

N. NKOMO

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

83

CASE NO: 18/75/254

DATE: 6th MAY 1976

THE STATE

VS

S. COOPER AND OTHERS

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LUBBE RECORDINGS (PRETORIA)

THE COURT RESUMES ON 6.5.1976.

STEVE BIKO (Still under oath)

CROSS-EXAMINATION BY MR. ATTWELL (Continued): Mr. Biko, before the adjournment we were referring to the transcript of the proceedings at a Sharpeville commemoration meeting and speeches by Dr. Aubrey Mokoape, accused no.4, and one Harry Singh. I think we got to Harry Singh's speech. Now page 6 of your documents.

Harry Singh started off : "Power and Solidarity, Black people, the 21st of March is a day the Black man will remember.

It is the day when all of us here know that the massacre (10) that happened at Sharpeville, that Sharpeville didn't start thirteen years ago. Sharpeville started way way back when that longhaired paleface terrorist by the name of Jan Van Riebeeck landed here. It was then that the plundering, the massacre, the raping and the brutality against our Black people was carried on, and carried on up to this very moment. Any time, any one minute in a little corner of South Africa, you will get at least ten people, and that is a very conservative estimate, ten people being either raped, brutalised, terrorised or (20) being flogged to death on the White farms, being flogged to death by a White. That is the bastard nation in South Africa because he has no right to live in South Africa. He came over and took the country by force of guns, by no marriage at all. The people who have a right to South Africa are we Black people and we shall fight for our country back again. We must also remember that Sharpeville and Langa haven't stopped. They will continue happening, they will continue happening daily until the time that every Black man has won his (30) freedom./...

freedom, even if it takes ten Black men to drop every minute, there are others who will fight on, who will fight relentlessly until we have our land back. For too long now the White man has had it very cushy.

He has had his guns and his Law and his Law says that the Black man cannot defend himself. he must be shot down. Women must be shot down and if there are people who are protesting they must be shot down.

They must be raped. The White man has got his cars.

An eye for an eye and a tooth for a tooth. You have also learnt the little bit which that White fool has been teaching his children when our wives, when our mothers have been raped and kicked. We have now reached a point where we can also say an eye for an eye and a tooth for a tooth. We are entering the 322nd year of the limbo slavery which was forced upon us by the White pattern. (10)

The time has come for all of us here to start thinking very seriously about our future and exactly what strategy we are to use." - (20)

And he goes on on the next page, at about the White man becoming afraid. And the second paragraph : "We have reached the crucial point in our struggle. We have to make important decisions about our survival or the suffering that we must carry on in this Gestapo type attacks on our families and our homes. No property in the entire world even collectively would surpass the atrocities, the brutalities, that are being carried out on the Black people in South Africa. And these are being perpetrated by the "baas", by the "baas" protectors, I beg your pardon, of this Fascist State, this mad White state/... (30)

state of ours. The people who rule by force, by guns, by saracens will do anything. As lately in Mundini helicopters were flown out and the armed force for people who were defenceless, who were only asking for a - begging actually, for a decent living wage, and this White Government's policy was to send out the army, the helicopters, the army in camouflage suits, and the excuse was that the helicopters were just flying around on a practice session. You should have realised by now that despite (10) the politicians here people are not isolated. This is one master plan by the White man to subjugate us, to keep us in an entire subjugation and to keep us voiceless. Our answer for this life and death problem must be a concerted action as Black people." -

And he carries on in the same vein that the Black man should stop sitting down and taking everything that the White man has given him, etc. Now this type of thing, were these people acting within the mandate, or within the ambit of BPC policy? --- I would not be able to say that with precision, because I (20) have not really studied this document, I have just sort of looked while you were reading. I would say that certainly it would appear to me they are speaking as individuals. I don't think they were there to represent BPC or to sell out BPC policy. They were stating their feelings on issues from the way the speeches run. I mean of course you notice there is a bit of a difference between the two speeches. I think the first one, at least the comments by Mokoape, are more or less so far as I can see what one might call fair comment. They are certainly hard words, but they are fair comment all (30) the same./...

the same. There are parts of Mr. Singh's speech which are a little bit excessive. Again I was not at this particular meeting. I don't even know if the particular transcripts for instance have been vouched for.

Let us assume for one moment that they are correct? --- Yes, but certainly as I say in Mr. Singh's speech there are parts which are a bit excessive.

Would you have a look for instance at the second last page, you will find Dr. Aubrey Mokoape winds up the meeting with : "Brothers and sisters, I think these words have been (10) spoken by no less authority but by Reverend Bartman, who felt that the White man has become sub-human, that the White man is in the way, has become a devil, that the White man has become a beast and that he can only be helped by one thing, by quite quickly removing him."

--- Yes.

MR. SOGGOT: My Lord, if I may interrupt, the words "quite quickly" as I understand it was not common cause. The accused found that indistinct and that was not admitted to.

MR. ATTWELL: Very well, My Lord, for the purposes of this (20) particular witness's comments we can leave out the words "quite quickly" there. --- Did you pose me a question?

Yes, now I was saying that you could still consider that to be fair comment? --- Well, one would be able to know what Bartman said, but as far as I can see he was referring to a speech made by Bartman. Now I know Reverend Bartman very well, he is a minister of the Methodist Church, a very reasonable man. If he made an assertion like this one that Whites have become sub-human, he would develop that logic, he would illustrate what he means. Now it is very difficult now to take this without that context. (30)

But /...

But generally speaking Dr. Mokoape's statements you feel are fair comment? --- Most of them, yes.

And represent what BPC feels? --- Well, I mean I don't necessarily know if BPC has commented on all the things he speaks about. But I would say he speaks like a BPC man.

Now is it in fact true that at virtually all the conferences, gatherings, Sharpeville meetings, that you people in BPC and SASO organised, one finds ministers, Black ministers, who were present and normally addressed the gatherings and one finds Black poetry and/or drama and/or music? Which is presented, (10) Mr. Biko? --- I think the form varies from campus to campus. The usual form at UNB was normally that of a service first followed by a few speeches. The service would be an authentic service conducted by a respectable minister and thereafter of course there would be the speeches from either SASO or BPC or the community at large.

And poetry? --- Now and then you would find poetry.

And at GSC's and/or conventions of BPC, dramas presented, Black music, poetry read and that sort of thing? --- In SASO meetings yes, at BPC meetings not the ones I attended. (20)

Mr. Biko, you were restricted in March, 1973? --- That is correct.

What were the terms of your restriction? --- Well, the usual terms. Prohibiting me from attending gatherings which are described, official gatherings, and other types of gatherings, confining me to the Kingwilliamstown magisterial area, prohibiting me from entering any so-called Bantu area or Coloured area or Indian area except the one where I stay. Prohibiting me from working within - at least from entering premises of factories, press and so on. Prohibiting me from compiling, editing/...

editing, disseminating any publication in which Government policy is either defended or attacked.

Was your role in SASO and BPC affected thereby? --- Yes, there was a prohibition also stopping me from associating or taking part in the activities of SASO, BPC and lately BCP.

And this effectively cut you off from the main stream of SASO and BPC? --- Yes.

Now Kingwilliamstown as such, has it ever been a particularly active or important area for SASO? --- Not before I came to Kingwilliamstown. (10)

But since then it has? --- It has.

And that is responsible - is attributable to whom? --- Well, I don't think it is entirely coincidental. I think because I am there there tends to be a movement in and out of Kingwilliamstown of people who are important to SASO and BPC who therefore find a way of talking to the local community. I think this is how the BPC branch in Kingwilliamstown became settled, because people in the first place live and thereafter work in the context of the township.

Who were these people? --- I mentioned Mangena as one. (20) There were several others, people like Bakwa? before he got banned, several.

Is that Jeff Bakwa? --- Yes. There are many, I just can't recall them now readily.

Any of the accused? --- I don't remember seeing anyone of them, Mr. Lekota passed once through there, either going to or from a meeting at Alice.

Now would this mean that you were in fact/^{not}totally au fait with current events and happenings in BPC and SASO? --- I think(30)

I kept/...

I kept pretty well informed of the main thinking. I might not know any new actions for instance, I might not know that there is a meeting in Stanger or something like that, but I have kept myself informed of the major policy developments within BPC.

Have there been any policy developments? --- Very important ones, yes.

In which sphere or in what regard? --- I think for instance in the last conference of BPC they did spell out in more precise terms the kind of future society they were looking forward to. (10)

Which convention do you have in mind now? --- This was the conference in December last year.

In December of last year? --- Yes.

Oh, after the accused were detained on ...? --- That is correct.

Well, unfortunately that goes outside the ambit with what we are busy with at the moment. Would you have been aware of any necessary shift in emphasis or anything like that between the period of your banning and the arrest of the accused for instance? --- Yes, if there would have been a major shift I would have been aware. (20)

If it had been something really significant? --- That is correct.

If you were approached by someone and asked to refer them to very significant people for instance in BPC, who would you refer them to? --- Right now?

Well, let us assume that this had happened before the arrest of the accused? --- Before the arrest of the accused? I think it is conceivable I would have sent them - referred them to some/... (30)

some of the accused.

Such as? --- People like Mr. Cooper. I am not sure now about the others. I had heard of him, I did not know him then but I could have referred people to him because he was respected.

Was he respected? --- Yes.

Accused no.4? --- Well, as I said earlier on Aubrey had never really taken an executive position so that if it was an organizational matter I would not necessarily refer to him. I would refer to him on other matters, like if one wanted for instance an exposition - I regard him as a man who has a very good mind.(10) I could have referred people to him for that sort of thing.

Accused no.9 as well I should imagine? --- That is correct. He was more with SASO really.

More with SASO? --- Yes.

Now where would you say the real power base of BPC is? --- Are you talking about places or people?

I am talking about places? --- I think to a great extent Durban and Johannesburg. But I think now also the Eastern Cape.

Yes, but now if I may then limit the ambit of the question to before September, or before the end of 1974? --- Durban and (20) Johannesburg, yes.

Why is Durban so insignificant? --- Well, I think one has got to look at it historically again that from that area basically came people who were very much ahead in the exposition of Black Consciousness in the country. People like Pityane, myself, Moodley, Cooper, we were all in Durban, and in that sense it was conceivable that BPC would be strong in Durban. But again this is not a strength so much related to numbers as it is related to influence.

Influence? --- Yes.

(30)

Yes, that/...

Yes, that is why I talked about in fact the real power base, forget about where the head office is or so on. --- Right.

Who decided that Johannesburg should be the head office of BPC and why was it chosen? --- I haven't got a clue.

You don't know? --- No.

Do you know of any moves at any stage during BPC's history to shift that head office from Johannesburg anywhere else? --- I think the question has been debated. I cannot pinpoint now precisely where. But people have talked of it shifting, but I don't remember a decision being taken. (10)

To which place or places did they have in mind? --- Well, there was a stage when Cape Town people wanted it there, and then there was always this wrangling. Durban people wanted it in Durban, Cape Town people wanted it in Cape Town. But it has remained in Johannesburg.

Was any one centre ever considered to be the possible alternate which was previously considered, or don't you know? --- I cannot say.

Now I am interested in your personal knowledge now, which country in the surrounding South Africa is the one through which most of the people who have been leaving for guerrilla training and coming have gone through? --- That is a queer question. I don't know anything about people who have left for guerrilla training. (20)

According to the newspapers and things do you ...? --- I have heard of training camps in Zambia for instance, but I have not heard how people get there.

You have not heard how they get there? --- No.

Now do you know Mr. Sipho Buthelezi? --- Yes, I know him.

He was the previous Secretary-General of BPC? --- That is correct./... (30)

correct.

Where is he now, do you know? --- I know that he left the country and I know that he went to Botswana.

Mr. Nengwekulu? --- Yes, I know him.

Where is he now? --- He is in Botswana.

And Mr. Bokwe Maphuna? --- He is also in Botswana.

Mr. Jeff Bakwa whom you referred the court to? --- He is also in Botswana.

Have you yourself had any contact with these people whilst they have been there? --- Yes. (10)

T.R.O In what connection? --- Well, when Thiro? died I got a phone call, I am not sure now which gentleman spoke to me, but one of the gentleman spoke to me about it. They had been apparently trying to get through to Johannesburg and failing, and they wanted to inform some people inside the country that this thing had just happened. I think it was a few hours after it had happened. So they asked me to phone somebody in Johannesburg, I have forgotten who now, to try and get the message through to the parents.

And in other connections apart from Thiro's death as such?(20) --- I have also been phoned once in connection with some cultural event that was going on there sometime in May. I think there was a big cultural festival going on there. Somebody wanted to find out some names of bands, what you call jazz bands, in my area.

Any other? --- I can't remember anything else specifically.

When was Southern African Students Movement formed? --- I think this was formed during 1973, but I am not sure, either 1973 or 1974.

Before or after your restriction? --- It was - well, moves(30) were made/...

were made during my time, but I think the actual culmination was after I had been banned.

You probably know of the pro Frelimo rallies which were held at a certain stage here in September, 1974? --- That is correct.

Was there ever going to be a rally in Kingwilliamstown? --- There was going to be one as far as I heard in East London.

Not in Kingwilliamstown? --- Not in Kingwilliamstown.

I want to turn to some of the specific things which you mentioned in your evidence-in-chief. Odd points. In what (10) capacity did you attend the July, 1968, UCM conference? --- No capacity at all. I had gone there for the purpose as I said, I had gone to canvass opinion on this question of a Black Student Organisation. UCM was not a strictly ..(inaudible) organisation, individuals could go to the conference on their own.

Did you go purely in an individual capacity? --- That is correct.

With other people from UNB? --- There were representatives I think of the UCM branch that was operative at UNB, people (20) like Liza Mazwai, Dr. Liza Mazwai and Leslie Mampe.

BY THE COURT:

What was the difference between UCM and MUSAS? --- Well, UCM was operating on a religious plane. Their starting point was an interpretation so to speak of religion, and they were not a federation of SRC's, they were not representing students, so to speak. They were just a society operating on the campuses.

Was it a religious body behind it, or was it just a lot of people people who wanted to mix with the students? --- No, a Christian Movement.

Was there any ideology behind it at all? --- Well, there (30) was some/...

was some kind of what you might call Christian liberalism, you know, which formed the basic ideology of UCM but it was not any hard and fast philosophy.

It was sort of an American idea, or was it just a local movement? --- It was a local movement.

MR. ATTWELL: Before I leave that point, on your return you reported back to the UNB SRC is that correct? --- That is correct.

Was this purely from something which you felt you had to carry over to them or were you in fact asked by them to? --- (10)
No, as I said in my evidence-in-chief, when I got back to the campus, I was co-opted onto the SRC. I did not report in the sense of saying this was what happened. I actually canvassed the idea I knew and used the information I had from the UCM meeting to explain the point further.

Did you ever report back to the SRC or report to the SRC? --- Well, I could not really report because I was not sent by the SRC.

So you didn't report? --- No.

Did you inform them? --- I did inform them. (20)

Was this before or after your co-option onto the SRC? ---
It was after.

After your co-option onto the SRC? --- Yes, of course I mean I did speak privately to individuals, within the campus.

At that stage was accused no.4 on the SRC? --- No.

Not yet? --- Not as far as I remember, I don't think so.

When did accused no.4 get onto the SRC, can you remember the date? --- I think it was the 1969 SRC.

And for how many years was he on the SRC, do you know? ---
Possibly two years, but I am not sure. You will have to ask him. (30)

Then/...

Then turning to the SASO conference in 1969 July, when you were talking about the Executive I took down a note Kgwari that was on the Executive? --- Yes.

Of the SASO elected at that conference? --- that is correct.

Who is this Kgwari, is this this Mrs. Kgwari, who ... --- No, I was referring to her daughter, in fact I made a mistake. I was talking of Miss Manana Kgwari. She did not in fact get onto the Executive. She had been on the interim, that was the one that was elected at Marian Hill.

And you say she is a relative of the later BPC president? --- Daughter, she is her daughter. (10)

How many Sharpeville commemoration meetings have you personally attended? --- I think I must have attended one every year since 1971.

Always in Durban until your restriction? --- That is correct.

Then you mentioned that one of the things behind the day of compassion was that you recall natural disasters. Do you recall having said that? --- Yes, that is right.

What would the purpose be in recalling natural disasters? --- Well, as I said the significance of Compassion Day was precisely to let students inculcate some kind of social conscience (20) and to prepare themselves for service within the community, when they get into the community after studying. So therefore anything that creates a state of need could be a good focal point for Compassion Day. That includes the natural disasters.

Did I understand you correctly in your evidence-in-chief to have said that Pityane or SASO had insisted or laid down a rule that there was to be no preaching or conscientising of the people during community projects? --- Yes, I think there was such an understanding, it was not a written code, but there was such/...

was such an understanding. Whether it originated from him or not I am not quite certain. But he used to insist on this sort of thing.

Now did you ever assist in the establishment of a BPC branch at Edendale? --- Edendale? I am not even sure if there is one.

In other words so it couldn't have been you then? --- I am not sure. I mean I could have spoken to people about it, but I am not sure if there is an existing branch that I assisted you know to form. (10)

Did you ever address meetings at Edendale before a BPC branch existed there? --- Yes, I spoke to groups at Edendale long before BPC was there.

How often did you address people in Edendale? --- I can't - on BPC?

On BPC? --- I don't remember addressing people on BPC, at Edendale.

Did Bokwe Maphuna, do you know the man? --- Yes.

Did he ever assault a White policeman or anything? Was he involved in a case of assaulting a White policeman? --- Yes, (20) I actually attended a court hearing where he was charged with assaulting a traffic cop which according to him was the actual reverse of what had happened. He had been clapped by a White traffic cop and he went to lay a charge, and apparently the traffic cop on receiving notice of this decided to lay a counter charge and his case came first, so Maphuna now was in a situation where he had to answer why he beat up the cop, and in actual fact the cop had beaten him up.

Was he convicted? --- Yes, something like R20.00, I don't know what it was. (30)

There is/...

There is a reference in one of the poems of Naphuna having done something along these lines. I am merely trying to ascertain whether there was such a thing. Your literacy training programme, was this based on the approach of any specific person? --- Yes.

Paulo Freire Who was that person? --- Paul Lafrere.

Now I think perhaps could you just elaborate to the court what he believed, what is his policy? --- Well, I think he advocates what he calls education for self-reliance so to speak. He believes that the orthodox methods of education which have (10) been standardised over history have got a certain inhibiting influence on the students and the pupils, and do not encourage creative thinking or reasonable thinking on the part of the students. I think the term "conscientisation" in fact originates from his philosophy about education. He believes that education should direct itself ^{at} raising the level of critical awareness on the part of the receiver. He believes for instance that the old system of learning where you start with vowels and then you couple the consonants with them, and then you go onto words, is not creative. He believes in what he calls (20) syllabic learning. You have got to take words that mean something to the person you are talking to and you have got to create out of this particular word syllables and as soon as the person can recognise the particular syllable and pronounce it, he can form other words from those basic syllables and in this way his knowledge snowballs much faster. But of course this whole philosophy is directed at adult education rather than kids.

Is it in other words education with another purpose as well, not mere literacy? --- I think it is education for (30) education's/...

education's sake, but it is a type of education, you know, I mean any education is described ..(witness speaks indistinctly).

Now you said in fact to your understanding he was the author of this phrase "conscientisation"? --- Yes, it appears within his philosophy of education.

And is this the sense in which you described conscientisation to the court? --- When we talk of ...?... yes.

Where is this man stationed, Paul Lafrere, do you know? --- I don't know where he is now, I think he has held various positions at various universities and he was in the States some(10) time back, I don't know where he is now.

Has his philosophy of literacy ever been applied in any other country or countries? --- I think it is applied in Swaziland. It has been applied throughout Latin America.

Latin America? --- Yes.

BY THE COURT: Don't we have it in our schools too, Mr. Attwell?

MR. ATTWELL: The Paul Lafrere method?

BY THE COURT: Well, they teach you to recognise words? I remember when my sister was young she came home with a book and she was in the grades, and there was a picture of a cheese in a plate (20) and she said "K-a-a-s" - "hoed", she thought it was a hat.

MR. ATTWELL: Is the example which His Lordship quoted the sort of thing Paul Lafrere attempted to eradicate? --- Well, I can't comment you know.

You can't? --- No.

Do you agree with His Lordship that that is the sort of problem one finds? --- (Court intervenes).

BY THE COURT: Well, that is criticism against the system, Mr. Attwell....

MR. ATTWELL: Does the Paul Lafrere method have a political (30) bias?/...

bias? --- Well, if you are holding on to power which depends on the lack of awareness by those you are holding in your power, you can feel that it is very biased? against you, but for the man underneath it is a welcome philosophy.

Is it something that has been applied by oppressed people? --- Sorry?

Is it something that has been applied by oppressed people? --- I think you do get groups in America usually - using this particular system without any intention of following it logically to its political end if you like. (10)

Which groups in America do you have in mind? --- Groups that he has been working with in America. I don't know which in ...

Minority groups? --- I would not particularly know who. But I know that he has been working in America.

I think at this stage we could turn to the annexures to the charge sheet which we have now found out you were the author of? --- That is correct.

The article I Write what I Like by Frank Talk, My Lord, this will be in K.4(a) I think. Will you have a look at - it starts from page 77. That particular article. I may (20) refer you to page 78, the second page in this indictment. You say in the top paragraph : "To look for instances of cruelty

directed at those who fall into disfavour with the security police is perhaps to look too far. One need not try to establish the truth of the claim that Black people in South Africa have to struggle for survival. It presents itself in ever so many facets of our lives. Township life alone makes it a miracle for anyone to live up to adulthood. There

we see a situation of absolute want in which Black (30) will/...

will kill Black to be able to survive. That is the basis of the vandalism, murders, rapes, and plunder that goes on while the real source of the evil, White society, are suntanning, or on exclusive beaches or relaxing in their bourgeois homes."

Are those your real sentiments? --- That is correct.

Then in the second last paragraph in the lefthand columns.

"Clearly Black people cannot respect White people at least not in this country. There is such an obvious aura of immorality and naked cruelty in all that is done in the name of White people. No Black man no matter how intimated can ever be made to respect White society. However, in spite of the obvious contempt for the values cherished by the Whites and the price at which White comfort and security is purchased, Blacks seem to me to have been successfully cowed down by the type of brutality that emanates from this section of the community." --- (10)

That is correct.

Are those also your sentiments? --- Yes. (20)

Then on the next - on the second paragraph on the right-hand column on the - page 11, - "This is a dangerous type of fear, for it only goes skin deep. It hides underneath it an immeasurable rage that often threatens to erupt. Beneath it lies naked hatred for a group that deserves absolutely no respect. Unlike in the rest of the French or Spanish former colonies where chances of assimilation made it not impossible for Blacks to aspire towards being White, in South Africa Whiteness has always been associated with police brutality and intimidation/... (30)

intimidation, early morning pass raids, general harrassment in and out the townships, and hence no Black really aspires to be White. The claim by Whites of monopoly and comfort and security have always been so exclusive that Blacks see Whites as the major obstacles in their progress towards, peace, prosperity and a sane society. Through its associations with all these negative aspects Whiteness has thus become soiled beyond recognition. At best therefore Blacks see Whiteness as a concept that warrants being des- (10)
posed, hated, destroyed and replaced by an aspiration with more human content in it. At worst Blacks envy White society for the comfort it has usurped and at the centre of this envy is the wish, nay, the secret determination in the innermost minds of most Blacks who think like this to kick Whites off those comfortable garden chairs that one sees as he rides in a bus out of town, to claim them for himself.

Day by day one gets more convinced that Amy Cesaire could not have been right when he said : "No race (20)
possesses the monopoly on truth, intelligence, force, and there is room for all of us at the rendezvous of victory."

And in the very last paragraph of the article once again you say : "One will therefore not be surprised if it proves very difficult to accept that there is room for all of us at the rendezvous of victory." -

Now what did you have in mind? --- I think this article speaks very well for itself, if you read all of it really. It is a commentary on the decadence of our society. It points out the (30)
rising/...

rising animosity between Black and White which has been brought about by history, and by three hundred years of oppression as our guys normally say, and my warning here is that if this situation is not corrected, can lead to a hardening of attitudes, especially on the Black side. Blacks may very well get to a position where they feel permanently that they cannot live side by side with Whites. And this is a warning in a sense to society to perceive this trend.

Where is the warning expressed in warning terms? ---

Throughout the entire - you have got to read the whole thing (10)
in its context you see, and if you look at the title, right, I am trying to eradicate the thinking that is prevalent in White society so to speak, which makes them operate from fear as a basis. In other words they do not necessarily look at things that are done by Blacks logically. They look at them in terms of to what extent do they threaten our position as White society, and this is the basis for police brutality for instance. You know the operation is such that one gets the impression that White society wants to continually remind us of our position, you know, the way police ride around town- (20)
ships for instance. There is no need for them to speed at the kind of pace at which they speed normally, but somehow as a sign of authority, as a sign of saying - "we are there", police vans just loom through townships and everybody has got to run away from the police van because it is authority. Now this sort of inculcated fear in Blacks, you know, a fear against authority, and I am saying this is an unhealthy fear because it is the kind of fear which means, if it goes unchecked, generates an uncontrollable response, some kind of blow-up. I am trying to say our society because of these things is becoming(30)
very/...

very sickly and it may get to a point where we may not be able to live side by side. Now if you want to pick up that theme you have got to read the entire article, not just pieces.

Where do you get a cause for a check on this system that you ...? --- I think it is endemic in the warning.

Can you refer us to any specific ... --- I said to you you have got to read the whole article, you have got to study that article. I mean this is a commentary on society, if you see what I mean.

This would have been circulated in the SASO Newsletter (10) in three, four thousand copies to Blacks all over the country? --- That is right.

Specifically in campuses? --- That is right.

And you say at the very end : "The stage is therefore set for a very interesting turn of events." --- Where is this?

Right at the end there, the closing words of the article that you wrote? --- Yes.

What interesting turn of events do you have in mind? --- I have got to read that paragraph first? (20)

Yes, by all means. --- Yes, I am saying, if you read the paragraph, that the White strategy so far has been to systematically break down the resistance of the Blacks to the point where the latter would accept crumbs from the White table. And on the other hand Blacks have shown that they reject this unequivocally, okay, and I am saying then the stage meaning what is to happen thereafter. Alright, it will likely be interesting. As soon as Blacks demonstrate beyond any doubt that they don't want Bantustans, CRCs, and SAICs, we would like to see what Mr. Vorster will have to offer. (30)

Is there/...

Is there an indication that Blacks will respect Whites if they change? --- I think as I say it is endemic in the warning, as I say, you have got to read the whole article, you have got to understand what it means, and you will see that there is no particular stance I am taking. I am just commenting on society, right? And I am saying in my commentary what is going on is unhealthy, okay, and I am warning that it may prove even more unhealthy if it goes unchecked. ~~What~~ In that kind of statement obviously it is - you can extrapolate a statement that if things improve things might (10) be better again at relations level.

Now if this was a warning to whom is it directed? --- To both sides. I am against the kind of fear that is there in Blacks, this bottled up fear, in a sense I am trying to get Blacks to look at issues more positively and I am also against the kind of mentality that emanates from White society, which seeks to promote that fear, in Black society.

BY THE COURT: Well, isn't it more correct to say that where you paint the picture and you show the inherent dangers, and you say, well now, there is the picture? --- I don't think it (20) ends quite there, by Lord. I think it is the *slant of* the article, you know, shows that it is a warning to society. Now any warning normally implies, even if it is tacit, that there should be changes.

Well, that is what I am suggesting, there is no express warning, there is a picture and from it appears inherent dangers, and you say well now, there is the picture. Now whoever looks at it must see for himself how this picture affects himself? --- That is correct.

MR. ATTWELL: The paragraph on the left-hand side on page 12, (30) the second/...

the second last paragraph : "One can of course say that Blacks are to blame for allowing this situation to exist, or to drive the point even further, one may point out that there are Black policeman and Black Special Branch agents." --- Yes.

"Take the last point first, I must state categorically that there is no such thing as a Black policeman. The Black man who props the system up actively has lost the right to be considered part of the Black world. He has sold his soul for thirty pieces of silver to find he is not in fact acceptable to the White society he sought to join. He is - these are colourless White lackays who live in the marginal world of unhappiness, they are extensions of the enemy into our ranks. On the other hand the rest of the Black world is kept in check purely because of powerlessness."

(10)

--- Yes.

Now what must the Blacks do, you condemn the fact that they allow the situation to exist? --- Yes.

What must they do? --- I think for instance if a man kicks you in the back when you are innocent, or let us talk about the other guy we were talking about yesterday, the man who insulted his assistant who is under the ceiling. If the Black man had from the very beginning objected, that kind of relationship would not have developed, so that myself - the White man in that situation is to blame for insulting the Black man. The Black man is also to be blamed for allowing the situation to develop. This is what I am trying to suggest to you. If he had said, no, you can't refer to me like that, I am also a father of four like you, then I am sure the White man would have thought seriously about/...

about it. But because there is no response, because the Black man just keeps quiet and accepts everything, you know, prejudice tends to build up against him and certain practices become entrenched.

And the beginning of the next paragraph seems to tie in with this : "Powerlessness breeds a race of beggars. You smile at the enemy and swear at them in the sanctity of their toilets, you shout "baas" willingly through the day and call the White man a "dog" in their buses as they go home." ---

(10)

Yes, this is what I call the two-faced approach by the Black man to Whites. I think we have talked about it already.

So it is powerlessness that is basically the problem for the Black man? --- Certainly, yes.

And is SASO and BPC going to remedy that powerlessness of the Blacks? --- Yes.

If I may just look at the next annexure which you apparently also were responsible for, the article Focus, :

"Ugandan Asians and the lesson for Us." - Are you aware of this article having caused any reaction amongst any section of the community? --- I think this article was a reaction to some fellows in Durban, I will call them Indian Nationalists if you like, who felt insulted by the Amin incident and who was attempting to suggest to the Indian students within SASO that "this is what is likely to happen to you". Now this was a gentleman called "Politikus". He wrote in a particular newspaper, I have forgotten the name of the newspaper. Now I wrote this in response to that, I didn't just dream one day of writing about Amin, but I felt that the historical questions relating to the Ugandan situation must be explored in an article of this nature.

(30)

Maybe you /...

Maybe you misunderstood my question. What I wanted to know was whether you were aware of this specific article having caused any subsequent reaction in any section of the community? --- I am not aware.

You are not aware of that? --- No.

Are you aware at all of the editor having replied in any later Newsletter to any comments which came in as a result of this article? --- I am not aware.

Now you say if I can turn to more or less the end of your article, you firstly criticise the Indian section of the community for non-involvement or non-coöperation or collaboration with the Black struggle? --- Where do I do this? (10)

Well, specifically near the end : "Does it not occur to this political ingoramus that the cause of friction is precisely the non-involvement of one group during the struggle period" - this of course in relation to Asians who had been badly treated in Amin's country. "Does it not occur to him that if I win independence for myself in spite of appalling silence from a potential colleague, that I am likely to be suspicious of his motives when he motivates for an alliance between me and him after my victory." --- Yes. (20)

And then of course you close the article with : "The merchant class Indian, Coloured and African bourgeoisie the writing is on the wall. There is a role for all of us in the struggle for our emancipation. Each one of us has an obligation to be as much part of the struggle as the situation demands. For those of us who shall have too much to lose when others gain what is rightfully theirs, then let us accept the fact that we constitute part of the problem, a part which shall have/... (30)

have to be dealt with efficiently, painfully, seemingly cruelly and yet so basically logically, that is the lesson which Amin has taught us." --- Yes.

Now what lesson do you have in mind here which will be dealt out with efficiently, painfully, seemingly cruelly and so basically logically to any group that does not identify with this Black struggle of yours? --- That is the closing sentence, it does not refer just to the ..(inaudible). It refers to the entire thought in the article, namely that what Amin has taught us is what I am talking about, I think that (10) is also the title of the article.

The Ugandan Asians and the lesson for us? --- That is right. I don't create the impression that the lesson referred to is just in the paragraph above.

Does it refer in part to that paragraph? --- It refers to the entire article. Again you have got to read it in context. You've got to read all of it.

Well then, for get about the last sentence. Just for the time being. Confine yourself to what is the lesson which will be dealt out with, that will have to be dealt with so efficiently(20) painfully, seemingly cruelly and yet so basically logically? What will be done? --- To whom?

To the people who do not identify with the Blacks struggle, any group, whatever that group may be? Whether it is ...? --- I don't know, I cannot say specifically what I was thinking about at that time, but basically what that sort of paragraph refers to is the role that is always played in any form of official change by those who have property. If you resist the struggle, then you inculcate in the minds of those who are struggling an attitude against you, which attitude tends to have (30) a telling/...

a telling later on. These are all Blacks I am talking about, I am talking about Black people, who do not join us in the struggle so to speak.

"Merchant class Indians, Coloureds and Africans," who are these? But primarily I should imagine the Indians because you have been referring to the Asians and Amin? --- No, this was specifically stated there, the Indian, Coloured and African bourgeoisie, all of them together.

So it refers to all of them? --- That is correct.

How are you going to deal with them? --- I do not know, all (10)
I am saying is that they will allow for a situation where attitudes crystallise against them. Okay, in the course, of the whole change process. And I am merely warning again that that is a problem for which history will find its solution, and that solution will be logical in terms of the roles that are not played during the struggle. It may very well be cruel to them, it may be for instance that they may be - that their properties may be confiscated in part, it may be for instance that if people did not want to identify with us in the sense of becoming South Africans they may be thrown out of the country, (20)
you know, it may be anything. It just depends on what specifically is happening at a particular given time in history. It is a general statement that.

Well, it is with reference to what Amin has done? --- Sorry?

It is with reference to what Amin has done? --- What happened in Uganda is that a particular group in the community did not play its role in the evolution of the true Uganda. Now if you take that and put it in this context, if the middle-class Black man, that is the Indian, Coloured and African, refuses to play a role, he allows an attitude to develop where attitudes (30)
build/...

build up against him. Now in a sense this is a similar thing to what happened in Uganda. Indians allowed a situation where attitudes built up against them within Uganda. What I meant is it was a popular thing in Uganda, it was not just his madness. The African people themselves there were feeling the pinch a bit, they were feeling you know insulted by the non-participation of the Indian sector there within Ugandan affairs. They were saying that the people had banking accounts in London, they had all English passports, but exploiting the situation in Uganda. This was an explosive situation in the (10) first instance that they allowed, you know, over and above this attitude, to develop against them. So by the time they were thrown out people were in agreement fully with Amin. They may not have agreed with the method, but they agreed with the idea.

Does this lesson which will be dealt out to the groups that do not identify tie up at all with your sentiments in the previous article where you stated that you "would not be surprised if it proves very difficult to accept that there is room for all of us at the rendezvous of victory"? --- No, that (20) is a different article focusing on a different point altogether.

You don't think the two sentiments sound somewhat ... --- You can tie them up because they are all words if you like, but the focal point was quite different. In the one article I was dealing with one aspect, in the other with another.

And how is the reader going to tie them up? --- They don't go together in the first place, why must they be tied up?

Can you - you describe the Whites in this article too, this final article Focus primarily on page 8 of the article, the very final page of the indictment, in that paragraph, it (30) actually/...

actually begins at the bottom of the previous page, "The lesson for us is a complex one. White South Africa is busy laughing at Amin's antics and seeing him as a crazed being. In the process they forget that their own actions in this country make Amin's outburst look like a sermon." --- Yes.

"Ugandans may have a semblance of the case where they are made to feel despised in the country of their birth by the major party of a group of people who want to see themselves as a ..?.. minority. In

(10)

South Africa Whites took our country by force long ago. They took us around like cattle moving us from one spot to another. They kill us and our children through creation of squalid conditions leading to TB, ... malnutrition, robbery, murder, hooliganism, etc. They destroy our souls through migratory labour, pass laws, wanton discrimination and racial bigotry. They beat and kill us occasionally into submission at Sharpeville, Langa, Galvendale, Cato Manor and a host of other places. They force us to work as cheap labour so that they can enjoy the fruits of our labour while basking in the sun on our best beaches. Where on earth do they then get the nerve to laugh at anybody for being cruel and a racist." --- That is a very correct statement of affairs.

(20)

And then you say : "For us Blacks there is a definite lesson, there are in this country nearly seven hundred thousand people of Asian descent." --- That is right.

Now will these two articles, if I may take them, not cause in the Blacks, and under Blacks now I consider African,

(30)

Coloured/...

Coloured and Indian? --- Yes.

A particular hostility towards the Whites? --- No, they wouldn't. I don't see why this article on Asians might call hostility to Whites.

Not that paragraph that I have just read to you? --- No, this paragraph that you have just read is to indicate that there is a lesson for all in what has happened in Uganda. Now if you remember that period there were several editorials in all the major newspapers condemning Amin and his methods, and almost making a joke of the Ugandan situation. Now what (10) I am saying here is that White society, instead of castigating Amin who is so far away, must look at themselves, look at the evils they allow to happen to Blacks in our own society. They will find that what is happening in Uganda is puny compared you know to what happens to Blacks, and I made reference here in a very round way to several incidents like as I say the kind of creation of squalid conditions which you get, and this keeps on recurring and recurring. We have it now here at Winterveld. Now there people get murdered by the day. You get a report in the press for instance we you are told that (20) the weekend was quiet in Soweto, there were only 17 murders. Now this is all because of the standard of living and the conditions of living, you know, that flow out of the system, the system we are allowed to live under in this country. Now I think if you take all those things together you will find that they constitute a gross assault on human dignity, perhaps worse than the Ugandan situation. Now this is the lesson which one must look at, one must compare what is going on here to what is going on in Uganda, to be able to see what happens to society when it is battered. (30)

In your/...

In your experience did you find that there was a reluctance on the part of certain Indians to identify with the Black struggle? --- I think this is possible, yes.

Isn't this article likely to scare the daylights out of them? --- No, it is likely to explain the logic. You see, this Ugandan question was being taken out of context and this fear for African Nationalism within Black Consciousness was being spread on by people who have never agreed anyway with this kind of coalition between Africans and Indians. Now this article is trying to say what happened in Uganda is not just (10) wanton racialism. What happened in Uganda is logical in terms of the history of the people of Uganda, and rather than fear what may happen to Indians, an Indian should look at the Ugandan situation and get from it encouragement to know that if you involve yourself fully with the people it will be accepted, because the Indians in Uganda were given several chances to take out Ugandan citizenship, they refused. They did not. So in a sense I am trying to give people a perception into inter-race dynamics.

In other words you are submitting that what Amin did is (20) in fact logical? --- It was logical, yes.

In Annexure 8 ... --- I am not really commenting on the precise steps he took. I am talking about just the fact of saying you go out unless you are a Ugandan by this date.

BY THE COURT: But you make the observation that the newspapers report the number of murders in a place like Soweto. Now what do you say, what is the cause of the murders in Soweto?--- My Lord, I submit that it is the squalid conditions under which we live. Whether it is a whole totality of factors

Why do you say that, I mean we hear those cases, and in (30) fact/...

fact the murders are not confined to Soweto. They are all over the country? --- Indeed they are.

But they always start at the beer drink?--- That is correct.

But now why do you say that, they are busy enjoying life when they commit these murders? --- Well, you have got to look beyond the beer, you have got to look at the mentality of the man and what forms that mentality. You know, all the factors in his life which leads to a situation where he finds it very easy to whip out a knife and stick it into another man. If you have been built up through society properly there must (10) be something telling you in your mind that it is wrong to whip out a knife and stick it into another man, but somehow when you have been battered in your development, your mentality changes, you become somewhat a sick man, but a sick man/^{who} will live on and on, and goes on to drink beer, and in that process stabs another man. Now when he gets to court of course, the court does not enquire into the sociological environment in which this man grew up. He just enquires where the knife came from, where it went to and who put it there. It is a very superficial way of looking at it. (20)

MR. ATTWELL: Who all knew that you were Frank Talk? --- It has been a very closely guarded secret.

Who knew? --- I think it was the editor and the general secretary.

Who would they have been by any name? --- Mr. Pityane and Mr. Moodley.

Nobody else? --- I am aware that some people could guess from the style, you know, of writing, but generally

Is there something in the style that is peculiar to your writing? --- Anybody who writes regularly develops a style. (30)

BY THE/...

BY THE COURT: Why did you keep it secret? --- I think I have explained this yesterday, My Lord. The main idea was to let people focus on the contents

And not on the man, I see. --- And not on the man.

MR. ATTWELL: You are also the author of the article Black - The Definition of Black Consciousness BPC T.1? While you are waiting for the document, speaking purely now in hypothetical terms, Mr. Biko, do you consider that it is feasible to teach people to hate one another and then expect that at some stage in the future these people will love one another and get along (10) with one another? --- Well, I have never experimented in that sort of thing, I won't be able to give an answer.

Is it feasible or isn't it? --- I really don't know.

Didn't you consider that? --- No.

Have you never considered it? --- No.

Has it never been discussed by SASO or BPC or anything else? --- No.

Now will you have a look at this article. Do you identify it as one which you drew up? --- Yes.

Once again the theme about in the third paragraph which (20) we referred to previously in your evidence cross-examination, that any man who calls a White man "baas", any man who serves in the Police Force or Security Branch is ipso facto Non-White? --- Yes.

And thus not a part - a person who is part of the Black struggle? --- Yes.

Now you then state in the middle paragraph on that page:

"Blacks no longer seek to reform the system, because so doing implies acceptance of the major points around which the system revolves". --- Yes.

(30)

"Blacks/...

"Blacks are out to completely transform the system and make of it what they wish."

Do you see that? --- Yes.

"Such a major undertaking can only be realised in an atmosphere where people are convinced ... (aeroplane drowns voice of Mr. Attwell)."

Did you find those two paragraphs? --- Yes.

Now if we can start with that second sentence which I quoted to you, "Blacks are out to completely transform the system and make of it what they wish", and read it in conjunction with (10) the fact that they no longer seek to reform what exists, but a complete transformation of the entire system, where does one find in that a recognition that there will be some semblance^a of White values left in the future society which you people envisage? --- I think you would have to wait for a definition of that future society and this is what I am saying BPC have finally given, you must examine that and perhaps you can get an indication within that of what shall be retained.

What did you envisage when you wrote this? --- The point about any political philosophy is that it develops over time. (20) Now we are speaking here about various systems in the air so to speak. We were going to get to a stage, and I think BPC has got to that stage now, of beginning to define in detail what they want, but a philosophy as I say is never complete over two or three months or two years. Some philosophies take twenty years, to perfect, before it can be a fortified body of thought.

Yesterday I understood you to say that when one presses for certain things you have to have a stance? --- That is right.

What stance would you people have perfected if this is the type of attitude you people would be adopting? --- Well, you would (3) have to/...

have to look as I am saying again at the BPC policy, on what they want, that is their future state. I don't know if you have got that document.

You tell me that it has now been defined in the 1974
(Both speak simultaneously ...) --- That is right.

... year? --- That is right. Well, BPC is not keeping itself to this trial, you see, it is just developing along with history.

But we are unfortunately confined to what was in these documents up to the time the accused were detained? --- That (10) is what I am saying, that there is no need for me now to extrapolate and talk in the air. There is an existing document of BPC that we could refer to perhaps.

Have you seen these subsequent documents you are referring to? --- I've got an idea I read press reports.

Was this the 1975 ... --- Conference, yes.

Was there a conference in 1974 in December for BPC? --- I don't remember, I think they were disturbed by Major Stadler when the arrests started.

Was there any other conference of Blacks akin to the BPC (20) conference held in or at the end of 1975? --- There was some about Black Renaissance.

Where was that? --- It was at Hammanskraal, I think.

Did you have anything to do with that? --- Well, I spoke to some of the people that were going there, I did not organise it.

What did you speak to them about? --- About the concept of Black Renaissance.

And how does the concept of Black Renaissance now differ from the concept of Black Consciousness? --- It is all related.

It is all related? --- That is right. (30)

Why have/...

Why have you given it a new term now? --- Black Renaissance does not refer to an ideology or a philosophy, it is a description of a process.

Have you abandoned the term Black Consciousness now? --- Those two are related only in content. Black Renaissance refers to a process. Black Consciousness refers to ideology.

Has BPC now begun to refer to Black Consciousness as Black Renaissance? --- You don't seem to understand what I am talking about.

in its latest convention ... --- I am saying that the two (10) are not interchangeable. They are in completely different .. (inaudible).

Now surely it was dangerous to give out this type of document without specifying especially relating to the White fears they may be? --- What document are you talking about?

For instance this definition of Black Consciousness and the future society? --- What is dangerous here?

In that you seek to transform a system and make of it what Blacks wish, and throw overboard virtually everything that is existing at the moment? --- I don't find that there at all, I (20) just find it a statement, a policy statement, of where you stand.

And did you agree with me that the Whites basically are afraid of the Black Consciousness and Black Power Movements? --- Not all Whites are afraid actually.

Well, if we can talk about Whites collectively as you people generally do, would you say that they were afraid of the Black Power and Black Consciousness Movements? --- I think you are talking collectively now about the majority of Whites.

Yes? --- I would say the majority of Whites are not even aware.

Not even aware of ..? --- Of Black Consciousness. (30)

They are/...

They are not aware of it? --- No.

Was this designed to remedy that situation? --- No, no, no, this was a working paper at a SASO formation school where I was living at seventeen, we used this, this is a working paper, all these documents were talks too, this is skeleton thinking, the main thing was the lecture. From each particular paragraph you know I could take certain points and talk at length. This was not meant for general distribution, it was meant only for those people who were there. But even if it was meant for general distribution there is nothing dangerous in any of the (10) assertions that are made here.

BY THE COURT: Well, let us just follow the practice, I think they have referred to a formation school as a seminar already. If it is in the nature of a seminar, you come there and you deliver this paper and then you discuss the views expressed in this paper, and it is developed and cut down as the case may be? --- They change, My Lord, some are like that where people read papers, and group discussions around several points on the papers, and then they report back. Some are pure training session. Now this one was a pure training session. In other words I was (20) supposed to talk to a group of SASO students ^{about} /Black Consciousness. There were three papers the first one was The Rationale for Black Consciousness, the second was the Definition of Black Consciousness, and the third one was Practical Implications of Black Consciousness all of which were written by me and all of which were spoken to by me. And they formed the whole core of that training seminar. They were meant in other words for the participants. Unless you were at the seminar, a lot of things for instance here would be in the air, because this is not a full development, although it is called a definition it is not (30) a full /...

a full development of what Black Consciousness is all about. There had to be explanations and these were done as I was talking.

MR. ATTWELL: I was speaking about the second paragraph on page 2 of this document, about the one major force in South Africa against which the Black Consciousness approach is pitted, namely White racism. Do you see the second paragraph? --- Yes.

"Its greatest ally to date has been the refusal by us to club together as Blacks because we are told to do so would be (inaudible) ... so while we progressively lose ourselves in a world of colourlessness and a morphous? common humanity, Whites are deriving pleasure and security and entrenching White racism and further exploiting the minds and bodies of the unsuspecting Blacks masses." --- Yes. (10)

"Their agents are ever present among us, telling us that it is immoral to withdraw into a cocoon and that dialogue is the answer to our problem, but it is unfortunate that there is White racism in some quarters, but you must understand that things are changing. These (20) in fact are the greatest racists because they refuse to credit us with intelligence to know what we want. Their intentions are obvious, they want to be barometers by which the rest of the White society can measure feelings in the Black world." -

Now the dialogue that is referred to there, to which you have objected, do you see the dialogue there? They tell you that dialogue is the answer? --- Yes.

Now what dialogue are you rejecting there? --- If you look at the total of that you will see if you look closely at that (30) that this/...

that this refers to multi-racial bodies.

Multi-racial bodies? --- Yes.

How do you see that that is a reference to multi-racial bodies there, can you just tell us? --- I am talking about agents, right, moving amongst us, they tell us that dialogue is the answer, in another words we must not clothe ourselves in a cocoon, we must avail ourselves for a mixture with Whites in a multi-racial organisations.

Their agents, who is that a reference to? --- I am talking about White society. (10)

White society? --- Yes.

" .. are ever present telling us that it is immoral to withdraw into a cocoon and that dialogue is the answer." ---

That is correct.

Now dialogue, is that the same as bargaining? --- No.

Not? --- Not at all.

Here you are putting out that Whites are telling you that dialogue and talking is the answer? --- I am just talking about Liberals who gets in amongst us and criticises us for being (20) on our own and who say that we must get back into multi-racial organisation because this is the way ahead, and that we must encourage a mixture within our levels, so that we can understand each other and so on and so on. All the arguments that the Liberals put out.

Is there a reference to Liberals here in those words? --- No, I have not put in those - I mean I can choose to put it in, I just chose to put it in this form, that is all. (Indistinct).

Why in this form? --- This is what I was thinking while I was writing, Mr. Attwell. (30)

To close/...

To close that paragraph off, the last sentence : "Sure there are a few good Whites, just as much as there are a few bad Blacks. But what we are concerned with here is group attitudes and group politics. The exception does not make the [?]lie a rule, it merely substantiates it." -In other words there are a few good Whites?

--- There are a few good Whites.

There are a few good Whites? --- The statement here suggest that there are a few good Whites.

If there are a few good Whites it means that most of them (10) are bad? --- In attitude, yes.

And you are going to change them with dialogue, with bargaining? --- We shall change society and people's attitudes will change.

How are you going to change this bad lot of Whites? Who see no good in the Blacks? And you don't want to talk and dialogue is a waste of time? How are you going to change that? --- If you change society you regulate people's habits. If you regulate people's habits in a particular way you know, they are changing their habits, you begin to change their attitudes.(20) This is our answer to it all. The only answer is to change society.

Look at the second last paragraph on that page : "The future South Africa in the case where Blacks adopt Black Consciousness is the subject for concern especially among initiates. What do we do when we have attained our Consciousness, do we propose to kick Whites out." -

Now if I may stop there for a moment, why did you raise that consideration in this article? --- It is because of - in as much as this is a - this question you are asking me now, it (30) was asked/...

was asked at that time by a Liberal, a person who was arguing against our point of view.

By Blacks too? --- No.

Wasn't this a paper read at the formation school? --- That is correct.

Where Blacks attended? --- That is correct.

So was it in answer to any doubts or fears that ... --- No, it was not directed at Blacks, it was answers, the people who were there with answers, when you have a philosophy you have to have answers to questions that may be put by anybody. (10)

So we must assume that that is in fact for the Whites benefit? This particular little piece? --- How do you mean the Whites' benefit?

This is for the Whites, especially the White Liberals? ---

"What do we propose to do"? --- Yes.

Is that right? --- I am talking to Blacks to be able to explain to any man, right, when he asks me, and I am saying that the people who were asking the questions at the time anyway were Liberals.

How obviously then it was a matter of concern to you people(20 about what would happen to Whites? When you people came to your bargaining and the ultimate rendezvous of victory, or whatever you want to call it? --- I don't know what is the question which I have to answer?

It was a concern to SASO and BPC? ---

What was going to happen at that stage? --- We were worried about society.

And society is made up of members from all different sorts of people? --- That is correct.

And it was obviously therefore a factor which you people (30 considered/...

considered because it was a matter of contention? Certainly amongst certain sections about what was going to happen to certain sections? --- Yes.

Now if I put it to you that the position of Whites in your contemplated society of the future is extremely vague at the best, what would you say to that? --- I would refer you to BPC policy as I have been doing for the past hour.

This policy which was adopted at this last conference which you just spoke of? --- That is correct, yes.

But Mr. Biko, is that good enough? --- It must be good (10) enough because as I said to you an organisation develops over years, a philosophy develops over years. I cannot when you are asking me now confine myself to the pre-1973 era, okay, I have got to refer to developments within BPC. I must not sit here and postulate. It has happened, they have defined a bit you know clearer.

Now is it purely fortuitous that a couple of months after the accused or a year after the accused were arrested, BPC got down to deciding what was going to happen to the Whites? --- I would say that as far as I am concerned BPC is not guided by (20) what happens here. They are not going to wait for these men to be released. They just continue. I think this is a time in their history where they are now in a position to make certain logical expositions of this aspect of their philosophy.

What has happened to make them now be able to do this? --- It is very idea because of environmental factors, the whole sort of political system is - throughout Southern Africa is vibrant with change right now. BPC may want to declare what they are saying - I don't know what the reason is, I am just like you on the ... (witness drops his voice and speaks indistinctly). (30)

but it/...

But it was still obviously a matter of concern to you, it was a question that was raised? --- Yes.

And now you have sought to answer it here, and I put it to you that that position was sketched very vaguely by BPC, certainly at the time you drew up this document and I submit until the time the accused were arrested? --- This was not for BPC or for SASO. It was just in aid of understanding the philosophy of Black Consciousness.

I am submitting it to you that SASO and BPC were extremely vague up until the time that these accused were arrested about(10) what the answer to that question was? At the very best? --- Yes.

At the very best? --- Yes.

Now let us see what your answer to that question was which you saw fit to raise here. What was your answer to this question? Read it there after what you said there? What were you supposed to do, what ... --- I don't think I even attempted to answer it.

Now why not? --- I was just talking about attitudes to this question. I was not talking about the answer to that question. (20)

What is the answer you give here, will you read it to the court? --- "Do you propose to kick out Whites? We have defined what we mean by true integration and the very ^{exists} fact such a definition as this does illustrate what our standpoint is."

Carry on? --- "... we are much more concerned about what is happening now than what will happen in future. The future will always be shaped by the sequence of present day events."

Now what sort of answer was that to allay anybody's (30) fears?/...

fears? --- Can't you read - this is defined in the SASO manifesto which defined integration at length. Now all those people who were there are quite aware of what is said about integration in the SASO manifesto. I did not want to repeat it, I did not attempt to answer this.

I put it to you that the SASO policy manifesto is very vague about what is going to happen to the Whites? --- In relation ...?

About what is going to happen to the Whites? --- Let us talk about it, produce it. (10)

Well, you seem to know it, tell us first ... --- If you produce it then I will refer you to what I am talking about.

Right, we will have a look at the SASO policy manifesto.

BY THE COURT: Are we getting anywhere, Mr. Attwell? He says here what will happen in the future, he says the future will always be shaped by the sequence of present-day events.

MR. ATTWELL: And that future is never defined, My Lord.

BY THE COURT: Well, he says it depends on the sequence of the present-day events. He does not know, there are a lot of variables, he does not know how it will develop. He is not a(20) prophet.

MR. ATTWELL: No, My Lord, I submit that these people have worked - that it will I hope appear from what I am driving at in a minute. I have put certain propositions to the witness, but what I - the gist of my argument is that these people have created a situation, one in which they foresee difficulties, and possibilities, such as they even raised themselves, and then they provide no answers thereto. They created a difficult and dangerous situation and then they leave what is going to happen just in the air. (30)

That would/...

BY THE COURT: What would you have done if you were in their position, what would you have done?

MR. ATTWELL: Well, My Lord, I submit that they have in certain circumstances illustrated - I said for the witness's benefit that at best they made it vague. And that is what the witness has done here I am submitting. --- Well, I referred to integration as defined there. Let us get down to that definition - that integration definition.

That is SASO P.2, My Lord, the SASO Manifesto, the policy manifesto. --- Yes. Now if you look at point 5 there. (10)

"SASO believes that the concept of integration can never be realised in an atmosphere of suspicion and mistrust. Integration does not been an assimilation of Blacks into an already established?..... drawn up and motivated by White society. Integration implies full participation by individuals in a given society and proportionate contribution to the joint culture of the society by all constituent groups." -

And I think this lays out quite clearly SASO's outlook to the future society. It also lays out the position of the White (20) man in that society. He is an individual free in society who contributes like any other man to the joint culture of the society. It answers that question whether we kick out Whites or not.

You said earlier on in the SASO policy manifesto under point 3 : "That the Whites have defined themselves as part of the problem and that therefore the Whites must be excluded during your struggle."

You have also stated in BPC documents that your stance will always be pro-Black? It also states here on page 2 that a truly open (30) society/...

society can only be achieved by Blacks. And that Black values would be paramount. That is your argument? --- It is stated clearly here that there will be proportionate contribution to the joint culture by all those who form up the society, that means that White people will be included, Blacks will be included, and all of us will contribute proportionally to the joint culture of our society. And this exists in SASO's policy manifesto which is the most important document of SASO. It is a categorical statement of what SASO believes the future society is going to be like. So you cannot say (10) for a moment that we are ambivalent about it. We are quite clear about it.

Were the same sort of things expressed in BPC? --- They express it now I am telling you. It took SASO two years to come up with this policy manifesto, from 1969 up to 1971. It took BPC about the same sort of time to come up with their policy manifesto which came up last year. It takes time for any organisation to come up with a clear line, because you have got to work it through the thinking of the organisation.

They have first got to see what their members feel? --- (20) And I don't think SASO was thinking about this trial when they drew this up.

I think they possibly were because I think they are being very vague? --- I don't find it vague, I find it stark clear. It may be vague to you but that is because you just refuse to accept

This was a very early document of SASO's, not so? --- That is correct.

1971. Are you able to state that this forms still the basis of SASO's ... --- I have no reason to believe that it (30) has been/...

has been changed, I said so yesterday.

But since your banning you have not had an awful lot to do with SASO? --- That is correct.

Now if we can look at this bargaining process you people talk about. I gathered from your evidence-in-chief that you said it would not necessarily be at a specific point in time?

--- Yes.

That it may be a long process? --- Yes.

How does that tie up with statements like : "For too long have we been quiet, it is time we made our demands. (10)

Stand up, Black man, the time is now, break the chains, liberation is inevitable." ---

Well, you have to look at all those statements in their context if you are going to interpret them, but what I did say was

"The day of reckoning is at hand ... " --- I prefer to put it positively, as I put it yesterday, to say that the bargaining process has started. It may have started ..(witness drops his voice) .. "Pressure is being applied in some spheres" - alright, in the whole sporting sphere for instance Black society is collectively applying pressure on White (20) society and White society is giving in. This is part of the whole process of bargaining. You can't date it and say it shall start on the 1st of September 2003, you know, it starts right now, it just continually intensifies and takes a particular direction along with history.

BY THE COURT: I think the point that Counsel is really trying to make is this. That if you decide on a policy and you don't really stipulate how the policy is to be achieved eventually don't you then by implication leave it to the people responsible to give effect to that policy to adopt whatever means they wish(30)

to/...

to adopt? I mean, is there anything to prevent a supporter of BPC or a supporter of BASO to resort to the means referred to by Counsel? --- I think, My Lord, what I am trying to suggest here is that the logical development of BPC could not have been concluded within the time referred to by Counsel. The point at issue being that any political organisation or political party takes a long time to crystallise its philosophy. What BPC was concerned with right at the beginning was to collect for herself membership. Now the whole inflections in politics which will ultimately result in a very well (10) defined statement of where they are going would take time inevitably. It would need to go through debate, so that what I am trying to change in the allegation from Mr. Attwell is the thinking that BPC policy has developed its final conclusion and the vagueness that is there as he suggests is intentional. The point is that when these men were arrested they were arrested during a development.

Assuming now it is not intentional, isn't it pointless in that if you - you have to find your objectives toward liberation, at least in total change, now you don't say how that is to (20) be achieved apart from the conscientisation. Now assuming now collaborators in the process of conscientisation adopts a means which really has the effect ultimately to create a hostile power bloc, now can you say it was excluded in the original plan in which you have formulated your objectives? --- I think any action which anyone takes on behalf of BPC would have to be traceable to decisions by BPC. I don't think there is anything in BPC documents which suggests that this type of action which you call - and which may lead let us say (30)

to/...

to an upheaval must be taken. But I think where it is silent it is left to the Executive to interpret, but I think the processes have always been crystalising and the whole direction of BPC has been traceable to those who are very close to the Movement.

Yes, assuming now you decided as a policy to make use of pamphlets to conscientise people, and then the people who are responsible for the pamphlets they use extravagant language and perhaps create a hostile - well, can create ultimately a hostile power bloc, now wouldn't that be within the contemplation of WAGO or BPC, who decided merely on the objectives without saying what the people may say in the pamphlets? --- One could also make the other postulation My Lord, that instead of - there are several methods a man would (10)

State the other point, I just want to see how it affects my point? --- Sorry?

Just make the other point, you say that may be the other ... --- Yes, you are quoting an example

Yes, now I want you to quote, I want to test my example against yours? --- Right, I am saying that one could also in the course of distributing pamphlets send out another message for instance which is quite contrary to the thinking of BPC, you know, he can say for instance that (20)

The one can rule the other one out? --- Yes, here is a pamphlet, be a good preacher and don't complain if Whites kick you.

Yes, but now if you don't have that sort of pamphlet, it was a very good point you were making, but now just assuming you don't have that sort of pamphlets, ... --- What type of pamphlet are we talking about, My Lord?

The one that you have in mind? I can see your point, the point/... (30)

point that I am putting to you is that if you don't circumscribe the means by which you have to attain the objective, then by implication you can authorise your supporters to use whatever means they think would be suitable means? --- Yes, that is correct.

Now I give you an illustration where they use extravagant language and can create a hostile majority, you give me the illustration where they just do the opposite, they use - well, soft language, and they try and keep the people quiet, in order to achieve that object? So you have two contradictory means. (10)
--- That is correct.

Now of course I can see then the one will eliminate the other and you can - well it destroys the point in a way which I put to you originally, ... --- I see the hypothetical point and one can make it either way.

Yes, but now to try and come back to my point again, but now if you don't have the type of pamphlet which you envisage, and you have the type of pamphlet which I envisage, now wouldn't that be an indication then that that is the type of thing which SASO and BPC implied? --- Yes, well, you see (20)

If your circumstances intervenes then of course then of course it will show that it wasn't within that contemplation and it wasn't implied, because the opposite also applies? --- Yes.

But now if you don't have an example of the opposite, then there is no evidence to show that the intention was not to have the instance that I mentioned to you? --- That is correct.

Well, do you follow the reasoning? --- I follow your reasoning. But are there suggestions that there are in fact pamphlets from SASO which hold your line?

No, no, well you see, I am just trying to - you see, he (30)
is/...

is putting a point to you. Now perhaps you can deal with his point because now I am making you aware of what the value of his point can be. --- Yes. Now, could you direct me back to what you are asking?

MR. ATTWELL: I wonder whether I still remember my point.

BY THE COURT: You see, he used a lot of words and those words he could only explain ... Oh yes, that is correct.

And those words he could only have extracted from the pamphlets, because they don't appear on any policy documents?

--- That is correct. (10)

MR. ATTWELL: That is right, I referred you to the question of bargaining which you suggested would not take place at a certain point of time, but which would continue, and I said to you how does that fit in with statements like : "The time to stand

up is now, the time to fight is now. The day of reckoning with the Fascists is at hand." - That type of thing?

--- No, it is all political language, as I said to you, in politics there is a certain poetic type license which makes you you know, use language, in order to put your point across.

In other words you want people to listen, you want people to (20)

come and join you now, right? You talk like you have just been talking in an effort to impress upon people the urgency of the need for membership to grow. I don't think I would attach any particular feelings against statements like that, I mean they are really minor. "The time for action is now", that action may be come and join BPC, it does not mean anything, it does not mean war like you might be mistakenly thinking. It does not mean anything.

Would it have to be read in its context? --- Sorry?

Would it have to be read in its context? --- He would be (30)

able to/...

able to listen to the man speaking.

No, if it was in a document which merely said "The time to stand up is now, for too long have we been quiet"? How would you interpret that if it was not defined? If it was not said "This is a call for membership, will all people roll up ... --- (Both speaking simultaneously) ... I would regard that as political demagogy, you know, any political demagog would use that sort of term. I mean I would imagine a Nationalist Party man could stand up and say the same thing. It does not necessarily mean that these expressions belong to BPC. Any (10) politician uses that kind of statement.

The other point I want to make at this stage is, do you agree with me that the impression created by the documents is one of a physical or quasi-physical confrontation? --- I would not agree with that.

Between Whites and Blacks? ---I would not agree with that. You see, one comes across the expressions like : "The time to fight is now, the time to stand up is now," - as I said "the day of reckoning with the Fascists is it hand"? --- Yes, you read this - have you read this as (20) "veg"?

Before you ask me questions let me just finish here. The total - for instance is Dr. Mokoape said : "There is only one road and that is total unadulterated revolution." --- Yes.

"The ..?.. of battle, the battle lines are drawn," - that type of thing. When one gets that sort of language, would you agree with me that the image you get is suggestive of a physical con ... --- I think it is a very tenuous logic in the way that you try and read terrorism into those words you know. These (30) are all/...

are all words which occur in any sort of speech by any politician, it just depends on the context of the speech and the ..?.. of the man.

And that is the sort of language which was going to be dished up to the Black man who is dissatisfied, he is aware of the shortcomings in the system, who already feels whatever he does feel for the White man? --- The plain end is always to get him to join BPC. I think this is the most important thing about most of the addresses, to get people to join BPC. You know, whatever the man says in defining what the problem is, it is (10) just to define that we have a common stand, and because of the common stand let's stand together, let's join BPC. And this is normally the resulting action at the end of a meeting.

Are you aware of the so-called Community Sketch in SASO? It is also known as the three CCC's? --- The three CCC's? I have seen that sort of thing in literacy.

It concerns the approach by SASO to be adopted to different people with different opinions? --- I have seen it in literacy, yes.

What do you understand by the three CCC's? I just want to (20) try and find out if it is the same thing I have in mind? --- This is the analysis of available means of actions.

Yes, what does it signify? --- One C is coöperation, or collaboration, the other one is a campaign of conscientisation and the other one is confrontation.

Was this ... --- All of which are means of gaining the same goal. In other words when you have got a goal you can look at available means of gaining that through that kind of analysis.

Was this ever adopted by SASO? --- In literacy, yes.

In literacy? --- Yes. For instance if people want to build a dam, this may be the kind of example they use for instance, if you want to build a dam, you look at ways and means of (30) building/...

building that dam. Now that diagram, the three CCC's, is an analysis of the forces which are ^{for and} against you, in other words you can confront the people with the idea or you can seek to get it out of the people through conscientising them or you can seek their coöperation you know in building the dam. You know, this is just some sort of example. But this is the context in which it was used in literacy.

I am not quite sure I follow your last reasoning. Isn't it referring to the ... --- If you can give me anything to outline the system, then I can analyse it better. (10)

Well, perhaps I can just put it to you, it is in a SASO document, My Lord, if I can refer Your Lordship to SASO G.4 which was presented at the third question ...?... General Students Council, the South African Students Organisation, on page 167 to 168 of the document. In fact you have a sketch in fact on page 168, perhaps I could find it for you. There is a drawing of this sketch which is called a Community Sketch. It refers basically to three groups, those that would agree with you, the agreeing group, the apathetic group in the middle and those who disagree with you on the right. --- That is right. (20)

And then it seems to suggest that there should be three different approaches, then one applicable to each of these three groups. Those that agree with your proposals or ideas you would collaborate with, those that are apathetic towards your ideas and who are sitting on the fence so to say, you would conscientise? --- Yes.

And those who disagree with your approach you would confront? --- Yes.

Now all I really want to know is whether this approach was adopted by SASO? --- No, I have only met this in literacy, I was not at this conference. (30)

No, I/...

No, I appreciate you weren't at this conference. You can't say? --- No.

BY THE COURT: Actually if I remember the documents correctly you people were confronted with the problem of communication, and it was suggested that if you have a sympathetic group then you would collaborate with them. If you have an apathetic group you would try and conscientise them to your point of view. If you have a disagreeing group well, you first try and infiltrate the group and direct that particular group, or else if you can't get anywhere with them in that way, then you just confront them?(10)
--- I am not aware of this, My Lord, most of this .. after my time.

Anyway, I suppose these are the tactics that you people ... --- I think it is in the way we use this particular thing which is called the three CCC's, it was in the context of an exercise, intellectual/- you know, when you are looking at problems how do you go about solving your problems. It is part of what you call problem solving.

MR. ATTWELL: To pick up where His Lordship touched on at the moment, there are indications that groups should be infiltrated (20) and re-directed and if one did not get anywhere destroy it in fact as some of the documents seem to suggest? Was that ever done in your time, do you know of ... --- That is not our policy, not in BPC policy as I know.

Because I have in mind a SASO document. Was that ever done to your knowledge, do you know about it? --- Well, that is a very wide question. I cannot say in SASO there was never infiltration of another group by somebody, but I don't think it existed as a policy approach.

My Lord, I will be going on to a slightly different point. This may be a convenient stage to adjourn. (30)

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