

IN DIE HOOGGEREGSHOF VAN SUID-AFRIA
(TRANSVAALSE PROVINSIALE AFDELING)

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SAAKNOMMER: CC 482/85

PRETORIA

DIE STAAT teen :

PATRICK MABUYA BALEKA EN 21
ANDER

VOOR:

SY EDELE REGTER VAN DIJKHORST en
ASSESSOR : MNR. W.F. KRUGEL

NAMENS DIE STAAT:

ADV. P.B. JACOBS
ADV. P. FICK
ADV. H. SMITH

NAMENS DIE VERDEDIGING:

ADV. A. CHASKALSON
ADV. G. BIZOS
ADV. K. TIP
ADV. Z.M. YACCOB
ADV. G.J. MARCUS

TOLK:

MNR. B.S.N. SKOSANA

KLAGTE:

(SIEN AKTE VAN BESKULDIGING)

PLEIT:

AL DIE BESKULDIGDES: ONSKULDIG

KONTRAKTEURS :

LUBBE OPNAMES

THE COURT RESUMES ON 19 MAY 1988

COURT: A problem has arisen as far as my assessor is concerned. He will be tied up with official duties on 27 May that is Friday week, tomorrow week, so we will not be able to sit on the 27th.

MR BIZOS informs the court that accused no.2, Mr Hlomoko, developed a health problem and asks leave for him to consult a doctor. Permission granted.

MR BIZOS further asks whether the court could adjourn by not later than 16h00 as he had to be in Johannesburg by 17h00. (10) The court indicates that as the learned assessor had official duties to attend to, the court would not adjourn later than 16h00.

TOM LEUTHLWETSE THEBE, still under oath (through interpreter)

FURTHER EXAMINATION BY MR BIZOS: Towards the end of 1982 did you attend a meeting of the councillors at which a trip to Kimberley was discussed? -- Yes, I was present.

What was this meeting about? -- This meeting was held with the community council and the community was also present in discussing this issue which was the dissatisfaction of the (20) community of Huhudi about what was to be said to the board; the message to be taken by the community councillors to the board.

What message did the community want to be taken? -- At the time the problem that existed there was about the removal so therefore the people were not happy about that message to be taken by the councillors only.

Did anybody say that they were not happy that the message should be taken by the councillors only? -- Yes, but it was not only one person who was saying that. The community as (30)

a whole, those who were present in that hall were saying that they were not happy about Mr Dikhole's actions when they had sent him to the whites to go and convey a message, that they were not happy about the way he was to do it, or he did it at the time.

And what Mr Dikhole's attitude in relation to..

COURT: Sorry, Mr Bizos. Were they not happy about what he had done or were they not satisfied that he would do what they wanted him to do? -- What he had done. They were not satisfied about what he had done. (10)

Thank you.

MR BIZOS: What were they dissatisfied about? What had he done that they were not satisfied about? -- What was in fact not pleasing to the community was that whenever they sent him to go and speak to the whites, his reply on the issue that he had to discuss with the whites was not clear as to what their reply was on what he had told the whites.

Was any suggestion made as to how this problem could be overcome? -- Yes, he himself, that is Dikhole, suggested to the meeting that they choose some delegates to accompany him (20 to Kimberley to go and hear what the response is, because of the feeling that he was not bring a proper answer which was clear to everybody.

And did the people at the meeting agree that other people should accompany him? -- The meeting agreed, yes.

And were people elected? -- Yes.

How many? -- If I correct there were five.

Do you remember the names of some of them? -- Yes.

Who were they? -- Mrs Dooms.

COURT: Dums? -- D-o-o-m-s. (30)

Dooms, yes? -- Mr Jomo Khasu.

MR BIZOS: Who else? -- Rev Phomane.

COURT: Spell it, please. -- P-h-o-m-a-n-e.

MR BIZOS: Anyone else you can remember? -- Those are the only people I remember, that is the three.

And what were these people to do? -- They were supposed to have accompanied the community council to Kimberley to go and hear the discussions pertaining to the removal.

Were they supposed to come back and report? -- That is so. (10

Did they come back to report? -- Yes, they did.

Fairly soon or some time after they were sent off to Kimberley? -- They took some time before coming back to report.

Was a meeting called to report back? -- I beg your pardon?

Was a meeting called to report back? -- Yes, there was a meeting.

How long after they were sent off did they report, more or less? -- Three weeks or a month.

Were you at the meeting? -- Yes, I was.

And was any explanation given why the meeting had not (20 taken place earlier? -- Yes, there was an explanation given. That is, the community council said they were waiting on the delegation to call a meeting, and also the delegation was saying we were waiting on the community council to call a meeting. So that is how this delay came to be.

And who reported as to what happened at Kimberley? -- Mr Dikhole is the person who addressed the meeting on a report back basis, saying that the delegation which was sent to accompany them was not permitted to sit in or have anything to say at the meeting which was held with the councillors with (30

reference to the removals.

COURT: Yes, who called this meeting? -- This meeting was called by Dikhole.

MR BIZOS: Yes, what was the reaction of the people at the meeting when they were told that the delegates elected by them were not given a hearing? -- The people were very much dissatisfied about what happened at Kimberley on hearing this report back. It was as a result of that that HUCA was formed.

Yes, we will come to greater detail about that, but Mr Dikhole, did he report what he had been told by the people (10 in Kimberley about the future of Huhudi. -- Yes, he said that the whites in Kimberley said that Huhudi is moving from there and then he also, after having mentioned that to us, said that there is nothing more that he, Dikhole, can do. Saying further that he has lost the fight, namely he had been defeated in stopping the removal.

Were all eight councillors at this meeting? -- No, four councillors were there. The other four were not there.

And was any discussion or any decision in relation to the councillors taken at this meeting, when Mr Dikhole said (20 that Huhudi would have to move and that he had lost the battle? -- Yes, what was said is because of your saying that you had been defeated in the battle of stopping the removal, meaning the councillors saying that they had been defeated, it was therefore felt by the community that the community was going to take it up and see if they would not succeed in stopping the removal.

Did anybody make a speech or a proposal as to what the community should now do that the councillors said they were defeated? -- Yes, Mr Galeng said that we as residents of (30 Huhudi/..

Huhudi are going to try our utmost in order to succeed in stopping the removal.

Did he suggest how that might happen? -- Yes, he suggested the formation of a body of the Huhudi people, which body will stand and fight against the removal of the Huhudi people.

And how did the people at the meeting react to this suggestion of Mr Galeng? -- Because of the fact that they did not approve the removal from that area they agreed with the suggestion by Mr Galeng.

Now some time after that was there a meeting to launch (10 HUCA? -- That is so.

Were you at that meeting? -- Yes, I was.

Do you remember more or less when it was? -- Yes, I do remember that it was during the beginning of 1983. I cannot remember what the month was.

COURT. Now how long after this report back meeting was it that HUCA was launched? -- What happened is at this report back meeting after the community agreed on the formation of a body which was going to resist the removal some people were elected already there. (20

To do what? -- That they were now the people who shall have to see to the formation of the body, that amongst themselves they will have to decide who was going to be the chairman and who is going to be the secretary.

How long was it from that election to the launch of HUCA? -- After this meeting I think a month or two then HUCA was launched.

Thank you.

MR BIZOS: Do you remember..

ASSESSOR: I am sorry, could we just try and get something (30 further / ..

further on this before you go on? This report back meeting, was this also in 1983, early in 1983, or when was it? The report back meeting itself? -- It was about the end of 1982.

MR BIZOS: And this committee, I do not know how the interpreter is going to deal with it, this temporary committee or ad hoc committee that was elected at the report back meeting, do you remember who were elected there to see to it that an organisation comes into being? -- Yes, I do.

. Who were they? -- Mr Galeng, Mr Jomo Khasu, London - I do not know his first name. (10)

COURT: Yes, we know him. -- They were four in all but I only remember these three. I do not remember the fourth one.

MR BIZOS: And when they came back a couple of months later for the launch of HUCA, you told us that you were at that meeting? -- That is true.

Where was the meeting held? -- In the community hall of Huhudi.

And how many people were present? -- They were quite many because the hall itself was full to the extent that some people were standing outside. (20)

And how many does this hall hold? -- I estimate it to hold about 500 to 600 people.

And I do not want you to tell us the formalities like the prayers that were started with and things like that, but who was the chairman of the meeting? -- Is that now the HUCA meeting?

The HUCA launch meeting. -- Mr Galeng.

And did he speak? -- Yes, he did.

Did anyone else speak? -- Mr Khasu.

Anyone else? -- Khotso Crutse.

Now at this meeting.. (30)

COURT: Is that all? -- Yes, that is all.

MR BIZOS: Were there any strangers at this meeting? Either from Johannesburg or Pretoria or any strangers to the community who were at this launch meeting? -- No, it was only people from Huhudi that were present there.

Without telling us what everyone of the speakers said at this stage, what was the gist of the speeches made by these three people that you told us spoke? -- The gist of their speeches was of the removal of Huhudi they resisted.

And did they give reasons why it should be resisted? (10
-- Yes, they did mention some reasons for that and even went to the extent of saying they will have to write to certain white officials in Cape Town to enquire about this removal.

Any other steps that they said that they might take? -- Yes, they even made mention of the necessity of getting lawyers in order to resist the removal.

Anything else that you can recall that they said they might do? -- No, I do not remember anything else that was mentioned.

Yes, very well. And was there agreement as to whether the association should be formed or not? -- There was an (20
agreement.

And after this agreement were there elections held? -- The only elections I know about were those when the committee was elected, from which the chairman and other officials of the committee were then elected by the committee.

COURT: That was at the report back meeting? -- Yes.

MR BIZOS: Do you recall whether there was any discussion as to who were to be the office bearers of the organisation at the launch? -- Yes, because it was decided there about what London would do, in what capacity was he going to act and (30

Khasu, also Crutse was mentioned, what their offices would be.

And was there any mention as to who would be chairman? --
Yes, Mr Galeng.

Do you remember whether at this launch meeting of HUCA whether the reverend Rathabe was there? -- Yes, I do remember that he was there.

Was he mentioned at the time that the office bearers were mentioned? -- Was he?

Mentioned at the time that the office bearers were mentioned? -- No, he was not even mentioned to take part on the (10 committee itself and another thing, he did not stay long there and then left.

When the names of Galeng as chairman and the other persons as office bearers were mentioned, did the people there present agree or disagree with them holding this office or these offices? -- It was approved.

COURT: And were you told: we have now decided that he would do this and he would that, and then you approved that? Or were you asked who was going to be the secretary and then the meeting said so and so was going to be the secretary? -- It was (20 asked from the meeting who do you think can do this for us. Then the meeting would decide on somebody. Say somebody's name is being mentioned by one person, then it was asked from the meeting whether the meeting agreed with that. If they agreed then it was said well, that person is taking over.

Thank you.

MR BIZOS: And was there any decision at this meeting what the main object of HUCA would be? -- Yes, it was said at this meeting that HUCA was being formed with the view of resisting the removal. They must do their utmost, even if they fail (30

but / ..

but they must try it. That was their main object.

At the time of this launch of HUCA did you and the other people at the meeting know whether or not there were other areas and other people in different parts of the country also facing removal?

COURT: I think he can speak for himself and not the other people at the meeting.

MR BIZOS: As your lordship pleases. Was there any mention about other communities at the meeting? -- Yes, mention was made of people who were removed from a place called (10 Dithakwaneng. That place is not very far from Huhudi. When those people were moved from there, some came to Huhudi, some were moved to a place called Derval. It is a sandy kind of a place.

Can you recall whether any other places was mentioned where removals had taken place or were about to take place? -- Yes, places like Driefontein.

In what connection were places like Driefontein mentioned at the meeting? -- It was being mentioned to the community of Huhudi that there are other places as well which are being (20 affected by the removals, but for instance some of us read about this from the newspaper reports and there were those who did not know about that.

Was anything said at the meeting whether or not what was happening elsewhere may be of some relevance to you? -- Yes, that is so.

After this launch did you become a member of HUCA? -- That is so.

COURT: How does one join? -- They made available a form, which is an application form that will bear your name and (30 address / ..

address. Then the subscription for joining was R1 which I paid.

I want to show you not own form but someone else's and ask you whether it was a form similar to this one.

COURT: Are we really interested?

MR BIZOS: Well, I was not going to but..

COURT: I am not interested. I just thought I would ask because he might think that by attending the meeting he joined.

MR BIZOS: As your lordship please. I will make the form available to my learned friend if he wants it. I did not (10 intend putting it to him. Now did HUCA have offices there in Huhudi? -- That is so.

Where were the offices? -- An old Roman Catholic church building was being rented by HUCA because the Roman church had moved to another church building which they were using at the time.

Did HUCA hold regular meetings, public meetings after its formation? -- Yes, we used to have regular meetings.

COURT: Did it have an office staff? -- Yes, there was office staff. (20

Full-time? -- Yes, they were.

Yes, thank you.

MR BIZOS: Were there only HUCA offices there or were there other offices as well? -- No, there were three organisations there on those premises. It was HUCA, UDF and HUYO.

COURT: In one office or in different offices? -- They were using one office.

MR BIZOS: Did they hold regular meetings? -- That is so.

And did you attend these meetings? -- Not all the meetings. I did attend some of them. The reason is that I was a hawker (30 selling / ..

selling soft goods and I was not home all the time in order to attend the meetings.

But did you attend a number of meetings after the formation? -- Yes.

And what happened at these meetings that you attended? -- Nothing in particular except to say that these meetings were held at report back meetings to the community by HUCA, for instance I remember one meeting I attended at which a report back was made to us saying that the committee of HUCA, the office, wrote to Koornhof to find out about this removal (10 and in reply to that Dr Koornhof said that he does not know a thing about the removals. The only people who knew about it would be the councillors.

COURT: You mean that the government did not know about the removals, only the councillors? -- Yes, that is what was read to us from a letter which was said to be a reply to a letter which had been written to Dr Koornhof. We do not know whether that is true or not but that is what was read to us.

MR BIZOS: Were there other matters reported back of what the committee had done? -- Yes, they did report about matters (20 and issues that they had taken up but immediately after the office was opened, that is the HUCA office we started noticing some whites who were visiting the office, that is the HUCA office. For instance a white person came there from Black Sash visiting the HUCA office.

A man or a woman? -- A woman.

Did you find out her name? -- They called her Sheena Duncan.

And did you see Mrs Sheena Duncan there? -- Yes, personally.

And did she address a public gathering in a big hall (30

or did she speak to you elsewhere? -- No, she did not attend a meeting. She came to the office where she spoke to us.

How many of you -- About 50.

COURT: Could you call get in? -- Yes, it is quite big. It had been divided into partitions but it was still quite big.

MR BIZOS: Do you know whether Mrs Duncan was asked to come there? -- Yes, I know because we were told beforehand by Mr Galeng that on such a date, giving us the date, we were going to have a visitor of this nature and therefore you must see to it that you are present at the office. (10

And can you remember what was the gist of what Mrs Duncan had to say to you? -- Yes, the gist of her address to us there was that we must stick to the resistance, resisting to be moved from Huhudi because otherwise if we were to agree to be moved from Huhudi we were going to lose our residential rights of Huhudi. That is, if we were to decide to move to Pudimoe.

Did she leave anything behind? -- Yes, she left us some small pocket books of this size, as indicated - about this size.

COURT: 5 centimetres. Pocket books with printed matter in it or just a diary? -- No, it was a book in the proper sense of (20 a book because the contents of this book was it explained how one loses his rights after having moved from a place, from one point to another point. And it also explained reference book. You know, sort of a book which teaches you what happens to a person.

MR BIZOS: Yes, we have not got the original readily available. I want to show you EXHIBIT DA.130. Have a look at it, which is a photograph of a document, and tell is whether this is what Mrs Duncan left with you? Just look through it. Don't be put off by the fact that it is too black on the top and the (30

front page. -- Yes, this resembles the book left because of the title on the outside.

COURT: Well, this is 15 x 12 cm. -- The title of the book is correct according to this photostat I have before me, namely: You and the New Pass Laws was the title of the book that was given to us.

MR BIZOS: Yes. Did Mr Duncan to your knowledge ever appear to address a mass meeting, a public meeting in the Huhudi communal hall at any time? -- No, I last saw her on this day that I have just mentioned. I have never seen her again. (10

Now some time after you became a member of HUCA or at any other time, did you hear about the UDF? -- Yes, there is a time when I became aware of UDF.

Was this at a meeting? -- Yes, it was at a meeting.

Was the UDF discussed at a meeting? -- Let me explain it this way. Jomo Khasu went to Cape Town and on his return from Cape Town into Huhudi a meeting was held. It was at this meeting that was held as a result of Jomo Khasu's return from Cape Town, that I heard of the UDF.

But what was said at this meeting about the UDF? -- (20
What was said by Jomo Khasu at this meeting was that he had gone to Cape Town where he attended a UDF meeting, where he got to know that UDF is prepared to help the community of Huhudi about the removals and UDF is going to take part in assisting about whatever is required on resisting the removals by the Huhudi people. And UDF does not approve of apartheid.

Yes, and did Mr Khasu or anyone else made any proposals as to what HUCA might or might not do in relation to the UDF? -- As a result of the address by Khasu, Crutse then asked a question from the meeting, saying you as audience of this (30
meeting / ..

meeting heard what this man is saying about UDF, that UDF is against the removals and also did you approve of apartheid. Now what do you as the audience say. Are you not joining this organisation, meaning UDF, because he said this organisation is prepared to assist about the removals.

And what was the response of the meeting? -- Some people from the audience replied saying well, if that is the position that this organisation is against the removals and is prepared to assist the community of Huhudi against removals, then they can join it. (10

And the meeting as a whole, did it agree or disagree? -- The meeting agreed because the meeting was faced with this problem of removal.

You also told us that there was HUYO, THE Huhudi youth organisation. -- That is so.

Now in relation to the launch of HUCA, when was HOYO launched, do you know? -- First HUCA.

And how long afterwards HUYO? -- HUCA was formed during the beginning of the year 1983 and HUYO only came into existence towards the end of 1983. (20

Yes, and did you yourself go to any of their meetings? -- No, I never attended their meetings.

Did you consider HUYO the same organisation or a different organisation to HUCA? -- No, it was a different organisation far away, independent of HUCA. It was a youth organisation.

And do you know whether the youth in your community had any particular problem? -- Yes.

What was their special problem? -- Their special problem in Huhudi was about the monthly pass which one can term a lodgers permit, which lodgers permit was expected to be paid(30

by the youth in Huhudi.

COURT: From what age? -- From 18 years upwards. That is what they said but otherwise, say for instance a youngster who was well-built and healthy and if they look at him and feel that this one is old enough, they would just arrest him and say they want a permit from that one, even if he or she is younger than 18.

MR BIZOS: What would they be arrested for? -- For this monthly pass which I said was a lodgers permit, that was not paid for at the end of the month. (10)

COURT: What was the amount thereof? -- It was R3 a month.

That was to be able to lodge in the Huhudi location? -- It was very difficult to understand this even up to now, the reason being that a lodgers permit as far as I know was meant for people who came from outside Huhudi, to come and work there. That is the hostel dwellers who were expected to pay lodgers' permits. It was surprising to me that my own child staying with me in my house, that I was renting, that that child was expected also to pay that lodgers' permit. Who is this child lodging with? That is the problem which we had, the youth (20 experienced.

MR BIZOS: I am going on to another meeting, it may be a convenient time?

THE COURT ADJOURNS FOR TEA/ THE COURT RESUMES

TOM LEUTLWETSE THEBE, still under oath (through interpreter)

FURTHER EXAMINATION BY MR BIZOS: Just before I go on, m'lord, accused no.14 Mr Tihopane, has an appointment with a doctor. Your lordship will recall that he had an eye problem and he was given leave beforehand to go to the hospital. He has now been referred to what appears to be a specialist for 10h00 (30

tomorrow / ..

tomorrow morning, if your lordship would grant him leave.

COURT: Yes, he may stay away then.

MR BIZOS: As your lordship pleases. Now did the Rev Frank Chikane ever come to Huhudi? -- Yes.

Did he come to a meeting at which you were present? -- Yes, I was.

And who presided at that meeting? -- Mr Galeng.

COURT: When was this? -- February 1984. I can only not remember the exact date, but it was in February.

MR BIZOS: Was any reason given by Mr Galeng or anyone else (10 as to why the Rev Frank Chikane had come to speak at a meeting in Huhudi? -- Yes, it was explained.

What was said? -- What was said by Mr Galeng was that he invited Rev Frank Chikane to Huhudi so that he must come in sympathy with the people of Huhudi and pray for the people of Huhudi in respect of the removal. He also explained to us that Rev Chikane is a member of the UDF. The community was happy to learn about that and the arrangements which were made by Mr Galeng to have Rev Chikane there.

Did Rev Chikane pray or speak or do both at this meet- (20 ing? -- He did both by first addressing the community of Huhudi saying that they must unite and remain united in order to defeat this removal. United they will defeat that.

Yes. Do you remember whether he said anything else? -- That is all I remember of what he said.

At this meeting at which the Rev Chikane spoke was there any question of rental raised? -- Yes, it was raised by Mr Crutse.

How was it raised, what did he say? -- What he said was that the rent in Huhudi was going to be increased at any (30

time despite the fact that people cannot afford to pay this rent, the reason being that they, the people of Huhudi, are earning very little from their employers in Vryburg where they are employed. On top of that nobody ever considers that in increasing the rent. The rent keeps on increasing. At that same meeting Mr Galeng said the following about the rent, that they have written to Pretoria enquiring about the increase in rent in Huhudi and he was saying that they received a reply from them, that is from Pretoria, in which it was said that the rent of Huhudi cannot be increased to any amount above (10 R15 per month.

COURT: That the total rent be R15 per month or that the increase be R15 per month? -- No, the limit was R15. It must not go beyond that.

Yes, now who gave that advice and who said that? -- This was a report by Mr Galeng at this meeting.

Yes, thank you. Did he say who had informed him of these facts? -- No, all he said is that he wrote a letter to Pretoria. In reply to that letter, these were the contents. He did not say from whom or who is the person that replied to this (20 letter.

Thank you.

MR BIZOS: Did Mr Galeng or the other speaker say anything about lawyers at this meeting? -- Yes, I can say this meeting was in fact called because he wanted to inform the residents of Huhudi about what was happening.

Who? -- Galeng. He informed the people that we now have some help which we can get from the lawyers.

In what connection? -- Help in the sense that we shall have to write to them and put our case to them, who in turn (30

then / ..

then can take our matter further, that is the lawyers can take our matter further.

Was this in relation to the removal or the rent or both?
-- In connection with both, the rent and the removal, because they were both problems of the people.

Was there talk at the time that the Rev Chikane came to Huhudi, was there talk of the increasing of the rent? Did you expect the rent to be increased? -- Not that rent was going to be increased during that period, no, but it was already a known fact that rent is being increased regularly (10 in Huhudi.

What was your rent at that time? -- I am a sub-tenant to somebody who is a standowner. I am occupying a structure which was put up by the owner of the stand for which I was paying rental of R30 a month. I am therefore not in a position to tell the court what the rent is payable to the authorities by those who are renting the houses which belong to the authorities.

At the meeting was any mention made of what the rent of the house was in Pudimoe?

COURT: But haven't we got that on record now? I think so. (20

MR BIZOS: I put it on the basis that that was, but on my instructions the comparison was made..

COURT: If we have detail which is common cause we need not put it through all the witnesses again.

MR BIZOS: As your lordship pleases.

COURT: This witness does not have personal knowledge of this and it is not going to lead us anywhere.

MR BIZOS: I will leave it at that. Now do you recall whether a night vigil was called for? -- Yes, I do.

What was the night vigil for?

(30

COURT / ..

COURT: Accused no.2 is back we hope in good health?

MR BIZOS: Yes, he looks happier, m'lord.

COURT: He looks quite perky. -- This night vigil was held because there were people who were saying that they came to know about the fact that Huhudi was no longer moving from there.

Was it then a thanksgiving vigil? -- Yes, a vigil of happiness.

MR BIZOS: Do you remember the date? -- I do not remember the exact date except to say it was some time towards the end of (10 1984.

Did you go to this night vigil? -- Yes, I did.

At the time that you were going to this night vigil, was it known whether you had to move or whether you did not have to move? -- From rumours in the township what I knew was that we were not moving, but this vigil was held with a view that we pray that that succeeds, namely that it must succeed that we do not move from Huhudi.

I see. And was there supposed to be any special guest at this night vigil? -- Yes, there was supposed to have been (20 a special guest.

Who? -- Mrs Sisulu was supposed to have come.

Did she come? -- She did not come.

Was there any meeting the next day after the night vigil?
-- There was a meeting.

Did Mrs Sisulu turn up for that? -- She was present, yes.

And was an official announcement made at the meeting about whether you had to move or not? -- An announcement was made that Huhudi was not moving anymore.

Did Mrs Sisulu speak at this meeting? -- Yes, she (30
spoke / ..

spoke.

What did she say? -- What she said was that she was there to come and support and encourage the people of Huhudi on what they did in resisting the removal and which then was successful. Therefore she was there to be happy with the people of Huhudi on this announcement.

After this happy announcement that the people of Huhudi did not have to move, did HUCA continue to have meetings on as regular a basis as it had done before? -- It used to hold meetings but as it used to do. (10

And did the councillors hold meetings after this announcement? -- The councillors did hold meetings.

Were you present at a meeting at which things did not run very smoothly in February 1985? -- I was, yes.

Please tell us what happened there? -- This meeting was held by the community council.

For what purpose? Please carry on and tell us what happened? -- They had called this meeting to inform the residents of Huhudi about the increase which was going to take place on the rent. The residents of Huhudi were not satisfied about the (20 increase in rent. The people were saying it is surprising that you are telling us the rent is increasing here in Huhudi whereas in the same breath you are saying the rent in Pudimoe was going to be R5 only.

To whom was this question or observation made? -- To Mr Dikhole.

And did he give an explanation for any disparity that there may have been? -- He could not explain that.

And did any young person try to ask him any questions? -- Yes, there was a young person who tried to ask a question (30 which / ..

which person was not allowed by Mr Dikhole, saying that he does not hold talks with children.

How old was this person who tried to ask the question that was considered a child by Mr Dikhole? -- About 20.

COURT: Who was it? -- This is person is only known to me by the name of Kebotlhali.

And was he a member of HUYO? -- Yes.

MR BIZOS: And what happened when Mr Dikhole said that? -- When he said that then the meeting went out of control in the sense that there was some noise which was caused by the (10 youth in the form of singing.

Can you recall what they sung? -- Yes, the song that I remember that they were singing was "Senzeni na".

Was order restored? -- Yes, it was restored by Mr Crutse who reprimanded them, saying that they must stop singing which is causing the noise and they took heed to that and order was restored.

Now did anybody have placards there? -- No, no-one.

Were there commemoration services held at Huhudi? -- Yes, there were. (20

What did you commemorate at Huhudi? -- The commemoration of 16 June which had to do with the children who died in Johannesburg in 1976.

Yes, did you attend the commemoration service of 16 June 1985?

COURT: 1985?

MR BIZOS: 1985. -- I was present, yes.

Who organised this commemoration service? -- HUCA and HOYO.

Together? -- Together organised that. (30

We know that it was held at the community hall. -- Yes.

And was the hall full this time? -- It was full.

Who opened the meeting? -- Mr Galeng.

Was there any religious person there? -- Yes, there was a minister of religion present.

Who was it? -- I am not sure of the exact name, whether it is Rathabe or Rabopane. I am not certain but all the same it was a Sotho name that was being mentioned.

And did a number of people speak? -- Yes, there were people who spoke. (10

Who were they? -- Mr Galeng and Mr Crutse, Jomo Khasu, those were the speakers, and another man by the name of Phelwane.

ASSESSOR: There used to be an elephant too by that name.

COURT: He came to a sticky end.

ASSESSOR: Yes, he was shot the other day. -- Well, I do not know about that.

COURT: It was not in your area. Lesotho. -- No, I have never been to Lesotho. I do not know about it.

MR BIZOS: What was the gist of the speeches that were made on 16 June? I do not want to know what everybody said but what was the gist, what was the message? -- The gist of their speeches were about remembering in memory of the children who were killed on June 16.

COURT: Was this the first time you had commemorated this occasion in Huhudi? -- No, this was the second one.

The previous one had been in 1984? -- Yes, that is so.

But why had you not done it before? -- Oh no, that I do not know. My understanding is that each and everything comes to a certain place at a certain time. Why this was not done before I do not know. (30

MR BIZOS: Do you know if this was done in 1983 or not? -- I do not have knowledge about what was happening in 1983 pertaining to the commemoration service because I only attended the two, which was in 1984 and 1985.

Yes. Now at the 1985 commemoration service, did you stay until the end? -- Yes.

And after the meeting was there any trouble outside the hall? -- No, there was nothing.

Did you go home? -- Yes, I went home.

Did you see any trouble along the way, on your way home(10 -- No, I did not see anything happening until I reached home.

During this period from the end of 1982 to the middle of 1985, how many meetings would you estimate you attended that were called by either the ad hoc committee or HUCA or by HUCA itself? -- I do not know exactly how many meetings were held between that period of 1983 and 1985, but I am just giving an example. If one was to say certainly that there were twenty meetings that were held, then I have attended half of them which is ten. That was as a result of the kind of work I am doing, which kept me away from attending some of the meet- (20 ings. And I have never been to any ad hoc meeting. I only attended the mass meetings of the community which were held in the hall.

Now at the meetings that you did attend, did you ever hear any speaker say that the councillors must be killed? -- No.

Or that their property should be destroyed? -- No, I did not hear that.

Or that any public property should be destroyed? -- No, I did not hear that.

(30

Or / ..

Or that the person of any policeman should be attacked?

-- No, I did not hear that.

Or that the property owned or occupied by any policeman should be attacked? -- No, I did not hear that.

Did you hear any personal animosity against the councillors? -- No.

Were the councillors prohibited from coming to your meetings? -- No, they were not. They used to attend our meetings. We started with them. Even including the police, they also attended our meetings. (10

Was there any stage at which the councillors stopped attending your meetings? -- Yes, after the meeting which was held as a result of their having been to Kimberley at which meeting it was suggested on the formation of HUCA. It is only after that meeting that they decided not to come to our meetings.

COURT: Well, when we are speaking of "our" meetings, I thought we were speaking of HUCA meetings. So what you are saying is that they never attended any HUCA meetings? -- No, they never ever came to those meetings. (20

MR BIZOS: Did you have children of school going age during 1984/1985? -- I had children at school but not at Huhudi.

Was there a school boycott in Huhudi at any time? -- No.

Was there any trouble between children and anyone over them at any stage? -- Over them?

Anyone concerned with school children at any stage? -- Yes I know about a problem which existed between the scholars and teachers at Bopaganang school.

COURT: Of your own knowledge? -- I only heard about that. That is how I came to know. (30

MR BIZOS: Did you yourself see any property of any councillor being damaged? -- No, I did not see that.

COURT: Did you see any property of a councillor that had been damaged? -- No, I did not.

Now the meetings that you attended was there singing at them? -- Yes, there was.

What songs were sung? -- National anthem like for instance "Nkcsi Sikelele Afrika".

Any others? -- "Morena Boloko sechaba sa heso".

Any other song? -- "Senzeni na".

(10

Any other song? -- There were others that I cannot remember. That is because in fact I did not know how to sing them.

Were there slogans? -- Yes, there were.

What sort of slogans? -- "Amandla ngawethu".

And any other slogan? -- No.

COURT: Nothing in Tswana? -- No, there was nothing in Tswana.

MR BIZOS: At these meetings was any reference made to the councillors and whether or not - Well, was any reference made to the councillors and how they were considered by the speakers? -- You mean at all the other meetings? (20

At all or at some of the meetings, whether they referred to the councillors in some way or another? -- Yes, there was. They were calling councillors "sell outs" and "puppets".

Did they give reasons for calling them those names? -- Yes, the reasons were given as follows, that these people agree that the community of Huhudi be moved to Pudimoe and the perception of the community was that they were not representing the community.

COURT: What do you understand by "sell out"? -- I understand a sell out to be that there is something that you are selling. (30

Now here the perception was that these people, namely the councillors were selling the people.

What do you understand by "puppet"? -- Now that one I cannot explain.

Well, what did you think it meant? -- Well, I thought it meant was just the same as the other one of selling. I do not know what the actual meaning is but that is what occurred in my mind.

Yes, thank you.

MR BIZOS: When you say they were selling the people, in what(10 sense did you understand they were selling the people? -- I had in mind that they were selling the people because they agreed with the removal of the people to dry places like Pudimoe. That is what occurred in my mind, that they were selling people in the sense that they agreed to something which was according to the people not a correct thing to do.

COURT: Is it like you were selling your hawker's wares? -- Yes, because you see if you are selling something then there is an exchange. You get something from which you get enriched. In other words they are selling in this case in that they (20 are being paid a salary in selling people.

They receive money and they betray you? -- That is my understanding of it.

MR BIZOS: Did any councillor or councillors appear to you to be assisting in the removal process? -- That is so.

Who and in what way? -- The councillors were in charge of the transport, the trucks, which belonged to them and which trucks were in fact originally from the board but which were being used by the councillors. What they did was the following. They were encouraging people who were in need of houses to (30

go to Pudimoe where they were going to pay less, namely R5 a month and also offering these people free transport by making use of these trucks which were serving under them to transport the belongings of these people to the place where they were supposed to go.

COURT: Could I just get clarity. The trucks did not belong to the councillors or did they? -- What I am saying is this. The trucks was not the personal property for instance of a councillor. The truck belonged to the body of the councillors namely the community council, which trucks were used by the (10 councillors to influence, to transport these people to Pudimoe.

MR BIZOS: Thank you. Do you know whether there was a trade union present in Huhudi? -- Yes, there was. It was called GAWU.

Where was its office? -- They were sharing the offices with HUCA, HUYO and UDF.

Now you told his lordship there were people working there full-time. Do you know for whom the people that were working full-time were actually working for? -- No, I do not know that.

COURT: Who was the person? -- On behalf of the trade unions (20 a person by the name of John Dire was there.

Was he full-time? -- Yes.

Was there anyone else there that was full-time? -- About Jomo I am not too sure. He used to get arrested time and again, then he is not there for one to be able to say whether he was full-time there or not. Like for instance at the present moment he is arrested. He is in jail. I do not know - so I am not in a position to tell whether he was there on a full-time basis or not.

Yes well, at the times when he was not arrested, was he (30 there / ..

there all day? -- Yes, he was.

MR BIZOS: Yes, just in case the police wanted him they knew where to find him. -- Yes, that is where they used to find them.

COURT: If they were early enough.

MR BIZOS: Yes, M'lord, I..

COURT: Just one moment, I would like to ask a question about this Jomo. Am I correct to say that Jomo was an organiser for the UDF as well? -- It could be because he was from Cape Town and he is the person who came here and made mention of the UDF. (10

Was he not a local man? -- He was born and brought up in Huhudi.

Yes, I thought so.

MR BIZOS: I have details about the activities of the vigilantes there. I am merely saying this that I am able to lead the evidence because I cross-examined one of the witnesses, but provided no criticism is suggested that I cross-examined someone without any information, I do not intend leading it. I do not know if perhaps in order to - has there been an active vigilante group in your community? -- Yes, there was. (20

And have people who have been connected with HUCA been attacked..

MNR JACOBS: My geleerde vriend moet net nie weer leidende vrae vra nie.

HOF: Ja, ek wil juis nie heeltemal 'n dag spandeer aan 'n kruisverhoor van vigilantes as dit regtig nie betrekking het op die saak nie, maar ja, u is seker geregtig om te sê daar moet nie leidende vrae gevra word nie. Maar u het nie gekruisverhoor by die vorige getuie toe hy gesê het dat sy huis afgebrand is en dat hy na Kimberley verhuis het as gevolg van 'n aanval (30

deur / ..

deur vigilantes nie.

MNR JACOBS: Dit was in die tydperk lank na die klagstaat.

HOF: Wel, ons is nog nie besig om oor 'n tydperk te praat nie, ons praat nog net van vigilantes. Maar u beswaar word genotuleer.

MR BIZOS: Do you know who the leader of the vigilantes in your community is? -- Quite well, yes.

Who is it? -- Matlhoko.

I have no further questions.

KRUISONDERVRAGING DEUR MNR JACOBS: Kom ons vat net hierdie (10 vigilantes sommer dadelik hierso. Het jy persoonlike kennis oor hierdie vigilantes? -- Ja, ek het kennis daarvan. Ek het self gesien wat hulle gedoen het in Huhudi.

Goed, kan jy vir ons sê wat jy gesien het hulle doen met jou eie oë? -- Wat ek met my eie oë gesien het is dat Matlhoko en sy mense en ook ander mense wat hy ingevoer het, besig was om mense daar rond te jaag met 'n bakkie. Hy het mense agter op die bak van die bakkie gehad wat saam met hom op die bakkie gery het as hulle mense rondjaag in Huhudi.

En hoe jaag hy die mense rond? In die strate ry hy (20 agter die mense aan om hulle raak te ry? -- Hulle het mense met sambokke geslaan, met hierdie tipe sambokke wat bekendstaan in Huhudi as "seven and six".

En is daar klagtes gelê by die polisie? -- Nee, die mense was bang om by die polisie klagtes te gaan maak want die polisie het ook 'n hand gehad, bygedra tot wat hierdie mense gedoen het.

Het die polisie ook geslaan saam met hierdie mense, saam met Matlhoko? -- Ja, hulle het saam met Matlhoko gewerk want as jy gaan kla het by die polisie oor iets wat gebeur het, dan vra hulle vir jou aan watter organisasie behoort jy. (30

Kom /..

Kom laat ons dit nou net duidelik kry. Ek het jou 'n eenvoudige vraag gevra. Het jy met jou oë gesien dat die polisie dit doen? Moenie my vraag ontwyk en nou 'n afleiding vir die hof gee nie. Sê net vir ons ja, jy het dit gesien of jy het dit nie gesien nie. -- Ek sê ek het met my eie twee oë gesien.

Dat die polisie saam met Matlhoko werk? -- Ja, regtig so.

Nou hoe het hulle saamgewerk? Wat het jy gesien? -- Ek sê ek het hulle gesien mense jaag in die strate en dat hulle daardie mense geslaan het.

En by watter geleentheid was dit gewees? -- Vanaf 1984 (10 tot 1985.

Kan jy vir die hof sê, die mense wat saam met Matlhoko was was dit munisipale polisie gewees? -- Dit was nie die munisipaliteit se polisie gewees nie. In Vryburg die munisipale polisie tesame met die polisie van die dorp werk saam, dit wil sê hulle kom bymekaar en dan sal hulle saamwerk.

HOF: Ekskuus net. Bedoel u van die dorp se SAPs? -- Ja.

Nou was dit dan munisipale polisie en SAPs? -- Dit is so.

MNR JACOBS: En die mense wat hulle gejaag het, was dit groepe mense gewees of enkellinge? -- Enige ene in die dag of in (20 die aand.

Is jy ooit gejaag en geslaan deur hulle? -- Nee, ek was bang vir hulle. Ek het padgegee, as ek hulle net sien dan gee ek pad vir hulle. Ek was bang.

En ander mense wat geslaan was, was hulle enkellinge of groepe? -- Mense het gewerk en daar is van die mense wat natuurlik daar by die biersaal aangedoen het so vir 'n tydjie. As die mense uit die biersaal uitkom dan loop hulle miskien in klompies of as enkellinge daar en dan word hulle geslaan. Dieselfde geld vir die mense wat teruggekom het van die werk af. As hulle (30

daar in klompies geloop het dan is hulle raakgeloop deur die mense en dan word hulle ook geslaan.

So die teikens was dan die mense wat in die dranklokale in was? -- Nie net hulle nie. U moet my verstaan, ek sê Matlhoko en sy mense het enige mense in die straat gery en geslaan, het mense in 'n klomp of hetsy mense alleen loop, hulle is geslaan.

So hulle het nie 'n spesifieke teiken gehad nie, hulle het die mense in die algemeen aangerand? -- Enige ene wat hulle raadgeloop het, het hulle geslaan. (10

Ja, en nie 'n spesifieke teiken nie, is dit so? -- Nee, dit weet ek nie. Ek het nie kennis daarvan nie.

Is ek korrek as ek sê u was self aktief in die politiek, die gemeenskapspolitiek daar in Huhudi? Is dit reg? -- Wie, ek?

Ja, jy. -- Nee.

Was jy nie 'n lid van die "education charter campaign" komitee daar in Huhudi nie? -- Nee.

Het jy nie Durban toe gegaan om 'n konferensie van hierdie "education charter campaign"-mense te laat bywoon nie? -- (20
Ja, ek was daar. Is dit politiek?

Kom ons vind by jou uit. Wat is die doelstellings van die "education charter campaign"? Wat is 'n "education charter", sê jy eers vir my. -- Kyk, ek is nie geleerd nie. Ek het nie goeie kennis oor wat mense sê oor die onderwys nie. Ek sal u nie kan sê wat dit is of wat dit beteken nie, want ek was maar 'n veewagter gewees in my tyd wat ek skool toe moes gegaan het. Nou ja, u kan nie veel van my verwag nie maar wat ek vir u kan sê is ek het gehoor dat daar onderwys bespreek gaan word en in belang van my kind wat op skool is, het ek belang gestel om (30

te gaan hoor wat die onderwys gaan wees in die toekoms wat my kind betref. Ek het soontoe gegaan alleenlik op grond daarvan dat ek wou weet watse tipe onderwys my kind gaan kry.

Is dit reg, jy het soontoe gegaan as 'n verteenwoordiger van Huhudi? -- Nee, lyk my, u verstaan my nie. Ek was nie daar gewees as 'n verteenwoordiger van Huhudi. Ek sê ek het soontoe gegaan alleenlik om net te gaan hoor wat daar gesê word oor die onderwys van die kinders.

HOF: Wanneer was dit? -- Ek kan nie meer so goed onthou watter jaar dit was nie. Al wat ek vir die hof kan sê is dat ek (10
wel soontoe is.

Maar was dit nou laasjaar of die jaar daarvoor? -- Dit kan miskien wees die jaar voor verlede jaar. Ek wil dit ook vir die staatsadvokaat verduidelik dat selfs onderwysers gaan na plekke toe soos Port Elizabeth waar hulle vergaderings by-
woon oor die onderwys van die kinders. Ek het dus ook gegaan oor die onderwys van die kinders en dit is nie politiek nie.

MNR JACOBS: Nou was dit in die vorm van 'n konferensie wat daar gehou was in Durban? -- Wat is 'n konferensie?

Was dit 'n vergadering van afgevaardigdes wat sekere voor-
stelle en sekere memoranda daar gelewer het op daardie byeen-
koms? -- Kyk, ek is soontoe sonder dat ek 'n stukkie papier
gehad het as memorandum. Ek het teruggekom hiernatoe sonder
dat ek enige iets van daardie aard by my gehad het. (20

En was hierdie byeenkoms daar of wat u dit ookal wil noem, was dit onder die leiding van UDF gehou en UDF se "education charter"? -- Waar, daar? Kyk ek is verwar nou. Aan die begin u het genoem van ek is soontoe vir 'n "education charter", iets van dié aard. Nou sê u ek was daar gewees vir die UDF en ek is nou deurmekaar. Ek verstaan nou nie wat u wil sê nie. (30

HOF: Die advokaat wil weet wie is die mense wat die konferensie gelewer het of die byeenkoms gelewer het? -- Nee, ek weet nie, dit is iets van die verlede. Al wat ek vir die hof kan sê is dat ek daar was. Deur wie dit gereël was kan ek nie sê nie.

ASSESSOR: U sê u was onder die indruk dat u soontoe gaan om te gaan hoor watter tipe onderwys u kind in die toekoms gaan kry? -- Dit is so.

Wie het vir u gesê dat u sal daar hoor watter tipe onderwys u kind in die toekoms gaan kry? -- Kyk, ons het 'n kantoor daar by ons in Huhudi. Ek was nie alleen gewees wat soontoe gestuur was nie. Dit was ek en 'n ander persoon wat saam gestuur was deur die kantoor, wat vir ons gesê het dat ons na hierdie vergadering moet gaan in Durban, as ouers van Huhudi, om self met ons eie ore te gaan hoor wat daar gesê word, watter tipe onderwys in die toekoms gegee sal word aan ons kinders.

As jy praat van "ons kantoor in Huhudi", van watter kantoor praat jy? -- Ek praat van die kantoor van HUCA, HUYO, GAWU en UDF.

MNR JACOBS: So jy sê hulle het jou gestuur saam met 'n ander persoon. Wie was die ander persoon wat saam met jou Durban toe was? -- Joseph is sy naam. (20

Maar gee vir ons meer besonderhede. Wat is sy van? -- Babuwa.

HOF: Spel dit net. -- B-a-b-u-w-a.

MNR JACOBS: Was hy van die bestuur van HUYO? -- Nee, hy is nie 'n lid van HUYO nie, hy is 'n lid van HUCA.

Van die bestuur van HUCA? -- Nee, hy is sommer 'n gewone lid. Hy was nie 'n lid van die bestuur nie.

Het jy hierdie organisasies wat jy genoem het wat jou gestuur / .. (30

gestuur het, het hulle jou koste en die ander man se kostes ook betaal? -- Nee, ons het ons eie geld gebruik.

En moes julle aan hulle kom terugrapporteer? -- Ja, dit is so maar ek kan ongelukkig nie die blanke tale verstaan nie.

Hulle het blanke taal gepraat.

HOF: By die vergadering daaronder? -- Ja. Nou hy is die man wat 'n goeie blanke taal kon verstaan het en dus is hy die persoon wat verslag gedoen het.

MNR JACOBS: Maar jy het darem goed genoeg verstaan om te weet watse toekomstige onderwys hulle voorstel vir jou kinders? (10 -- Nee, maar hierdie man verstaan mos die taal goed. Hy tolk vir my, ek vra altyd van hom af nou wat sê hulle, dan tolk hy dit vir my in Tswana.

Ek sien. Verstaan jy dan nie die ander tale, die blanke tale nie? Verstaan jy Engels? -- In die blanke tale verstaan ek hier en daar. Dieselfde geld ook vir Afrikaans en Engels. Daar is mense wat op skool was en onderwys gekry het in Engels asook Afrikaans. Nou ja, ek was nie op 'n skool gewees om al daardie tipe onderwys te kon kry om alles te kon verstaan nie.

HOF: Hoe het u nou verstaan gaan die onderwys in die toekoms lyk? -- Wat hierdie man vir my gesê het is dat by hierdie vergadering word daar gesê ons word aangemoedig om die kinders skool toe te vat dat hulle die onderwys kan kry sodat hulle nie kan sukkel om werk te kry nie, dat hulle in staat moet wees om dinge self te kan doen.

Moes jy al die pad Durban toe ry om dit te hoor? -- Ja, ek het mos nie geweet wat daar gesê gaan word nie.

MNR JACOBS: Is dit nie ook gesê dat in die toekoms die onderwys - dat die bestaande stelsel is nie aanvaarbaar nie, daar moet heeltemal 'n nuwe stelsel kom? -- Nee, maar kyk ek (30

verstaan / ..

verstaan mos nie wat daar gesê word nie. Ek hoor net van hierdie seun wat vir my sê wat daar gesê word en al wat ek sê is wat hy vir my gesê het.

Nou is daar nie gesê deur hom dat hulle wil 'n heeltemal nuwe stelsel van onderwysstelsel hê nie? -- Nie aan my nie.

HOF: Ek sien ons is nou besig om in die etenstyd in te loop nie.

MNR JACOBS: Ja, ek wou net seker gemaak het..

HOF: U kruisverhoor het nou vier minute krediet vir ons verwerf. (10

DIE HOF VERDAAG VIR MIDDAGETE / DIE HOF HERVAT

K1385

TOM LEUTLWETSE THEBE, nog onder eed (deur tolk)

VERDERE KRUISONDERVRAGING DEUR MNR JACOBS: Al die beskuldigdes is teenwoordig. Moet ek dit dan verstaan na al die moeite wat u gedoen het om Durban toe te gaan om uit te vind wat is die nuwe stelsel van onderwys het u teruggekom en nie geweet wat is die nuwe stelsel van onderwys nie? -- Ek het hier gesê dat ons gesê was om die kinders aan te moedig om skool toe te gaan. Hulle moenie wegbly van die skool af nie.

Is dit al wat jy uitgevind het in Durban? -- Ja. (20

Hoe dikwels het die kinders daar in Huhudi weggebly van die skool af dat julle hulle dan moes aanmoedig om terug te gaan skool toe en nie weg te bly nie? -- Dit het nie gegaan oor die kinders wat weggebly het van die skool af nie. Dit was in daardie tyd wat daar moeilikheid was tussen die skoliere en onderwysers.

Waar? -- In Huhudi by die skool wat bekendstaan as Bopaganang.

Watse moeilikheid was daar? -- Wat ek verstaan het is dat dit gegaan het oor die skoolfooie. Dat die onderwysers die (30 kinders / ..

kinders huis toe gestuur het om die gelde te gaan haal terwyl die ander kinders met klasse aangegaan het in die afwesigheid van hulle.

Watse moeilikhede nog? -- Verskoon my?

Watse moeilikhede was daar nog? -- Ek weet nie van 'n ander ene nie, dit is die ene wat ek van geweet het.

Was daar nie ene gewees dat die onderwysers met die dogters gelol het nie? -- Nee, ek het nie daarvan gehoor nie. As dit so was, dit sal seker gewees het op 'n ander tyd en ek het toe nie daarvan geweet nie. (10)

Nou toe daarso nou die moeilikheid is tussen die onderwysers oor hierdie optrede van die onderwysers wat jy nou aan die hof beskryf het, wat het toe nou gebeur? -- Gebeur toe tussen wie? Gebeur tussen die onderwysers en die skoliere of tussen wie?

Ja, wat het toe gebeur by die skole? Het daar toe iets van gekom? -- Die ouers het na die skool toe gegaan by 'n vergadering wat daar gehou was waar dit bespreek was. Ek was nie daar gewees nie, maar ek verneem dat daar ooreenkoms was wat bereik is deur hierdie mense. (20)

Het die kinders iets gedoen toe die onderwysers nou hierdie dinge doen, toe hulle nou ontevrede was? Ek praat nie nou van die ouers nie, ek praat nou eers van die kinders. -- Nee, ek weet nie van iets wat hulle gedoen het nie.

HOF: Waar was u kinders op skool? -- My ouer kinders wat destyds op skool was, was nie hier in Huhudi nie maar die plek waarvandaan ek oorspronklik gekom het op 'n plaas.

Waar? -- By 'n plek wat bekendstaan as Tlakgameng.

Is dit ver van Huhudi af? -- Ja, dit is baie ver.

Nou maar hoekom stuur Huhudi se mense u wat nie kinders (30

op Huhudi op skool het nie, dan na Durban toe? -- Dit is reg, ek het nie kinders gehad op skool destyds nie, maar ek het nog klein kinders gehad wat skool sou geloop het in Huhudi. Dit was dus in voorbereiding vir daardie kinders wat skool sou geloop het in Huhudi. En ek is 'n inwoner van Huhudi.

ASSESSOR: Kleinkinders of klein kinders? -- Dit is my eie kinders wat nog klein was.

MNR JACOBS: Het daar nie 'n "parents' support committee" tot stand gekom in Huhudi deur bemiddeling van HUCA nie? -- Daar was so 'n liggaam gewees, ja. (10)

Ja, en het jy nie op daardie bestuur gedien ook nie? -- Ek was nie 'n lid van die bestuur nie, maar wel 'n lid van daardie liggaam.

Ja, en jy het hulle vergaderings bygewoon, bestuursvergaderings? -- Nee, ek het nie spesifiek vergaderings bygewoon nie, ek het wel die gewone vergaderings bygewoon.

HOF: Wat was die doel van die "parents' support committee"? -- Ek het verneem dat dit te doen het met die hulp wat hulle verleen aan kinders van mense wat aangehou is. Hoe ek daarby betrokke geraak het was omdat 'n kind van my gearresteer was. (20)

MNR JACOBS: Waar was dit? -- In Huhudi was dit gewees.

'n Skoolgaande kind van jou? -- Nee, die kind was nie meer op skool gewees nie, dié het nou gewerk.

En waarvoor was hy gearresteer? -- -- Omdat die kind met ander kinders baklei het.

Sommer 'n gewone aanranding of het dit 'n politieke kleur gehad, oor dinge van politiek? -- Nee, ek sê die kind van my was gearresteer gewees omdat hy met ander kinders baklei het. Nou u sê was dit nie miskien politiek gekleurd nie. U sal aan my moet verduidelik wat u daarby bedoel, want ek weet nie (30

wat dit beteken nie.

Sien ek sal dit so stel. Verwys u nou na die "detainees' parents' support committee"? Dit is eintlik wat jy sê die "support" committee. -- Is dit van politiek?

HOF: Nee, ons wil net die naam weet. Of die komitee se naam die "parents' support committee" is en of die komitee se naam "detainees' parents' support committee" is. -- Hulle noem dit DESCOM. Ek weet nie wat dit alles beteken nie.

MNR JACOBS: En is dit nie so dat DESCOM is meer geïnteresseerd in die mense wat aangehou word en nie dadelik vervolgt word nie, maar wat aangehou word deur die polisie, wat deur politieke oortredings aan onluste deel te neem of mense op te sweep tot onlus of daardie tipe dinge nie? -- Ek het aangesluit by hierdie liggaam van DESCOM omdat dit aan my gesê was dat hulle is die mense wat vir jou kan help om kos weg te bring vir jou kind wat in hegtenis is of wat in aanhouding is. Byvoorbeeld te Vryburg het hulle geweier dat kinders kos moet ontvang. Nou ja, op grond daarvan het ek toe besluit om by hierdie liggaam aan te sluit. (10

En is dit nie so dat jou seun as hy net 'n misdadige gepleeg het dan het hy sommer daarso gou voor die landdros gekom en sy saak is afgehandel, hy was nie aangehou vir 'n tyd nie? -- Nee, dit weet ek nie. (20

HOF: Is u seun onmiddellik aangebring vir verhoor of is hy sonder verhoor vir 'n lang tyd aangehou? -- Hy was vir 'n lang tyd in aanhouding gewees by die tronk voor die saak voor die hof gekom het.

MNR JACOBS: Saam met baie ander kinders ook wat dieselfde tyd gearresteer was? -- Ja, dit is so.

Nou hierdie baie ander kinders wat daarso nou in Huhudi (30

so gearresteer was, waarvoor is hulle gearresteer? -- Ek sal nie weet nie, elke ouer het net geweet van sy of haar kind hoekom die kind in aanhouding was.

Jy sien jy sal goed weet, meneer, want ek stel dit aan jou jy was 'n lid van die bestuur van die tak van DESCOM in Huhudi. -- Ja, dit is reg ek was 'n lid gewees, maar word dit dan van my verwag om te weet presies waarvoor elkeen van die kinders wat in aanhouding is, aangehou was?

ASSESSOR: U sê 'n saak het aangekom, ekskuustog, watse saak het aangekom? -- My kind was alleen voor die hof gewees (10 omdat hy met 'n ander seun baklei het. Hy het nie saam met die ander klomp wat in aanhouding was destyds voor die hof verskyn nie.

MNR JACOBS: Die ander klomp wat in aanhouding was, is hulle in groot klompe vervolg, voor die hof verskyn? -- Nee, ek sal nie daarvan weet nie want onmiddellik na my kind vrygelaat was uit die tronk, is ek toe uit om met my besigheid aan te gaan, dat ek die klere gaan verkoop het. Ek weet nie toe wat geword het van die ander kinders wat agtergebly het nie.

Kan jy net vir ons sê wanneer is hierdie seun van jou (20 gearresteer? -- Dit was in 1983.

Nie in 1984 nie? -- Ek sê in 1983.

En toe het hierdie komitee al bestaan daar? -- Watter ene? DESCOM. -- Ja, dié het al bestaan.

Nou behalwe DESCOM het daar 'n ander komitee bestaan bekend as "parents' support committee"? -- Waar, in Vryburg?

Ja. -- Indien daar ene was, was ek nie daarby betrokke gewees nie. Ek was wel betrokke by DESCOM.

Was jy bewus van ene? -- Van die komitee waarvan u nou net gepraat het? (30

Ja. -- Nee, ek was nie bewus daarvan dat daar so 'n komitee bestaan nie.

Kan jy net vir my sê jou seun se name? -- My seun se naam is Joseph Thebe.

Ek wil dit aan jou stel dat jy het dikwels vergaderings in die Roomse kerk in Huhudi van HUCA bygewoon, komiteevergaderings. -- Watse komitee?

Van HUCA. -- Ek ontken nie dat ek wel vergaderings bygewoon het by die Roomse kerk nie, as 'n lid, maar nie dat ek die komiteevergaderings bygewoon het nie. Ek was nie 'n lid van (10 die komitee nie.

ASSESSOR: Nou net oor u seun, dit lyk my ons is klaar met u seun. Wanneer is sy saak afgehandel? -- Hy was vir vier maande in aanhouding gewees.

HOF: Ekskuus, ek het nie gehoor nie? -- Hy was vir vier maande in aanhouding gewees en na daardie vier maande het hy voor die hof verskyn en die saak was afgehandel. Hy is toe weg om te gaan werk by die myne.

ASSESSOR: Watter jaar was dit wat dit afgehandel is? -- In 1983. (20

Dankie.

MNR JACOBS: In DESCOM het julle lyste opgestel met name van aangehoudenes en dit dan aan die hoofkantoor van DESCOM verskaf? -- Ja, ons doen dit.

Het julle dan vir hulle gesê waarvoor is hulle aangehou of onder watter artikel van die wet is hulle aangehou? -- Wat dit betref net die mense wie se kinders in aanhouding was het dit geskryf en nie ek nie.

Maar julle het tog dit gekry as julle die lyste opstel, waar hulle onderskeidelik aangehou was en wat julle dan (30
verskaf / ..

verskaf? Wat het julle gesê waarvoor is die mense aangehou?

-- Ons het deesdae hierdie artikel waarna verwys word, artikel 29, sê maar byvoorbeeld 15, waar geskrywe is dat as die persoon aangehou is onder daardie artikel dan word die artikel spesifiek genoem, onder watter artikel die persoon in aanhouding is.

Was daar baie mense aangehou daardie tyd, van hierdie mense wat julle die name van verskaf het onder artikel 29? -- Ja, ek onthou dat daar was 'n tyd wat daar baie mense in aanhouding was.

En ook onder die noodregulasies? -- Ja, dit kan wees. (10
HOF: Kan u my net sê toe daar nou baie in aanhouding was, was dit in 1983 of in 1984 of later? Is dit 1985/86? -- Dit was om en by sê maar 1984.

Het julle toe in daardie tyd opstande gehad in Huhudi? -- Ja, daar was.

En het die aanhouding in verband gestaan met die opstande? -- Ja, dit is so.

Ja, dankie.

MNR JACOBS: Nou die baie vergaderings wat u by die Roomse kerk bygewoon het, stem jy saam dit was nie massavergaderings nie (20 want die massavergaderings was nie gehou in die kerk nie? -- Nee kyk, by die Roomse kerk was daar nie baie vergaderings gehou nie. Eintlik by die Roomse kerk was dit net kantore gewees. Die vergaderings was by die saal, die gemeenskapsaal gehou.

Is jy seker daar was nie vergaderings by die Roomse kerk gehou nie? -- Ek wil dit aan u so verduidelik dat u my verstaan. Ek sê by die Roomse kerk was daar vergaderings gewees maar dit was baie selde dat 'n vergadering daar gehou word. Die meeste van die vergaderings was by die gemeenskapsaal gewees. U moet my nou verstaan, dit is nie dat ek sê dat daar geen (30
vergaderings/..

vergaderings hoegenaamd by die Roomse kerk gehou was nie.

HOF: As u nou praat van die Roomse kerk dan is dit nie die nuwe Roomse kerk nie, dit is die ou Roomse kerk? -- Ja, ek praat van die ou Roomse kerk waar die kantore is.

MNR JACOBS: Nou hou jy by jou getuienis van netnou dat jy het dikwels daar vergaderings bygewoon of sê jy nou dit is nie so nie? -- Ek herhaal dit ja, dat dit wel so is dat ek vergaderings bygewoon het by die Roomse kerk. Die vergaderings was nie soveel soos die vergaderings wat in die gemeenskapsaal gehou word nie. (10

En daardie vergaderings by die Roomse kerk waar die kantore was, was komiteevergaderings. Dit was nie openbare vergaderings of massavergaderings nie? -- Maar dit is juis wat ek ontken daar gebeur het. Kyk as 'n mens praat van 'n komitee ek verstaan die volgende, dat sekere mense gekies is om op die komitee te dien en ek was nie een van die mense wat daar gekies was as 'n lid van die komitee wat daar gedien het nie. So ek kon nie daardie vergaderings bygewoon het nie.

Nou vertel vir die hof watse vergaderings het jy daar bygewoon? -- Kyk, ek weet nie of u dit as 'n vergadering (20 beskou nie, maar ek beskou dit nie as 'n vergadering nie. Sê nou byvoorbeeld ek het aangedoen by die kantoor die dag en ek vind dat die werkers by die kantore sit daar ondermekaar en oor iets gesels en dit het plaasgevind miskien terwyl ek daar was of ek vind dat hulle alreeds besig was om te gesels, en hulle gaan toe voort met die gesprek in my teenwoordigheid sal u sê nou dat ek 'n vergadering bygewoon het of wat is dit wat u beskou as 'n vergadering.

Kan u vir ons sê was dit vergaderings of nie? -- Ek neem dit nie, ek aanvaar dit nie as 'n vergadering nie. (30

Het u ooit enige vergadering by die Roomse kerk waar die kantore is bygewoon? 'n Vergadering? -- Maar ek het mos hier duidelik vir die hof gesê dat ek wel daar 'n vergadering bygewoon het. Dit was by die tyd wat 'n vroumens van die Black Sash by hierdie vergadering teenwoordig was.

Was dit die enigste een? -- Ja, dit is die enigste ene. Hoekom ek dit ook beskou as 'n vergadering, dit is omdat dit bygewoon was deur nog ander mense wat nie by hierdie kantore werksaam was nie.

Waar het julle die DESCOM vergaderings gehou waar julle (10) die lysie opgestel het en julle verslae gedoen het aan DESCOM hoofkantoor? -- DESCOM het geen reg gehad by daardie kantore nie dus indien daar enige vergadering gehou moes word, die was gehou by verskillende huis, dit wil sê lede se huise.

UDF vergaderings wat daar in die kantore gehou is in die Roomse kerk, het jy van hulle bygewoon? -- Ek weet nie van enige UDF vergaderings wat by die kantore gehou was nie. Die se vergaderings was by die saal gehou.

Het jy enige komiteevergaderings van UDF bygewoon? --
Nee. (20)

Nou wil ek gaan na jou getuienis toe. Jy het vir die hof gesê van 'n vergadering wat jy bygewoon het in 1980, is dit reg? Jy onthou daarvan? -- Ja.

Nou is dit korrek om te sê dit was nie op daardie vergadering vir die eerste keer bekendgemaak daar gaan verskuiwings wees nie? -- Wanneer in 1982?

Ons praat nou van 1980, meneer. Ons moet nou nie rondspring nie, asseblief. -- Verstaan ek u reg dat dit die vraag is dit was nie vir die eerste keer in 1980 gemeld van die verskuiwing nie? (30)

Op daardie vergadering nie. -- Ja.

Dit was al jare bekend gewees dat julle gaan verskuif na Pudimoe toe? -- Dit is heeltemal reg, dit was nie die eerste keer nie. Dit was juis die rede dat daar stappe geneem was om dit te verhoed.

Kan u net vir die hof sê hoeveel keer het mnr Dikhole, die raadslid, in jou teenwoordigheid op 'n ope en massavergaderings gesê dat daar niks is wat gedoen kan word om die verskuiwings te keer nie omdat die blankes so besluit het? -- Dit was net een vergadering gewees met hulle se terugkoms van Kimberley. By daardie vergadering het hy, Dikhole, gesê daar is niks wat gedoen kan word nie. So as die blankes sê dat daar getrek moet word, dan moet daar getrek word.

So dan is jou getuienis gister toe jy gesê het dit was by hierdie vergadering in 1980, volgens ek jou getuienis verstaan het, was dit nie reg nie? -- Ek sal nie ontken dat ek wel so gesê het nie, maar indien ek dit gesê het dan het ek fouteer.

Het jy ook 'n fout gemaak toe jy gesê het dat daar was op daardie vergadering in 1980 groot onmin gewees tussen die (20 raadslede en die gemeenskap? -- Laat ek dit vir u so beskrywe. In daardie tyd die gemeenskapsraad se vergaderings en die rade self het met die gemeenskap daar op goeie voet saam vergadering gehou.

Nou hierdie vergadering in 1980, was dit op goeie voet gehou met die raadslede? -- Ja, daar was nog samewerking tussen die gemeenskap en die raadslede waar die raadslede ook saam gestaan het met die gemeenskap in die teensitting teen verskuiwings.

Jy sien, dan verstaan ek nie jou getuienis van gister (30

nie want jy het gesê op daardie vergaderings was daar onmin
gewees. -- Wat ek daarby bedoel het is dat daar was nie duide-
like optrede wat 'n mens kon gesê het dat die mense nie mekaar
verstaan het nie, want die mense het tog saamgewerk om teen
die verskuiwing op te tree. Dit het eers na hulle in Kimber-
ley was begin dat die mense nie goed saamgetrek het nie, maar
voor dit, wil sê voor hierdie vergadering ook van 1980, na dit
bekend geword het dat die mense sal moet verskuiwe word, was
daar nog goeie samewerking gewees.

So op hierdie stadium, is dit dan reg, toe wou die (10
gemeenskap nog die raadslede gehad het ook? -- Kyk, laat ek dit
vir u so stel, as 'n persoon self hier terwyl ek hier staan,
dit is nie almal mense wat vir my ken wat van my hou nie. Daar
is van hulle wat nie van my hou nie. Dit is presies dieselfde
wat gebeur het destyds met die gemeenskapsraad. Daar was van
die mense in die gemeenskap wat hulle aanvaar het en daar was
van die mense wat nie van hulle gehou het nie.

As persone, nie as raad nie? -- Ek weet nie of u die
verskil sal verstaan nie. Daar is 'n verskil as mens iemand
haat en daar is 'n verskil as 'n mens nie van daardie persoon (20
hou nie. Ek sê ek het nie gehou van wat hulle gedoen het as
raadslede nie.

HOF: Maar het daar dan 'n stadium gekom wat die raadslede
gehaat geraak het? -- Ek weet nie van haat nie, edele, want ek
het nie die mense gehaat nie. Selfs nou wat ek hier staan,
ek haat nie daardie mense nie.

Maar dan is ons nou terug waar ons begin het. Op watter
stadium het hulle ongewild geraak? -- Dit het eers vir my dui-
delik geword in die jaar 1983 toe die gemeenskap daar dit nou
duidelik gemaak het dat hulle nie tevrede was met die (30

raadslede nie omdat die raadslede nie voldoen aan die vereistes wat hulle van hulle verwag het nie. Alhoewel daar gepraat is vir jare vantevore van die verskuiwings was daar nog nie daardie bekende ding gewees dat die mense moet dit duidelik maak dat hulle nie die raadslede goed sien nie.

MNR JACOBS: Dankie, edele. Sal u saamstem dit was nadat HUCA tot stand gekom het dat hierdie verandering werklik op die voorgrond getree het? -- Nee, ek sal nie so sê nie. Voor die stigting van HUCA het die mense alreeds besef dat die raadslede nie goeie dinge vir hulle doen nie. Dit beteken dus dat al (10 was HUCA nie gestig nie, op die ou end sou die mense maar die vriendskap beëindig het omdat hulle alreeds besef het dat die raadslede nie goeie dinge vir hulle doen nie.

Is dit reg daar in die 1980 vergadering het raadslede voorgestel dat daar 'n petisie opgestel moet word en die raadslede het dit geïnisieer en almal het saamgewerk aan daardie petisie omtrent die verskuiwing? -- Dit is die waarheid.

Nou die terugrapporteringsvergadering wat jy van praat toe - kan jy vir ons sê watter maand dit was? Dit is hierdie een in 1982? -- Is dit nou die vergadering in 1982? (20

Ja, toe daarsou besluit moes word dat mense sal na Kimberley toe gaan?

HOF: Nee, die terugrapportering is tog na Kimberley?

MNR JACOBS: Ja, maar ek dink hy het dit geïdentifiseer as dat daar 'n besluit sou geneem word dat die mense sou na Kimberley toe gegaan het.

HOF: Wel, ek het verstaan die terugrapporteringsvergadering is toe hulle terugkom van Kimberley af, is dit nie?

MNR JACOBS: Toe hulle die mense gekies het, ek wil van daardie ene weet, of hy ons kan sê. (30

MNR BIZOS: Wel, daar was twee vergaderings, edele. Die een waarop die afgevaardigdes gekies is en daarna 'n vergadering waar gerapporteer is.

HOF: Ek is daarmee eens, mnr Bizos. Watter een noem u die terugrapporteringsvergadering? Dit is sekerlik nadat hulle teruggekeer het van Kimberley af?

MNR JACOBS: Ja, ek sien nou wat die hof bedoel, dat ek dit daar onduidelik - kan u vir die hof sê wanneer die vergadering was waar die afgevaardigdes gekies was, wanneer dit plaasgevind het? -- Ek weet nie. Ek is nie seker van die jaartal (10 of dit 1983 of 1984 is nie, maar voor ek myself nou daar uitspreek kan ek u nou vra of u bedoel die vergadering, die datum van die vergadering waar daar besluit is om die afgevaardigdes te kies wat saamgaan na Kimberley toe, of wat is eintlik u vraag?

Dit is my vraag, ja.

HOF: Ek dink u het gesê u dink daar is vyf? -- Ja, ek het gesê dit is Mrs Dooms, Jomo en andere. Dit is die afgevaardigdes wat die raadslede vergesel het.

Ja. Nou die vraag wat die advokaat aan u vra is (20) wanneer het daardie vergadering plaasgevind? -- In die jaar 1983 as ek reg is.

MNR JACOBS: Kan u vir ons sê watter maand dit was? -- Nee, ek onthou nie die maand nie.

Nou as ek jou getuienis reg verstaan het, dan was die opdrag van die vergadering aan hierdie mense hulle moes die raad vergesel na Kimberley toe en daar by Kimberley moes hulle hoor wat daar bespreek word en dan moes hulle kom terug rapporteer. Is ek reg daarso? -- Dit is so, ja.

En jy is baie seker daarvan dit was hulle opdrag (30)

gewees / ..

gewees? -- Ja, dit is so.

Nou kan jy vir ons sê wanneer sou hierdie afgevaardigdes en die raadslede die eerste vergadering - laat ek dit liewers eers so stel: sou hulle meer as een ontmoeting hê met die administrasieraad of weet u nie? -- Kyk, hulle was mos bymekaar gewees en hulle is toe Kimberley toe. Wat hulle moes gedoen het was sodra hulle teruggekome het van Kimberley af moes hulle kom terugrapporteer het.

Laat ek dit vir jou so stel, dit is hier geopenbaar in hierdie hof, daar was twee ontmoetings met die raad gewees (10 deur daardie afgevaardigdes en die raad, die administrasieraad.

HOF: Watter raad?

MNR JACOBS: Met die administrasieraad. Een op Vryburg en een op Kimberley. -- Ja, dit is so. Maar die rede hoekom hulle so lank geneem het om die vergadering te hou waar hulle terugrapporteer was omdat die gemeenskapsraad mense het gedink dat die afgevaardigdes die vergadering sou belê en dieselfde geld vir die afgevaardigdes, dat hulle gedink het dat die gemeenskapsraadmense die vergaderings sou belê waar die terug- (20 rapportering gedoen sou moes word. Dit is hoekom ek gesê het dit het geneem drie weke tot 'n maand voor hulle terugrapporteer het. Dit was na aanleiding van vrae wat gevra was hoekom hulle so lank geneem het dat dit bekend geword het.

Wie het nou vir u gevra wanneer dan hulle moes terugrapporteer en wie moes rapporteer? Ek het vir u gevra of daar twee ontmoetings was met die administrasieraad.

HOF: En die antwoord was ja. Nou kan u van daar af verder gaan.

MNR JACOBS: Kan u nou vir die hof sê wanneer was die - toe (30

die afgevaardigdes gekies was, wanneer sou hulle die eerste keer die administrasieraad ontmoet? Hoe lank na daardie vergadering was die eerste ontmoeting gereël of moes hulle dit nog gaan reël? -- Volgens die vergadering waar die afgevaardigdes gekies is, het hulle gesê dat julle word gekies om saam met die gemeenskapsraadmense mōre by die administrasiekantore aan te doen waar julle vergadering gaan hou met die lede van die administrasieraad.

En hoe lank na hierdie een die volgende dag plaasgevind het, het die tweede een plaasgevind? Weet u? -- Nee, ek (10 weet nie. Kyk, al wat ek weet is dat die mense na Kimberley toe is. Ons het besluit dat hulle ons daar moet gaan verteenwoordig. Ek weet nie presies watter dag het hulle op die ou end toe in Kimberley uitgekom nie.

Of die tweede vergadering gehou nie? -- Waar te Kimberley?

Op Vryburg. Die een is op Kimberley gehou en die een op Vryburg. -- Bedoel u nadat hulle teruggekom het van Kimberley af het hulle 'n vergadering gehou hier in Vryburg?

Ja, dit is die bewering wat gemaak is. -- Nee, nee, ek weet nie daarvan nie. Al wat ek van weet is die vergader- (20 ing wat by die saal gehou was toe die mense teruggekom het.

Was dit nie gerapporteer op daardie vergadering dat daar twee vergaderings..

HOF: Ag mnr Jacobs, maak dit saak of daar twee was of nie?

MNR JACOBS: Wel, ek wil dit aan u stel op al twee die vergaderings dan was julle mense toegelaat om teenwoordig te wees en te luister wat daar gesê word. -- Kyk u moet my nie verwar nie. U moet dinge vir my duidelik stel dat ek verstaan waarvan u praat. Byvoorbeeld ek het verwag as ek nou luister na u stelling dat u vir my moes gesê het kyk, na die mense (30

in Kimberley was het hulle weer alleen bymekaar gekom waar hulle weer vergadering het voor hulle na julle toe gekom het by die vergadering in die saal. Dit is hoe ek u sou verstaan het.

Nou antwoord maar net die vraag wat ek vir u gevra het, asseblief. Ek gaan nie met u in 'n argument betrokke raak nie. -- Herhaal die vraag laat ek hoor wat die vraag is.

Die vraag was dat by altwee die vergaderings, dat daar twee plaasgevind het, - was dat julle afgevaardigdes toegelaat is om die vergadering by te woon en waarneming te doen. Al wat verskil het, hulle is nie toegelaat om deel te neem aan (10 die besprekings nie. -- Het hulle nie gepraat in Kimberley sê u?

HOF: Ja, laat ons nou nie die ding deurmekaar maak nie. Die advokaat sê vir u hulle was by die vergadering in Kimberley, julle afvaardiging by die vergadering in Kimberley was, hulle nie uitgesluit is van die vergadering nie maar by was en gesit en luister het, maar hulle mag net nie gepraat het nie. -- Ja, dit is wat hulle vir ons kom sê het.

MNR JACOBS: Maar dan kan ek nie verstaan hoekom julle mnr Dikhole blameer nie, want hulle het hulle opdrag uitgevoer. (20 Hulle was net opdrag gegee om te gaan luister, hulle was nie opdrag gegee om te gaan praat nie? Hoekom blameer julle dan vir mnr Dikhole vir al hierdie dinge en dat hy en sy raad nou skielik verkeerd is? -- Ja, wat dan?

Antwoord my. -- Ja, maar u sê nou net vir my dat die mense daar was in Kimberley, hulle het gaan luister en hulle het toe teruggekom. Nou wat is die moeilikheid daaromtrent?

Mnr Dikhole, verstaan jy nie die tolk as hy tolk nie?

HOF: Dit is nie mnr Dikholo nie.

MNR JACOBS: Verstaan u nie die tolk nie?

(30

HOF: Mnr Dikhole sal baie, baie goed moet luister as hy hierdie tolk wil hoor.

MNR JACOBS: Ek is jammer, edele. Ek het nou gedink aan mnr Dikhole toe ek die woord gesê het. Mnr Thebe, verstaan u nie die tolk nie? -- Ja.

Nou kan jy my vraag antwoord. Dit is 'n baie goeie tolk en hy het dit getolk vir jou. -- Ja, vra die vraag, ek sal antwoord.

Goed, ek sal dit herhaal vir jou. Hoekom word mnr Dikhole geblameer vir 'n ding wat dan gebeur het nie, want die raadslede het die afgevaardigdes saamgevat, hulle is toegelaat soos hulle volmag was om daar by te sit by die besprekings. Met ander woorde mnr Dikhole en sy raad het niks verkeerd gedoen nie, hoekom word hy en sy raad dan die blaam gegee vir alles wat nou daar verkeerd gaan. -- Nee, nee, u verstaan dit nie. Ons het nie die mense gestuur om net daar te gaan sit en luister nie. Ons het die mense gestuur om ons saak daar te gaan stel en namens ons te gaan optree daar by daardie vergadering in Kimberley, maar wat dan gebeur het is die mense is nie toegelaat om te praat en deel te neem nie. Nou ja, dit is nie wat ons verwag het dat dit moet gebeur met daardie mense. Die mense moes daar gepraat het en vir ons kom sê het wat hulle daar kon uitvoer en wat hulle gedoen het, alles. Nie dat hulle net daar moet gaan sit en luister en terugkom nie. Die terugrapportering van Dikhole aan ons is die volgende: dat die mense wat julle gestuur het om daar te gaan praat namens julle, dat hulle hy help praat teen hierdie verskuiwing was nie toegelaat om te praat nie, maar in die teenwoordigheid van hierdie mense het ek dit toe opgeneem met die raad. Ek kon nie daarin slaag nie, ek kan dit nie verder voer nie. Dit wil sê ek

kan nie die verskuiwings verhoed nie.

Onthou jy netnou het ek vir jou gevra, is jy baie seker van die opdrag en jy het dit bevestig dat die mense moet net gaan luister. Nou verander jy dit. Kan jy dit verduidelik? -- Nee, nee, dit is nie reg nie. Kyk wil u my nou hier laat verstaan dat hier gee ek 'n persoon geld en sê gaan kafee toe. Die persoon het die geld, hy gaan kafee toe. Sal die persoon net daar by die kafee gaan staan en kyk wat daar gebeur in die kafee? Hierdie mense het ons gestuur om namens op te tree, dit wil sê hulle moet gesprekke voer namens ons. Dit is nie (10 'n kwessie dat hulle net daar moet gaan sit en luister het nie. Ek het gesê hulle moes namens ons optree.

Is dit u antwoord? Ek los dit daar. Het die delegasie self op daardie vergadering opgestaan en verslag gedoen? -- Ja, hulle het gepraat.

Het hulle vir julle verslag gedoen wat mnr Dikhole gepraat het met die raad in hulle teenwoordigheid en die raad weer met mnr Dikhole se mense bespreek het, die gemeenskapsraad se mense?

HOF: Wat gepraat word met die administrasieraad? (20

MNR JACOBS: Ja. -- Volgens die verslag van Dikhole het ek die volgende verstaan. Dat die afgevaardigdes was teenwoordig by die kantore, maar nie in dieselfde vertrek waar die vergadering gehou was tussen die gemeenskapsraad mense en die administrasieraad nie, want volgens die verslag van Dikhole die mense was nie toegelaat daar nie. Ek het dus verstaan dat hulle in 'n ander vertrek was of op 'n ander plek was terwyl die vergadering in 'n ander vertrek aangegaan het. Die mense het net gehoor van Dikhole wat die administrasieraad se mense sê aangaande hierdie ding wat hulle daar moes bespreek het. (30

Sien ek het dit netnou ook aan u duidelik gemaak dat hulle was al die tyd teenwoordig en u het bevestig dit is so gerapporteer. Hulle was net nie toegelaat om te praat nie. Nou verander u dit weer heeltemal. Wat is nou die waarheid? -- My bevestiging om te sê dat hulle teenwoordig was, kan ek byvoorbeeld so stel: Hier in hierdie hofsaal ons is almal in die hof teenwoordig maar sodra daar 'n afskorting opgesit word hier dat byvoorbeeld die hofbank nou alleen anderkant is dan is ons nie meer almal teenwoordig in dieselfde hof nie, maar as 'n mens gevra word was jy by die hof, dan sal 'n mens (10 sê ja, ek was teenwoordig by die hof. Ons was by die hof maar nie in dieselfde vertrek nie, dit is wat ek bedoel het. Dat hulle wel daar was, maar nie in dieselfde vertrek nie.

Nou kan jy nou vir my antwoord? Het hierdie afvaardiging, enige van hulle, verslag gedoen van wat gebeur het in Kimberley? -- Ja, die mense het gepraat maar hulle het net herhaal wat Dikhole gesê het, dat hy, Dikhole, die persoon is wat daar gepraat het. Eintlik het hulle dit beter gestel deur te sê dat Dikhole alleen daar gepraat het soos hy gesê het. Die rede daarvoor is dat hulle nie in die vergadering (20 toegelaat was nie. Hulle het net gehoor van wat Dikhole vir hulle gesê het in die vergadering plaasgevind het. En Dikhole ook vir hulle gesê het dat daar nou niks is wat hy Dikhole, kon gedoen het om die verskuiwings te verhoed nie.

Is dit nou wat in Kimberley sou gebeur het? -- Ja.

Was daar op enige stadium daar op daardie vergadering verslag gedoen wat op 'n ander vergadering as in Kimberley plaasgevind het, tussen die administrasieraad, die stadsraad en waar die afgevaardigdes hulle vergesel het? -- Ek is nie daarvan bewus nie. Al wat ek weet is dat hulle in Kimberley (30

bymekaar was by 'n vergadering. Daarvandaan het ons die vergadering gehad waar hulle nou teruggerapporteer het oor wat daar gebeur het in Kimberley. Dit is in Huhudi waar hulle dit gesê het.

Was u bewus daarvan dat mnr Dikhole een van die vergaderings nie bygewoon het nie, omdat hy nie kon nie? En as ek dit reg onthou dan is dit die Kimberley vergadering wat hy nie bygewoon het nie. -- Was hy nie Kimberley toe nie?

Antwoord my maar net.

HOF: Nee, maar u kan dit nie op so 'n losse basis plaas (10
nie. U moet vir die getuie sê Dikhole sê hy was nie in Kimberley nie, dan kan die getuie daarop kommentaar lewer; maar nie op 'n basis van u dink amper dit is Kimberley, maar dit kan ook Vryburg wees nie.

MNR JACOBS: Ek sal net seker maak. Daar was wel vermeld dat hy by een van die vergaderings nie was nie.

MR BIZOS: In fact, m'lord, on page 3 974, he said he was not at Vryburg.

COURT: Thank you.

MNR JACOBS: Dankie, edele. Nou op hierdie vergadering, (20
nadat die verslae gedoen was, het enige iemand opgestaan en gepraat teen die raad?

ASSESSOR: Wil u nie 'n antwoord hê op die vorige vraag nie?

MNR JACOBS: Ekskuus, ja. Dat mnr Dikhole - ek aanvaar my geleerde vriend se stelling op hierdie stadium, dat hy nie die Vryburgvergadering bygewoon het nie. -- Nee, hulle het nie aan ons so gesê nie.

Het enige ander van die sprekers van die afvaardiging of enige ander spreker daar op daardie vergadering toe 'n toespraak gelewer waarin hy die raadslede, mnr Dikhole en sy kollegas (30

aangeval het vir een of ander rede? -- Dit was met die mense se terugkoms vanaf Kimberley dat daar uiteengegaan was tussen die gemeenskapsraadmense en die afgevaardigdes en dat daar besluit was dan op die stigting van HUCA.

Ek sal nou -nou by die stigting van HUCA kom. Kan u net die vraag antwoord asseblief? -- Nee, nee, dit is nie 'n kwessie van dat die spreker teen die gemeenskapsraadslede gepraat het of teen Dikhole gepraat het nie. Die persoon het feite genoem en gesê met ons aankoms te Kimberley, Dikhole het toegelaat dat ons agtergelaat word, dat ons nie die vergadering kan (10 bywoon soos ons gestuur was nie. En hy het alleen met die blankes daar gaan praat. Dit wil sê Dikhole het nie gedoen wat die mense hom gestuur het om te gaan doen nie. Wat die mense verwag het van Dikhole was die volgende, dat as daardie blankes in Kimberley weier dat Dikhole saam met die afvaardiging moet inkom dan moes Dikhole self ook onttrek het en gesê het kyk, ek gaan nie in nie. Ek het met die mense hier gekom en ek het opdrag om saam met die mense hier by julle te kom.

HOF: Maar is dit nou wat u sê moes gebeur het, of is dit (20 wat u sê daardie spreker gesê het? -- Nee, dit is nou my gedagte wat ek sê, dat hy moes met die mense daar ingegaan het.

Ja-nee, op die oomblik word u gevra oor 'n spreker wat by die terugrapporteringsvergadering sekere dinge genoem het. -- Ja, ek verstaan dit. Daardie spreker het net gesê dat ons saamgegaan het met Dikhole en met ons aankoms daar was ons nie toegelaat om in te gaan en te gaan praat daar nie. Met ander woorde die man sê niks sleg teen die raad of teen Dikhole. Dit was die gevoel van die gemeenskap daar wat dan na aanleiding van hierdie toespraak, die verslag deur hierdie (30

persoon verander het.

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MNR JACOBS: U sien, ek stel dit aan u dat Dikhole het nooit op daardie vergadering gesê dat hy het nou alles probeer en hy kon nie slaag nie omdat die mense so sê, hy kan nie slaag nie en dat die hele verskuiwing nou maar sal moet deurgaen. -- Sê u dit is wat Dikhole gesê het aan u of sê u dat u sê dit namens Dikhole?

HOF: Nee, die advokaat sê vir u dat op daardie terugrap-teringvergadering het Dikhole nooit gesê dat hy kon nie slaag met die verskuiwing nie, en die ding moet nou maar aangaan. (10 -- Maar Dikhole het dit gesê in die teenwoordigheid van die gemeenskap daar vol in die saal. Ek was daar gewees. Ek het self gehoor. Word dit gestel aan my deur die advokaat omdat hy dit op daardie papier voor hom het?

Ja. -- Nou ja as dit die geval is dat hy nou met daardie papier voor hom wil praat dan is dit goed. Dan moet hy nie vir my vra nie, want enige ding kan daar geskryf word.

MNR JACOBS: En wat meer is, jy is verkeerd in wat jy daar sê vir die hof en wat meer is hoekom ek sê dit is verkeerd, want Dikhole en die ander raadslede het nie die ding daar (20 gelos nie. Hulle het nog altyd voortgegaan om te veg dat die verskuiwing nie moet plaasvind nie. -- Nou sien ek dit. Nou sien ek hoekom u dit vir my so stel. Nou sal ek vir jou sê hoekom. U is haastig om vir my te sê later dat Dikhole die persoon is wat die petisie laat uitvoer het. Dit is nie reg nie. Dikhole was skaam gewees omdat die gemeenskap op hulle eie besluit het om die petisie op te stel, dat hy ook maar op die wa gespring het. Andersins hy is die man wat veronderstel was om 'n leier te wees en hierdie dinge van die begin af te begin het, en nie sommer so opklim waar die mense die ding (30

alreeds begin nie.

Is die ding nie so dat die petisie was alreeds in 1980 opgestel nie, dat dit reeds lank terug was en wel van die raad af gekom het nie? -- Ja, maar dit is wat ek sê. U probeer my trek na daardie petisie toe om vir my te sê Dikhole is eintlik die oorsaak daarvan en die ding was al lankal verby toe ons by hierdie punt kom van Kimberley. Nou sien ek hoekom u gesê het dat Dikhole nie gesê het dat dit hom baasgeraak het, hy kan dit nie verder uitvoer nie. Hy is nie meer in staat om die verskuiwings te verhoed nie. Dikhole het vir ons gesê, (10 maar u sê hy het dit nie gesê nie omdat u gebruik maak van die petisie wat lankal verby was.

HOF: Hoekom sê dat wat die petisie betref Dikholo ook op die wa wou spring? -- Dit sê ek omdat hy was die hele tyd bewus daarvan dat daar verskuiwings gedoen gaan word en die mense het dit teengestaan. En op 'n stadium toe hy besef het dat van die mense al begin trek het en die gemeenskap daarteen was, toe het hy nou skaam gevoel en gesê goed, laat ons nou 'n petisie opstel. Dit was nie uit sy eie dat hy dit gedoen het nie.

MNR JACOBS: Dit is sommer nou gevolgtrekkings wat jy maak, is dit reg? -- Ja, maar dit is presies net soos ek dit dink.

Want jy sien, is dit nie so nie dat die mense het eers begin trek in 1982 nie? -- Ja, dit was in 1982 gewees.

Jy sien dan van jou hele antwoord en jou hele gevolgtrekking nou deur, want die petisie was alreeds in 1980 gewees. -- Voor die jaar 1982 was daar mense gewees wat getrek het. Dit was eintlik nie so duidelik gewees aan almal van ons nie. Dit was eers in 1982 dat almal bewus geword het daarvan dat mense besig was om te trek.

(30)

Wil jy nou in alle eerlikheid vir hierdie hof vra om te aanvaar dat in 'n klein gemeenskap soos Huhudi mense uittrek na Pudimoe toe en niemand of die grootste meerderheid of die hele gemeenskap dit nie sou weet nie? -- Ja, dit kan gebeur byvoorbeeld soos ek. Ek huur by 'n man se huis en hier word ek 'n groot huis belowe waar ek beter gaan lewe en minder betaal, waar ek meubels sommer sal in en uitskuif soos ek wil, ek sal ook op daardie manier kan trek omdat daar so 'n belofte aan my gemaak word en so 'n mens sal mense nie maklik kan agterkom dat hy nou trek na die nuwe gebied wat hulle probeer (10 verhoed nie. Dit is net die eienaar van daardie standplaas wat ek huur wat sal weet dat ek getrek het en miskien die mense wat naby woon by ons, maar die mense wat ver bly, by die munisipale huise sal nie daarvan weet nie.

Sal u saamstem dat as ongeveer 200 gesinne trek uit so 'n klein gebied uit dan sal dit 'n algemeen bekende ding word? -- Ja, in die geval waar die standplaaseienaar self moet trek sal dit gou bekend word, maar nie in die geval waar 'n huurder moet trek nie. En dit is net die mense naby wat sal weet, nie al die mense nie. (20

Goed. Sê net vir die hof, is dit so, is dit feitlik so of nie dat waar mense getrek het is die huise ge"bulldoze" soos hulle gesê het, omgestoot met "bulldozers"? -- Nee, ons het dit nog nie in Huhudi gesien dat daar huise omgestoot was na die mense getrek het nie.

So geen huise is omgestoot met 'n "bulldozer" nie? -- Nee glad nie.

Het u kennis gedra dat die raad na daardie vergadering waar julle nou met hulle die uitval gekry het, dat die dorpsraad nog steeds voortgegaan het met onderhandelings met die (30 minister/..

minister en dat hulle die minister op 'n stadium persoonlik gaan sien het. Het u daarvan kennis gedra? -- Nee, ek dra nie kennis daarvan nie.

Net oor die kwessie van die mense wat getrek het. 'n Ander punt wat ek daar met u wou opgeneem het, u sien toe u getuienis gegee het, het u vir die hof met groot smaak kom vertel dat die raad se lorries daardie mense kom oplaai het, waar julle dit almal kon sien. -- Ja?

So die mense het nie in die geheim daar weggegaan nie, almal kon dit sien? -- Nee, nie almal nie. Daar is van die (10 mense wat dit gesien het en daar is van die mense wat dit nie gesien het nie. Ek het dit self gesien by die kantore van die raad. Terwyl ek daar was het ek gesien dat 'n persoon brood en suiker gegee word, dit was 'n persoon wat besig was om te trek. Dit was met die doel dat die persoon voor maar daardie goed moet gaan geniet en dit was nie net een persoon wat ek gesien het nie.

Ek gaan nie met jou daaroor 'n stryery aangaan nie. Sê net vir die hof, die vragmotors, het dit aan die administrasieraad behoort of het dit aan die munisipaliteit, die dorps(20 raad behoort? -- Daar by ons in Huhudi die lorries word gebruik vir almal. Byvoorbeeld ons weet nie eens was die naam verander word nie. Ons noem dit almal die raad se eiendom.

Maar jy weet nie of dit behoort aan die administrasieraad en of dit behoort aan die dorpsraad nie? -- Nee, ek weet nie. Ek kan nie 'n verskil maak tussen die twee nie.

En is dit nie so dat die verskuiwing moes gedoen word deur die administrasieraad nie? -- Ek weet nie, die mense van die raad sal weet. Ons noem hulle het die raad. Nou ja, wie dit doen, dit sal hulle weet.

En toe jy netnou vir die hof gesê het dat hierdie raadslede van die dorpsraad wat so onderhands die mense gaan omkonkel en so gaan vervoer het, het jy ook maar net weer die raadslede, die dorpsraadslede, swartgesmeer? -- Dikhole is 'n burgemeester van Huhudi; daar is 'n burgemeester in Vryburg, in die dorp. Ek het aan Dikhole gevra hoekom gaan jy nie na die ander burgemeester toe, dit is die ene van Vryburg, dat jy met hom hierdie ding gaan bespreek van die verskuiwings. Hoekom moet jy vir ons loop en vra wat die gevoel is tussen ons. (10

Is dit jou antwoord? Ek wil dan ook net verder aan jou stel dat hierdie storie wat jy vir die hof vertel het dat hulle die raadslede, die dorpsraadslede, het hierdie raad se voertuie gebruik is 'n ding wat jy uit jou duim gesuig het en dit is net weer afleidings wat jy sommer net maak. -- Nee, maar u was mos nie daar nie. Ek was daar gewees, ek haat Dikhole nie. Ek kan nie leuens teen hom vertel nie.

Ek dog dan dit is Matlhoko wat dit gedoen het en nie Dikhole nie? -- Wie is Matlhoko? Praat u van Matlhoko? U sê dit is Matlhoko, dit is Matlhoko (verander uitspraak). (20

HOF: Ja, laat ons nou nie stry oor nonsens nie. Jy weet goed wat bedoel word.

MNR JACOBS: Sê net vir die hof hoekom bring jy Dikhole hier ter sprake terwyl dit jou getuienis was dit is eintlik Matlhoko of hoe jy hom ookal uitspreek, wat die vragmotors gereël het en daardie dinge? -- Kyk Matlhoko en Dikhole werk saam in die sin dat Dikhole kan vir Matlhoko 'n boodskap gee en sê kyk, ek gaan nou weg, jy moet dit en dit doen. In die afwesigheid van Dikhole en Matlhoko sal dit uitvoer. Dikhole is eintlik die senior van Mathloko want hy is die burgemeester van die (30
gemeenskapsraad/..

gemeenskapsraad.

Ek wil eintlik 'n voorstel maak dat dit 'n geskikte tyd is om nou te verdaag want ek dink aan mnr Bizos se versoek van vanoggend.

HOF: Ja, ek wil net 'n opmerking maak, en dit is dat wat die lei van hierdie getuie betref, ek dink dat dit ontsettend omslagtig gebeur het. Wat die kruisverhoor van hierdie getuie betref dink ek dat dit geweldig omslagtig was. Soos u lankal opgemerk het, albei die here, het ek geen beheer oor hierdie saak nie. Ek laat hom maar loop omdat ek as regter nie bevoeg is om in te meng nie. Ek doen dit ook nie meer nie, maar u moet nie dink dat ek die wyse waarop hierdie saak gevoer word goedkeur nie. Ek dink die getuienis kan baie korter aangebied word, ek dink die kruisverhoor kan baie meer tot die punt wees. Dit is my mening. Ek vra nie u mening daarvoor nie, ek gaan hierdie mening klaarblyklik ook uiteindelik aan die einde van die saak huldig.

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