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SAAKNOMMER: CC 452/85

PRETORIA

1987-08-17

DIE STAAT teen:

PATRICK MABUYA BALEKA EN 21

ANDER

VOOR:

SY EDELE REGTER VAN DIJKHORST EN

ASSESSOR: MNR. W.F. KRUGEL

NAMENS DIE STAAT:

ADV. P.B. JACOBS

ADV. P. FICK

ADV. W. HANEKOM

260

NAMENS DIE VERDEDIGING:

ADV. A. CHASKALSON

ADV. G. BIZOS

ADV. K. TIP

ADV. Z.M. YACOOB

ADV. G.J. MARCUS

TOLK:

MNR. B.S.N. SKOSANA

KLAGTE:

(SIEN AKTE VAN BESKULDIGING)

PLEIT:

AL DIE BESKULDIGDES: ONSKULDIG

KONTRAKTEURS:

LUBBE OPNAMES

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THE COURT RESUMES ON 1987-08-17:

POPO SIMON MOLEFE, duly sworn states:

FURTHER CROSS-EXAMINATION BY MR JACOBS: Mr Molefe, is it correct that thousands of copies of the UDF declaration were printed and distributed? -- That is correct.

COURT: You mean apart from "A1"?

MR JACOBS: Apart from "A1", only the declaration itself? -- That is correct.

To whom were they distributed? -- They were distributed generally to everybody who was interested in receiving it. 10

The public at large? -- That is correct.

And where were they distributed? -- All over the country, in White areas, Black communities as well as to the international communities and organisations as well.

And were they distributed at the UDF rallies and so on, other meetings? -- They would have been distributed at that level as well.

Why was it distributed on this national level? -- It was crucial for the UDF to put across its views to as wide a public as possible. In a sense it was to popularise the UDF and to get the public to debate broadly the issues of the time, the new constitution and the Koornhof bills, and to understand the reasons why the UDF was opposed to the reform proposals of the time. 20

And on the face value of the declaration, is it so that the masses must realise that the Government will not hand over the power and the government to the masses? -- That is not so.

Well, on the face value of it, is it not stated there that we know that apartheid will continue? -- It is stated. 30

And/...

And so it must be understood by the masses? -- That the new constitution is simply a perpetuation of the apartheid policies, yes.

And that apartheid will continue, that the masses must understand it? -- That is so.

And that White domination and exploitation will continue, that is what the masses must understand? -- That the new constitution was not addressing those issues, yes.

That the Government will always use false leaders and become its junior partners and to control the masses? -- May I request that I be given "A1". It seems like the learned counsel is referring to "A1". I just want to make sure that what is put to me is what is there in the exhibit. I have got the exhibit. 10

And is it then so that the masses must understand that the Government will always use false leaders to become its junior partners to control the masses? -- That is correct.

And is it correct that it is important that the masses must accept that they will be parties to fight the government and to liberate and take over power? -- What section is counsel referring to? 20

I am putting it to you in general. -- May the question be repeated?

Is it correct that it is also important for the masses to understand and to accept that they will be the parties to fight the Government and to take over power? -- That it was crucial for them to oppose the new constitution and the Koornhof bills.

Yes, but that is not my question. -- To dissuade the Government from continuing to let junior partners or people 30

who/...

who are not accepted leaders to control the people, the communities, the oppressed communities.

That is not an answer to my question. My question is that the masses must accept that they will be the parties to fight the Government and to take over power? -- That they must get involved in the struggle to end apartheid, to create a situation where power will not be in the hands of a minority but all the people of the country will have a vote, in that context, yes.

And in the context of they must be the parties to fight 10
the Government and take over power? -- There is no question of the take-over of power. The struggle is to end apartheid and have a vote for all the people. If that take-over power is meant in the context of a vote, then yes.

Is it not so that UDF over and over stated that the masses must be the liberators? -- That point we have made in the past.

So the masses are the people who must be the liberators?
-- That is correct.

So the message is clear to the masses that the Government 20
will not give up power and the Government will not hand over the government to the masses? -- The Government will not give a vote to the oppressed people unless they demonstrate to the Government that what it is offering is not correct, is not good, is unacceptable, and when we talk about the participation of the masses in the struggle to free themselves, this must be understood in the context of the argument that we in the UDF have presented time and time again, where we say that we do not believe that a few individuals, a clique of leaders or activists can decide a future for the 30
people/...

people, that they can engage in the struggle on behalf of the majority of the people, that in fact if there has got to be any change, that the ordinary people themselves must participate in the struggle to bring about that change, their ideas, their views must influence the content of the change that must take place. This much we have said. And we are not alone in saying this. Very many other people who went before us have said that, and even recently when there was the issue of Norweto, a committee that was set up to dissuade the Government from going ahead creating a new townships for Blacks between I think Sandton and Halfway House, they made that point very clear. They said that unless we unite, unless we speak with one voice, the Government is not going to listen to us. It will just go ahead with its plans. 10

And if the Government is not going to listen to them and is going to keep the government and not going to hand over the power to the people, how are they going to liberate themselves? -- We have got no reason to believe that the Government would not listen to the voice of the people, if people if people have built a strong and effective voice. It has listened to people in the past. It had continued to do so in the time of the emergence of the United Democratic Front. There is no reason for us to believe that the Government would not listen, and in fact the fact that in a situation in which other people had adopted violent methods, we in the UDF set up an organisation that was committed to peaceful change. We did so because we fully understood that if we were to build strong enough a voice of opposition we would be able to move the Government. 20 30

Do/...

Do you agree, Mr Molefe, what you said just now is contrary to what the belief is that is conveyed in the declaration here? -- That is not so. I dealt with the declaration at length and I dealt with that section, and I explained very clearly what that section means. It is not just something that is dealt with in isolation. It is something that is dealt with in relation to the effect of the new constitution as we saw it, an analysis of the new constitution and giving reasons why we think that the new constitution should not be accepted, and we say this new constitution is not changing the relations of domination of the majority of the people by Whites. It is not changing the exploitation of the oppressed communities. It is not changing the policies relating to the removals and the Group Areas Act and the Bantustans and so forth. It is in that context that we are dealing with this. We are not dealing with this in isolation from the new constitution, and we are really saying that unless we build a strong voice, the Government will just go ahead with these things. It was crucial for us to understand these issues so that we are able to mount as strong an opposition as possible so that the Government does not go ahead with its plans. 10 20

You see, Mr Molefe, I would like you to have a look at EXHIBIT "AL30". It is Volume 2. This is a United Democratic Front document issued by the Eastern Cape. Is that correct? -- It has got an Eastern Cape logo on it and it has got United Democratic Front Eastern Cape.

Will you agree to it that this document adheres to the UDF policy and principles? -- I do not know. I had not seen the document before. I saw it as an exhibit in this case/... 30

case and in fact I have not had the opportunity to read this particular document.

If you will have a look first at page 2, start from the top please. "Over the coming months we, the activists.." Mr Molefe, will you read for the sake of the other accused because I must read here and away from them. --

"Over the coming months we, the activists, will be going to the people to collect the hundred thousand signatures for the UDF declaration. We will be speaking to the people in their homes, at churches, in the streets, bus ranks, wherever people are to be found. It is important that we have adequate information on the topics we are going to be discussing, that is the UDF, constitution and the Koornhof bills (and why we reject the latter two). Very important also is that we use the correct approach when speaking to the people."

I do not know how far I must read.

"This briefing will guide us in our work. We need to add onto this document information about our area, local organisations and other issues not mentioned here. The briefing will be done in two sections. The first will be about the house visit and some suggestions on our approach. The second will be on the information we will be needing. Read through this briefing and discuss the ideas in here before going into the field. Remember that when we are out in the people's houses, we are carrying the name of the UDF and its policies and principles."

MR JACOBS: Will you agree on this that according to this document, we are carrying out the name of the UDF, its policies/...

policies and its principles, and not the region but the UDF itself? -- That is what this document says. I have given that, it has got the Eastern Cape region, it may well mean that he is referring to that region of the UDF.

But it is the policies of the UDF? -- It may well mean that it is the policies of that region. One cannot dispute that.

And what is stated here also is that there will be house visits where the policies and principles of the UDF will be made known to the people on a house-to-house basis? 10
-- That is correct.

Will you have a look at page 8, the fourth paragraph from the top. Will you read that? -- M'Lord, I would like to read it in context. I think I should read it from where he talks about a re-emergence of people's organisation. I remember I read this section in the past and it gave me problems.

COURT: Yes, I think we have had it before because I have got a mark on it. On the 13th it was dealt with. What sentence are you dealing with now? 20

MR JACOBS: The sentence that it would never be prepared to give up ..

COURT: We dealt with that already. We cannot repeat what we have had.

MR JACOBS: Will you accept then that it is accepted in the circles of UDF that the Government will never give up apartheid and it is part of UDF policy and principles, that must be conveyed to the masses? -- If there is no protest it will not, as I understand it. The explanation I gave previously still holds, even in this instance. M'Lord, maybe 30

before/...

before we proceed, I had hoped that counsel would pursue the line that he had taken on Friday, on the question of the national convention and the slogans that he said were emphasised from time to time in the context of the national convention. I cannot remember precisely how the question was phrased, but my impression was that when counsel referred me to a number of documents with, I think we were interested in the slogan "People's Power", something like that, at that stage.

COURT: I think that at some stage he was linking various 10 aspects to the national convention. -- That is correct.

Is that the part you want to deal with? -- That is correct. My understanding is that the things he was referring me to, the context in which they were used was not really in the context of the national convention.

I think it was like prescription and that sort of thing. -- Conscription.

Conscription, yes, he linked that to the national convention, that sort of thing. What do you want to say about it? -- What I want to say is that it was not really 20 supporting the question that counsel had raised, in the context in which he had raised the question.

Very well, you make that point. If he wants to take it up further, then he can take it up further. -- Maybe I should wait for the record and see exactly what the question was, then I can pursue it.

MR JACOBS: Just one thing, Mr Molefe, on this question. Is it not - it is not a slogan but it is a principle of the UDF to promise the people that they will fight for power to the people, they will fight for the people's government. 30

It/...

It is not slogans; it is principles? -- I do not know if counsel is linking this question to what I have said.

COURT: Where are we going, Mr Jacobs?

MR JACOBS: I am just putting it to him that it is not slogans as he is trying to make it off as slogans, but it is a principle of the UDF to fight for power for the people, people's government. Is that not so, Mr Molefe? -- Yes, we want a government by all the people of South Africa, and we want a vote for all of them, and that vote is power.

And you want the power for the people? -- Yes. 10

Mr Molefe, why are the campaigns regarded as very important in the UDF? Let me get it first: are the campaigns regarded as important in the UDF? -- That is correct, the campaigns that it is staging.

That is campaigns and issues, is it correct? Also issues are regarded as very important? -- Well, any issue that is affecting the people, yes, it is important.

Why is it that the UDF regards the campaigns as so important? -- Which campaign?

The campaigns you mentioned? -- Which ones? 20

You have mentioned four, Mr Molefe? -- From the outset the UDF's aim was to persuade the Government not to go ahead with its constitutional proposals and the Koornhof bills, and to instead call a conference or a national convention where proper debate could take place as to the best future for the people of South Africa, all of them, Black and White would be, so that each campaign that the UDF took up was intended to persuade the Government in that direction.

Is it not very important - or I will put it to you that the campaigns are very important in the drive to 30
organise/...

organise the masses against the Government? -- Against the policies of the Government.

Not only policies but against the Government itself? -- I have a bit of a difficulty with this against the Government itself. We are fundamentally opposed to the policies of the Government, and essentially it is the policies of the Government that we see as the enemy. We understand that those policies cannot implement themselves, that there are certain people who are implementing those policies. Our task is therefore two-pronged and we deal differently 10 with those two issues. At one level we would like the policies of apartheid to die completely, to be destroyed completely. But insofar as the human beings who are advancing those policies are concerned, we seek to win them away from the policies of apartheid, to support better and progressive policies that would accommodate all. That is why from time to time, whilst you are opposed to the Black Local Authorities, you would however welcome those councillors who resign and want to be part of the popular organisations of the people. Human beings are not like something 20 that is static. They change from time to time. When new ideas emerge, debates take place, those debates have a tendency of influencing them to change attitudes, and the attitudes when they change, they have the effect of either rigidly supporting the policies as they were, or a shifting away from those policies. We see our task as winning more and more Government officials away from the policies of apartheid. So that that important element would be - that element would be important even in the furtherance of our campaigns. 30

Mr/...

Mr Molefe, can you answer me now? Is it so that the campaigns are important for the UDF in order to organise the masses in the liberation struggle against the Government? -- In order to build opposition to Government policies, in that context, yes.

And not to organise the masses against the Government as part of .. -- If that against the Government is understood in the context that I set out, my answer is yes, but if it means something that I do not understand, no.

To organise them, to be part of a liberation struggle against the Government, is that no? -- May counsel repeat the question? 10

Are the campaigns very important to the UDF in order to organise the masses and especially the Black masses to be part of a freedom struggle against the Government? -- Yes, in the course of the campaigns we hope to organise and win more people into our organisations, to build opposition to Government policies.

Is it also very important, the campaigns, in order to mobilise the Black masses in a freedom struggle against the Government? -- That is not so. The UDF bases itself on the principles of non-racialism, no question of the Black masses. 20

Is it very important, the campaigns to the UDF, in order to politicise the Black masses against the Government in a freedom struggle? -- To politicise them against the Government?

To be part of a freedom struggle against the Government? -- Well, in the course of campaigns, clearly people would develop a better understanding of the politics of the country, and who would as I said, strive to win them over 30

to/...

to the movement that is opposed - to the UDF as opposed to the policies of apartheid, in that context, yes.

Is it correct that the phrase "mobilise" is used over and over in the documents of the UDF by the UDF? Is it correct? It is a very important factor of the freedom struggle? -- I believe so. It is mentioned there. It is an important element in the struggle, in any organisation that hopes to build strong membership and to get wide publicity.

Now, in what context do you use the word "mobilise" in the freedom struggle? -- In what context? 10

Yes, what do you mean by mobilise in a freedom struggle? -- Well, all we mean is that we have got to draw large numbers of people to our meetings, we have got to reach out to large numbers of people through our publications, we have got to get large numbers of people debating both the policies of the UDF and the Government, with a view to winning those people over to what we consider to be the correct position vis-à-vis the apartheid policies.

Does it mean that you want large numbers of people to take active part in action? -- We want large numbers of people to become part of our organisations and to support the actions, the activities of the UDF and its affiliates, in that context, yes. 20

And what do you mean by politicising people? -- Well, politicising really means a process of understanding the political situation and the causes of the problems that one is experiencing, how they link up with Government policy.

Is it part of the politicisation of the masses that they must regard the Government as an enemy? -- That is not part of the politicisation. It is true that they would have/... 30

have to understand how the problems at a local level are influenced by the policies of apartheid.

We have dealt with it already, but is it correct that the Government must be regarded as the enemy? -- UDF has never sat down to decide that the people must regard the Government as the enemy.

But it has stated over and over, I put it to you, by the UDF activists that the Government is the enemy of the people? -- I have explained the conception of the enemy. In that context, yes, but I deny that the UDF set out to use that as a way of politicising people. 10

Can you tell the Court, what are the duties of the UDF National in regard to campaigns? -- That question is rather too broad. I would appeal to Your Lordship that counsel picks on specific issues that he would like to know about that.

I would like to know what the role of the National is, UDF National.

COURT: In what?

MR JACOBS: In regard to campaigns, in the running of campaigns. 20

COURT: Does UDF National initiate campaigns? Did it? -- Well, there are instances where UDF National would initiate campaigns, where for instance the discussions would start say maybe at NEC level and they go down to the regions for further debate, and the NEC receives a feed-back from those regions. It receives a feed-back from those regions. Then once those are national campaigns, then the National UDF takes responsibility for co-ordinating those campaigns. In other words it would from time to time ask regions to give reports/... 30

reports on the specific campaign that is taking place, progress reports, explaining the methods that they are using in the campaign and the problems that they are experiencing. One such campaign would have been the campaign against the elections for the tri-cameral parliament, the elections for the BLA, Coloured Management Committee and the MSC.

Is it not so that it is a role of the UDF National to initiate the campaigns and then they must be carried out by the regions? -- Not they must be carried out. I think once more we must understand it in the context of the nature of the front formation of the UDF. The NEC can sit and debate issues, to the extent that the idea of a campaign starts at the level of the NEC, it may well be regarded as the initiation of that campaign, but then it has got to go back to the regions where they debate the issue. Once they themselves have agreed as a region that that campaign has to be taken up, they then take up that campaign. It does not follow that anything that the NEC decides is a must for the regions to carry out.

And then is it not a duty of the regions after it was initiated at National Executive Council to carry it out and to co-ordinate the campaigns? -- It first has to debate it with the affiliates, because you see, there the NEC, you do not have every affiliate there. It has got to be discussed first at the Regional General Council. It has got to go back to the affiliates, the membership of the affiliates must discuss it, and then it goes back to the Regional Council and right back to the NEC.

And they co-ordinate the running of the campaign. Is it/...

it/...

it correct? -- Who co-ordinates the running of the campaign?

The regions? -- Yes, the regions would co-ordinate the campaigns regionally.

And in actual fact it is then the organisations, affiliated organisations of the UDF who must run the campaigns? -- If those affiliates had accepted participation, they would run the campaigns, but it does not follow that if the General Council has taken a decision, every affiliate is carrying out that campaign. I know for a fact that a lot of affiliates did not participate actively in the million signature campaign of the UDF. 10

Was it accepted by the UDF that they could not run the million signature campaign because they did not accept it but for other reasons, because they are too small or they are not political or anything like that? -- They are not political?

Yes? -- I cannot remember that part of political, but I know that affiliates were not participating enthusiastically in the million signature campaign, and the NEC or National Secretariat discussed the matter and we wrote a letter to regional executives of the UDF, myself and no 20, my colleague in the UDF, with a view to persuading them to be more active as an example to affiliates so that they could participate also actively in the campaigns of the UDF. I cannot remember the specific reasons why each affiliate was not participating. 20

Who and what is the information officer in the UDF? -- What is the information officer?

Who is the information officer in UDF, or do you not know anything about him? -- At the time of my arrest we did 30

not/...

not have an information officer.

COURT: At national level? -- Yes.

Was there at regional level an information officer? --
I do not know of any.

MR JACOBS: Do you know anything of plans to appoint an
information officer? -- There was a motivation to that
effect.

Where was that? -- I think by 1984 that matter had
already been discussed. I cannot remember precisely when,
but at the time of my arrest we were still looking forward 10
to appointing an information officer for the UDF.

Was it decided on an information officer on national
level or in the regions? -- Well, in this instance, I am
referring specifically to the NEC. Regions might well have
considered that themselves, but I am not sure about that.

And was it discussed in the National Executive Committee
meetings, the information officer? -- I believe it was,
possibly in EXHIBIT "G1", meeting of June 1984, I am not
sure, but I think also the matter arose at the NEC of October
1984, but I was not present at that meeting. I think I saw 20
something like that in the minutes.

You only saw it in the minutes. Do you know about a
discussion about an information officer? -- Yes, I know
there was a discussion.

What was discussed? What were his duties supposed to
be? -- Well, offhand I think it would have been to collate,
to compile information and disseminate information about
the UDF, to set up an information office and so on. I
cannot remember in exact terms. I think it is dealt with
in some of the exhibits. I would have to refer to those 30
exhibits/...

exhibits. I would appreciate it if counsel could refer me to that specific exhibit because I think he has got it.

Can you remember whether he had duties in regard to campaigns? -- I do not know if he had to deal with campaigns but I believe if there were campaigns, obviously he would - I assume he would collect information about campaigns and make it known.

And make it known - do you know whether he had to collect information and supply it to the people running the campaign, in regard to the campaign? -- I believe he would do that. I am not certain. 10

Did the UDF have a campaign co-ordinator? -- Yes, at regional level. I think it did have, both at regional and national. In terms of the MSC there were regional co-ordinators of the MSC. We did not have a national co-ordinator, but in respect of the anti-election campaign, specifically that one relating to the elections for the House of Representatives and the House of Delegates, we had a committee that was working on that and co-ordinating that. There were other committees of course at regional level. 20

Who was the campaign co-ordinator? -- Which campaign specifically?

[No, I ask you about the campaign co-ordinator? -- (We) had a number of campaigns. Which one are you talking about?

(Have you got more than one campaign co-ordinator? -- There were instances where there were co-ordinators for certain campaigns, and I have set it out. I have said in terms of the NEC we had regional MSC co-ordinators. MSC is million signature campaign co-ordinators, and we did not have/... 30

have a national co-ordinator. In a sense therefore I as the general secretary together with the national publicity secretary would do the co-ordination at a national level for the MSC, and in respect of the campaign to boycott the elections for the House of Delegates and the House of Representatives, we had a national co-ordinating committee that was co-ordinating the work of regional committees. That national co-ordinating committee had myself as one of the members, I think the national publicity secretary was also a member there. I am not sure. Then we had a representative, permanent representative for each one of the regions of the UDF, and it was coming together from time to time to assess the work relating to the campaign against the tri-cameral election. 10

Was it only in regard to this that this committee was working, the tri-cameral campaign? -- That is so.

Who were the representatives from each region? -- My recollection is that Transvaal was represented by Mahomed Vali; Natal was represented, I think by Eunice Mahomed; Eastern Cape was represented by - I think I will come back to that one. I will remember the name. I cannot remember it now. The Northern Cape was represented by Jomo Kaso; the Border region was represented by Andrew Hendricks; Western Cape was represented by Trevor Manuel. I forget just this one person from Eastern Cape. I cannot remember the name now. 20

And is it correct that the campaigns were a very important factor in politicising the people? Is it correct? -- The purpose of the campaign was not to politicise the people. The purpose of the campaign was to build opposition to the policies/... 30

policies of the Government and to demonstrate support that those who were opposed to the policies of the Government enjoyed. That was the primary consideration.

And not as part of the liberation struggle, to make the Government's plans and policy unworkable? -- What is the question? I thought we were talking about the campaigns in relation to the question of politicisation.

Yes. -- Is that a new question that is arising? I do not understand.

Yes, that is a new question. Was it not part then to politicise the people, to make the Government's plans for change unworkable? -- The question I gave previously still holds, the answer, that the aim was to demonstrate support against Government policies, to persuade the Government not to proceed with its plans.

Mr Molefe, I would like to refer you to EXHIBIT "C53". It is Volume 4.

COURT: What is the admission in respect of this document?

MR BIZOS: It was found in the offices of the Transvaal Indian Congress.

MR JACOBS: Mr Molefe, will you accept that this was a document issued by UDF? -- On the surface of it, yes.

Have you seen this document? -- I cannot remember seeing this document before.

This is a report on the activities of the UDF. Is that correct? -- To me it looks like it is a motivation for funding.

If you look at the first page, will you have a look at the first page? There it says it is a report, "Future Program and Budget Proposals". -- Is that the first page?

The/...

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The first page, the cover page. -- I see that.

Will you accept that this is an important UDF document?

-- I believe it is an important document, but as I say, I do not know it. It may well be that it is an important document.

Did you not help to compile this document? Was it not part of your duties to assist in this? -- It was not. This document is dated November 1984, the time at which I was in detention.

And after you were released from detention, did you not see this document? -- I did not see it. That is why when the police raided the office of the UDF they did not find it there. They went and picked it up somewhere else.

Now, will you have a look at page - the first page and then, page 1 then, I see page 2 is numbered but not the first one, I cannot find the number on my first one, but I see the printed no 2 is on the next page, and then 3. -- I think Introduction is page 1.

In that introduction, will you read the first paragraph? --

"In the 14 months since the launching of the UDF tremendous gains have been made inside South Africa by way of strengthening the democratic movement whilst simultaneously cutting back on the legitimacy of the minority apartheid regime. This is not merely a hollow boast. The admissions of apartheid's Minister of Law and Order, Louis le Grange, concur with this view. The campaigns of the UDF have thwarted every attempt by the apartheid Government to regain its composure. Significantly too the struggles between town and country became one (the UDF campaigns will be dealt with

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in/.

in more detail later)."

MR JACOBS: Do you agree that UDF regarded the results of the campaigns to have thwarted the Government? -- It is true, for instance the Government scrapped the Orderly Movement and Settlement of Black Persons Bill, in that context, yes.

When was that? -- I think that happened in - towards the end of 1983 or the beginning of 1984.

Now, can you tell us who the UDF activists are referred to here, in the next paragraph? "The methods used by the UDF activists", are they the people in the organisations? -- May I just read the whole paragraph? As I understand it, it refers to members of the affiliates of the UDF who regularly go out to distribute pamphlets and publicise meetings, advertise meetings and who talk to people in their homes about the UDF. It refers to that.

Especially to the people in charge of the affiliated organisations? -- No, it does not refer to people in charge here. It refers to people who are actively involved in the distribution of pamphlets and spreading of the message of the UDF or its affiliates, who participate actively in the organisation of mass rallies and mass meetings and so on. It does not refer to people who are in control.

Does it include the people in control of the organisations to take part in house visits and speaking to the people during the campaigns? -- Just for purposes of clarity, what do we mean by people in control? Do you mean officials?

Yes, officials in the organisations, executives? -- I do not know. It may well mean that. It may include that.

Mr Molefe, an important factor of the campaigns, can

you/...

you tell me, am I correct, that it must be linked up with day-to-day issues? -- It is true that it is important that any campaign that is taken must address the concrete problems that the people are experiencing. It must not be something foreign to the people. Thus even parties that campaign for the elections, they do not simply call on people to vote. They deal with problems of the people like problems of pensions, problems of health, welfare, the question of unemployment, how they hope to improve the economy and so on. They talk about all those things, so that UDF also exists in a situation in which other groupings are doing these things. It does not become a stranger to these issues. 10

Now, can you tell the Court, the campaign against the elections, that was a national campaign? -- That is correct.

And was it linked up to day-to-day issues? -- Yes, it was, insofar as it was showing that whilst we are called upon the vote, the constitution that we are called upon to support does not promise us how it is going to improve materially our conditions of life. Say things like problems of housing, problems of Group Areas, problems of removals, problems of low wages, problems of the system of migrants, problems of ill-equipped schools and libraries and so on. In that context it was, and then issues like for instance the problems of separate and inferior education. All those things would have become part of the day-to-day issues that we sought to link the anti-election campaign with. 20

And also to conscription? -- That is correct. In fact conscription is not something that was far away. It was at the heart of the constitutional proposals itself, because when motivations were made why there was to be these other 30

houses for Coloured and Indians, the questions were raised as to whether White people wanted Indians and Coloureds to go and fight on the borders, and it was said that if you want them to go and fight on the borders, then let us give them a vote, and Minister Magnus Malan also made a statement long before we even started forming the UDF, and he said that he believed that Coloureds and Indians would be conscripted in the same way as White people were being conscripted, although it was going to be a gradual process, he believed. So that the whole question of conscription was at the heart of the constitutional proposals. It was not something that was far away. Many ministers have said this, one would be able to, if it is necessary, to produce cuttings, press reports of these. 10

And the importance of linking it up - let me rather rephrase it. Day-to-day issues are issues that had the potential of bringing out the anger of the people, to bring out their discontent and so on. Is it correct? - That is not so. In fact the more those issues are addressed, the more that anger or any explosion is avoided because then people can see that their problems are being addressed, someone is doing something about their problems. 20

And the linking .. -- And on the issue of conscription, if I may just recur to it a bit. It is not just an issue that was opposed by the UDF. Even the parties that are in parliament, these separate chambers, have from time to time spoken against the conscription issue. I remember even quite recently, very recently, there were advertisements in the Sunday Times and the Sunday Tribune, one by the Solidarity Party, the other one by the NPP, National People's Party/... 30

Party of Mr Rajbanjee. One party, Solidarity, is accusing NPP of supporting conscription, and the NPP was denying that it did not support conscription and they were saying that they would not call for the Coloured or the Indian youths to go and serve in the army for as long as apartheid subsisted. So that it is an issue that a whole range of people had taken up and were opposed to.

But is it not also true that day-to-day issues do have the capability of bringing out the anger of the people and to increase resistance against the Government? -- The UDF 10 is not interested in building the anger of the people. We have not considered that.

And bringing out more resistance to the Government? -- They demonstrate resistance. They demonstrate that.

An increase of resistance? -- They demonstrate dissatisfaction in an organised and well-articulated way.

But the day-to-day issues can bring out more resistance to the Government. Is that correct? -- I do not approach it from that angle. The day-to-day issues are important to show the link between Government policy and the problems 20 experienced at local level, and to demonstrate that there is a concern about these issues and that they have to be addressed, and that the kind of solution that the Government was proposing was one which could not fundamentally address those problems. In that context we link them with the campaigns.

Is that the only reason why day-to-day issues are linked to the campaigns? -- Well, broadly that is how I understand it.

And not in the sense of that making the people more 30 accessible/...

accessible to resistance to the Government and an increase in resistance to the Government? -- More accessible to resistance?

Do you say that the day-to-day issues are not used in a sense of increasing, get the people to increase their resistance to the Government? -- Well, in a sense that would be, because they would be building organisations that would be opposed to - they would be coming into organisations that are opposed to Government policies, and they would increase the voice of the organisation, of those opposed to Government policies, in that sense, yes. 10

And the people themselves built up their resistance to the Government? -- People act through organisations. I can only talk in the context of organisation.

Will you have a look at page 7 of that document, paragraph 1.4. Will you read it? --

"It is extremely difficult to detail the many instances of localised resistance which the UDF and/or its affiliates have been engaged in over the past 14 months resistance to increases in rents, food prices or bus fares, demands for adequate education, campaigns against detentions, etc. Whilst often such campaigns are waged by UDF affiliates, the association with UDF in itself provides these struggles with a form and content and linkage. 20

In essence this is the major advantage of a front of established people's organisations, the ability to campaign in so many situations around problems so directly experienced by our people is undoubtedly a strength of the UDF." 30

Now/...

Now, do you accept according to this, what is stated here, that it is an important factor to the UDF that by linking day-to-day issues to campaigns, that it brings out more resistance between the people? -- Well, I do not see it that way. In fact the contrary seems to be true here, because what this writer seems to be saying here is that organisations at local level are taking up issues like rents, food prices, bus fares and so on, campaigns against detention, and then he says, the association of those organisations with the UDF itself provides these struggles with a form, content and linkage. It may well mean that their coming together into the UDF enables them to link together these activities, they begin to realise that they were not the only ones who were fighting against, say, food prices, that whilst people in the West Rand, maybe in Krugersdorp are concerned about that problem, similarly people in Chesterville maybe are also taking up the same issue, that whilst people in Soweto are complaining about rents, people in Pretoria are also having the same problems, and they begin to realise that it is Government policy that is responsible for some of these issues. They begin to see the link both between their own struggles and between the Government policy. So that understanding of the link between the Government policy and these struggles would be some sort of a content that is given to those struggles. That is what I think, I understand it to mean.

THE COURT ADJOURNS. THE COURT RESUMES:

POPO SIMON MOLEFE, still under oath:

FURTHER CROSS-EXAMINATION BY MR JACOBS: Mr Molefe, is it correct that part of the policy of the UDF is that day-to-day issues/...

issues must be linked up with campaigns? -- I would not know whether to call that a policy, but perhaps one could say it is a method.

A method of what? -- Of relating campaigns to the problems experienced by the people at a local level.

And by doing so, is it part then of the method to get the people to resist the Government? -- To demonstrate opposition, yes.

When you say they must demonstrate opposition? -- What I am saying is that the UDF takes up a campaign. Let us take a campaign of say the Black Local Authorities, election. We look at how does the Government say this campaign is going to be financed, what are the powers - how does the Government say these local authorities are going to be financed, what are the powers that they have, what is their relationship with the influx control laws, we look at that, and we look at what are the problems that we have been experiencing before the Government presented the Black Local Authorities. Are these Black Local Authorities in a position to solve those problems? If they are not, then obviously we would talk about those problems. We would say, although we are called upon to vote, the Government with these Black Local Authorities that it is presenting to us, it does not attempt to address the key problems that we have been facing of housing, of high rentals, rentals which are repeatedly increased year in and year out. The problems of evictions, stringent influx control laws. These local authorities are expected to do those things, to further those problems that we are experiencing. In that context we would link the Black Local Authorities campaign to the day-to-day problems because/...

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because one cannot divorce it from those issues. But I must point out that the primary concern is to persuade the Government not to go ahead with the kind of structure that it is offering, which is powerless and ineffectual. It is not because we want to influence people to resist the Government. In the documents of the UDF, as you read them you would find from time to time there is talk about activities that organisations had been involved in long before the formation of the UDF, against housing, against high electricity bills, bread prices, transport and so on. Those problems have been there, and once the UDF came into existence, those things inevitably become part of the UDF because the organisations which were taking up those issues are now joining the UDF. They cannot all of a sudden leave those things out. 10

Mr Molefe, we will come to that, but that is one part of the talking about the Black Local Authorities, that is from the people talking to the people, making speeches and telling them that, but what from the side of the people themselves? They must be active in resistance. Is that not so, and that is why you use the Black Local Authorities linked up to day-to-day issues? -- As I have said, the ordinary people must be active in their own organisations. I had thought that there was a consensus of that. 20

But my point that I made is that you only answer my question on one part but not on the part from the side of the people themselves? -- These organisations are organisations of the people. They have been taking up these issues, and then all we are saying is that I cannot come from the UDF office and say to the people in the Vaal Triangle, why do/... 30

do you not say this rental is high? Resist this high rental. I cannot go and say that to the people. They themselves would initiate that. They would that that problem is affecting themselves. They had set up their own organisations because they realised that there were problems that they were experiencing at that level. So that it is the people themselves participating in matters that affect them. It is true that they have to participate, and the UDF encourages that participation, in a disciplined way in their own organisations.

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And I put it to you, Mr Molefe, in taking up the issues, the main drive for that is to get the people to participate in resistance against the Government, to persuade the people to take up resistance against the Government? -- Resistance against the apartheid policies and in particular the constitutional proposals, because that was the issue at that time.

I put it to you, it is not only the constitution and policies but against the Government and the bodies provided by the Government to rule the people, like the Black Local Authorities? -- That is not the primary consideration.

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But it is a consideration? -- No doubt, we cannot take up an issue that does not relate to the practical problems of the people, the concrete problems of the people. I have made this point before. The parliamentary parties are also addressing these issues. They become the issues around which the election campaigns are conducted. The UDF cannot be seen in a different light. The only difference is that it has got no vote, but it has got to talk about real problems of the people. Organisations come into existence

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because/...

because there are problems that have to be solved, and you cannot simply deal with a pie that is floating in the sky, in the air, that has got no direct relationship with the real life of the people.

And that is part of the whole concept that the people must become active, the people must unite in action and be their own liberators, the people? -- I cannot understand what the question is.

I say that the question that the people are influenced by the day-to-day issues is part of the concept that they must be active in the freedom struggle and they must be their own liberators? They are the people who are to act? -- I do not agree. I do not accept the proposition that the people are - we are influencing the people with day-to-day issues. All we are saying is that if there has got to be any change in terms of matters that affect the day-to-day conditions of life of the people, they themselves must speak out, they themselves must participate in the struggle to change those conditions. They must influence that change, and if they keep quiet the things do not change. This is our experience, and participation by the masses must be understood in that context.

And Mr Molefe, is it correct that the struggles of the people on issues were isolated struggles in the past? -- Well, that is what this document is saying.

And that is the perception of UDF? -- That is so.

Now, it is the first time now under the auspices of the UDF that they were all organised under one organisation in order to fight on a national basis? -- Not for the first time. There had been other national organisations that existed/...

existed before the UDF.

But since 1983 and before the launch of the UDF, they were isolated in their resistance to the Government? -- Yes, but there was AZAPO that was operating at a national level. There was also the National Forum Committee.

All the organisations now affiliated to UDF, were they affiliated to the National Forum and were they associated and affiliated to AZAPO? -- Not all the organisations. It is true that the struggles of those organisations which came to affiliate to the UDF were isolated and for the first time those organisations, specifically those who came under the banner of the UDF, were able to interact with other organisations. 10

And the purpose of that was so that there can be unity in action on a national basis? -- That is correct.

And all to be part in one single struggle? -- That is correct, on those issues which required that.

Under the leadership of the UDF and the co-ordination of the UDF? -- Under the banner of the UDF, but it must be understood here that when we talk about the UDF, we are essentially talking about the affiliates of the UDF. You do not have a separate entity there that has defined its own goals, say maybe about members of the National Executive, we exist separate from affiliates. They take decisions and then they pull organisations to carry out those decisions. When you talk about decisions of the UDF, you are essentially talking about decisions taken by those affiliates through their general councils and so on, and then they become decisions of the UDF and they are conducted under the banner of the UDF. These would be campaigns like the one against 20

the/...

the constitutional proposals, the ones against the BLA elections, the one against the Coloured Management elections, the MSC. Those are campaigns which required UDF co-ordination specifically, which required to be conducted under the banner of the UDF, although of course other organisations had already in respect for instance of the BLA, they had already taken their own independent decisions.

Is it correct that all the organisations now under the banner of the UDF are conducting their struggle under the leadership of the UDF and under the co-ordination of the leadership of the UDF? -- With regard to specific campaigns of the UDF, yes. 10

Can you just get clarity on one point: is it not an accepted fact by the UDF that there is a common purpose between the organisations affiliated to the UDF and the UDF itself on the freedom struggle against the Government? -- Freedom struggle against apartheid.

As you usually put it, 5% co-operation? -- I believe there is a general understanding that the freedom struggle is against apartheid. I think the affiliates would understand it that way, but the context in which the UDF co-ordinates that is in the context of its own specific campaigns. The struggle against apartheid should be understood in the broad sense, that if a community or organisations in Mhudi, regardless of the existence or non-existence of the UDF, are opposed to the policy of removals which finds its genesis from the apartheid policy of the Government, essentially that opposition to the removal, forced removals is opposition to the policies of apartheid. By opposing the removals they are really opposing the policies of apartheid. 20 30

They/...

They are saying, we would like to be allowed the right also to settle where we choose, that when we are moved we must be moved only when there is no other way in which the Government could do without moving us, and the determinant there should not be the colour of our skin or the fact that we belong to a particular ethnic group and have to be incorporated into a Bantustan, speaking the same language that we speak, but the fact that merely because of certain physical problems which no human being could do anything about, we have to be moved, then we will be prepared to be moved, 10 but the fact that it is motivated by the interests of apartheid, we resist the removals. That essentially becomes a struggle against apartheid. Similarly when people oppose at a local level repeated increase of rentals, they are essentially involved in the struggle against apartheid, given that the structures that are given to rule them are structures which have got no financial base, which themselves are incapacitated by the policies of apartheid, of separating communities and leaving all the bad things for the Black people and all the good things for the White 20 people of South Africa. So that essentially some way or the other it becomes linked with national policies of apartheid. So that in that context really all struggles become struggles against apartheid, but that does not take place only insofar as the UDF exists. UDF or no UDF, that is there.

Mr Molefe, is it not an accepted policy that the freedom struggle is a struggle for freedom which means that the Government of the people must be brought into this country in the place of the existing Government? -- That is correct, 30

the/...

the government of the people, all the people of South Africa, Black and White. It is a struggle really for a franchise, a struggle for a vote to all the people of the country. So that they must determine the kind of government they want and how they want to be governed. In that context it becomes a government of the people because the vast majority of the people have a vote, they exercise their vote, whosoever chooses to stand as a candidate can stand as a candidate and be elected into parliament.

And all these other aspects like the removals are only facets in this struggle. Is that correct? Black Local Authorities, the campaign against Black Local Authorities, the campaign against removals, they are only facets in this freedom struggle? -- They are the concrete forms in which that struggle expresses itself.

And they are important in order to mobilise and politicise and organise the people? The masses against the Government? -- I am saying those things are concrete forms of the struggle themselves. They are the struggle in themselves. It is true that when the UDF talks to a community that is affected by the removals, it would have to take interest in that issue of removals because it is affecting the people.

And they are also important factors in the struggle in order to mobilise and politicise and organise the masses? To actively participate in the freedom struggle? -- Well, I believe if a community is taking up an issue, already they are concerned about that issue. Perhaps it is true that that community may well have to linked up with a broad anti-apartheid front like the UDF. So those issues are important

because/...

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because they are affecting the community.

You are not answering my question. I said that they are important factors in the freedom struggle in order to mobilise, organise and politicise the masses themselves to participate in the freedom struggle? -- It may well be, yes.

Mr Molefe, will you have a look at that same exhibit, page 15 paragraph 4.4.1. Will you read it please? --

"The UDF head office serves as the linkage between the different regions. In addition its role can be broadly defined as initiating campaigns, information and contact with the international community. Head office employs two officers, namely the National General Secretary and the National Publicity Secretary as well as administrator."

MR JACOBS: Now, Mr Molefe, can you just explain to us what is meant by head office? -- This refers to the national office of the UDF, the one based at Khotso House, excluding the Transvaal office.

So it is then correct that at the head office campaigns are initiated? -- Well, if the writer of this means that the NEC would discuss a particular campaign and refer it to the regions through the national office, yes.

But this is a document of the UDF National, I suppose? -- On the face of it, yes.

So I do not suppose anything would have been put into this document on which the head office of the UDF was not satisfied? -- Well, I do not know. I was not there.

Because you refer to the writer of this document but what is stated here is not what the writer thinks, but it

is what the UDF policy is, what UDF information is and what UDF regards as their duties? -- Well, I do not know. I did not know this document before, but all I am saying is that, in the context in which I have explained how the UDF, the national office initiates campaigns, if it is in that context, that that is alright, I understand it in that context, I have got no problem.

But it is not in the context. It says here specifically that it is initiating campaigns? -- If I may ask a question. I am not disputing the fact that it says it is initiating campaigns, but what does counsel understand this to mean? Because as an officer of the UDF I have explained how the whole thing operates at a practical level, in a real sense. I have explained that. Counsel seems not to be happy with that explanation. Perhaps one should ask the question, what does counsel understand this to mean then? 10

Mr Molefe, it is not necessary for counsel to explain what it is, but these words are plainly and clearly, there is no proviso here, it is clearly stated that the head office is initiating campaigns, and that is what the UDF document is saying. 20

COURT: Mr Jacobs, what are you debating with the witness? About an hour ago the witness in answer to a question by myself said that the NEC does initiate campaigns in the sense that those that start, that the concept may be formed in the head office, at the NEC, and then obviously the head office will start the process, the debating process, specific campaigns. What are you debating then?

MR JACOBS: I am just putting it to him that campaigns generally are initiated at head office. 30

The/...

COURT: The witness says some campaigns were initiated at the NEC, I did not understand it to say all campaigns were.

MR JACOBS: I will accept it like that. Just on the regions, that they advance the campaigns. Is that correct? -- That is correct. They also initiate their own campaigns depending on the conditions in the region.

Now, will you have a look at page 16 paragraph 7.

ASSESSOR (MR KRUGEL): Is it the subparagraph, 4.4.1(7)?

MR JACOBS: That is correct. Under the heading "Resources and Information"? -- I see that. 10

Now, there is reference to our information officer? -- I can see that.

And according to this he would have the responsibility of procuring, translating and disseminating information crucial to campaigns? -- Yes, I see that.

Was such a person appointed? -- No, at the time of my arrest he was not appointed. However, in principle the need had been identified by the UDF, and I think the matter was supposed to have been discussed at the NEC which was due to take place in May of 1985. 20

Mr Molefe, is it also correct that it is an important policy of the UDF that campaigns must be linked up with day-to-day issues? -- That is correct.

Now, I just want you to have a look also at EXHIBIT "R2".

ASSESSOR (MR KRUGEL): Just before you go away from this exhibit, Mr Jacobs, could Mr Molefe please turn to page 12? What is stated there is the following; that is "The UDF and the Future":

"In essence then we project our work in the next period 30
to/...

to focus on issues pertinent to our people. We are committed to linking up these struggles into national campaigns."

-- Yes, I can see that.

"Simultaneously we believe that this form of struggle lends itself to the development of organisations."

Is that a correct policy statement or a correct projection of what the UDF had in mind? -- Well, by June there was a debate as to the future of the UDF, right through to July, as I have indicated earlier on in my evidence in chief, and by that time it was already clear that in view of the fact that the Government was likely to proceed with the constitution, the UDF would then have to broaden its focus beyond simply the elections, and it would have to deal with other problems which are affecting communities like removals and so on, pass laws and so on. It was really already focused that it would have to deal with the byproduct of the implementation of the new constitution. So that I think it is in that context that the writers of this document were looking at the issues.

And about the commitment to linking up the struggles to national campaigns? -- I do not know if a specific commitment was made. But ordinarily, yes, if there are local problems, we would attempt to link them with national campaigns to show that it is as a result of the apartheid policies that they have those problems.

MR JACOBS: Will you have a look at EXHIBIT "R2". That is minutes of the Transvaal Special General Council Meeting held on 14 July 1984. -- I see that.

Now, paragraph 3.1 - this was found in the UDF offices,

this/...

this document. Can you read out paragraph 3.1?

"It has been decided to employ a full-time national campaign co-ordinator. Prospective candidates were asked to contact the head office. The person would work with an envisaged national co-ordinating instructor."

MR JACOBS: So according to this, on 14 July 1984 it was already decided to appoint a national campaign co-ordinator? -- It was a recommendation of the National Secretariat to the NEC. My recollection is that it was subsequent to the consultations that took place or at the meeting of the NEC, of 21 and 22 July, the decision was ratified. However, that did not happen. There was nobody who came forward, we could not get a person who co-ordinate the campaign. 10

That is a general campaign co-ordinator? -- No, this was referring specifically to the anti-election campaign, because if you have a look here at - I think point 2 below, it sets out the purpose of this meeting and it reads as follows, that is the person's introduction, at point 2, page 1. It says: 20

"M Chikane said that the purpose of this special general council meeting was to discuss the anti-election campaign in the Transvaal. The importance and emergency of this campaign had necessitated this special meeting." So that I think it is discussed in the context of the anti-election campaign.

Mr Molefe, what did you discuss on the duties of this national campaign co-ordinator? What would have been his duties? -- I think I should refer to EXHIBIT "H2" because I think EXHIBIT "H2" has something on that. 30

Where/...

COURT: Where does all this take us, Mr Jacobs? The person was never appointed. What is the purpose of this cross-examination? Where are we going?

MR JACOBS: Just the importance attached to campaigns by the UDF.

COURT: Well, put it to him. He has already answered it a hundred times that campaigns were very important to the UDF. Why labour the point?

MR JACOBS: Mr Molefe, I would like to put it to you that through the campaigns it is an accepted fact that many people were mobilised into the UDF and it was an important part of the campaigns to mobilise the people into UDF, to be part of the freedom struggle? -- That is one of the important elements. The primary goal of the campaign is to influence the Government not to do in the direction that it was moving in. That obviously included the element of winning more people into the UDF, as participants in spreading the message of UDF and also to demonstrate the support that the views that the UDF articulated enjoyed. 10

I put it to you that it was accepted by UDF and it was canvassed by UDF to use campaigns in order to mobilise people? -- That was not the primary consideration. 20

And also the use of day-to-day issues was part of this campaign by the UDF to mobilise people into the UDF, and part of the freedom struggle? -- That is so, but that was not the primary consideration. It is simply because in any activity where you have to be effective by way of demonstrating, the strength of organisation in terms of numbers, you inevitably have to win more members, and to do that you have to address the concrete problems that they are facing. 30

And/...

And I put it to you that the message that was brought in the papers of the UDF, there was nothing of the other purpose stated by you here in the documents, but always it was directed to mobilising the people, the primary purpose of the UDF as stated by you, it was never mentioned in the documents as far as I can find it, but it was always a concentration of mobilising people into the freedom struggle? -- That is not so. That purpose is set out in the declaration of the UDF. It is set out in the working principles of the UDF. It is set out in the speech by Reverend Chikane at the national launch. I think that is EXHIBIT "D1". It is set out in the speech by President Archie Gumede in his speech at the same meeting, it is set out there. It is also set out in the speech by Reverend Dr Eoesak, that the reason for coming together is opposition to the new constitution and the Koornhof bills, and the mobilisation and organisation in the first instance is directed at the realisation of that objective. So that it is not true that that is not contained in the UDF documents.

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I put it to you that the other important factor in the campaigns and the issues, day-to-day issues is so that the people can be politicised against the Government? -- That is not the primary consideration, but inevitably that happens because of the campaign.

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And so that the people can take part in a struggle against the Government? -- In the struggle for a vote, in the struggle against the Government policies.

It was said in documents of the UDF that to mobilise and politicise people around issues so that they can fight? -- What document are we referring to?

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What/...

What would you say to such a suggestion? -- It might have been said, but is that a complete statement? Maybe counsel should refer me to the document.

EXHIBIT "C7", Volume 1. -- This is not a UDF document. We do not even know whether this was written by Lucille Meyer or someone in the house who occupies the same house with Lucille Meyer.

This is a document found by her and ex facie the document it was a document on the strategies of the UDF. What do you say to that? -- I do not know. In any event, any individual is free to express his or her own perceptions or views on a piece of paper. It does not follow that that is a UDF document. It may well be that some of the things that people are saying conflict with what the UDF says. 10

If you look at pages 6 to 7 with the heading "Organisation". First I want to put it to you that this document especially handles with the organisation and mobilisation of the youth. Have you read this document before? -- Some time ago. I did not study it - I can see here it deals with the youth and the democratic movement, and the first sentence I think purports to answer questions in relation to the role of the youth in the ongoing process of national liberation. That is what it says. 20

Now, the democratic movement, does that apply to UDF? -- It may well be, yes.

MR BIZOS: M'Lord, is the State contending that this document was compiled or published by an organisation of which the accused is alleged to be a member, which would make it on the face of it admissible, or is it just ..

COURT: Well, is Lucille Meyer not an active supporter of the/... 30

the UDF having been on the NEC, and in that sense, is the document not admissible? What we make of it eventually is a different matter.

MR BIZOS: Yes, I thought, M'Lord, that we would confine ourselves to 69(4)(c), the very furthest on the question of admissibility. Where it is mere possession of a co-conspirator, it may well be that that co-conspirator may have to explain the possession, but it is not any form of act in which any person who is involved with in the organisation. We have not had the opportunity to study it. We believe that the UDF is not mentioned in this document. We may be wrong, but we could find no reference to the UDF. The format of the document is the thoughts of some person whom we do not know. It was in the possession of a co-conspirator. It may well be that - "some thoughts" seems to be a favourite expression of people, of some people at any rate, sit down and write their thoughts. It is permissible to cross-examine an accused on the "some thoughts" of someone or other? 10

COURT: (It may be an entire waste of time, unless it is shown that this was a document which was the backbone of a speech, for example, delivered.) 20

MR BIZOS: Well, prima facie it is not, because it says this paper - anyway, M'Lord, I have made the point. I do not know whether Your Lordship ..

HOF: Hoe help dit u saak?

MNR JACOBS: Edele, kan ek net verwys na die "Introduction" op bladsy 1 daar. Daar word verwys na die UDF wat mnr Bizos sê wat nie genoem word in die dokument nie.

*This paper is not intended to answer all questions in 30

relation/...

relation to the role of the youth in the ongoing process of national liberation. On the contrary it has been occasioned by a number of specific issues that I have personally come across inside the UDF. There in the main are disorders which cannot seriously be attributed to any fundamental ideological differences. The problem insofar as I have been able to look at it, emanates from a lack of a clear perspective in advancing correct and appropriate tactics to come to terms with the situation. We wish to influence, this is a real problem 10 that faces the young crusaders in the democratic front."

Edele, ek het nou nie kans gehad om vinnig deur die ander te kyk nie, maar ek kan dit later doen, as ek dié dokument eers los, dan kan ek na hom toe terugkom.

HOF: Wat is die doel van die kruisondervraging? Wil u 'n frase aan die getuie stel, dan kan u die frase aan die getuie stel onafhanklik van die dokument. Maar waar bring dit ons, as dit nie bewys is die dokument is deel van die gepubliseerde materiaal nie en die dame is deel van die UDF.

MNR JACOBS: Ek sal dan later op die dokument terugkom, dan sal ek net ander vrae in die tussentyd stel, of ander dokumente wat wel dit is. 20

I would like you to look at EXHIBIT "C14", Volume 2, bladsy 3, die boonste paragraaf. Mr Molefe, I put it to you that there it is stated that it is a noble task of the UDF of mobilising and organising the people into a formidable front that will be able to render the Government's plans unworkable.

COURT: Have we not had this before? -- We have.

MR JACOBS: That was in another sense, on the importance 30 of/...

of mobilising the people around issues and so on.

COURT: What is the point you make?

MR JACOBS: The point I am trying to make, the mobilisation and organisation is in order to make the - is against the Government in order to make the Government's plans unworkable. -- Yes, in the context of the elections for the tricameral parliament and the BLA. This specifically was addressing the then coming elections, in the context of getting a lot of people not to vote, and I think that paragraph must be taken from where it starts at page 2 where it says:

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"We need to exercise utmost discipline, especially now at this moment of unprecedented violent provocations from certain Government-protected quarters."

That I understand to be actually saying that we must avoid acts which would lead to violence, we must refuse to be provoked by the Government into a violent reaction. I think in a sense it also answers partly - it is part of the instalment to the question that Your Lordship raised on Friday, as to whether there had ever been a statement that called - that specifically dealt with the issue of violence. This was a paper that was presented to a meeting attended by well over 1 000 people. I will respond to the question fully tomorrow, the question that Your Lordship asked, tomorrow or some time during this week.

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Mr Molefe, I would like to put it to you, when you told the Court that there were only four campaigns conducted by the UDF, you were not correct. -- I contend that I was correct in the sense in which I have defined the campaigns. The only other exception was really the campaign to publicise

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the/...

the atrocities of the Ciskeian Government, which I explained the form which it took. So that apart from that one, the UDF really in a real sense had four campaigns.

Do you now accept there was a campaign against the Ciskei? -- In respect of those atrocities, and I set out the goals of that campaign. That much I said in my evidence in chief and I repeat now.

I put it to you that it is recognised in the UDF that (the UDF conducted a campaign around conscription? -- The UDF intended, but that campaign was not conducted. If you want to get the facts in relation to that, I think we must refer to EXHIBIT "C1" or "C2", the secretarial report. It deals with the campaigns, what the UDF regards as campaigns and it separates other little activities that took place.

In the documents of the UDF there is reference to the campaign, the conscription campaign and the Defence Force. The conscription is linked with the Defence Force. Is that correct? -- I do not know. In a sense, yes, because it has got to do with this compulsory military service. I do not know in what context it was linked. But M'Lord, those four are the UDF campaigns. There has been a loose use of language in the course of time, where some little activities have been referred to as campaigns, but in the real sense they were not campaigns. I myself might have referred to something else as a campaign, but tested against the criteria of what a campaign is, that is not a campaign.

Will you have a look at EXHIBIT "C9"? Have you got it? -- I have got it.

Mr Molefe, this is a report of the secretariat to the UDF NGC? -- That is correct.

This/...

This was found in the UDF offices in Johannesburg? --
That is correct.

And this report, was it compiled by you as part of the
compilers of this report? -- That is correct.

Now, on page 6 paragraph 7, the seventh paragraph,
will you read it please? -- Is it the second or seventh?

The second-last one. --

"This is the scenario of the next few months. We see
the UDF fulfilling these tasks by applying itself to
the issues which will dominate discussion at this con- 10
ference, namely our response to the referendum/elec-
tions, the signature campaign and our campaign against
conscription. Unfortunately we will not have time to
deal with the question of removals and resettlement,
but they must be built into our campaign."

MR JACOBS: Now, Mr Molefe, will you accept then that there
you referred to "our campaign against conscription"? -- I
do so.

So you accept that there was a campaign against con-
scription? -- There was an intention to take up the campaign 20
against conscription. The real campaign had not unfolded,
and I think if we also would refer to the minutes of this
meeting, it will be clear that even the issue of conscrip-
tion was not fully discussed at that conference.

Do you agree, there is no mention here of an intended
campaign against conscription, but there is reference to a
campaign? -- Yes, but this is an inside informaiton. I am
an official of the UDF. I know about that.

Again will you have a look at EXHIBIT "C53", page 10,
that is in Volume 4, at page 10, paragraph 3.5. There it 30

is/...

is an accepted fact that the UDF was engaging in an anti-conscription campaign? -- If this is intended to say that the UDF did conduct this campaign, I disagree with the writer.

MR BIZOS: M'Lord, I think with respect My Learned Friend should draw the witness's attention to what appears on the top of page 11, which is part of the same paragraph.

MR JACOBS: But it is an accepted fact that there was a campaign about conscription? -- This page 11, the last sentence says:

"Whilst the campaign in essence might not be immediate, the preparation is .."

So to me this is that the campaign in essence has not started, in the real sense it has not started.

But did you know anything about a campaign against conscription, Mr Molefe? -- There have been a lot of discussions about the need to do that, to take up that campaign. From the outset conscription was seen as part of the campaign against - conscription was seen as an important element in the tri-cameral proposals, proposals for a new deal.

Was there any decision .. -- The NEC did, I think, at its meeting in November 1983, the minutes of which are contained in EXHIBIT "E1", did recommend to the Western Cape that a commission must be set up on conscription, to investigate how conscription, the issue of conscription could be taken up as part of the campaign against the constitutional proposals, and my recollection is that that commission was only able to give a report back in June 1984, was only able to present its recommendations at that time, around June 1984.

Was/...

Was it decided that the campaign around conscription to be conducted? -- I think the decision was taken, but it had not been practically implemented. There were discussions in a number of regions on that issue.

When was that decision taken? -- I am not certain. It might well be in September 1983.

And do you know what decision was taken, who was to run the campaign? -- Well, I think initially what was suggested was that really regions should set up commissions or committees. I am not quite certain.

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Was there a campaign against forced removals?

ASSESSOR (MR KRUGEL): Are you going away from the anti-conscription campaign? Are you coming back to that? Thank you.

MR JACOBS: Do you know if there was a campaign against forced removals? -- There was no national campaign in that regard. There might well have been activities in certain regions like maybe the Western Cape, and possibly a little bit in the Border regions relating to the situation in Ngwale, and some visits from the Transvaal to places affected by the removals, Mogopa and places like Badplaas and so forth, but there was not real campaign by the UDF. It was one of the issues that the UDF hoped to conduct a campaign around in the near future.

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Will you have a look at page 5 paragraph 1.2.2. Do you agree that there it is quite clearly stated that the UDF had a campaign against forced removals? -- May I have the opportunity to read the whole paragraph quickly? I do not understand this paragraph in the context that the UDF took up this campaign. All the writer of this is really

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saying/...

saying is that organisations or people in certain areas affected by removals had been resisting that. He refers to Huhudi here and he refers to Caelitsha, so that these activities had been there before the formation of the UDF, and he says, looking at that situation the UDF believes that it is an important area of work because of its ability to link town and country and spread resistance to give our struggle a more national character. Then the next page, page 6 he says:

"The National Executive Committee has decided to employ rural organisers to work specifically on removals. Unfortunately this decision has not been implemented due to insufficient funds for salaries and vehicles."

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So that really the UDF was not able to address itself fully to that. The writer says it on page 6 of the same paragraph.

Mr Molefe, I put it to you that you are trying to mislead the Court further because it is quite clear from this that there was a campaign against forced removals and that about to employ rural organisers, it is just one of the plans in conducting this campaign? -- I do not dispute the fact that other people had conducted this campaign, but the UDF itself had not, as I understand it, in the context in which I have given my understanding of UDF campaigns. It is true that the people in Huhudi had resisted removals there, similarly with the people at Crossroads connected with the Caelitsha issue.

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MR BIZOS: M'Lord, in view of the suggestion of misleading, we would draw Your Lordship's attention to page 9 where the question of resistance to removals is actually dealt with specifically in paragraph 3.1. I will not comment as to

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whether/...

whether the witness's answer is supported by that or not, but it is dealt with specifically. We do not have to speculate on the meaning at the bottom of page 5 and the top of page 6.

COURT: Mr Jacobs, what are you saying about 3.1 on page 9?

MR JACOBS: I am saying still that the UDF in this document is claiming these as UDF campaigns and whether they are working, intensifying the campaign, makes no difference, because it is only a question of intensifying an existing campaign. There was a campaign. -- I think 3.1 supports my answer clearly. I think that is a correct reflection of the situation, up until the time of my arrest. And dealing specifically with the point that is raised by counsel, whilst this report was written by the UDF, I seem to see it really dealing with issues that were not necessarily UDF activities. It is dealing with the general situation in the country, with regard to certain aspects of the lives of the people in South Africa. So that I do not think that everything that they have got in here is necessarily the work of the UDF. 10 20

Mr Molefe, can you tell the Court, did the UDF assist in this campaign, say for instance before it became national if it became national? -- It did not become national.

Did it assist in sending people to places to check up in places where there was removal? -- Yes, there had been instances where officials of the UDF had gone to these places by way of expressing solidarity with the communities affected.

[Did the UDF plan and send information, obtain and send out information on this campaign, on the question of removals/... 30

[removals?] -- I know of no instance where the national office sent out information regarding removals. I know of a situation where we were busy trying to collect information, asking those who were already involved there who had better understanding to supply us with some information and some publications that they had produced, such as the Black Sash, the Settlers People's Project, I think the Transvaal Rural Election Committee as well.

And then I just want you to answer me one question, if you go back to page 1. We read this part this morning, and in brackets: 10

"The UDF campaigns will be dealt with more in detail later."

Here it is identified, the campaigns that are dealt with later, that is UDF campaigns. Can you explain that to the Court please? -- Well, he is saying so, amongst those things that he is dealing with are probably UDF campaigns, but when we deal specifically with the issue of removals, it is clear that it is not UDF campaign yet. It does not change the position, but when I look at this, million signature campaign, yes, it was a UDF campaign, specifically. The anti-election campaign, that was the position, a UDF campaign. 20

Do you agree that although it is said here that the UDF campaigns will be dealt with in more detail later, there is no one of the campaigns dealt with later that say that this is not a UDF campaign? -- I submit that the section that we had dealt with relating to the removals indicates very clearly the extent of UDF involvement, if any. It is really a concern that was still to find practical 30
manifestation/...

manifestation, and there were still to be people employed, and in fact I earlier on indicated that I had written a letter to a certain Jackson Phusile to address the issue of removals. Up until the time of my arrest there had not been a response to that. I think that letter may be "X4", I think so, I am not quite sure, but I can find the exhibit.

Will you have a look at EXHIBIT "C102" - [I am going back now to the conscription campaign, Volume 5]. Have you got it? -- I have got the exhibit.

Will you have a look at page 10, paragraph 3.3. Will you have a look at the secretarial report? 10

COURT: Page 10 of the secretarial report. Is that right?

MR JACOBS: We did number them afterwards, page 2 of the secretarial report, paragraph 3.3 of the secretarial report. -- I see that. I suggest that that paragraph, that section, the whole section, be read in conjunction with page 2 of the secretarial report, which is just the page before that, point 3 which says "Other Activities", and it says:

"Limited activity has taken place in some regions around certain issues." 20

I think whatever comes below that must be explained in the context of that introductory remark.

Mr Molefe, will you agree, if I understand your evidence correctly, your previous evidence, that you are the person who conducted this report? -- That is correct.

And you yourself refer .. -- Jointly with no 20.

This exhibit, the secretarial report, paragraph 3.3, you refer to it as an anti-conscription campaign? -- Yes, I have used that word loosely myself too, from time to time, but when you look at this report clearly, which is just two pages/... 30

pages from the page that counsel referred to, you will see there after "Introduction" there is two campaigns, and it sets out - continues to page 2, it sets out the Black Local Authorities election, Coloured Management election, tri-cameral election, million signature campaign, and it closes and it says "Other Activities", and it goes on to explain that limited activity has taken place in some regions around certain issues. Then this that is called anti-conscription campaign, that falls under what we as the UDF National regard as limited activities which the UDF had not been able to co-ordinate as campaigns. 10

And is it correct, if you read paragraph 3.3 that a number of anti-conscription committees were set up by the UDF? -- That is correct.

And further on:

" .. that our affiliates and particularly youth and student organisations need to be encouraged to give priority to this issue."

-- That is correct.

Now, where were the number of conscription committees set up, Mr Molefe? -- That is so, in a number of regions. 20

Where were they set up? -- I think the Western Cape had one committee, the Transvaal had a committee, the Natal region had a committee, I think the Eastern Cape or Border had a committee too. However, it is clear from this that this has never been a priority, was not given serious attention and we are talking here of the situation as it was in 1985, April 1985, and a call is made here to organisations, that organisations be encouraged to give priority to the issue, and I think at this time there had developed in the townships/... 30

townships specific circumstances which necessitated this kind of attention. There were regular reports of misconduct by members of the SADF in the townships, repression in the townships and so on, and this states very clearly that we must perhaps consider the formation of a structure which could monitor and publicise these activities of the SADF.

But is that not only part of the campaign? -- Well, the actual campaign had not started. There had been discussions on these issues.

The putting up of the committees, is that not part of the actual campaign having started? -- No, it is the beginning of a process of addressing the issue, getting somebody or a group of people who can begin to lay the basis for discussions and collect information around that issue.

THE COURT ADJOURNS TO 14h00

DELMAS TREASON TRIAL 1985-1989

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