzburg conference was in fact important in BPC only so far as it was a planning conference. It could not really adopt policy as such, it could merely adopt a broad guideline for the subsequent conference which would be in December.

Well, we know the December conference took place, was it that conference then which adopted policy? --- That is correct.

But would you say that the resolutions here reflect the thinking of some or ... --- A majority ...

A majority of the ... --- Of the people present, yes.

But what appears here in the Minutes, the report of the (20)
Urban Rural and Politics Commission, with what - would what is contained here represent the adopted - or rather would these reflect the views of the conference? --- No, the report, the written report that is here is a comprehensive report that is the views of the particular commission, and then if you look at the end of that report here you will see that - I mean at the end of all the reports of course a resolution is taken, of some of the reports, but at the end of some reports nothing is said. So that one does not quite know whether the report (30)

was/...

was accepted as a whole or not, you know. Now until and unless a particular resolution is taken accepting a report or certain parts of it, it really represents what the commission thought.

Yes, well, if one refers to page 4 for example there is a resolution which - it is a note which says : "The report on economic development was tabled, discussed and accepted."

--- That is right.

So that would then apply to the economic development? --- That is right.

Commission. So far as the Urban, Rural and Politics (10) commission is concerned, it merely seems to say that that was tabled? --- That is correct. Tabled implies open for discussion.

Yes, now Mr. Biko, if you look at the second paragraph which refers to rural Blacks who are under various systems of control, and so on, it goes on to say : "Community service approach could be the only workable approach." -

--- That is right.

And then the next paragraph goes on to say that : "No conclusion could be arrived at concerning this Black (20) population group."

Could you tell us what that was about and what the conference had to say about it? --- I think the underlying thinking here was that rural folk are essentially the kind of people you cannot politicise through the introduction of political debate because of their hand to mouth existence. In this country a lot of the rural areas reflect a standard of living which is very low and an existence which is highly precarious from the point of continuity of life. A lot of kids died at early stage because of the lack of proper health facilities and so on. So that people tend to /...

tend to be over concerned with matters of existence and also another important observation is that people in such areas are in need of services which are glaringly absent in their total lives. Now we felt that it was perhaps best for us to focus at the development of humanity and to couple that with the development of dignity and self-confidence by such Blacks, through the introduction in rural areas of community development services in whatever form. You know subsequently this took the form of clinics and conceived agricultural schemes which were never put into implementation (10)

Well, I will deal with that under a different heading. On the next page, page 3, the first paragraph, if you would read that please? --- "A factor that seriously militates against an effective implementation of the ideology of BPC, Black Consciousness and Solidarity, is the fragmentation of the Black population residentially. The commission decided on a strategy involving the urban residents in their local affairs by forming residents' action committees which would work against the daily oppressive activities of the System. These committees would make residents aware of the injustice of the system. " (20)

Now can you give us the thinking behind that? --- Yes, I think first of all the first paragraph merely points out that it is very difficult for BPC to have branches that involve all members of the Black population in a branch, in other words Coloured, Indian, African, you know, who must learn to be together in the implementation of their ideas.

Is that the significance of the word "fragmentation"? --- This is the significance of the term "fragmentation" eventually. (3)

Yes, carry/...

Yes, carry on, please? --- Then the second one suggests that again bread and butter issues are important for people in townships, and that perhaps what should be formed is what we eventually call some kind of vigilante committees of people looking after bread and butter issues which is the conditions of lighting, the availability of schools, and so on, and that these bread and butter issues should be talked about with an intention to you know, to apply pressure to have improvement.

Now this phrase - "these committees would make residents aware of the injustices of the System" - have you got any comment on that? --- Yes, I think the main emphasis there would be on a common understanding which ties up with the whole idea of conscientisation. People must be aware of their problems in a realistic way. They must be able to analyse their problems and to work out common solutions. In other words a community is easily divided when their perception is different of the same things. But if they all speak with one voice then - you know, this is our problems here in the roads, and the schools, and so on, and this is our solution here, and they project this voice to whatever local authority for instance (20) has to take care. The result is normally achieved that much easier.

Yes. --- So it was the usage of their common knowledge of common problems, you know, to arrive at a common solution.

COURT ADJOURNS.

COURT RESUMES AFTER TEA BREAK.

STEVE BIKO (Still under oath)

EXAMINATION BY MR. BOGGOT (Continued): Mr. Biko, will you have a look at page 4. --- Yes.

As far as page 4 is concerned, would you have a look at (30)
the /...

the - it is about a third of the way down the page. "The BPC therefore resolves that..". --- Yes.

Would you read it please? --- "The BPC therefore resolves that: (1) It shall not encourage any organisations which are not representative of Blacks by BPC members. It shall in no way coöperate with Whites in mapping out a political direction. It totally reserves participation in or coöperation with System created movements. The BPC further resolves to concern itself with the Black people as such and ignore all irrelevant organisations or the ardent leadership of such organisations." (10) - Now does that represent BPC policy? --- Yes, I think it does, My Lord.

Now you have already given us yesterday the benefit of your views on SASO policy in that direction. I don't want to duplicate evidence. Is there any difference in the thinking? --- There is a strong similarity.

A strong similarity? --- Yes.

And on the assumption that you people were in power, what would your attitude be towards coöperation with Whites? --- (20) Well, there would be - if we were in power and if we assume that by in power you mean we are participating in the Government structures of the land, there would be no existence of Whites as a separate community as such. We would be dealing with "our community", meaning the community of our country.

And the phrase "it" meaning the BPC - "totally rejects participation in or coöperation with System created movements." - Would you tell us whether the BPC concedes its policy as having nothing to do with any Government organisation or department or individual? --- Well, I think the stance, the political stance (30) that/...

that we take is one of stating categorically that we shall not recognise institutions like Bantustans, like CRC, like SAIC, which are created to solve or to accommodate Blacks politically in this country. And this will go over to local institutions like Urban Bantu Councils or Local Affairs Committees. Now this in no way implies of course that in an operational sense where such a particular institution has jurisdiction over certain areas of the communities' interests, it shall not be dealt with accordingly. For instance, if we want to get into a particular area and we have to apply through - well, through (10) ^{Kwa-Zulu} the/Government, there is no other way out, we apply to the Kwa-Zulu Government. It is a de facto situation that we are forced to accept. But we reject the central points in the creation of such bodies, which is not a solution(?) to the Black man's problems.

Yes, now on the - on Labour and the Black man's role, I don't propose to take you through the tedium of dealing with the whole of this. But would you have a look please at page 5 paragraph (vii). --- Right.

I wonder if you would read paragraph (a)? --- All of it? (20)
No, just (a) please? (a) and (b) if you would? --- Yes.

"The commission recommends (a) The foundation or the founding of Black Trade Unions all over the country.

(b) That these Unions should belong to one umbrella union or council e.g. The Black Allied Workers Union."

Now what are the attitudes of BPC towards the establishment of trade unions and such a thing as the umbrella unions? ---

Well, firstly we saw the need for the existence of a trade union, and we disputed the current fiction that Black trade unions are banned in this country. We recognise in fact that the (30)

Government/...

Government attaches no logic to their existence. They may be there but they have got no power to negotiate with existing Government bodies, on behalf of the workers. So in a sense what we were saying here was that in spite of this, in spite of the fact that there may be no sequence from the Government's point of view to establishing Black Trade Unions, we should nevertheless establish them and we should nevertheless see or promote their coming together under an umbrella union, which would then be an independent thing controlling Black trade union work. Certainly not under BPC. (10)

Not under BPC? --- No, just something we are just promoting.

Now the question is whether your desire for a strong Black trade union movement was associated with any desire to cripple industry or weaken the country? --- No, I think the logic was essentially that even though they are not recognised now, the topic is so currently spoken about, it is so topical, that the mere organisation of Blacks into a trade union movement which is coördinated, facilitates the coming to the moment where the Government will have to recognise Black trade unions.

Yes, now let me put it squarely to you, it was suggested (20) in this court that what was said in this conference was that BPC aimed at a general strike? --- No, what was said at this conference I think was - is - it should be contained in resolutions subsequent to this report. This is a decision of the conference about this particular report from the commission, and there is nothing in it suggesting any strikes or any strategy for a general strike.

As a matter of pure recollection, have you any recollection, or can you say whether there was any discussion about general (30) strikes/...

strikes at all at this meeting? --- Certainly not.

Perhaps if I may link this particular theme up with something different, and that is - I don't know what page number it is, I think it is the penultimate page. The trouble is my numbers of my documents have been knocked off. It is page 44, your second last page.

BY THE COURT: The beginning of the phases?

MR. SOGGOT: That is correct, My Lord. I want you in this context of your evidence to deal with phase(2) here, where it says : "No confrontation shall be sought with the oppressive party." --- No, I am afraid I don't have that page here. (10)

Mr. Biko, the problem is the numbering. Have a look at this. Have you got that, Mr. Biko? --- Yes, I have got it now.

And have you looked at phase (2)(c) : "No confrontation shall be sought with the oppressive party." --- Alright, I have got it.

Now I know I am taking you out of the chronological sequence, but would you tell His Lordship the thinking and discussion behind that proposition? --- Well, this phrase originates from the commission on General Planning which led to the report.(20)

You were in that commission? --- I was in the commission, yes. We had a long debate about this, not even a debate but a look at our history, you know, at the other movements which have existed and we had a look at (Intervention).

Which movements? --- African National Congress, Pan African Congress, ^{and} / other political movements you know which have existed in our country, and we looked at methods of operation which seeks to register a particular point. Sometimes even at the expense of breaking certain laws. An example I have in mind here is the Defiance Campaign. (30)

What was/...

notices

What was that just for the record? --- Well, the Defiance Campaign as I understand it was an attempt at cracking what is called petty apartheid. You know, all those notes on park benches and in Post Offices and you know shops, in some shops saying Blacks this side, Whites that side. And it involved a mass demonstration by the African National Congress which implied that the membership would deliberately go and break this particular law in order to register their non-acceptance of apartheid, so to speak.

Were they arrested, do you know? --- Oh yes, there were (10) mass arrests.

Yes? --- Now there derived also from the PAC standpoint another campaign which involved a demonstration against passes. There were public demonstrations where passes were made up as bonfires throughout the country. Now this is basically what we were looking at. Now the term confrontation of course can be interpreted in lots of ways, you know. It can be interpreted loosely to mean what goes on between a prosecutor and a witness. It can also mean war. But specifically what they are referring to therein was directly seeking to confront the (20) Government or the Department of Police with an option of having to arrest people because they are breaking the law. This is what we were looking at. Now we said we are not going to adopt this type of programme. We don't see confrontation in that sense.

And why not, if you don't mind such a blunt question? --- Sorry?

Why not? --- Well, I think there were several reasons which could be advanced for this, but basically confrontation has got a self-destructive content in it, in that side issues become (30)

main/...

main issues. Although your main thrust was a protest let us say against apartheid, and you go and sit on benches and you get arrested, then a whole lot of trials will come up now and you are to argue your way out of sitting on benches, and then sitting on benches becomes the main issue now. Whereas in fact your protest was against the very existence of apartheid. This is what we rejected basically.

What did you consider would happen if you people were to adopt similar campaigns? --- Oh, our understanding of the South African police logic is that they simply love of this (10) confrontation, and also our - there is a basic fear in the Black community which tends to regard police as being trigger-happy.

Well, let me ask - what I really meant was what did you think would happen to your organisations? If you adopted such policies? --- We foresaw the logic again of bannings.

Of bannings? --- Yes.

BY THE COURT: I think I missed that first piece of the evidence. You say they laugh at confrontation? --- You know, police love because then they can ... (20)

They like it? --- Yes, because then they can ... (Inaudible).

That is the police now? --- Yes. The police within the - that is a belief within the Black community you know, when Mr. Vorster says "I will call my boys" - you know, Blacks understand exactly what he means.

When he says what? --- "I will call my boys".

Oh, I see. --- I think he said this against the English students who were protesting somewhere in Cape Town. You know, when they were threatening with more protests he said he would call his boys. (30)

Now what/...

Now what significance do you attach to that? --- I am saying Blacks understand this to mean he will unleash the police.

Oh, I see, boys, yes.

MR. SOGBOF: Mr. Biko, you have now given us two aspects relating to confrontation. The one is it was opposed because of the political reasons given, and another you feared your organisations would be banned? --- Yes.

Any others that you can think of that were taken into consideration? --- I can't think of any specifically right now. (10)

Now it is common cause that the PAC and the ANC indulged in violence subsequent to their bannings? --- Yes.

Now did the issue of violence come into your debate at all in this context? --- Never, not in the least.

Not in the least? --- No.

What was the approach of the BPC in its policy - (inaudible) .. to the question of legality? --- Well, I think basically ...

idiom

How were you going to conduct yourself? --- Basically BPC accepted a third ideom, the very fact that we established ourselves in this time in history as a movement that was going (20) to operate aboveboard, implies an acceptance of the ambit of the Law, in other words we knew that we were constrained by Law. There are certain things you may not do, sometimes there are certain things you may not even freely discuss, even for pure information's sake. And I think BPC has always conducted itself, certainly through my time, within the ambit of the Law.

things

Now in that context, what would you say about a general strike, how would the BPC had someone proposed a general strike, have received such a proposal? --- If it was originated within the BPC floors I don't think it would succeed. I mean if it (30)

is a/...

is a strike which happens of its own, and in which BFC had to feature as an agent in society, you know, this is different.

Yes, let me just put the question a little wider before I pass on from this point. The BFC as far as you know, at any stage after this meeting at Edendale, did it formally or informally consider strike action as one of the methods of political action? --- Certainly not, as far as I know.

Not as you know? --- No.

And still in this context, was anything kept secret in BFC, was there as it were a nucleus or particular enclave or group which knew things but did not say? --- No, not at all. (10)

influential I think in any Movement there are people who are more influenced - who have more influence than others, who discuss issues, but the operation of BFC is that anything has to go through either the conference or the executive before it can be regarded as policy.

And perhaps still in this context, although this involves a jump in time, did you ever know or hear of such a thing as a "supreme command" or some secret consultative or leadership body in BFC? --- Not at all. (20)

Now Mr. Biko, if we may come back to page 5 on your document. On Black Business and Coöperative Schemes ..? --- Yes?

Now you will see there that the proposition is that Blacks should establish their own business houses? --- Yes.

And I think that in another - there is also a suggestion that they should create their Black supermarkets? --- That is right.

And also Black banks and floating of companies? --- Yes.

Now this would logically have fallen into your evidence, the context of the evidence yesterday, about African Socialism "Ujama" and what it all amounted to in reality? --- That is correct./... (30)

correct.

How do these proposals which sound rather capitalist in appearance fit in with the notions of African Socialism? --- Yes, I think if you look carefully there, there is operative words called "coöperative". Now business ventures of this nature were supposed to be encouraged on a coöperative basis, in other words certainly we do want money within the Black group to circulate within the Black group. But not to the betterment of individuals who have got no relation with the whole development and growth of the Black population in this country. So that what we are encouraging is a setting up of coöperatives who can serve the Black community comprehensively, economically, in terms of in a supermarket, in terms of banks and so on. And who would have the interest of the development of Black community at heart, so that out of profits which for instance they do get they can plough back part of that profit into the development of the community. (10)

Yes. Now I wonder if you would then turn to page 3 on your documents, it is page 41 is it, I am sorry, 39.

BY THE COURT: What page is it again? (20)

MR. SOGGOT: Page 39, My Lord. I think on Your Lordship's copy it is the typed page 3. Have you got that, Mr. Biko? --- Yes.

On the question of - this is dealing with the problem of Black education. --- Yes.

The resolution which is about two-thirds of the way down the page is couched in - you will see it reads as follows :

"That education as it is has caused division of the Black community, and this division militates against effective Solidarity, as Solidarity is the vehicle towards the realisation of Black Consciousness as a life-style./...

style. Therefore resolves: BFC should call a joint meeting of all African, Coloured and Indian teachers' associations, that through this meeting BFC should strive to form a Black Teachers Association."

Do you remember that? --- Yes.

Now what was the idea of forming a Black Teachers Organisation? --- I think it was to try and combat the existence within our society of education which is based on a policy which is a fact, and which has got the result anyway of dividing us Blacks. I say this effective policy with intention, in that (10) we believe generally that in Bantu education, Indian education and Coloured education, are calculated to educate us for a role in society. Bantu education has got a certain stultifying influence for instance on the development of an African child. It does not train him for an independent existence. In most instances it trains him for a subservient role and it emphasises all over again his Bantu-ness. If you look at the average history for instance which is painfully taught to children I have to pay for at school, it teaches them about Mangope and Matanzima and all that sort of thing, and unfortunately it (20) establishes in the minds of the kids that themes we reject as Blacks, are in fact a fact that cannot be changed, so that it is a subtle form of propaganda, and beyond this, teaching a kid about his Bantu-ness, it also teaches him to be a Xhosa, a Xhosa who is foreign from a Zulu, foreign from a Tswana and so on, so that it entrenches in the mind of a kid the whole unholy division of Blacks into vital cocoons which can easily be repressed. Now we have got no way of changing that situation, precisely because we do not control those who set up this system, but the least we can do at least at teacher level (30) is to/...

is to let the teachers register in the minds of the kids the germ of the ultimate truth, that though we have got to learn this, the basic situation is a, b, c and d, you know. This is the point of this kind of resolution.

Yes, would you pass onto page 10 please, the Report on Black Communalism. That report, does it reflect the thinking on Black Communalism? --- Yes, I would say so. I think it was very difficult for instance to frame a resolution at the end of that report. As we can see there were subjects as it is as a whole. I think Mr. Morani was mainly responsible for (10) this. He has a very good piece of a job, in touching on the various facets of Black Communalism.

Was there discussion at the conferences as to whether a resolution should be moved in regard to Black Communalism? --- I can't remember.

You can't remember? --- No.

One or two points on this report, more or less in the middle of the page, Mr. Biko, on page 10 : "Black Communalism, the philosophy of our fathers, is based on the basic respect of the Black man for the sacred value of the human (20) individual as the basis for the existence of communities and governments."

Does that reflect the thinking?—That is correct, yes.

And then would you turn to the next page, paragraph 4, if you would read that please? --- Do you want me to start at "Principally"?

Yes? --- "Principally the economic welfare of the community is basically the responsibility of the State itself. It shall be incumbent on the State to be the initiator of industry and to use the ...?... as a means of (30) production/...

?
production provides that individually or co-operatively undertake such industry or production as they may profitably undertake, without recreating the common welfare basic motive to the philosophy of Communalism."

Now does that express the principle in your approach? --- Can I just go over it quietly again? Yes, it does. I think it reflects basically the belief that we have that the State cannot allow a complete free enterprise system, that industry must be planned for by the State, without necessarily curbing (10) completely private enterprise, but certainly private enterprise must come under the fold of control by the State.

And how would you say the first paragraph on the next page, whether that expresses your correct attitude? --- Is that page 12?

"Business and Industry"? --- Yes, "Business and industry exist for the welfare of the community to supply service and goods to the best advantage of the community and should subserve that purpose consciously and as legal and social obligations at pain of sanctions legal and (20) social."

It is under pain of sanctions legal and social. --- That is right. Now I think that also expresses our basic thinking.

Your basic approach? --- Yes.

You have no further comments, have you, on what is written here about Black Communalism? --- No, not at this stage.

Good, and then finally to get back to the Report of the General Planning and Organisation Commission? --- Yes.

Now you will notice that it is couched in phases so-called? --- Yes. (30)

Can you/...

Can you tell us what the word "phase" means there? ---

Or how the word "phase" came to be adopted? --- No, I think - in fact I don't think this phase 1, phase 2, phase 3, featured as such in the discussions. My understanding of it is that it is purely the sub-topicing devised by the writer of the report. We certainly discussed you know, broadly, we never said this is now phase 1, this is now phase 2, and so on.

Now there is as you will notice a ..?..... Membership Drive Project foreshadowed by to stick to the nomenclature, (10) phase 1, paragraph (c)? --- Yes.

"Three Year Membership Drive Project for a membership target of one million?" --- That is correct.

Now can you remember who suggested that? --- Is that in the commission?

Yes? Or in the plenary discussion where members were suggested? --- I don't remember.

And as far as confrontation goes, was there any suggestion that there should be no confrontation in the initial period, by implication that confrontation was to come later? --- No, (20) there was no such implication.

Now then we have it on the next page that - that is on page 45, My Lord, and it will be your page 14 I think, Mr. Biko. In the middle of the page, the Convention noting that people present were not representative of the Black population? --- Yes.

Can you tell us what that was about? --- Oh yes. Well, I think what it said was based on the people who were at the conference at that time. They did not represent a cross-section of the population and certainly did not come from all (30) the/...

the possible towns in the country. Now our idea of a conference had been that it must be as widely represented as possible, so that we could be able to decisions binding the greater part of the Black community so to speak. So I think this is a reference to the sample which was present at the meeting.

Yes, now after that meeting the next meeting I believe was your next conference, is that correct, at the end of the year, which would have been your first conference? --- That is correct, yes. (10)

And there certain resolutions were taken? --- That is correct, yes.

Would you say that they were in broad terms in conformity with the resolutions adopted at the Edendale meeting? --- Yes, from my study of the Minutes certainly - I was not at that meeting but

You were not at that meeting? --- Yes.

I don't propose to go into any of the details of that meeting. I think that I have overlooked one thing, Mr. Biko, and that is phase 4 on page 13. --- Yes? (20)

That says "Crisis Situational....." - can you very briefly tell us what that was about? --- That is the basic thought which occurred to the commission, that was that in any given situation of oppression there were momentary flashpoints during which a crisis manifested itself, to give an example, there might for instance be in a certain area in the country .. strikes coming out. This in a sense is a crisis situation, in the sense that the Black community which is without leadership is faced with the need to respond an issue, and as we said earlier on, often what happens in such situations, is that our people become (30) targets/...

targets for sometimes brutal action, mainly from the police force of the country. That is the time of crisis we are referring to. Now we are faced now with having to decide what to do with such situations, as BPC, and certainly the commission could not come up with an overall blueprint of how to deal with such situations because often the situation is dictated upon by factors which are highly local, so we said it shall depend on whatever BPC branch is nearby that particular situation. I think that is the significance here of that term "situational". (10)

significance

How did it come about that you didn't go to the December conference? --- I had just been employed and I had been given a task which was the production of a yearly book called Black Review, and the deadline for that publication is normally at the latest the 15th of January, if you start at the beginning of the year.

Now Mr. Biko, we know that you were restricted? --- Yes.

And therefore you did not presumably participate in the activities of organisations, of SASO and BPC any further? --- Yes. (20)

Did you receive documents put out by the organisation? --- No, I think I got one document only.

Did you keep track with its literature? --- Well, from - there is a SASO branch at Kingwilliamstown and in fact there is a regional office there. We do get also in the course of our office work a lot of SASO documents getting sent in and BCP is one organisation (witness speaks indistinctly) ... and from that point of view I do read some stuff and documents.

I just want to deal with this in an overall form. From your knowledge of the organisations after your restriction (30)
would/...

would you say that there was any change in the ambit of their intentions? --- I have not formed that impression at all.

You have not? --- No.

Now I want you to deal with the question of your community programmes which would touch SASO and BPC. You yourself were involved in the BCP? BCP programme, is that correct? --- That is correct, yes.

Now I wonder if you would tell His Lordship what work you did, what work the BCP did and the extent to which conscientisation as a process took place in these communal projects? (10)

--- Yes, the approach of BCP is three-pronged. First we engaged in the form of direct community development projects which are in the form of clinics, churches and so on, and then we engage in what we call home industries, these are economic projects in rural areas mainly, sometimes in urban areas as well, which are in the form of cottage industries, producing one article or the other, and the main purpose here is to give employment to people, and also to offer some kind of technical training in that particular skills, so that they can themselves go and live off that skill if they like. (20)
And thirdly we do leadership training courses.

What is that? --- Now we have specific categories, like we have women's courses which entail leadership training in specific women's skills now like sewing and knitting and crochet work, cookery and that sort of thing. We had for a long time, but no more now, training offered in the fields of religion, and the particular topic we concentrated on then was participation by the Black leadership within the church in the decision-making processes of the various churches, with a view to airing the views of the Black man within the church (30)
structure/...

structures. We also looked at Black theology and this was in fact where people like Dr. Manas Buthelezi became very useful. And of course we also had some youth programmes in the beginning which went out to certain towns. We no more have them now.

Yes? --- Now the logic here is a simple one, particularly with the community development projects which form the bulk of the BCP work. It is essentially to answer to that problem which was diagnosed by - or rather mentioned by us yesterday, that the Black man is a defeated being who finds it very difficult to lift himself up by his bootstrings. He (10) is alienated, alienated from himself, from his friends, and from society in general. He is made to live all the time concerned with matters of existence, concerned with tomorrow, you know, what shall I eat tomorrow. Now we felt that we must attempt to defeat and break this kind of attitude and to instill once more a sense of human dignity within the Black man. So what we did was to design various types of programmes, present these to the Black community with an obvious illustration that these are done by Black people for the sole purpose of uplifting the Black community. (20)

Yes? --- Now where there is that we should not preach. We believe that we teach people by example. We believe that Black people as they rub shoulders with the particular project, as they benefit from that project, with their perception of its being conducted by Blacks, they begin to ask themselves questions, and we surely believe that they are going to give themselves answers, and they understand you know, that this kind of effort has been a lesson for me, I must have hope. And it - in most of the projects we tend to pass over the maintenance of the project to the community. For instance (30) where/...

where I stay in Kingwilliamstown we revived a community creche which was serving a basic need for the community in that a number of mothers could not go to work because they had to look after babies and toddlers. Or if they do go to work it implies that kids who are supposed to be school-going must stay behind looking after the toddlers. So that it became clear to us that this was a strong community need to provide a creche to that community. And we revived a creche which I attended actually when I was young but it had gone defunct. And after a year ... (10)

What is it called? --- We call it the Ginsberg Creche.

Yes? --- After a year and a half of operating the creche we devised a system whereby we could pass over the running of the creche to the community. It has - it is now in fact being run by the community, and the community's appreciation of the significance of the effort is not lost to us. We are aware that they understand the precise intentions of having a creche like that. It is not only to provide the facilities but it is also to encourage them to live on their own efforts. So that they have now to subsidise the creche (20) more than we, they do.

BY THE COURT:

How does BCP link up with BPC? --- There is no structural link, My Lord, whatsoever.

MR. SOGGOT: Right, now the community projects run for example by SASO, would you answer that now? --- Yes.

To what extent - would you tell us what they were in brief outline, and the extent to which Black Consciousness was preached in these activities, and the extent to which BPC was sold or advertised or propaganalised then? Would you deal with that? ---Right. SASO as far as I remember had (30) projects/...

projects like what you call the New Farm Projects, I don't know if you have got an official - a description of this in one of your papers. But essentially the New Farm Project was a combination of two or three phases. The first one arose out of us being invited by a particular clinic to assist in this clinic. The clinic is outside Durban in an area called Inanda.

May I interrupt you, I want to show you a document called SASO, the New Farm. Can you identify it? --- Yes. This is the report that we wrote at the end of that project. (10)

BY THE COURT: Are you handing that in as an exhibit?

MR. SOGGOT: If we may do so, My Lord. I think that that would be EXHIBIT YY. I want you to carry on briefly on the basis of that document and tell us what that project was about, and how it served your purposes? --- It was essentially a combination of preventive and curative medicine, and as I say it arose out of us being invited by a clinic in the Inanda area to assist on certain days to combat what the clinic found to be an unending queue over the days that they were functioning. We sent out a number of medical students in advanced years (20) to assist the one doctor who was there, and of course we thought - or the medical students suspected from a rough study of the people they were treating, that there were essentially one or two or three major complaints amongst the people, which were in the form of an outbreak in that community, and they sort of interested us into doing a research in that area which we did, to find out the living conditions of the people and the kind of food they eat, the kind of water they drink, where they get it from, and the living standards basically. Now we found that some of the problems stem from a water (30) complaint/...

complaint. People were getting water from a dam and the dam was infected with bilharzia. This manifested itself in several complaints coming to the clinic on a weekly basis. So that we thought this heralded two things, firstly a treatment of the root cause, which we interpreted as the preventive medicine, which implies provision to the people of an alternative water supply.

Yes? --- We had to lead taps from the Inanda/Phoenix? settlement for a start with the ultimate aim of finding boreholes within the community for them to get an alternative (10) water supply.

Well, Mr. Biko, whatever it is, you entered into this project in an attempt to deal with it in a scientific and as organised a way as possible? --- That is correct.

And are your methods and findings conveyed in this particular report? --- Certainly, yes.

Now what is of interest is - first of all were you involved in this yourself? --- I was involved myself, yes.

And you and fellow SASO men? --- Yes.

Did you talk Black Consciousness to people? --- Not in the (20) context of this project. Certainly what we did was to encourage people you know, to - well, people could not understand in the first instance who we were, we got out there being a team of students, and we had to identify ourselves. We had to say to them where we came from, and of course, the next question is, oh, are you being paid by the Government? They did not understand why a number of students just turn up to be of assistance. It did not happen before, it had always been White students. So we had to explain our role. Our (30) role was/...

role was a simple one, to assist in the upliftment of the Black community and to help Black people like in squatter areas, like in that one, to diagnose their problems and to participate in the solution of those problems.

Did you yourself push Black Consciousness ideas of any kind expressly or implicitly with the people ... --- No, certainly nothing beyond explaining why we were there, you know, and who we were.

And was there any propagandising of any kind in favour of BPC? --- No, certainly not. (10)

DuDuDu Now what other projects were carried out in which you participated? I don't want you to go through the whole gambit of them, belonging to SASO and BPC? --- Yes, I think as I have stated, in what you call a Home Education Scheme, which was undertaken in an area called Dadoodoo. This was outside Umkomaas, on the South Coast of Natal.

Yes? --- And there we were dealing with a community that had no very immediate educational institutions to further their studies. We were dealing with people who were corresponding matric, corresponding J.C., corresponding Std. 6 and (20 so on. And the type of assistance we gave was to put out several students to deal with specific subjects. And of course the number of people who were doing that subject varied. I used to take history and English lessons and to some extent Latin, and again the number varied accordingly. It was a straight sort of tutor/student relationship. We encouraged the people to get on, but they were basically courses already corresponding with correspondence houses and - themselves, and were just assisting them with the material. (3)

And again/...

And again the question is was there any propagandising and of Black Consciousness expressly? --- No.

Or of BPC or of SASO? --- No.

Any other project? May I say this, this is what you did? What was the policy of SASO in regard to these communal or community projects? --- There was in fact specific policy directive, that people must deal with the people in terms of what they have come to do there, which is that particular project, and no preaching must be engaged in. This was Mr. Pityane's policy. He was the general secretary who was (10) coördinating all these projects.

Do you know whether that directive was reduced to a document? --- I do not remember specifically this happening.

You don't remember? --- No.

Is there any other project? --- Those were the two that I was engaged in. I was partly engaged in literacy. As I indicated earlier on to His Lordship, yes. We planned for a literacy course and I myself underwent some training in particular methods of literacy but I never really was involved in a broad programme dealing directly with the community. (20)

Yes, Mr. Biko, as far as Black Theology is concerned, I think it is common cause that this was something which was propounded and adopted by SASO and BPC, is that correct? --- That is correct.

Can you in a very brief form, because there has been evidence on this, tell us the role which Black Theology played in the SASO and BPC organisations? --- Yes, I think this is - well, as far as my understanding of why it features so much, would stem from an understanding again of the Black experience, (30) essentially the Black community is a very religious community, which/...

which often reflects on beings, in other words what is my purpose in life, why am I here, who am I? But I mean in this particular context in which we as oppressed people find ourselves in this country, inevitably you come to a block in your thinking, when you think about God, a God who is all loving, all knowing, but a God who allows me at the same time to be at the receiving end of suffering. So that it was beginning to create problems amongst youth especially. This whole religious question, what is God's intention with us, what does he want. (10)

Are you yourself a believer? --- I am myself an Anglican.

Yes, carry on please? --- Further there began to develop ..?..

2? a vested? area on a number of seminaries in SASO, who had enrolled with SASO quite early in his life, there began to develop a seeking on - a thinking on the seminaries especially which was widely accepted by SASO, which we call Black Theology, which essentially poses questions such as - what is there in the scriptures for us, what are the scriptures saying about our position, what is God saying to us in this position. Now

Ntwasa

the seminary students, people like Mr. Ntwasa(?), Reubin Philip, were of the view that as believers we should be able to glean something out of the Bible, some message which is directed to us as Black people in this given situation, and there arose what was called an interpretation of Theology to deal with existential problems of the Black man, which is in fact Black Theology. (20)

Yes? --- I was not one of the main - of the exponents of it really. There were other people, mainly from the seminary, and then others outside the seminary like Dr. Manas Buthelezi and so on. (30)

Did you/...

Did you have contact with Dr. Manas Buthelezi? --- Yes, I did.

In what form did you have this contact? --- Well, I first met him I think at Maphumulu when I went to give a lecture to the students there on SASO, and subsequent to that I met and attended several courses on Black Theology with him. I have listened to him speak on several occasions.

And what would you say on his views on Black Theology and those of SASO's, do they coincide, or not? --- Well, I think he is a much broader man, he is a very - he is an authority (10) in his field, a very intelligent man, and I think too to a great degree SASO accepts him as the leading authority on Black Theology in this country. There is a strong similarity, but of course SASO being a secular organisation would probably throw in one or two you know non-biblical terms in the definition of Black Theology, but essentially the message is there, you know.

Mr. Biko, I now want to take you to some odds and unrelated topics. May I show you a document which is a Report to the Second GSC, and would you tell us if you can identify that (20) document? --- Yes, this is a first part of a report to the GSC by the executive of SASO, I am just trying to identify who exactly wrote this report. Yes, it is a presidential report followed by the vice president's report and then the various directors and then the various centres(?). This is a report presented in 1971 conference ... (inaudible).

Now I just wanted to refer you to one or two aspects of this document. Would you first have a look at page 22, paragraphs 1 and 2. If you could perhaps read paragraph 1. ---
Page 22? (3)

Page 22, /...

Page 22, and the numbered paragraph 1. --- Right. -
"National Union of Students and of the United Kingdom.
The vice president, international relations, of this
union, Mr. Tony Clark, visited South Africa together
with some other overseas students to observe at the
Nusas and UCM congresses. We had long talks with him.
He was at first wary about SASO, thinking that it was
a pro-apartheid organisation. However, when he left
he was a keen SASO fan. Relations between NUSUK
and SASO has been cordial. They keep us informed (10)

? | of activities on the British BBC and we keep them
....?... as to the views and activities of Black
students. Like the most overseas student groups,
NUSUK adopts a strong anti-apartheid line. I decline
a request from Mr. Clark to declare SASO's support
for a 'no arms for South Africa' rally in London."

Now how would that fit in with what you were telling us
yesterday about boycotts and arms boycotts? --- Yes, it does.

It would fit in? --- Yes, it does.

Now what was the response to this report, was this ini- (20)
tiative criticised or accepted? --- Well, this in fact was
a report by Mr. Charles Sibisi to the conference. He had
discussed the whole visit of Tony Clark with members of the
executive and even then it has been accepted that his line
was correct. He was merely - we were merely as an executive
reporting this to conference and as you will notice the report
was adopted without any questions.

You will notice on page 25 there is a document, a para-
graph which says "Comment ". --- Yes.

Can you please read from the phrase - "A problem (30)
we/...

we constantly encounter ..."? --- "A problem we constantly encountered was the militant anti-apartheid stand of the the foreign? unions. They at times wrote to us asking us to send them messages of support for one anti-South Africa rally or another. This we declined to do for two reasons, (a) it would be inadvisable and (b) GSC has not?... specific policy with regard to this."

Yes, thankyou. Now if we can go back to page 22, please. You will see there, just before paragraph 1 there is a phrase (10) "The unexpected overseas press reaction to the formation of SASO (which interpreted the Movement as ...?... of Black Power along the American" - it must mean American lines, not American lives."

--- Can you just tell me the page?

It is page 22, more or less over here. --- Alright, fine.

It is in the paragraph commencing "This portfolio ...".

--- Alright.

What would you say about Black Consciousness and Black Power, are they the same thing? --- Well, they certainly are not. (20) I think the end result or the goal of Black Power is fundamentally different from the goal of Black Consciousness in this country, that is Black Power now in the United States where it was conceived.

Yes? --- Black Power is the preparation of a group for participation in already established society, a society which is essentially a majority society and Black Power therefore in the States operates like a minority philosophy. Like you have Jewish power, Italian power, Irish power, and so on, in the United States. The Black people are merely saying that it is (30)

high/...

high time that they are not used as pawns by other pressure groups operating in American society, they must themselves form themselves into a definite pressure group, because there were common problems with Black people in the United States, but essentially they accept that they are a minority group there, and when they speak of bargaining, you know, which word they use, they are talking within the American context of using the ballot box. They want to put up the kind of candidates they like and be able to support them using their block votes. So in that sense Black Power is a minority philosophy in the United States. (10)

I want to ... --- And the other thing which causes that, the American Black man is essentially you know, he is accepted, he is truly American in many ways . You know, he has lived there for a long time. All he is saying is that --"man, I am American, but you are not allowing me to live like an American here in America". He has roots with Africa in a sort of - he is sort of coloured by ever so many centuries and his whole being therefore is I have heard of White folk out in America, and he accepts it himself, he does not reject his Americanness. (20)

Yes, would you please in this context have a look at SASO G.3 the second paragraph. That is the speech on Black Power by Mr. Magagula. There he gives a definition of Black Power. I just want you to indicate briefly to His Lordship whether you agree with that? --- Where is that now?

It is SASO G.3, Black Power, have you got the first page? Now the very second paragraph : "In order to avoid ..."? --- Oh yes. "In order to avoid any misconceptions that you might have on the concepts of Black Power, I wish to give a/... (30)

give a definition of it, so that I will know the framework in which I propose to discuss this concept. I best would define the Black Power as the ascension of the Black man's (Court intervenes).

BY THE COURT: Assertion, probably. --- Assertion, yes. -

" ... assertion of the Black man's fundamental coöperative sense and dignity, integrity and worthy in a commitment to the search of his freedom and justice within the framework of an equitable extension of power for the achievement of good for all races." (10)

I think this is a somewhat confused definition of Black power. I can't find the substance for this, I think it is - he has taken a few words which do occur in certain definitions of Black Consciousness and probably Black Power, he has put them together to form a definition which I would personally reject. In a sense it relates much more to Black Consciousness than even to Black Power really.

Yes, thank you. Now Mr. Biko, another document, and this will be the last document I hand up to you. It is headed the (20) Background Paper for a Planning Commission. My Lord, shall this be EXHIBIT AAA or AQ?

BY THE COURT: Let us start a bit afresh, AAA.

MR. JOGGOT: Would you tell His Lordship whether you identify that document? --- Yes, I can identify the document. This is a working paper drawn up by me as chairman of the Planning Commission at the 1972 SABC Conference which was meant to direct the areas around which the Planning Commission should deliberate.

And would you say that this is a typical example of the preparations of a Planning Commission? --- Yes, but not only Planning Commission, it is meant to cover all loose ends at (30) a conference/...

a conference. It does planning and administration. For instance we normally look at the salaries of the staff employed by SASO, we make recommendations, and we then look at any loose ends in the SASO ...?..., we make recommendations, we normally wait for all other commissions to report because the possible implication of their report is finance, and finance is normally in the hands of the Planning Commission. We make recommendations about that as well.

Yes? --- We also draw up normally a year's programme for the organisation. So this would be quite typical of a Planning Commission. I had in fact been chairman of Planning Commissions from 1971, 1972, I think. (10)

Now Mr. Biko ... --- In 1971/1972 I was - I am not sure about 1970.

Now another odd point, without referring to the documentation, the policy of SASO appears to have been against dialogue between the South African Government and other countries, is that correct? --- Yes, that is partly correct.

Can you give us the benefit of SASO's views on that particular theme? And why that was your policy? --- Yes, as I said yesterday, we saw international pressure on South Africa as important in the whole process of forces that were calculated to be able to change the viewpoint of the South African Government concerning us Blacks. (20)

Yes? --- Now the whole dialogue approach to our - to Africa, we thought and believed had been devised by Mr. Vorster and his Foreign Affairs Department precisely to undermine Africa's solidarity. And to begin to gain friends in Africa, so that South Africa could afford to face the future with less of a combined criticism. We are of the belief that if Africa/... (30)

Africa loses its unity in criticising South Africa, we might get to a stage where Mr. Vorster can justifiably claim support for his policy from countries outside South Africa. We never for a moment thought that Mr. Vorster's intentions in Africa were anything but to promote South Africa as it exists, so that we felt therefore we should discourage any country from entering into dialogue with South Africa as of now.

Was there any intention to weaken South Africa diplomatically in order to weaken its - it as a regime? --- Not really. (10) The main intention as I say was to make sure that the total pressure that Africa continually applies on South Africa through criticism remains intact.

Yes, now Mr. Biko, you in fact are the author of many documents inter alia under the title shall I say non-de-plume of Frank Talk.....

BY THE COURT: Before you deal with that and before we leave this AAA document, now under the heading of "Organisation (b)", you say : "SASO is committed to liberation, therefore conscientisation programmes should be embarked upon." -

Now what did you have in mind by conscientisation programmes? (20)

--- Well, conscientisation My Lord, essentially as I - I don't know if I have dealt with it already, is assisting Blacks in being able to grapple realistically with their problems, but not from a defeatist point of view, but from a point of view which allows them to work out solutions, in other words to elavate a certain level, I mean their level of critical awareness; now conscientisation programmes are precisely the type of programme we embark upon in communities, in other words we embark - in other words, if we have got a physical programme like a clinic, we are helping the community to remove from (30) their/...

their mind the defeatist element that good comes only from Whites. Here are Blacks working amongst us, here are Blacks achieving a particular end which is thought could not be achieved by us as Blacks. This helps in the building up process. This is conscientisation. And liberation, precisely implies that liberation from present notions, we say that we as Blacks cannot achieve anything, anything good must come from White society.

Why didn't you deal with it under (a), SASO is committed to self-reliance? --- Well, I think this is the point, breaking(10) down at a convenient spot, I mean I don't think there was any very profound thinking in breaking it down.

MR. SOGGOT: Mr. Biko, I am going to refer you to two documents, the one is Annexure - I think it is 8, "What I Like by Frank Talk". --- Yes.

Now I am not going to take you through this document. Do you remember this document? I mean do you remember the contents of this document? --- What I mean is what particular

BY THE COURT: Well, tell him what it is about? --- Yes, what is the topic? (20)

MR. SOGGOT: Oh, I am sorry, An Important Determinant to South African Politics(?). You referred to it yesterday.

--- An important determinant to South African Politics?

Here, an important determinant, this is the one I referred to yesterday? --- Yes.

Do you remember this particular document? --- I remember.

Can you tell us in a nutshell what you were trying to convey in this document? --- Well, I was emphasising in our minds the fact that on the face value Blacks are the fiend within Black Politics, can he not be taken to be reflecting the (30) thinking/...

thinking that is going on within the minds of Black people? Because all too often fear tends to play a very important element, in other words people are stopped from expressing their true thoughts because they fear what will happen to their jobs, they fear what will happen to their own personal freedom. I was referring to things like banning orders, and I think the article had been written at about the time Mr. Nemoramgoban was banned. Now he was a particularly brave man, in the Durban situation he spoke forthright, and all that had happened to him after he re-established the (10) NIC was to get another banning order, so that now it reflects generally the silence in many areas within the Black community, reflects not so much their non-thinking, but much more their fear about what will eventually happen to them if they stand up to be counted. I think that is what is meant. And of course it was also being used as a rationale for accepting secondrate politics, namely Bantustans. I have heard Gatsha Buthelezi for instance saying something like he is not going to willibgly lay his neck to be chopped, you know, he is going to use the apartheid institutions to achieve the same end as (20) you SASO blokes. He said this to me across the debating floor.

Yes, now Annexure 9, 'Focus, Ugandan Asians and a lesson for us', can you again give us a concise idea of what it intended to convey? --- Yes, I think at about the time that Amin decided to order an exodus of Indians from Uganda, there arose in South Africa some extensive debate about the significance of the pact between Africans, Coloureds and Indians. Now in Durban this was handled in a very naughty manner I think by a gentleman called "Politikus" who used to write in one (30) of the/...

of the Indian papers there, I think it is - I have forgotten the name of the paper, but anyway, it was a man we knew, and he was trying to exploit the Ugandan situation to create amongst Indians a panic mentality about their pact with Africans and Coloureds within the sphere of Black Consciousness.

Yes? --- How the article was in fact written to place the logic of the Ugandan situation in perspective, that where you enter a country with a passport in your back pocket and you refuse to identify with the people of that country, (10) you are laying the very field of a suspicion which will later crystalise, that anybody who is of Africa must be fully of Africa in terms of his citizenship, in terms of his complete identification with Africa, and not have British citizenship, a pass/^{port} in his back pocket, his money somewhere in a bank in Europe, and thus hope to exploit the riches of Africa. This is what we are criticising there. And I was trying to point out that there are in fact differences between the Ugandan situation and here. I mean our Indian community is essentially rooted here, that figures, we are citizens, but as long as a (20) mentality which is similar to that one in Uganda is to be found here there will be problems.

Yes, now Mr. Biko, as far as SASO/BPC documentation as a whole is concerned, I am talking about the material which you are aware of, have you ever had occasion to believe that what was said or written had or was likely to arouse feelings of hostility? --- Not in the least, as I said yesterday, the primary intention and I think the result achieved, has always been that we are giving hope and a way out to the Black community who are/...

who are faced with an apparently impossible problem right now, they do not know where to turn, they have lost hope, and we are trying to re-instill a sense of hope through their being together and I think there has nothing been - I mean there has been nothing in the SASO language which has been new to the people. It is merely starting from an examination of the problems that we experience as Black people, to have a point of departure to inviting people into BPC so that we can move towards a solution of our problems.

Yes? --- The language used by SASO is pretty - I think (10) commonly used in the Black community, and as I said yesterday often perhaps expressed in what I'll call vulgar terms, so there is nothing which would create any sense of hostility. And the response from various meetings called by BPC or SASO, that I can recall, is one of a sense of new identity. You know, I mean I recall when I got home and when the first branch of BPC was lodged in Kingwilliamstown, a particular friend of mine who is a worker in King saying this to me, you know, I never knew that I would at this late stage discover myself. You guys have given me something to live for. (20) There is a kind of hope that we are trying to instill in the Black community as BPC and SASO.

Have you any comment to make on the language used by Blacks and the same language used by Whites? For example of the word "kill"? Does that - is that word used in any way differently? --- Yes, I think His Lordship did refer yesterday to this that the African language is a very - what word did he use now?

BY THE COURT: Ideomatic? --- Ideomatic, that is correct. Ideomatic, and this occurs both on the offences and defences. (30)

If the/...

If the court can allow me just to give an example. You do find an expression in a shebeen for instance where a Black man says - (The witness quotes in Xhosa) - Now that is a Xhosa expression. It will cause no headaches amongst Xhosas, it is properly understood. But when you interpret it into English, and this is often the problem sometimes in the - 3180 documents, you express in English and the ideom is different. Now that expression in English implies - if the court can allow me the privilege, to say - "Hites are shitting on us". Now that is a very strong expression in English. I would never use (10) it. But in Xhosa you can easily say it. Now simply because the language accommodates that kind of ideom and it has been said all the time that Afrikaans and the African languages are rougher than English. English claims to be a fine language and so on. That is precisely because they don't accommodate a very honest expression sometimes of basic feelings, you know.

BY THE COURT: But you use one word in a number of ways, like "

--- That is right. You see, so that often a document which is apparently because you are reading in English, sounds very (20) very strong. If you were just to put it in the vernacular of the area you would find it so weak that it would be absolutely of no significance to the people.

MR. BOGOT: Well, the phrase : "The White man wants to kill us" for example, would that have different shades of meaning to different people? --- No, if you say - (witness quotes Xhosa) - for instance, now that means "that they are making the lives difficult for us". You can say it for instance if you are required to stand in a queue for a long time. You can say it if you are supposed to do hard work. You can say it in (30)

many/...

idiom

Whites

many situations, but precisely the same expression. As My Lord was saying just now it implies different things in different situations. But it is the same word.

It sounds like an elastic Black metaphor, is that right?

--- That would be correct.

BY THE COURT: But I mean you can do a lot of things if a man uses it, sees him using it.

MR. MCGOT: Mr. Biko, can I refer you to the Allan Taylor Residence meeting on the 19th of March, 1972, where a gentleman called Harry Nengwekulu spoke? --- What was the occasion? (10)

It was a Sharpeville day I believe? --- Oh yes.

You were there? --- I was there, yes.

And do you remember that Harry Nengwekulu spoke? --- Yes, he spoke there.

And can you tell us whether you and/or other people had discussions with him about his speech afterwards? --- I think it was myself and Mr. Pityane, I don't know if there were others, who had a talk with him. I think he had over-used in his speech some words which could be subject to lots of mis-interpretation. He was just busy saying well, you know, (20) with reference to the White population if I remember as a violent population, referring to the various things they do to Blacks which he called violent. Now we were quite happy with his explanation, but we felt that at that time you know, the press was in the habit of deliberately picking up negative things in what was said by SASO or was done by SASO people, so that we felt that this was the kind of thing which would lend itself to misinterpretation, and we spoke to him strongly about it, precisely because he was in fact inebriated. (20)

uninhibited

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