

c.c.

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

CASE NO: 18/75/254

DATE: 12 Aug. 1976

In the matter of

THE STATE

VS

S. COOPER AND EIGHT OTHERS

VOLUME 132

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LUBBE RECORDINGS (PRETORIA)

COURT RESUMES ON 12th AUGUST 1976TED ROBERT GURR, STILL UNDER OATH:

CROSS-EXAMINATION BY MR. REES CONTINUED: Professor, was it ever suggested to you that the charges that have been preferred against these accused are part of a strategy to eliminate any further independent Black thought in the Republic? --- No, that argument was not put to me.

Was it ever suggested to you that the purpose was to hinder the expression of political opinion in this country? --- No, that argument was not put to me either. 10

Did you ever believe that that was the position, did you ever have any reason to believe that? --- No, I am not sufficiently familiar with South African politics or governmental policy to form that specific opinion.

I am interested in the opinions you formed about this case, Professor? --- No, I have not formed that opinion about this case.

Did you ever hold the view, or did you ever hear the view expressed that the rule of law in South Africa has been supplanted by the delegation of vast unchecked authority designed to further apartheid? --- I have not heard that particular expression, I have heard similar views expressed. 20

Do you go with those views? --- I think my very presence in this Court suggests that I do not go with those views.

This Committee that asked you to come here, they seem to hold those views, or can't you confirm that? --- I know little or nothing about the Committee, I have never read any of their documents.

I want to put a little passage from their report, their ten year report, to you, and hear whether you agree with that or not. They say: 30

"The / ...

"The major problem in South Africa to which the Lawyers' Committee has addressed itself is the fact that the Rule of Law there has been supplanted by the delegation of vast unchecked authorities designed to further apartheid".

What is your comment on that? --- I am not in a position to form an expert judgment on that question.

They say:

"Since 1967 the Committee has felt members of the South African Bar bring before the South African Courts cases which involve the manner in which government officials exercise or abuse the broad authority accorded them under law".

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--- You are quoting from a document I have never seen.

Yes, I want to hear your comment on it, whether you agree ..(Court intervenes)

COURT: Mr. Rees, that is not the type of question that you ask a professional witness, he has his professional prestige to consider and his professional integrity, and that brings a professional witness to Court.

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MR. REES: With respect, M'lord, this man has been sent by this Committee and I want to know whether or not ..(Court intervenes)

COURT: Yes, he says they feel that he is an expert who can throw light on the case.

MR. REES: Yes, M'lord, but I would like to put the next passage to him too:

"By this kind of exposure the Committee hopes to curb abuses of authority in some cases to deter the full exercise of unquestioned Statutory authority"

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Did you come here for any of those purposes? --- No, Sir.

Did / ...

Did they discuss any of these purposes with you? --- No, they did not.

Did they reveal any of these to you? --- No, Sir.

Now, dealing with this question of the maintenance of law and order, perhaps Your Lordship wants to put a question, because arising from that I have got one or two questions.

COURT: Yes, well I really wanted the professor to assist me to determine what law and order really means, when it can be said that law and order is threatened or endangered. But if you want to think about it, Professor, you need not give a reply now, but if you think you can deal with it I would be grateful to you? --- It would help my thinking, M'lord, if you would be a bit more specific about which aspects of law and order you would like my comments.

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Well, in an interlocutory judgment in this case, I tried to analyse the Act under which the accused are being charged, and the expression "endanger the maintenance of law and order" is used, and to assist the conduct of this case I expressed a view as to what it could mean, and how it could be endangered. Now perhaps you should have a look at that, and then level your criticism or develop it if possible? --- This is to have a look at your comments on that particular issue.

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Yes? --- I should like to, and I would be pleased to give a reply.

I think the professor should be given that opportunity before you cross-examine him on the question of law and order, unless it is not related to the meaning of the expression.

MR. REES: No, this is not related, I think here is a little piece which may be of a little bit of assistance to the Court which I will put to this witness. Now this same Committee or the Lawyers' Committee for Civil Rights under Law, at their

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meeting / ...

meeting on the 21st June - it must be about 1963 - Vice-President Lyndon Johnson and the Attorney-General Robert F. Kennedy, they say pointed to recent events in the South the symptoms of a deepening crisis. Now, the recent events they refer to there were violence between Blacks and Whites?

--- What was the date please?

1963. --- 1963? Oh, those were the occasions on which civil rights marchers were attacked by Police and local White citizens.

And now the Blacks in America form a very small portion of the total community, don't they? --- Roughly 15%. 10

Roughly 15%, it is just the reverse of the position in South Africa as far as you know, when I say just the reverse broadly speaking the reverse, here the Whites are in the minority, is that as you understand it? --- That is as I understand it.

Then he carries on and he says - he pointed to recent events in the South, the symptoms of a deepening crisis:

"Our constitutional system and the rule of law depended they said, upon peaceful obedience to Court order." 20

That implies to me that the respect for the Court and the functions of the law-enforcement agencies is one of the basic factors considered by them as contributing to the maintenance of law and order? --- This is your inference as to the Committee's position - the Committee's statement of its own position?

No, this is my inference as to the deduction to be drawn from that? --- Yes, I think that is a reasonable deduction. I might add it is certainly my own position. 30

Now, Professor, you had never been to South Africa before you came here in connection with this case? --- That is correct.

And what were your sources of information on South Africa before you came here? --- One point I did not mention when describing my background was that my doctoral programme at New York University was an African studies programme, and my doctorate includes a certificate in African studies. In that connection I have done a good deal of reading about many African colonies and countries, and I have maintained you might say a tertiary interest in African politics over the years, so I have read a modest amount, not enough to claim expert status, but - PAUSE -

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I would like to know what was the type of literature you read - you had access to before you came here?. --- I read several general histories of South Africa, I have read most of the works of my former colleague, Gwendoline Carter, I have read Edward Feit's book on The South African Opposition - I don't have the title correct, precisely correct, I have read a number of articles, I have read pamphlets and brochures issued by the Government of South Africa. I think that just about covers - oh, and of course I have followed South African affairs in the newspapers, because South Africa is one of the countries on which we collected information on conflict.

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Well now, the newspapers, what South African newspapers did you have access to? --- Oh, I have not regularly followed the South African Press, I relied principally on the New York Times, the London Times, and several Digests which deal with African affairs.

And you don't know where they gleaned their information from, what the sources are? --- I believe in so far as one can go by their lists of their own sources, that they are drawn from - I have seen now that the Digests on African affairs draw their information from the South African Press.

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After / ...

After you had an interest in this case, what were your sources of information then, or did they remain the same?

--- I must admit that since engaging in preparations for this case, I have not read any professional studies and historical studies of South Africa that I had not looked at previously, I confined my attention to the documents and to general works on violence, protest and so forth.

Now your preparation to give evidence, you say first of all you were approached by this man Peay? --- Michael Peay.

When about was that? --- He first approached me on some date towards the middle of November 1975, by telephone. 10

And then you had discussion with him thereafter? --- Over the telephone.

Yes, and then? --- And then I read through the documents that he had sent me, these are the documents relating to the case.

Did he tell you who had supplied him with the documents and what the documents were? --- He said they were supplied by the Defence.

Yes? --- Then I spoke via long distance telephone with the Defence. 20

Who did you speak to? --- I spoke with Mr. Chetty and with Mr. Soggot.

Yes, and thereafter? --- Thereafter I agreed to come to South Africa to testify, that is to assist the Defence in the case.

What is the gist of what they wanted from you? --- They wanted my judgment on the - first and primarily they wanted my judgment on the adequacy of Mr. van der Merwe's framework, his diagnostic framework. At that point I was not asked to prepare anything else. 30

But / ...

But thereafter? --- Once I began reviewing the material in the case, both the documents and the testimony, that part of the testimony that I had seen, I began to form additional opinions about the matters at issue as I understood them.

What did you understand the basic defence is or was - or let me put it this way, what did you understand the defence to be? --- I understood the defence position to be that the defendants were not guilty of the charges.

Yes, but what was their defence? --- The specific strategy of their defence?

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Yes? --- I have posed that question to Defence Counsel on several occasions in several contexts, and I have never been given what I regard as a general outline of the strategy of the defence.

Well I don't exactly want to know what their strategy is, but what is the crux of their case, I know they are saying they are not guilty, but what is the crux - why do they say they are not guilty? --- I am afraid that you are asking me to generalise about the entire ambit of the trial, I certainly know what their contention is with respect to the particular issues that I have been speaking to, which is whether the documents are indicative of revolutionary intentions or revolutionary activities. Clearly, as I understand it, the Defence contention is that that is not the case.

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I follow, so your position is you were dealing with the question whether or not these documents are indicative of revolutionary intention? --- And related matters which, if they are not indicative of revolutionary intention, which opinion I came increasingly forcefully to, the question which arises in my mind is what are they indicative of, and I have suggested my own interpretations on that point in my evidence-in-chief.

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Professor / ...

Professor, when you did your preparation, I am not quite clear whether or not you made a contents-analysis of these documents? --- No, I did not make the kind of contents-analysis that I recommended to Mr. Van der Merwe.

Why didn't you do it? --- Because I lacked time and resources, and because I was not asked to do so.

You have used the word "rhetorical" when speaking about the contents of some of these documents, would you define the term rhetorical as used by you? --- I would certainly be glad to expand on my meaning of it, I won't stand by it as a formal scientific definition. By rhetorical I mean the use of symbolic language that evokes dramatic imagery, but that is not precisely descriptive or prescriptive. That is, when I say a term is used in a rhetorical sense, I mean that it is used to convey some more general emotional senses, but that it does not necessarily have precisely the connotation that the dictionary definition of the word would have. The word revolution and revolutionary is an example of a term that is very widely used in a rhetorical sense. As I said yesterday in the strict scholarly sense it refers to mass armed revolution, but it is widely used also to refer to widespread change, to the advocacy of change, to quite slow-moving processes like the industrial revolution. I regard most of those usages as rhetorical as distinct from the precise usage of revolution as referring to mass armed attempts to overthrow the State.

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But where you have been using the word revolution in your evidence, you have used it in the stricter sense, haven't you? --- I have attempted to do so consistently. I may have slipped up a time or two, but certainly it was not my intention.

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That would be patent, I follow. Then there is just one matter/...

matter which is not quite clear to me, whether I understood you correctly, I understood that you told the Court that you didn't receive any, nor did you expect to receive any remuneration or fee for your services in giving evidence here, did I understand you correctly? --- No, that is correct, I have asked for my expenses to be covered, but I have not asked for a fee.

Now Professor, why would a man in your position come to a county that you have no personal interest in, to come and render such services for nothing? --- I would have to say 10
that there are three motives involved: One is that this provides an opportunity in which to introduce political science evidence on a public matter, it is relatively rare that political scientists are called upon to give professional advice under any circumstances, and I suppose I saw this as an - not I suppose, I did see this as an opportunity to see whether the kind of expert knowledge that I have could be of use in a situation that would be of use to the Court; The second motive is that I had not been to South Africa before. I of course, was aware of many of the criticisms made of South 20
African society, and I regarded this as an opportunity to form my own judgment on some of those questions, that is I was interested in learning something about South African society at first hand; The third reason, the third motive, was formed after I had examined the documents, and I came to the initial conclusion that the interpretations put by Mr. Van der Merwe on the documents were incorrect, and I wished to be in a position to express my own position on that question.

What opportunities have you had since you have come here of observing the conditions in South Africa? --- Less than I 30
had hoped, because I am intimately familiar with the highway

between / ...

between Pretoria and Johannesburg, but I have seen much less of the country than I had originally hoped.

Professor, if a number of scientists have studied a certain problem and have made observations regarding that problem, would it be permissible for another person to study the findings of those scientists and come to conclusions on the strength of their observations? --- That is the beginning point for almost any kind of scholarship, one studies the works of other people who have written on the subject, and forms one's own conclusions as to their adequacy. I stress though that that is only the first point. 10

I asked whether it was permissible? --- Oh of course, not only permissible it is essential.

Is it permissible when one has some information and some partial theories to proceed from there by a process of inference? --- It depends on the status of the theory and the quantity of the evidence, but of course that is what one must do. I think one also has to - one is obliged to be sceptical about the accuracy of one's interpretations, until one has fully studied the subject. I might say that I have in mind both Mr. van der Merwe's testimony and my own. 20

Now, you wrote an article in a book called "Anger, violence and politics"? --- That is correct.

Theories and Research, edited by Feierabend and Feierabend and Ted Robert Gurr, that is you? --- That is correct.

And at page 48 of this book, you express yourself about certain events in South Africa. When was this book prepared? --- I don't recall the date of publication, but you will note that the article in question was published in 1967, it is a reprinted article. 30

And the views you expressed there, what was the source of your / ...

your information on that? --- I would have to be refreshed about the nature of the views I expressed there.

Good, well then, shall I read them and we can discuss the matter? --- Please do.

Or perhaps you can read it better, I think if you will start round about the place that I have marked? --- You would like to me read this aloud?

If you please, so that His Lordship - so that we are all on the same wave-length. --- Now, let me indicate to Your Lordship what the context is. The question is after a group 10 has experienced a depriving experience, a frustration, how long will their sense of discontent last, how long in time will it persist? What I say here, and I offer the South African case as an example:

"One can speculate that the time-scale is largely a function of the intensity of commitment to the frustrated response or condition. The effects of South Africa's apartheid policies, and the means of their enforcement offer an example. These policies, which impose substantial and diverse value deprivations on 20 Non-Whites, especially those in urban areas, were put into effect principally in the 1950's. Violent protest over their implementation were repressed with increasing severity culminating in the Sharpeville massacre of 1960, and a series of strikes and riots. By the mid-1960's, when deprivation was objectively more sever than at any time previously in the 20th century, levels of civil strife were very low, in parentially the result of very high levels of deterrence. Since deprivation remains severe and has 30 affected a wide range of values, avoidance of

violence / ...

violence in this case probably would require the maintenance of very high and consistent deterrent levels beyond the active life-span of most of those who have personally experienced the initial value deprivation. Any short run decline in the perceived likelihood or severity of retribution, however, is likely to be followed by intense violence."

And then I summarise the general argument in two propositions.

Will you just deal with the two propositions? Read them to the Court and deal with them please? --- These two propositions are similar to those that I later included in "Why Men Rebel." 10

"Inhibition of civil violence by fear of external retribution tends in the short run to increase the strength of anger, but in the long run to reduce it."

In other words, in the long run fear has inhibiting effects.

The sub-proposition, actually it is a corollary:

"The duration of increased anger under conditions of inhibition, tends to vary with the intensity of commitment to value with respect to which deprivation is suffered." 20

Can you just explain those two propositions in layman's terms, please Professor? --- Yes, the first of those propositions is that fear of punishment initially is likely to have, I say tends to have the effect of increasing anger, increasing the anger of the people against whom, increasing the anger of the people who fear retribution. In the longer run, however, the effect of fear of external retribution is to reduce anger, I don't say eliminate it, but certainly to reduce it. The proposition is based on a great deal of psychological evidence and 30 research. The corollary of that is that - it is purely a

qualification /

qualification - if people have lost a very great deal, now if the deprivation has been severe, then their anger will persist a longer time than it will if the deprivation has been of a mild sort.

And if they are constantly reminded of their anger of the sources of their anger, would that also make it persist? --- I have made no proposition about that point.

I am asking you now? --- But the answer I would have to give is that it depends on the extent of the initial deprivation. It depends on the status of the people communicating the statements.

But, whatever the status of the people communicating the statements, if you are reminded of the sources of what caused your anger, doesn't that keep it alive? --- I don't think that can be said as a general principle, no. 10

Why not? --- For the reasons I have mentioned before. If the function of the intensity of the initial discontent, of the status, the credibility that I give to the person who is reminding me, and.....(intervention)

Why should it, you have suffered this frustration and anger and somebody else reminds you of it, does it matter what his credibility or his status is? --- Oh yes, I certainly think so. 20

Why should it? --- If I can answer in terms of a personal analogy: If my wife reminds me of certain failings of mine in keeping the house in good order, it conveys much more significance to me than if my ten year old daughter does.

It may convey more significance, but it keeps the memory alive, isn't that the basis of it, Professor? --- Keeping the memory alive is not the same as regenerating the emotion.

COURT: Professor, I don't know whether I followed you correctly.

I gathered from what you read there that the intensity of the commitment depends on whether the deterrent would ultimately 30

be / ...

be a sufficient deterrent? --- Yes, when I - I beg your pardon?

Now, if you are really called to commit yourself or recommit yourself or you are reminded of your commitment, won't that have a bearing on the ultimate effect of the deterrent which is used to keep you inhibited? --- The commitment - the term is used in this context as referring to how intensely committed people were to the initial value, the initial conditions.

Yes, yes, I follow. --- Now, - all right then your question is?

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Now the prosecutor is putting it to you in another way, well now I am asking you that being constantly reminded of your deprivation, doesn't that affect your sense of commitment and the value of the right of which you have been deprived? --- If the value was one that one was originally strongly committed to, then yes, it would tend to have that effect.

But it may flag over the years, but if you are constantly reminded of the value of the right of which you have been deprived, doesn't that affect the effectiveness of the deterrent? --- Does that affect the effectiveness of the deterrent? What that would imply is that, if the principle is correct, then deterrents would have to presumably be maintained over a longer period in order to inhibit the manifestations of anger, yes.

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It may be that I didn't follow you correctly, I thought the measures taken to deter the deprived from taking action, depends on the measure of commitment or the intensity of the commitment of the deprived of his rights? --- Yes, his initial commitment, that is correct, that is the argument made to you.

Yes, now in other words if you are constantly over years or over time, your feeling for your commitment or your feeling

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for / ...

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for / ...

for your initial right may flag, now wouldn't a constant reminder or the manner of reminder sort of affect your commitment to your deprived right, and also, well in the same way affect the measure which will be necessary to keep you at bay? --- It would tend to do the former. Recall though my argument that there are alternative responses, three alternative responses. Now if in the interim, between the initial onset of deprivation and the present, alternative opportunities have been found, that is alternative ways of satisfying one's desires, then one would not expect the reiteration or reminder of old grievances to have the effect of increasing anger. We are dealing here with a theory - the theory is dealing with situations in which there are a number of different variables. 10

What you are then saying is that the alternative measures may reduce the intensity of the frustration? --- They may indeed, they may in fact alleviate it entirely.

MR. REES: Professor, what I am interested in is not - leave aside for a moment the alternatives, etcetera, we know that just like in economics or in psychology other factors influence it, but I am interested in the influence of this one factor, the reminding, the constant reminding. Now if, other things being equal, a person is constantly reminded of the deprivation as you put it, hasn't that got the effect of keeping the anger alive? --- It will tend to have - it will tend to keep the sense of discontent alive, and to lead to - which in turn would be expected to lead to responses, actions, which would relieve the discontent in one way or another. 20

Yes, now take the example that you gave us, you said it depends on the status of the person reminding you. Now, 30

assuming / ...

assuming - I hope such a thing doesn't happen - that when you get to the campus of your university you are beaten up and roughed up by some of the local police or a group of them against whom you can't take action. After that has happened you go before the Court and they say you were to blame, you did something wrong, but you feel yourself that you were not to blame. Now, does it matter over two or three months whether your wife or your daughter or somebody else says to you: hey, you have been beaten up, nothing has happened to you, you didn't receive any redress or anything, what is happening, won't that rekindle your anger? --- It would bring back a twinge I am sure, but sanity I think would require me - I would be inclined to shrug it off, try and forget and go on.

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Yes, but if you are reminded you won't shrug it off?
--- Well it depends on how many reminders I have.

COURT: You see the defence case is that if your deprivation is of such a nature that you are constantly aware of it, then reminder doesn't really remind you? --- I understood Mr. Rees to be asking me whether the reference, whether the reminder would in fact cause a resurgence of the anger, and I would expect, other things being equal, that it would tend to do so.

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Yes, thank you.

MR. REES: May I have a look at the book again please? Now where did you get the information from on which you based this proposition that you put in this book "Anger, Violence and Politics" at page 48? --- You will observe that there is no footnote referring to the South African material. Now that signifies that I did not get it from any single source, but drew that conclusion from a variety of evidence and information, from my general reading on the subject.

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Now you say: "the effects of South African apartheid and
the / ...

the means of their enforcement offer an example" - what are the means of their enforcement that you had in mind? --- I had in mind the strength, that is the numerical strength and the effectiveness of the South African Police - that in large measure. I, at this point, cannot tell you if I had any other specific aspect of South African politics in mind. We are referring to an article that I wrote ten years ago.

Now what are the means of their enforcement, you say the Police enforce it, but what are the means of enforcement that you had in mind? --- Do I specifically use the word means? 10

You say "the effect of the South African apartheid policy and the means of their enforcement offer an example." --- The means of their enforcement - I presume that I was referring to the policy of arresting people who engaged in any kind of illegal political activity.

But isn't that the policy of all countries in the world to arrest people who engage in illegal political, or any other kind of activity? --- It has been my observation that some countries are much more effective in doing so than others.

Yes? --- Again my impression is that South Africa has been very effective in doing so. 20

Then you say:

"These policies which impose substantial and diverse value deprivations on Non-Whites, especially those in urban areas, were put into effect principally in 1950."

.....(witness intervenes) --- No, "in the 1950's" in fact now, I am not at this point certain of the factual accuracy of that assertion. It may be that the policies were put into effect over a longer period. 30

Yes, but what I want to know is what exactly you are

referring/...

referring to? --- At this point I cannot be absolutely certain but the reference to Non-Whites in urban areas almost surely was based on my knowledge of the Group Areas Act and the fact that it did involve resettlement of a number of people to racially segregated townships and areas.

Then you say:

"Violent protests over their implementation were repressed with increasing severity."

What did you have in mind there? --- That is a generalisation that I could not now document without going back to my data files. But I did specifically make reference to the shootings at Sharpeville. 10

You call it a "Sharpeville massacre." Why do you use the word "massacre?" --- It was the word that was regularly used, frequently used in the news sources.

But I want to know why you used it, you are an exact scientist, why did you use it? --- I took at face value the evidence I had read that most of the victims in that particular incident had been shot in the back, and had been unarmed.

What was your understanding of what had happened at Sharpeville? --- My understanding then was fresher - I am sure - than it is now, that a group of Blacks had protested the imposition of the Pass Laws.....(intervention) 20

How had they protested? --- They had gathered at a Police station.

How many Blacks, would you say? --- I don't recall.

How many Policement were there? --- Nor do I recall that.

Did you also hear of the massacre of Policemen just two months before that by Blacks under similar circumstances?

--- I don't now recall that incident, no. I may have had it in mind when I wrote this, but I do not recall it now. 30

What / ...

What is a massacre? --- In general terms?

In the terms you used it. --- The shooting or killing of people who cannot, or do not, defend themselves.

And if people act in self-defence? --- And?

What then, is that then a massacre? If somebody is acting in self-defence to protect his own life? --- It depends on what they do in self-defence.

I see. --- If their lives are in fact threatened, then one would expect them to defend themselves, but, of course, there are many means of self-defence.

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And under what circumstances do you expect violent protest to take place? --- In general?

Yes. --- Violent protest, not violent rebellion, not violent revolution, but violent protest, is that correct?

Yes. Since you ask, would you just tell the Court what exactly you understand by "violent protest?" --- A man's expression of grievances which are made by groups, some of whose members use violent means, anything from stone-throwing to firing rifles in the course of their action. Quite often violent protest, as I would use the term, involves the burning of buildings, stone-throwing attacks on Police and officials, the events of Soweto and Alexandra, as I have read them described in the South African Press include a number of acts that I would generally characterise as violent protest.

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Thank you, Professor. If I may just digress for a moment. This violent protest, is the purpose of that to induce the other side to make concessions, or to bring about change? --- There is no answer I can give to that question.

Well, why do people protest violently? --- Sometimes because they are angry and they simply want to act out their anger, get it out of their system. Sometimes they do so

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because / ...

because they have specific grievances and they think that using these limited forms of violence will emphasise their points. Sometimes..... (intervention)

But now.....(intervention) --- Please, if I may, a third circumstance in which violence occurs in these kinds of protests is in response to actions by the authorities, that is by the Police. A fairly common phenomenon in the initiation of ghetto riots in the United States.

Now, isn't there a fourth possibility, having been incited by agitators? --- That is a possibility. I regard the first three as much more likely than the last, in general. 10

You see, Professor, we have had a number of cases there where people have been infiltrated into this country after having been trained in Russia, East Germany and similar Eastern countries in the art of agitation, and guerilla warfare, etcetera. Now, persons who have been thus trained, are they not capable of inciting such violent protests? --- If I assume the accuracy of the first part of your statement, yes such persons are. I have no independent basis fo judge the accuracy of the assertion. 20

We had a case here in this very Court not so long ago where groups of people had come in and they had been taught and they had been sent to establish themselves as command centres in various portions of the Republic. --- Is this perhaps the Breytenbach case?

No, not Mr. Breytenbach, that was the case in which Mr. Hosey and Mr. Mombaris, have you read of those cases? --- No, I have not.

They were involved, and they were bringing in, Mr. Mombaris reconnoitred the coastline, and they brought in people who had been trained, on the evidence place before the Court, 30

who / ...

who had been trained for a very long time in Baku and other places for this very object? --- Of course I am prepared to grant the possibility.

So, therefore there are four possibilities? ,--- Yes.

Now, such agitators would, no doubt, make us of any - what do you call it - value deprivations or any sense of deprivation that the population suffer from? --- If they had any sense they would, yes.

What do you mean here by:

"Since deprivation remains severe and has affected a wide range of values, avoidance of violence in this case probably would require the maintenance of very high and consistent deterrent levels beyond the active life span of most of those who have personally experienced the initial value deprivation?"

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--- That is a bit of speculation, not something that I or anyone else has been able to put to the test, but the speculation is that if people have been very seriously deprived, that the possibility of their remembering that deprivation and being willing to act on it to attempt to remedy it, will last a very long time. Though I think in fact one finds that very few people beyond the age of 40 or so are likely to be involved in protest activity.

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By that time they have got more sense? --- By that time they may be too weak and feeble.

A man over forty? Surely you have reached the age of 40, Professor? --- I have this very year.

You don't look weak and feeble to me. Professor, the fact that you have these riots and this violent protest at the moment is a clear indication that there could not be in South Africa this, as you put it "maintenance of very high and

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consistent/...

consistent deterrent levels"? --- Not absolutely so, because if the sense of deprivation is sufficiently high - and this is a point I have argued elsewhere both in - probably in that article, certainly in the book "Why Men Rebel" - if deprivation is sufficiently high, intense, this is especially true of new deprivation and - new deprivations, then if some people are willing to go out and act on it against all odds, in what one would almost characterise as a suicidal way.

Professor, may I just ask you this, when you used the term rhetoric in your evidence-in-chief, why didn't you define it then? --- I was not ask to define any of the terms that I introduced in my evidence-in-chief.

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No but I thought that from your own scientific point of view, why didn't you do it out of your own? --- I was reluctant to bog the Court down in endless definitions, there are perhaps thirty terms in there I might have defined, but I assumed that in cross-examination or at the Court's invitation I could define any which seemed to require definition, as I defined revolution at your request.

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Could you tell us exactly what you mean by a protest group, could you define it? --- I would define it in terms of the distinctive characteristics that were included on the list.

Tell us again please? --- Mr. Soggot, might I have my evidence-in-chief please?

What page are you looking at? --- I am looking at the first page on the ..(Mr. Rees intervenes)

But on what page of your - PAUSE? --- I am sorry, it is unnumbered, but it will be found immediately following page 8.

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Well you have got there characteristics, distinguishing properties / ...

properties and what-not, but that doesn't give me - a protest group, is that a minority group? --- No, not necessarily, a protest group can be of any size.

Any size? --- Yes. It would have three distinctive characteristics with reference to - like I would regard this as an adequate definition of a protest group.

Is that the three common characteristics? --- No, sorry, let me read the relevant ones:

"No.4. It makes demands for changes in some aspects of the existing system. 10

No.7 ..(Mr. Rees intervenes)

Now just - all right, go through them first, and then we will speak about them? --- I would say No.9 would be the second feature.

No.4? --- And then No.9:

"Its strategy includes plans for bringing about social and political improvement within the system.

No.7: Its organisation is public, it holds open meetings, its officers and members are generally known, and it has widespread or at least potentially widespread membership." 20

Although I am aware of a few groups which meet the characteristics in 4 and 9 which do not satisfy 7, but generally 7 would be part of my definition of a protest group, so 4, 7 and 9, three defining characteristics.

So a protest group, if they have those characteristics you say they cannot be categorised as a revolutionally group or is there a matter of overlap? --- A group which is a protest group at one point in time may transform itself or change into a revolutionary group. 30

And how would you determine as to when it was transforming itself / ...

itself? --- The surest test of that would be its actions.

Well once they start shooting then you know? --- Its actions and its chance for action. I can refer you back to my evidence-in-chief in which I listed I believe it was five characteristics of groups from which one could infer that they were preparing for armed revolution.

Could a revolutionary group start as a protest group, start off its activities as a protest group and then once it got sufficient support, change to a revolutionary group?

--- There are cases in which that has happened, yes.

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What about this No.6, if you find that the group demands the destruction of the existing political, economic and social system, what would you say it is then? --- As I have indicated here, then it is a - I would classify it as a revolutionary group.

Now dealing with your point 7, do you know anything about the history of such or the activities of such organisations as the African National Congress and the Pan-Africanist Congress? --- Only in the vaguest and most general way, and I have not read about those organisations for some years.

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You see as I understood the evidence that was placed before various Courts here those groups could be clearly referred to as revolutionary groups, and they seem to fall under your No.7, the organisation was public, it held open meetings, and offices, its members were generally known, their membership was open to all interested individuals, and when the Government woke up here they found it was a revolutionary organisation and banned them? --- As a point of fact were they proven to have been committed to revolutionary purposes while they were still open?

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That is as I understand the position, but assuming that

is / ...

is so? --- If the facts are as you have stated, I am most surprised, I would be most surprised that a group which had avowed revolutionary purposes would leave itself open to public scrutiny.

When you say avowed, would you expect such an organisation to publicly announce to everybody what its revolutionary aims were? Or would you find them to be clandestine in organising that under cover of a front organisation, is that possible? --- Is the existence of a front organisation possible?

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I am asking you? --- Yes, of course, there is a great deal of evidence of the existence of front organisations in other countries.

Can you tell us how they operate basically? --- I have not made a special study of front organisations.

Could a group of people make us of an organisation in order to further revolutionary plans? --- They could do.

THE COURT ADJOURNS.

THE COURT RESUMES.

TED ROBERT GURR: still under oath

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CROSS-EXAMINATION BY MR. REES (continued): Professor, this relative deprivation, is that a subjective condition, that is something that exists in the minds of the persons concerned?

--- Yes, it is as I used the term.

That would mean that a person or a group of persons can be influenced by propaganda irrespective of what the objective condition of the group or person is? --- No, I do not make that contention.

Well, I am asking you? --- No, I make the contrary contention. It is made in "Why Men Rebel" that propaganda alone is not sufficient to increase people's sense of

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relative/...

relative deprivation.

I did not ask you about propaganda alone, I asked you whether propaganda could increase it? --- I cannot answer the question except as I have phrased it, propaganda alone is not likely to.

Can propaganda increase it? --- No, Sir.

Not at all? --- Only if there is prior discontent.

If there is prior discontent it can? --- Yes.

Right, so if there is prior discontent propaganda can increase the feeling of relative deprivation - or is it correct to say the feeling of relative deprivation?

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--- Specifically the argument I make in the book is that if people are intensely deprived, that is if they have an intense sense of discontent, then exposure to new ideas, new value systems, can - can increase relative deprivation, that of course is not the same thing as saying that propaganda will increase it, because of course it depends on what you mean by propaganda.

What do you understand by propaganda? --- I don't use the word.

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What do you understand as I use it? --- I assume you are referring to documents, speeches, telecasts, whatever, whatever modes of communication, that is irrelevant, statements which - PAUSE - I am trying to formulate an academic definition and of course that is not what you are asking for - statements designed to prejudice people's views.

Or to influence their views, they needn't prejudice their views? --- Propaganda ordinarily has a negative connotation, the use of the term in the academic literature has a negative connotation. It implies false statements or misleading statements.

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No / ...

No, propaganda, that need not be false or misleading statements? --- I see, you are not using it in that sense.

No, I am asking you, propaganda does not necessarily mean false statements, what does propaganda mean, what is the basis of the word, to propagate, to make known? --- Then you wish to use it in that sense?

Well? --- As I say I don't know, I do not use the term.

What term do you use that is the equivalent of Propaganda? --- I do not use an equivalent term.

Do you use a synonym for the term? Surely you have had 10
to in your time, had to deal with propaganda, the publication
of information about the views of a particular side? --- Oh yes,
I have had to deal with that kind of information, but I
would not have called it propaganda, not necessarily, call it
statements of belief systems, claims, a number of different
synonyms for the term. I would prefer myself to use the
more neutral term: statements of views, of statements of beliefs.

All right now, let us put it this way then. Can relative
deprivation in a group or person be influenced by statements
of fact or belief? --- Yes. 20

Thank you. I think you have already conceded this, but I
will just get it formally, if the relative deprivation is
increased, can that increase the potential for political
violence? --- Yes.

Just have a look at "Why Men Rebel" at page 24, please?
--- If you could pass me a copy?

You say at the top of that page, page 24, under the
heading "Relative Deprivation Defined":

"The potential for collective violence varies strongly
with the intensity and scope of relative deprivation 30

among / ...

among members of a collectivity",

then you say:

"Relative deprivation is defined as actors' perception of discrepancy between their value expectations and their value capabilities"

is that correct? --- That is correct.

"Value expectations are the good conditions of life to which people believe they are rightly entitled. Value capabilities are the goods and conditions they think they are capable of getting and keeping",

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now is that what we have just covered, or would you like to explain these two passages a little more fully? --- No, I think that is sufficient, I also you will recall explained the same concepts yesterday.

Yes. Would it be correct to deduce from that that according to your interpretation of the matter, the higher the level of dissatisfaction, the higher the potential for collective violence? --- That is correct. I might add that the remaining 325 pages of the book introduce the quality - necessary qualifications.

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Well what qualifications would you like to mention to His Lordship first? --- No, I am afraid that a list of the entire set of propositions would take far too much Court time, but you do understand - I just wanted His Lordship to understand that the basic principle is qualified by a very large number of social conditions, a large number of intervening conditions, to use the technical term, and the book of course is concerned with specifying what those are.

You are not able to give us in a few words what the general nature of the qualifications are? --- I would be glad to give it a try. The number of opportunities an individual

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has / ...

has, alternatives, affect the intensity of his deprivation. The extent to which he lives in a social system which has a large and expanding measure of economic goods and political benefits to be accorded ..(Mr. Rees intervenes)

Yes, but now that reduces his expectation, I mean that is common sense, your basic proposition stands, but it can be reduced by any factor which any person can think about that would naturally reduce his feeling of what he ought to have? --- Or increase his capacity to get them.

Yes? --- Now, beyond that, people's beliefs about the desirability of taking violent action affect the operation of the principle, people's belief about the utility, the possible success of using violence will affect the proposition. Their relative capacity to act, in particular their coercive capacity by comparison with the coercive capacity of the political system. 10

But that doesn't affect his relative deprivation, his ability to act, if he has got this desire and he feels he is frustrated and he finds I can't do anything about it, that is not going to satisfy or reduce his feeling of what he is entitled to? --- Well, but it determines what the consequences of his feelings are, that is my point. That the potential for collective violence is not realised, is not ..(Mr. Rees intervenes) 20

Because of inhibiting factors? --- Because of a whole variety of inhibiting and encouraging factors, correct.

Yes. --- I thought for a moment we were at cross purposes.

No, I think we understand one another, Professor. I think at page 159, there you state under "hypothesis V(4):

"The potential for specifically political violence varies strongly with the potential for collective violence / ... 30

violence generally"

--- It is almost trivially true but it is necessary to sustain the logic of the argument.

Now does that mean in fact the higher the level of relative deprivation would lead to a higher level of political violence? --- The higher potential ..(Mr. Rees intervenes)

Potential, thank you? --- Yes.

Would it be correct to say that the more salient or prominent the things which people feel themselves deprived of, the more intense will be the relative deprivation? --- Yes, I believe that is a plain English statement upon the propositions in the book. 10

COURT: What is your statement?

MR. REES: The more salient or prominent the things which people feel themselves deprived of, the more intense will be the relative deprivation, and I had in fact in mind your proposition - perhaps you can just put it to His Lordship?

COURT: Well I follow that, it is another way of saying a higher level of deprivation against a higher level of violence. 20

MR. REES: Would it also be correct to say that the more different things are taken away or withheld from people, the higher will be the intensity of the relative deprivation? --- Once again that is a restatement of the proposition here.

And the more intense the relative deprivation the more intense the resulting anger? --- Yes, is that stated in the form of a proposition here?

I am not quite sure, Professor, but I think that is inherent ..(witness intervenes) --- Yes, I think it is a logical deduction, a correct logical deduction. 30

And I also deduce from that that the higher - in that case the / ...

the higher the potential for political violence? --- Yes.

Now, Professor, one of the elements of relative deprivation as you have defined it is the value expectation of people, correct? --- Correct.

Now if you find that people are being told that they have an inalienable right to certain things, these things are being unjustly withheld from them, would that tend to increase the relative deprivation? --- Only if they had in fact experienced deprivation with respect to those conditions.

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But now if they are told: you are living in squalid conditions because you have been deprived of your land, how would that affect it? --- If they had in fact been deprived of their land, one might expect that to reinforce their memory of their deprivation.

Well they say your fathers and your forefathers have been deprived of land, all this land that is lying there is yours, and there are other foreigners sitting here occupying it?--- Did they personally have this experience of losing the land themselves?

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They didn't lose it but there they see it lying about, other people using it? --- Well in that case I would say that the statement that you have lost the land would not of itself raise their expectations.

What would raise their expectations? --- In that particular circumstance or in general?

If they say to you: look, Professor Gurr, you are not entitled to this piece of land here because - in whatever city you live in - you are not entitled to this land, you can't go and buy yourself a farm, it has been taken away from you by shall we say the Northerners or the Southerners or whatever

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it / ...

it is by force, and there they are sitting, you see them sitting there? --- That kind of argument would not, at least in terms of my model, of itself raise people's expectations.

What would, when you say expectations, is that entirely in point, not their expectations, what they feel they are entitled to, their subjective feeling of what they feel they are entitled to? --- That is the sense in which I am using expectations, that to which they think they are rightfully entitled. I do in the book specify specific conditions which will increase expectations, there is one chapter.

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What page? --- Chapter beginning of page 92, "The Social Origins of Deprivation, Sources of Rising Expectations."

Will you just deal with it briefly insofar as it is relevant here, Professor, and just tell us briefly? --- I will deal briefly but I am not able to tell what is regarded as relevant here, so I will have to let you make that determination.

COURT: I gathered from what you said if there is a direct deprivation, it will have greater impact than an indirect deprivation such as a person referring to what happened to his forefathers? --- Yes, in the second case I would not expect it to have an effect on deprivation at all, certainly I wouldn't expect it to have any substantial effect, it is a person's own experiences of deprivation that create that sense, that psychological condition. Now, the question Mr. Rees is asking, as I understand it, is whether there are particular kinds of statements or actions which of themselves lead to increases in expectation, that is of course if you increase expectation and don't change a person's actual condition of life, then that increases deprivation. So, you are asking me specifically whether certain kinds of statements,

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you / ...

you used the loss of land example, would raise people's expectations, and I am arguing that it would - that it is not among the kinds of conditions that I have argued in here would lead to an increase in expectations. In fact I discuss at some length what I call demonstration effects here on pages 93 through to 101, and the crux of the argument that I have made there - if you are dealing with a relatively contented group of people you can bombard them with all kinds of claims about the Utopian future, all kinds of promises ..(Mr. Rees intervenes)

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They are not interested, they are happy as they are? --- Right, but if they are intensely deprived ..(Mr. Rees intervenes)

Or deprived, why do you ..(witness intervenes) --- If they already have a pre-existing sense of deprivation, and then you hold out to them the prospect of a brand new life, or if one holds out to them a new belief system, then that ..(Mr. Rees intervenes)

May I just interpose? --- Yes.

If you have got the people who believe they are deprived, who believe they are deprived, and you then say to them: look, you have been deprived by that group, and you are being kept deprived, this deprivation has occurred systematically for a long time, and this is how it happened, these are the people responsible for it, they have deprived you, they have deprived you of your land, they have deprived you of your opportunities, they have deprived you of everything, that is the circumstance I would like you to deal with? --- Those kinds of statements I would not expect to have any effect on expectations at all, and if we must distinguish between those conditions which increase expectations and those which remind people of their

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previous / ...

previous deprivation, I would expect, and I believe we have covered this point before the interval, that the repeated statements of the kind you have just mentioned, would if made to people who had already felt themselves deprived, remind them of their deprivation, I have already made that point.

Yes. Is that all you want to say on that? --- Yes.

COURT: If I follow your evidence correctly, Professor, you are saying that your reaction depends on the initial action, if he is directly involved in the initial action the reaction would be commensurate with that, but if the action did not really affect him directly initially, then his reaction will be very weak in relation to an action which would affect him directly? --- Yes, that is precisely the point I am trying to make. 10

MR. REES: Would you have a look at your proposition at page 66, will you just deal with that hypothesis, I.D.2? --- WITNESS READS:

"The intensity of relative deprivation varies strongly with the average salience of the value class, with respect to which discrepancy is experienced". 20

Will you just explain that again in layman's terms?

--- Indeed it does need translation. The crucial point is that if the value or the condition of which a person has been deprived is central to him, if it is one that he feels very strongly about, then he will experience a more intense emotional response than if it is a marginal and unimportant condition to him. I think that is almost trivially evident.

Will you have a look at the one at page 73, I.D.2.2?

--- Would you like me to read that? 30

Yes please? --- I will read and then translate:

The / ...

"The salience of a value tends to vary with the average effort invested in attaining or maintaining the desired position on that value."

More simply, the more effort one has given to maintaining a condition in life, then the more strongly one will react to, sorry, the corollary doesn't say that, it is simply that the importance of a value or a condition to a person depends on how much effort he or she had invested in it.

Would it follow from that the more important a person considers his objective, the more intense will be his feeling of relative deprivation with respect to that? --- No, it does not follow, because the corollary states that it is a function, that the salience, the importance of the value is a function of how much effort he has given to maintaining it in the past. 10

Then would you just deal with the next corollary, that I.D.2.2. on page 73. Do you mind just reading it and then translating it if you please? --- I am a bit embarrassed at the jargon, but I will read it:

"In instances of aspirational deprivation, the salience of a value tends to vary with the perceived closeness of the desired value position at the time discrepancy is first experienced." 20

Now, what that refers to is a situation in which a person or a group of persons have come relatively close to attaining their objective, and then find, for some reason or another, that their further progress, the last stop, is lost.

COURT: It affects the intensity of their frustration? --- It does indeed, that is the argument, that is the contention.

If I can just expand slightly, if one states a goal, an aspiration for oneself, but has never invested much effort 30

in / ...

in it, and one finds oneself blocked from further progress towards the goal, the emotional response is considerably less intense than if one has invested a great deal of effort over a long time.

The sense of loss is less? --- Exactly, the sense of lost prospects is less, and the sense of effort expended in vain is less.

MR. REES: Then Professor, I would like you to have a look at the hypothesis on page 102, that is the hypothesis V.E. - which we used to know as victory in Europe day - V.E.2. --- To quote 10 the hypothesis:

"The susceptibility of groups to conversion to rising value expectations varies moderately, that is to say weakly, with the perceived availability of value opportunities for attaining those expectations."

The point is that if you hold out a model of a new world, you hold out an Utopia to a group, and don't tell them how they are going to get there from where they are, you are not likely to have much effect on their expectations. Only if you hold out the vision and describe in detail how they are going to get 20 there, are they likely to be convinced, or is there any significant chance of their being convinced enough to aspire to that happy condition.

Would the effect of that be that you can motivate people by telling them that is the goal, and this is the method by which you must set about achieving it? (Court intervenes)

COURT: It is more than that. It depends on whether you give a person sufficient information to enable him to commit himself to that expectation, if he hasn't got sufficient information, he is not committed to that goal? --- That is quite right, 30 M'lord. If one wants to encourage a group to aspire to an

Utopia / ...

Utopia, one has to be - to be convincing one needs to be able to convince them that there are methods by which they can get there, and of course methods that are workable.

MR. REES: Professor, hypothesis V.C.3 also on page 127, will you deal with that please? --- WITNESS READS:

"Perceived value capabilities vary strongly and with the rate of a group's past experience of value loss."

The more a group has lost in the past, the less - the lower its expectations, I am using that in a different sense now. I would say the less hopeful they are about being able to improve their condition in the future. That is if they have experienced continual or fairly long term decline in their wellbeing, they are not likely to be very hopeful about the future.

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Then V.C.4, I think that is on page 128? --- WITNESS READS:

"Perceived value capabilities vary strongly with the number and range of value opportunities open to a group's members".

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People's perception of what they are going to be able to get and keep for themselves, depend on the range of opportunities that are open to them.

And would you then deal with that corollary V.C.4.1, also page 128? --- Yes. WITNESS READS:

"The greater the rate of expansion of value stocks in a society, the greater the intensity of relative deprivation among groups with differentially low value opportunities".

In a society in which, say, economic goods, material wellbeing are expanding rapidly, the people at the bottom of the ladder are likely to be especially angry or resentful at their

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position / ...

position. In a society in which things are static or declining, it seems to be the case that people at the bottom are more accepting of their position.

Is it correct that the two elements, or two further elements which you have defined as contributing to the potential for political violence are the normative, the moral and utilitarian justification for political violence? --- The argument is that given the existence of some measure of relative deprivation, the outcome of that will depend on people's beliefs. It will depend in this case, in this book I have talked only 10 about their beliefs with respect to the justifiability and usefulness of violence. The modification which I have introduced in the newer work is that their beliefs and attitudes about the availability of opportunities - alternative courses of action, of course - also affect the outcome of deprivation. What I am contending in the new book is that deprivation, relative deprivation is the general potential for action, whether it leads to political violence, or whether it leads to other kinds of behaviour, depend on these questions of attitude and on questions of organisation. 20

Would you have a look and deal, I think this is related to this aspect, hypothesis V.2 on page 156? --- Yes.

"The potential for political violence varies strongly with the intensity and scope of normative justifications for political violence among members of a collectivity." Intensity in this case, in other words, the potential for political violence depends in part upon how many people believe how seriously, that political violence is an appropriate form of action, an appropriate form of behaviour.

Would you deal with hypothesis V.3 on page 156? --- Other 30 than read it, I will say that it follows the same logic as

the / ...

the previous one, but stipulates that the potential for political violence depends in part upon people's belief that violence will be an effective, a useful method of obtaining their objective.

Would you agree that the existence of normative and utilitarian justification for political violence is essentially a subjective matter? --- I am afraid I did not understand the question, two possibilities, do you mean that these justifications exist in the minds of people, is that the thrust?

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Yes? --- Of course, that is the only place that they have a real operational existence, they don't exist in documents.

So in other words these justifications etcetera can be influenced by what I call propoganda and you use some other term, can be influenced by what the man is told, what he hears and what he observes? --- What he experiences and observes certainly.

And what he is told? --- But I made no such claim.

I am asking you? --- Could you repeat the question?

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Well, it can be influenced by what the man observes, what he experiences, what he is told and what he reads?

--- What - can his justifications for violence, is that what it is, can those be influenced by what he hears, is told, reads?

Yes? --- Yes of course.

Thank you. Just have a look at this hypothesis J.V.2 on page 170? --- J.V.2, is that correct?

Yes? --- WITNESS READS:

"The intensity and scope of normative justifications for political violence varies strongly with the historical magnitude / ...

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magnitude of political violence in a collectivity".

Would you just explain that please? --- Quite. The greater the level of political violence in a society's past, the more likely there are to be some members in that society, some people in that society who do hold positive attitudes about the use of violence.

If you have a history of violent action and reaction, you would find more people will hold positive views about the use of violence? --- Yes.

Thank you. Do you agree with this that the more often political violence occurs in a community, the more people will come to expect it to recur, and the more they will tend to regard it as a norm? --- The more they will come to expect it to occur. 10

To recur? --- To recur, that is correct, in fact that is a paraphrase of the corollary. But the second part of your statement is not made here, nor do I think it is a generally applicable principle. Expectation that violence will occur does not mean that people will thereupon come to think of it as desirable, in fact quite the opposite I would think. 20

Would you have a look at page 169, right at the bottom of the page, will you just read that passage to His Lordship and deal with it onto about the middle of the paragraph on the next page? --- Yes. Your Lordship understands that what I am about to read is not a proposition, but a discussion:

"The expectation of violence does not necessarily lead to its normative justification" -

the point I just made, expecting it does not mean one likes it.

COURT: Excuse me, Professor, what do you mean by a normative justification? --- The belief that ethically, the belief that as a matter of moral principle, violence is acceptable. 30

As / ...

As an ethical norm? --- As an ethical norm, and I distinguish that of course from the perception that it is useful, people can perceive it as being acceptable without necessarily thinking that it is useful and vice versa. To continue with the quote:

"There is nonetheless something of a self-fulfilling prophecy in such expectancies ..

(Mr. Rees intervenes)

MR. REES: Professor, I wonder if you would mind just starting at the beginning again, because in the record you will have a tremendous gap between what you said? --- WITNESS READS:

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"The expectation of violence does not necessarily lead to its normative justification. There is nonetheless something of a self-fulfilling prophecy in such expectancies. They may divert attention from remedying underlying causes to preparation for repetition - perhaps I should explain that?

If you would, please? --- That if people anticipate violence, they may, rather than trying to take the steps that will remedy the causes of violence, will instead simply prepare themselves for the next round. I might say when I wrote this I had in mind not the condition of dissidents, but the circumstances of governments and officials.

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Yes, good? --- WITNESS READS:

"Moreover, people with weakly held or conflicting norms are susceptible to accepting others' practices as norms, especially if those practices are intrinsically attractive, which aggression is for those who are discontented. Moscow calls this disposition nihilism, defining it as the tendency of an individual's passions, sentiments and beliefs to develop in accord with

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the / ...

the currents that prevail in the environment. In other words - I hope this helps - in other words if discontent is widespread in a society anomie which is the same parlance as common, and political violence frequent, there is a tendency of attitudes of expectancy of violence to be converted into norms justifying violence."

I have specified three conditions, rather unusual conditions, I might add, under which the expectancy of violence could be converted into a belief that violence is okay. 10

Thank you. Would you then, in connection with this, also just deal with this hypothesis J.V.2 on page 170? I have an idea we might already have covered that, but I think it is opposite here. --- J.V.2? Yes, we have covered that, but to repeat:

"The intensity and scope of normative justifications for political violence varies strongly with the historical magnitude of political violence in a collectivity."

That fits in with what you have just said, is that correct?

--- That is a hypothesis which summarises the foregoing argument, 20 part of which I have just quoted.

Professor, if force is used by incumbents to suppress the dissidents, to frustrate their aspirations, that would be classified as political violence? --- Could you repeat the question please?

If force is used by the incumbents to suppress dissidents and to frustrate their aspirations, that would be political violence, wouldn't it? --- In terms of my vocabulary?

Yes. --- When I wrote this book, no, I did not use - I restricted the use of the term political violence to actions of people, groups other than the regime. 30

That / ...

That is as you used it in the book? --- Yes.

But now in fact, it is in fact political violence, it can't be anything else? --- There are general definitions of political violence, more general than the ones I have used here, which include the violence of regimes, that violence which regimes use in maintaining control and dealing with dissidents as violence, yes, although I repeat it is not the usage I place on it here.

I would like to make it clear I am not trying to get the accuracy or otherwise of your book, I am trying to get what you say how the matter should be applied by His Lordship eventually in coming to conclusions, using what is in your book as a basis, that is all, so you are not confined to what you said there, you are entitled to - as a matter of fact we would appreciate it, if you expand and tell the Court this is how it should be applied, and that is how it should be understood, if you please. In your argument at page 132, where you refer to the passage "if demands are articulated through conventional channels", would you just read that passage up to about the words "the crux" - I will read it:

"If demands articulated through conventional channels lead to responses that the discontented find inadequate, they are increasingly likely to resort to demonstrative, sometimes violent tactics. In extremis, when people are intensely discontented and believe that the political system has the capacity and resources to resolve their deprivation, but feel that no effective action will be taken by the incumbents, they are likely to resort to revolutionary or conspiratorial tactics in order to seize control of the regime and place it in the service of their interests / ...

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interests."

Is that correct? --- That is a correct reading.

Will you please just explain that, amplify it, or adopt it?
--- I should think it stands on its own, but I suppose one point of amplification concerns the question of the discontented finding regime responses inadequate - no, I don't think there is anything that I would want to add in qualification now.

COURT: In what sense do you use the word "regime" there?

--- The authorities, that is the established political authorities, Parliament, Executive Branch, those agencies which are the instruments of government. 10

Well, is that the accepted meaning of regime in political science, or is the use of the word "regime" by Easton just an artificial use of the word? --- He uses it in a quite precise sense to refer to, as I understand it, or as I recall it, all the institutions of government. That is probably the most common use of the term, yes.

Now, he includes under regime I think values, norms and structures? --- You will forgive me, M'lord, I am not an expert on Easton, unlike most other political scientists who have testified here. If you think this is a significant point, I would be glad to refresh my memory on Easton. 20

Well, I just want to be certain how you use the word "regime." (Mr. Rees intervenes)

MR. REES: Professor, sorry, were you going to add something?

--- No.

Well, will you just deal with this hypothesis. I think it follows from what you have just said, hypothesis J.V.3 on page 182. --- (WITNESS READS)

"The intensity and scope of normative and utilitarian 30

justifications /

justifications for political violence vary moderately with the effectiveness and scope of past regime action in alleviating relative deprivation."

I might add that that particular hypothesis insofar as we have been able to test it in our course "National Studies" does not hold up. The logic of the argument leading up to it was the passage which you just read, the hypothesis itself would suggest, does suggest that if governments do in fact alleviate deprivation that that may increase the intensity and scope of attitudes favouring political violence, and as I say this is one 10 of the hypothesis in here which we have attempted to test and have discarded on the grounds that it is not supported by our evidence.

Now on page 183, this hypothesis J.4, would you just deal with that please? --- Yes:

"The intensity of normative and utilitarian justifications for political violence varies moderately with the proportional difference in allocation of regime resources to the alleviation of the relative deprivation of different groups." 20

Translation - if a government faced with demands by a number of different discontented groups, devotes its resources principally to remedying the dissatisfaction of some of those groups, but ignores the other groups, that will increase the justifications for political violence, the sense that political violence is justified among the groups that get the smallest share of the pie.

In other words, those who receive the smallest share are going to be dissatisfied? --- No, those who are discontented - no, assuming the existence of different discontented groups, 30 those discontented groups which receive the least attention,

especially / ...

especially if they see that as the result of, you know, deliberate regime policy.

Or believe that they are receiving the smallest portion, isn't that really the crux of it, whatever the objective position is, it is what they believe, they believe we are getting less than we are entitled to? --- The belief that they are getting less - yes, but you must remember, I would like to stress again the very restricted scope, the very restricted circumstance to which this is applied, it applies to a circumstance in which there are a multitude of discontented 10 groups, not just one, and a situation in which the regime, the government, has decided to take steps to alleviate the discontent of one of those groups but not the others. In that circumstance the group which is at the short end of the stick is moderately likely to have increased pro-violent attitudes.

Yes. Have a look at hypothesis J.V.5, page 195? --- WITNESS READS:

"The intensity and scope of normative justifications for political violence vary strongly and inversely with the intensity and scope of regime legitimacy" 20

- I add a definition of legitimacy -

"regimes are said to be legitimate to the extent that their citizens regard them as proper and deserving of support"

- essentially the sense in which Easton uses the term legitimacy, the point here is that if people believe governments to be legitimate, they are less likely to believe that it is justified to take violent action against them.

Hypothesis J.V.6, I think it is page 201-202? --- I seem to have written 24 pages without another hypothesis - sorry, 30 the page number again?

It / ...

It is page 201, Professor? --- Yes I have it:

"The intensity of normative justifications for political violence varies strongly with the extent to which symbolic appeals -

that is the term I used for propoganda, I couldn't remember, symbolic appeals -

"..offer plausible explanations of the sources of relative deprivation, identify political targets for violence, and provide symbols of group identification. The extent of symbolic appeals contain these elements that is provide explanations of deprivation, attribute that deprivation to particular groups, and say that violence should be used against those targets, then people's beliefs in the desirability of violence will increase".

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COURT: Professor, I haven't got the book in front of me, are these all referred to as hypotheses? --- Yes they are.

Why do you refer to them as hypotheses? --- They are contentions that are subject to test, they are not statements of proven fact, they are contentions that I propose require some kind of empirical assessment. In the course of my work since writing this, I have been able to make indirect - some parts of the argument, some of the hypotheses, but not to others.

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MR. REES: Would you deal with your hypothesis J.V.9 on page 223? --- WITNESS READS:

"The intensity and scope of utilitarian justifications for political violence in a collectivity vary moderately with the extent to which similar collectivities elsewhere are thought to have increased their average value position through political violence".

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Could / ...

Could you just explain that please? --- If a group, if members of a group perceive a similar group elsewhere having successfully used political violence, then that has the tendency to increase their own belief in the efficacy of violence, to the extent that they see themselves as being in a similar situation.

Would you just turn to page 251, hypothesis R.C.4, but would you just read under the heading "Military Loyalty" read the introductory passage and then deal with the hypothesis, please Professor? --- Yes:

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"The capacity of a regime to exercise any kind of persistent coercive control over its citizens at any level of threat or severity of sanction, depends ultimately on the loyalty of its military and internal security forces. The greater their loyalty, the more effective the regime is likely to be, other things being equal in exercising coercive control. The less their loyalty, the more likely they are to use their force against the regime itself, and the more likely civilian dissidents are to think that they can succeed in attacks on the regime."

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The hypothesis that summarises that argument:

"Regime coercive control varies strongly with the loyalty of coercive forces to the regime."

So, one method by which you can undermine the State's ability to maintain itself, is by undermining the loyalty of its army and its Police force - of the members of its army and its Police force? --- I hope when you said that you could use, you were not referring to me personally?

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No, I am not referring to you personally. --- Yes, well the contention is correct.

Page 234 please, the hypothesis V.6? --- WITNESS READS:

"The magnitude of political violence varies strongly and directly with the ratio of dissident coercive control to regime coercive control, up to the point of equality and inversely beyond it"

The question here is what the relative capacity for coercion is of dissidents versus the regime.

Professor, doesn't it mean that the weaker the government coercive force is, the more the chances are for the success of political violence? --- No, not precisely, what is being explained here is not the success of political violence but the magnitude. If the government is much stronger than the dissidents, if it has much greater capacity to exercise force than the dissidents, there will be little political violence. To the extent that the regime weakens, or the dissidents increase their coercive capacity, the likely magnitude of violence increases, until such point as and if the dissidents become overwhelmingly powerful, in which case again the magnitude of violence will drop off, because the dissidents will have their way.

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The one side beats the other side quicker, is that the crux of it? --- Exactly.

Would you have a look at hypothesis V.7 on page 277?

--- WITNESS READS:

"The magnitude of political violence varies strongly and directly with the ratio of dissident institutional support to regime institutional support, up to the point of equality and inversely beyond it".

Now, would you explain that and if necessary refer us to any other relevant argument in the book? --- Yes, the logic of this argument is the same as the logic of the coercive force / ...

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force argument, you know, the closer the two come to equality the greater the violence. In fact this is another of the hypotheses that we have been able to subject to fairly direct tests, and I must say that it has been proved precisely wrong, the contrary relationships seem to hold, at least up to fairly high levels. The more effective dissidents are in building institutional support for themselves, the lower the magnitude of political violence seemed to be, and I think the explanation for that lies in the fact that by creating institutions, dissidents seem to be able to find satisfying means within those institutions - ways of satisfying their deprivation, and they are inclined to use more conventional tactics; more conventional non-violent tactics in dealing with the regime. 10

Now could you give us some examples of this please? (Intervention by the Court)

COURT: Well, the need for violence is reduced, isn't it?

--- The examples I gave yesterday of the evolution of the trade union movement in most Western societies is one case in point. It has also been observed in studies of the Black urban population in the United States that where there are strong civil rights or community action groups developed, the incidence of rioting during the late 1960's was lower, but in those cities, those neighbourhoods where there were no effective local Black organisations, violence was likely to be greater. 20

Is there any other explanation for it? --- For the general principle? There are other possible explanations related to the kinds of explanations I have just suggested, these are general explanations.

MR. REES: Now this applies specifically to an American situation? --- That example did, yes. 30

Where / ...

Where you had organisations that were of a mind to seek their redress or their change through negotiation?

--- That is correct.

And they were disciplined organisations, that is the crux of the matter? --- They were disciplined and they provided or promised to their members some constructive means for resolving the difficulties, not all of them were prepared to engage or expected to engage in negotiation, some of them were in effect self-help organisations, which believed that by mobilising their members they could, you know, of themselves, with the resources that they could get themselves, resolve some of the problems of a better life. 10

COURT: Professor, you referred to institutional support? --- Yes.

Are you referring to regime support or independent institutional support? --- Yes, one can speak of the institutional support of any group within society. I make a distinction here between the institutional support for regimes, and that would include political parties, trade unions, other kinds of groups which are positively supporters, you know, in open support of the government, and on the other hand the institutions established by dissidents, that is people with grievances. Of course they too can establish and do establish those kinds of organisations which sometimes resemble - some of which are in fact political parties or trade unions, or interest groups, cultural groups in great diversity. The distinction between a dissident institutional group and a regime institutional group as I use it here, turns on their attitude towards the government, whether their attitudes are supportive of all or most aspects of the government, or in opposition to all or most or some aspects of the government. If one were to characterise the contemporary 20 30

South African situation in those terms, I would say that the Afrikaner, the Nationalist Party is an aspect of the regime's institutional support, and that possibly the United Party and the Progressive Party would be on the dissidents' side, as I use the term here.

But now the existence of institutional support, would that satisfy the demands of the dissident group partially or otherwise, or does that not imply satisfaction of demand? --- There are two very general strategies that dissident groups, dissident institutions can take in an attempt to resolve the grievances of the group, one is by a kind of self-help, by trying to attract the resources, the people by which they can work through themselves to the satisfaction of the demands. The other is to request or demand support from other groups, and typically some from the government where there are other kinds - and they could demand it from employers if one is thinking of an economic group. Now, is that a sufficient answer to your question, or would you like me to ..(Court intervenes)

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Well I would really like to find out whether a dissident group gets satisfaction from an institutional group, or is it only the sort of moral satisfaction that the group gets from this institutional support? --- Well certainly there is some moral satisfaction, if I understand by that satisfaction gotten from being a member of the group per se. You know, if you are lost, a dissident society without - PAUSE - and have grievances, then joining a group which says: we are together, we are brothers, can intrinsically provide satisfaction, remedy for some of anomie that sense of uselessness. But beyond that - that alone is not enough to build a viable organisation on, under no circumstances. Groups have to be able to provide

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some / ...

some kind of possibility of providing positive rewards to their members by whatever means.

I want to find out why the potential for violence is reduced? --- Because there are intrinsic satisfactions gotten from group membership, I believe this to be the case, and because these kinds of groups, certainly this is true in most western societies, have proven to be relatively effective in obtaining some kind of concession from the government, and having done so, they have alleviated some of their members' sense of grievance. At the same time, by having secured concessions or improvements for their members, they increase what I call their members' capability, which is their sense of being able to obtain more in the future, and the logic of the argument that I have made is that to the extent that a group's capabilities improve, to the extent that it thinks that it is going to be able to improve its condition in the future, it is less discontented and more hopeful, and therefore less likely to engage in violence.

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MR. REES: Would you deal with hypothesis R.1, point 3 on page 297 please? --- WITNESS READS:

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"Regime institutional support varies moderately with the value stocks of regime oriented organisations. Groups which support the government to the extent that they command substantial resources, to the extent that they have access to resources, especially economic resources, are able to build up the scope of their support.

That is a very simple proposition. The more you can offer potential members, the more potential - the more members you are likely to gain.

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The next hypothesis R.14, page 301 please? ---WITNESS READS:

"Regime / ...

"Regime institutional support varies strongly with the number and scope of value opportunities provided by regime oriented organisations".

Given the existence of organisations which are pro-government, the more opportunities they offer to members, the greater the support they are likely to attain. The more opportunities they offer potential members to improve their own wellbeing.

You have got hypothesis R.1.5 at page 305: --- WITNESS READS:

"Regime institutional support varies strongly with the number and scope of regularised channels for protest provided by regime oriented organisations" 10

That if these pro-regime organisations provide their members with opportunities for protesting their grievances, expressing their grievances, then they are likely to increase their membership, and the more channels for protest that are provided by these regime organisations, the broader the channels, the more numerous they are, then the more support those organisations are likely to attract.

Now will you deal with the position then where there is - where an organisation rejects all the - rejects the regime and rejects the regime oriented organisations? --- In general you would like me to deal with that? 20

Yes please? --- M'lord, could I ask you, deal with it in what sense?

Apply it to these - would that increase the support for the regime or would it decrease the support for the regime - would that increase the chances of violence or would it decrease the chances of violence? --- It would on the argument I was making before, in fact decrease the chances of violence.

A rejection of ..(witness intervenes) --- Oh, if - I am assuming here, I am making an assumption, I am assuming that in / ... 30

in this case the rejection of regime institutions is paralleled by the development of one's own institutions, that is a dissident institution. And as I argued before, if those dissident institutions offer opportunities for expressing protest, that increases the strength of those dissident organisations, and I have already made the argument that as the strength of dissident organisations increases, I am not talking now about their coercive capacity, but an increase in their institutional strength, the potential for violence tends to decline.

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Why is that? Is the other side likely to see their strength and back down? --- No, on the argument that I was making to His Lordship.....(Court intervenes)

COURT: Where they have a stronger bargaining power? --- Yes, by increasing their bargaining power they have increased their possibilities for successful protest and negotiation.

MR. REES: When you say successful protest, what exactly do you mean? --- Yes, that is a mysterious term, a protest which has prospects of gaining a favourable response.

I still don't follow? --- Perhaps we can go back a step, could I ask you to pose that question again please?

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I have forgotten what it is. (Court intervenes)

COURT: Well, didn't you follow it? (LAUGHTER) --- Well, let me try to reconstruct it then, if I may?

MR. REES: Yes please. --- I think the question has to do with what does it do for the potential of violence in a system, if a particular group rejects, says that it will not use or co-operate with the institutions established by the regime for the expression of protest, and my argument is that if having said that they then proceed to establish their own institutions which they then use to communicate protest to

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government / ...

government, the net effect will be to reduce the potential for political violence. If, however, they simply reject the existing channels and do nothing, then that would inherently reduce the support for the regime and increase the general disposition, general potential for political violence.

You mean communicate their grievances or whatever it is to the other side, you mean there must be dialogue at least in the hierarchy of the two groups? --- It is not a question of tactics, I am not in a position to make any general statements about that. There are very many different ways of going about bargaining or about securing one's demands.

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COURT ADJOURNS

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