

aanleiding van wat hulle sou gesê het aan Moloto.

MNR. ACKERMANN: Soos die Hof behaag. En die plek waar julle hulle opgelaai het vir hierdie tweede rit was weer eens 'n plek stiller as die gewone staanplek by Park-stasie? -- Ons het met die groot straat daar in die stad gery en toe kry ons 'n kleiner straat. Ons draai toe af in die kleiner pad wat stil is.

Stiller as die staanplek by Park-stasie? -- Dit is so.

Kan u die straatnaam onthou waar u hierdie tweede groep kinders opgelaai het? -- Nee, ek het maar die strate nie geken nie. (10)

En hierdie kinders, die tweede groep kinders het hulle ook bont klere aangehad, met ander woorde nie skooluniforms nie? -- Hulle het gewone klere aangehad en nie skooluniforms nie.

Bagasie by hulle gehad? -- Hulle het geen bagasie gehad nie.

En toe het u vertrek met hierdie tweede groep kinders. -- Ons het toe vertrek. Ek het eers gery.

DEUR DIE HOF: Wat bedoel u u het eers gery? -- Net na ek gelaai het, het ek begin wegry. Moloto het vir my later in die pad gekry.

MNR. ACKERMANN: Het u op enige stadium uitgevind of hierdie (20) tweede groep kinders of hulle ook paspoorte het al dan nie? -- Hulle het geen paspoorte gehad nie.

Wanneer het u dit vir die eerste keer uitgevind? -- Toe ons van die stasie vertrek het om hulle te gaan laai.

Hoe het dit gekom dat u dit uitgevind het? -- Moloto het my gesê dat hierdie klomp ry ook net soos die eerste, hulle het ook nie paspoorte nie.

En het net soos in geval van die eerste rit, dieselfde vrese gehad ten opsigte van die feit dat u hierdie mense onwettiglik oor die grens sou neem na Swaziland? -- Dit was (30) dieselfde geval as die eerste rit dat as ons langs die pad gearresteer/...

gearresteer is, dan is dit sleg, maar as ons deurgekom het dan gaan ons tot by Makwanazi.

Dan kry julle die geld. -- Dit is so.

Nou op hierdie tweede rit het julle gesels onder mekaar?

-- Ek het nie met hulle gesels nie, net gelaai en toe gery.

En benewens hierdie skoolkinders was daar enige ander mense in jou Combi vir hierdie tweede rit? -- Mense van Swaziland?

Enigiemand anders behalwe die jongmense sonder die paspoorte. -- Nee, daar was nie, dit was net die jongmense. (10)

So hierdie jong seuns het vryelik met mekaar gesels tydens hierdie tweede rit. -- Ja, hulle het alleen vry gesels.

Watter taal? -- Net soos die vorige rit het hulle so gepraat wat ek nie verstaan nie.

Het van die mense Zoeloe gepraat? -- Daar was.

Kon u verstaan wat hulle sê? -- As 'n persoon miskien vra dat hy water wil afslaan dan sal ek verstaan as hy dit in Zoeloe sê, alhoewel die Zoeloe wat hulle gepraat het nie die gewone Zoeloe was wat ek verstaan nie.

In watter opsig het dit van die gewone Zoeloe verskil? (20) Kan u miskien vir ons sê? -- Die Zoeloe wat ek verstaan is die soort wat Moloto praat (soos hy die woord gebruik 'Zunda').

U het net hier en daar 'n woord verstaan van wat gesê is? -- Dit is korrek, woorde daar en daar.

U sou graag wou verstaan wat daar gesê is in u teenwoordigheid. U sou graag wou geweet het wat hierdie mense vir mekaar te sê het daar in die Combi. -- Ek het hier en daar gehoor, soos byvoorbeeld as hulle gevra het om water te gaan afslaan, ek het gehoor; dan het ons verder gery.

Maar u sou graag wou geweet het wat die mense vir mekaar gesê het daar in die Combi. -- Wat hulle alles gesê het? (30)

Ja, u het hier en daar 'n woord verstaan van wat daar vir mekaar gesê is. -- Toe hulle gevra het om water af te slaan.

Nee, vir die res van die tog na Swaziland. -- Nee, ek het nie so opgelet nie. Ek het mos die voertuig bestuur en daar is baie karre in die pad. Hulle het hard gepraat daar agter, daar was 'n hele geraas daar agter.

Maar is dit nie so dat u graag met hulle sou wou gesels indien u en hulle dieselfde taal gepraat het nie? -- Ek glo nie, want ek was mos besig gewees daar met die dryfwerk.

U het nie probeer uitvind of daar ook 'n Swazi- (10)  
sprekende persoon ook in die Combi was nie? -- Nee, ek het hulle nie gevra nie.

Is dit nie ook in elk geval so dat Swazi en Zoeloe nie ver van mekaar verwyderd is nie? -- Tot 'n Klein mate is die twee tale dieselfde, maar ek verstaan nie alles wat 'n Zoeloe-sprekende persoon praat nie.

DEUR DIE HOF: Dit is nie 'n kwessie van alles nie. Hulle is naby mekaar die twee tale. -- Naby mekaar.

MNR. ACKERMANN: U moes tog dan gevolg het wat hierdie mense vir mekaar te sê gehad het. -- Wat ek gehoor het is toe (20)  
hulle gevra het om water af te slaan.

Maar dit was 'n mengsel van Zoeloe en Swazi wat hulle gepraat het, nie waar nie? -- Ja.

Swazi kan u verstaan. -- Ja, ek praat Swazi, maar nie die hele taal nie, want dit is 'n breë taal.

Zoeloe is nie te ver verwyder van Swazi nie en Swazi kan u verstaan. -- Maar daar is verskille dat goedere wat in Zoeloe gesê word wat ek nie verstaan nie.

U wil steeds te kenne gee dat u bloedweinig verstaan het van wat daar gesê is tussen die passasiers tydens daardie (30)  
rit. -- Dit was net die geraas gewees wat ek gehoor het, maar

wat hulle gesê het, het ek nie gehoor nie.

Ewenwel, u sê dat beskuldigde No. 6 was een van die passasiers tydens hierdie rit? -- Ek het beskuldigde 6 gesien toe ek van Swaziland Johannesburg toe gery het. Ek het hom gesien soos 'n persoon wat ek miskien in die toekoms sal herken, indien dit nodig was, maar ek het nie geweet wie en vanwaar hy is nie.

Toe u terugkom van die derde rit was dit die heel eerste keer wat u vir beskuldigde 6 gesien het?

DEUR DIE HOF: Nee, wag 'n bietjie. You are now getting (10) confused or confusing him. Did he say now, Mr Interpreter, that he saw accused No. 6 on the return journey after the second journey that he made? Toe hy teruggekome het met ander woorde van sy tweede rit. -- Na ek die tweede rit afgeneem het Swaziland toe, het ek die Sondag teruggekome Johannesburg toe. Dit was toe op daardie Sondag dat ek beskuldigde No. 6 gesien het en dit was hy en nog 'n ander een wat donkerder was van kleur as beskuldigde No. 6.

MNR. ACKERMANN: En by daardie geleentheid toe u terugkom was dit die heel eerste keer wat u vir beskuldigde 6 gesien (20) het? -- Dit was die heel eerste keer wat ek vir hom gesien het behalwe dat hy vir my gesê het dat hy een van die mense was wat ek al Swaziland toe geneem het.

En die man wat saam met hom was, die man wat donkerder was van kleur, was dit die eerste keer wat u hom gesien het? -- Dit was die eerste keer dat ek hom gesien het.

En het u enige idee gehad of u hom ook by 'n vorige geleentheid van Johannesburg na Swaziland toe vervoer het? -- Ek het nie 'n idee nie. Daar is baie van hulle wat ek af geneem het Swaziland toe en ek ken hulle nie. (30)

Het enigeen van die kinders tydens hierdie tweede rit

navrae gedoen by u oor waarheen hulle op pad was? -- Nee.

Het enigeen van hulle gevra hoe die omstandighede in Swaziland was waarvandaan u gekom het? -- Niemand het enige navrae gedoen nie. Ek het hulle net in my voertuig gelaai, dit was al.

U sê dat hierdie kinders ten opsigte van die eerste en die tweede rit hulle was bestem om skool te gaan in Swaziland. Is dit so? -- Dit was so gewees en ons het vir hulle tot by Makwanazi gelaai en dan die geld daar sal kry.

Dit geld ook ten opsigte van alle verdere ritte vanaf (10) die derde tot die sewende rit. -- Ja.

Nou wat het u onder 'skoolgaan' verstaan? Het dit beteken dat die mense een of ander opleiding sou kry? -- Ek weet net van die gewone soort van 'n skool, die gewone skool van kennis waar hulle leer.

Koning Sobuza het hy mense wat soldate is? -- Ja, daar is nou soldate; hulle het 'n kamp daar in Swaziland.

En hoe leer hierdie mense om soldate te wees vir Koning Sobuza? -- Nee, daar weet ek nie. Ek sien hulle net gewoonlik met hierdie uniform van hulle. (20)

Gaan hulle nie ook skool ten einde soldate te kan wees nie? -- Ek het nog nooit nie een gesien nie. Ek sien hulle dan is hulle alreeds in uniform.

In ieder geval, u het toe hierdie tweede rit se mense afgelaai en die geld by Makwanazi daarvoor ontvang. -- Dit is korrek dat ons die geld gekry het, maar eers die volgende dag want hierdie klomp het toe verdwaal.

Het u enigeen van die mense wat u vir die eerste keer vervoer het, met ander woorde tydens die eerste rit, het u enigeen van daardie mense in Swaziland gesien toe u vir (30) die tweede keer daar kom? -- Nee, want ek het hulle nie geken nie/...

nie, ek het niemand ontmoet nie.

Was daar nog jongmense gewees by die plek waar u die tweede groep afgelaai het, toe u met die tweede vrag daar aankom, was daar nog jongmense gewees in die huis waar u by die vorige geleentheid die jongmense afgelaai het? -- Daar het vier seuns uit die groot huis uitgekom om hierdie tweede vrag te kom ontmoet.

Dit is dieselfde huis waar u die eerste vrag afgelaai het? -- Dit is dieselfde huis waar ons hulle die oggend afgelaai het. (10)

En nog steeds het dit nie gelyk asof daar skoolgegaan word daar nie. -- Ek het net die huis gesien, ek het nie 'n skool gesien nie.

DEUR DIE HOF: Wat het jy gedink? -- Ek het niks gedink nie. Makwanazi het gesê ons moet hulle by die groot huis gaan aflaai, wat ons gedoen het.

MNR. ACKERMANN: Hoe het dit gekom dat u vir beskuldigde 6 en die man wat donkerder van kleur was, terug vervoer het na die Republiek? -- Ons het daar by die huurmotorstaanplaas geparkeer, ek en Moloto, dit is waar ons gewoonlik staan. (20)

DEUR DIE HOF: Is dit in Manzini? -- In Manzini. Daar was vrouens van Swaziland wat Johannesburg toe gekom het en toe kom hierdie twee, beskuldigde No. 6 en sy maat, en my gevra of ek Johannesburg toe kom. Hulle het gesê hulle kom ook Johannesburg toe. Hulle reis toe in die voertuig en elkeen van hulle betaal my £5.

Hulle het gevra of hulle kan Johannesburg toe gaan? -- Hulle het gevra of ek Johannesburg toe kom en het verder gesê dat hulle ook Johannesburg toe kom.

Watter taal het hulle gepraat? -- Hulle het Zoeloe (30) gepraat. Een van hulle het met my gepraat, dit is die een

wat/...

wat langs my kom sit het.

MNR. ACKERMANN: Beskuldigde 6 of die ander man? -- Dit is die ligte een, beskuldigde 6, wat langs my gesit het. Die ander een het agter my saam met die vrouens gery.

Het hy nog iets te sê gehad? -- Die enigste wat hulle gesê het is dat hulle ..(tussenbei)

DEUR DIE HOF: Hulle of hy? -- No. 6 het gepraat. Dat hulle twee van die klomp wat met my die vorige dag gekom het; dat hulle nou op pad is terug Johannesburg toe.

MNR. ACKERMANN: Is dit die vorige dag wat hulle saam met (10) u na Swaziland toe is of hoe lank was die tydsverskil gewees? -- Ons het die Saterdagoggend in Swaziland gearriveer. Die volgende dag, die Sondag, toe het ek opgekom.

En was Makwanazi in die omgewing toe u hierdie twee mense opgelaai het? -- Ek het hom nie daar in die omgewing gesien nie. Ek het die twee seuns gesien toe hulle by my kar kom.

Nou benewens dit wat vir u gesê is dat hulle teruggaan Johannesburg toe en dat hulle saam met u in Swaziland gearriveer het, het u nog iets vir hulle gesê of gevra tydens die rit terug na Johannesburg toe? Dit is vir beskuldigde (20) 6 en sy donkerkleurige maat? -- Behalwe dat ek vir hulle gesê het dat my van is Ntshali-Tshali, het ek verder niks met hulle gesels nie.

En die maat van beskuldigde 6 het u hom miskien hier in die hof gesien tydens die verloop van hierdie saak? -- Ek het aangesien sy vriend donker van kleur was, het ek hom later hier by die hof gesien, die persoon wat ek hier gesien het, herken as die maat van hom.

DEUR DIE HOF: Het hy daar gestaan of hier buitekant die hof? -- Ek het hom hier in die getuiebank gesien staan. (30)

MNR. ACKERMANN: Is dit die man met die naam Jim Xebe? -- Ek het/...

het nie geweet wat sy naam is nie, maar sy naam het ek hier in die hof gehoor, Jim Xebe.

Was dit nie vir u eienaardig dat hierdie mense, Xebe en beskuldigde 6, wat veronderstel was om skool te gaan in Swaziland, nou skielik weer teruggekom het, met ander woorde teruggekom het na Johannesburg toe? -- Ek was bly vir die geld wat hulle my gegee het. Dit was nie snaaks gewees dat hulle terugkom nie.

Hoekom het u nie enige vrae gevra .. (tussenbei)

DEUR DIE HOF: Dit was nie snaaks of dit was snaaks, maar (10) ek was bly vir my geld? -- Nee, dit was nie vir my snaaks gewees nie.

Het hy nie gesê hy is iets bly oor sy geld? --(Dit is so. Hy het gesê: Dit was nie vir my snaaks gewees nie, ek was bly vir die geld wat hulle vir my gegee het.)

MNR. ACKERMANN: Maar juis omdat u so bly was vir die geld, het u enigeen van hulle nie uitgevra oor watse skool hulle heen gaan in Swaziland, waar hulle skoolgaan of al die ander mense sou skoolgaan nie? -- Ek het hulle nie gevra nie.

Hoekom nie? -- Ek het net belang gestel in die geld. (20) As hulle weer teruggekom het van Johannesburg af Swaziland toe, dan sou ek nog bly gewees het vir die geld.

Het jy nie vir hulle gevra, vir beskuldigde 6 of vir Jim Xebe, of daar nog mense was wat nou wou terugkom vanaf Swaziland na Johannesburg nie, met ander woorde nog besigheid vir u nie? -- Ek het hulle nie gevra nie.

Was die geld dan werklik vir u so belangrik? -- Ek het nog baie geskuld op die voertuig, ek moes nog baie betaal het en ek moes nog geld gehad het vir my kinders op skool.

U sou bereid wees om selfs die wet te breek ten einde (30) hierdie geld in die hande te kry. -- As ek geweet het dat



om so te doen is 'n oortreding van die wet, dan sou ek dit nie gedoen het nie, maar ek kon moontlik iets gedoen het waaroor ek 'n wet sou oortree onwetend van daardie.

U het vir my gesê dat u wel wetende dat dit teen die wet was, hierdie mense deur laat gaan het, deur die draad laat kruip het Swaziland toe. -- As 'n persoon gevang is, ja.

U was bang dat u moontlik gearresteer sou word of dat een van hierdie mense gearresteer sou word.

DEUR DIE HOF: Jy meen jy maak net 'n oortreding as jy gevang is. -- As 'n persoon langs die pad gevang is, dan word hy (10) aangekla, maar as hy nie gevang is nie, dan het hy maar deur-gekom.

MNR. ACKERMANN: Hoe het u geweet dat hierdie mense nie op pad was om Koning Sobuza kwaad aan te doen nie? By hierdie mense bedoel ek die mense vanaf Johannesburg na Swaziland. -- Niemand het my daarvan gesê nie, ek het nie geweet nie.

En u het ook nie gevra of hierdie mense dalk die plan gehad het nie en dat dit die rede was waarom hulle onwettig oor die grens na Swaziland toe gegaan het nie. U het ook nie gevra of hierdie mense daardie bose plan gehad het nie. (20) -- Ek het nie gevra nie.

U het ook nie omgee nie. -- Ek het niks geweet nie, ek het net die geld gesien.

Al het hulle ook gaan kwaad doen in Swaziland sou dit nie vir u saak maak het nie, solank u net die geld daarvoor gekry het. -- As ek geweet het of as iemand my gesê het hierdie mense is kwaaddoeners, dan sou ek hulle nie gelaai het nie.

Hoekom sou u hulle nie gelaai het nie? -- As ek geweet het dit is kwaaddoeners hierdie en ek neem hulle af Swaziland toe, dan maak ek mos my eie plek toe, dit is my eie woonplek toe. (30) (Hy praat eintlik, as ek sy eie woorde moet sê, dit is 'n dier

wat in 'n gat is, hy sê hy maak sy eie gat toe, dit is sy gat waarin hy bly.)

Was daar ooit mense wat vir Koning Sobuza wou afgekry het van sy troon af? -- Ek het al gehoor van sulke mense maar ek ken hulle nie. Ek het gehoor daar in Swaziland hulle praat van Zwane, hulle het gesê Zwane wil Sobuza - hulle het gewoonlik van hom daar by die koning se plek gepraat.

Hoe het u geweet dat hierdie mense nie dalk van Zwane se mense was nie? -- Ek het nie geweet nie. Ek het nie daarvan te hore gekom nie. (10)

Het u ook nie belang gestel om uit te vra daaroor nie? -- Daar in Swaziland hulle het net gepraat van Zwane. Ek het nie geweet waar sy mense orals is nie en ek het nie gedink ek moet vra nie.

Jy het ook nie omgee of dit van sy mense is of nie. -- As ek daarvan te hore gekom het of iemand my daarvan gesê het, dan sou ek hulle nie gelaai het nie as dit nou mense is wat met die regering gaan baklei.

Maar solank jy dit nie geweet het nie, was jy bereid om enigiemand onwettiglik oor die grens na Swaziland toe te neem. -- Ja. (20)

Dit is slegs as hierdie mense gevang word dat daar moeilikheid sou wees. -- Ja, ek het gedink van moontlike arrestasie deur die polisie, die gewone polisie soos die wat daar agter sit met die uniform en nie die polisie in die privaat kleredrag, ek het nie geweet daar is so polisie nie.

Solank hierdie mense nie gevang was nie, was daar geen probleme gewees nie en kon jy die kans neem om hulle onwettig oor die grens te kry. -- Ja, en dat ek die mense daar by Makwanazi gaan aflaai. (30)

En jy neem met ander woorde die kans dat hierdie mense

wel/...

wel kwaaddoeners kon wees. -- Ek het van niks geweet nie. 'n Persoon sal alleenlik weet dat so en so 'n skelm is as sy aandag daarop gevestig is, as iemand vir hom daarvan gesê het.

Jy het besluit dat jy geen navraag sou doen in hierdie verband nie, maar jy sou wag totdat iemand jou aandag daarop vestig, indien dit die geval sou wees. -- Behalwe die skoolkinders het ek van die ander passasiers ook nie gevra, almal wat Swaziland toe gegaan het, het ek net gesê wat dit vir hom sal kos.

Maar die ander mense het paspoorte gehad. -- Hulle (10) het paspoorte gehad.

Hulle het nie nodig gehad om deur die venster te klim nie, hulle het deur die deur by die huis ingegaan. -- Hulle het gebruik gemaak van die deur, ja.

Maar hierdie jongmense wat deur die venster geklim het, jy het besluit dat niemand sê vir jou dat hulle kwaaddoeners is nie, jy sal self nie uitvind of hulle kwaaddoeners is al dan nie. -- Van die vrouens wat Swaziland toe gegaan het, die oumense, as een miskien na my toe gekom en gesê het hy het nie 'n paspoor nie, dan sou ek vir hom ook gesê het om daar deur (20) te gaan.

Wat die ander ritte aanbetref, ritte drie tot sewe, kan u nog vir ons vertel waar u die mense opgelaai het vir hierdie betrokke ritte in Johannesburg? -- Binne-in Park-stasie self, al die ritte.

Met ander woorde, anders as die vorige twee geleenthede. -- Dit is korrek.

Het u dalk navraag gedoen hoekom die mense nou na u gebring word in Park-stasie se omgewing anders as die vorige twee geleenthede? -- Nee, ek het nie vrae gevra nie. Die (30) posisie is ek sou enige persoon by enige plek gelaai het.

Laat ons net duidelikheid hier kry. Die mense van ritte 3 tot 7 hulle het by Park-stasie opgeklim? -- Ja.

En vir ritte 3 tot 7 het u minder mense geneem as in die eerste twee gevalle. -- Ja, ek het al 8 gelaai, 7, 4 en 2.

DEUR DIE HOF: 8, 7, 2 en 4. -- Ja.

MNR. ACKERMANN: En nadat u vir beskuldigde 6 en vir Xebe teruggebring het vanaf Swaziland hierheen, het u hulle weer gesien? -- Ek weet nie, want ek het later weer 3 gelaai met tesame met hulle was daar ook vrouens gewees wat Swaziland toe gegaan het. Ek is nie seker wie daardie 3 seuns was nie. (10)

Ek wil net 'n sekere gedeelte van die getuienis van Richard Moloto voorhou vir u kommentaar. Dit is Volume 27, bladsy 1 257. Hy was gevra deur die Hof, dit het gegaan oor die onderhandelinge tussen Moloto en Makwanazi in Swaziland:

"I asked him (that is Makwanazi) where are so many boys getting to. He said to me no, these boys were getting to school. I asked him where, he said in Mozambique. I asked him what schools are they going to attend. He said to me that they are going to be taught to be soldiers. I asked him where would they then go to after completing their training, whether they would come back to us, that is to Swaziland. There was no reply from Makwanazi to this question. I took my money and left." (20)

-- Ek was nie daar nie.

Heeltemal korrek. -- En Moloto het my nie hiervan vertel nie.

Toe is Moloto gevra of u, beskuldigde 7, bewus was (30)

van hierdie inligting:

"Do/...

"Do you know whether accused No. 7 was in any way aware of this information?  
-- Which information?

That he (that is Makwanazi) told you what they were going to do with these boys? -- He is supposed to know, he is a Swaziland citizen. We take these boys to Swaziland and then the next thing we do not see them, we do not know what happen to them. We just take them to Swaziland, the next thing they just disappear, we do not know where they are." (10)

-- Ek onthou dat Moloto so gesê het hier in die hof, maar die posisie is ek sou nie geweet het van hierdie goed sonder dat iemand vir my daarvan sê nie.

Is dit so dat u gesien het dat die mense wat u na Swaziland vervoer het, weggegaan het van daardie huis waar u hulle die eerste keer afgelaai het? -- Behalwe dat ek na die groot huis toe gegaan het op die geleenthede toe ek die vragte gaan aflaai het, het ek nie verder na daardie huis toe gegaan nie. (20)

DEUR DIE HOF: So jy weet nie? -- Ek weet nie. Ek het net daar gegaan spesiaal om te gaan aflaai, dit is al.

Kan ek net dit vra: met die eerste rit, is dit so dat Moloto vir jou gesê het dat die kinders gaan na die skool of 'n skool of wat ook al? Het hy gebruik gemaak van die woord 'skool'? -- Die eerste persoon wat melding gemaak het van 'n skool was Jabu gewees toe hy daar by my gekom het, toe was Moloto nie teenwoordig gewees nie. Hy het gesê dit is skoolkinders hierdie en toe het ek hom gesê hy moet met Moloto kom werk want ek werk onder Moloto. (30)

En toe het Moloto dan die woord 'skool' gebruik? --

Moloto het ook die woord 'skool' gebruik toe hy gesê het die kinders sal ons by Makwanazi aflaai en die geld sal ons ook by Makwanazi kry.

In watter opsig het hy die woord 'skool' gebruik? -- Hy het gesê dit is skoolkinders.

Is dit al? -- Hy het my ook gesê dat ons die geld van Makwanazi sal kry, dit is Moloto wat so gesê het.

MNR. ACKERMANN: Het hy slegs gesê dat die mense wat julle sou vervoer skoolkinders was of is daar ook gesê dat hierdie (10) kinders sou skoolgaan in Swaziland? -- Moloto?

Ja. -- Moloto het gesê dit is skoolkinders wat ons laai na Makwanazi toe in Swaziland en Makwanazi is die persoon wat vir ons sal betaal.

DEUR DIE HOF: Is dit al wat hy gesê het in verband met die woord 'skool'? -- Dit is die enigste woorde wat hy gebruik het wat na skool sal lei. Hy het ook vir my gesê dat hulle nie paspoorte het nie.

MNR. ACKERMANN: Weet u of Makwanazi gereis het tussen Swaziland en Suid-Afrika? -- Of hy Suid-Afrika toe gekom het, (20) weet ek nie. Ek het nie met Makwanazi gepraat nie, ek het hom net gesien saam met Moloto kom na die voertuie toe.

Die geld wat hy aan u betaal het, was dit Suid-Afrikaanse geld gewees? -- Ja, dit was nie Swaziland se geld nie, dit was Suid-Afrikaanse geld.

By elkeen van hierdie 7 geleenthede? -- Dit is korrek.

Nou die huis waar u die kinders afgelaai het, was daardie huis groot genoeg om sowat 80 mense te huisves? -- Van buite lyk die huis baie groot, alhoewel ek nooit nie ingegaan het nie, ek weet nie hoe groot die huis is van binne nie. (30)

Nou 'n laaste vraag: U het gesê dat u - ek het verstaan dat/...

dat u gesê het dat u nooit sou kwaaddoen teen Suid-Afrika nie omdat die mense hier vir u kos gee in Swaziland. -- Dit is so. As ek geweet het die mense baklei met die Suid-Afrikaanse regering dan sou ek hulle nie gelaai het nie, want dan sou ek my - die bron van my kos toegemaak het.

Bloot vanweë die feit dat u hierdie mense vervoer het na Swaziland toe. -- Ja.

Was u nie bang dat die Suid-Afrikaanse regering sou kwaad word dat hierdie mense op 'n onwettige wyse deur u verwyder is oor die grens na Swaziland toe nie? -- Ek het (10) gedink van 'n arrestasie, dat as die polisie vir my langs die pad sou kry dan is daar moeilikheid, maar dat hulle verder as Swaziland gegaan het, ek het dit nie geweet nie.

U het met ander woorde nie omgee of u kwaad doen of verkeerd doen deurdad u hierdie mense onwettig deur die grens geneem het nie. -- Ek het van niks verkeerd geweet nie. Myne was net om taxi te ry.

Wat beteken Venzele, die naam van u huurmotordiens? -- Dat ek goed op my eie doen.

Het u self daardie naam gekies? -- Ja, ek het dit (20) benaam maar die mense daar by die kantoor het geskryf.

HERONDERVRAGING DEUR MNR. SAAIMAN: Geen vrae.

MR SKWEYIYA: May I ask for Your Lordship's indulgence just two or three matters arising from what my Learned Friend has asked.

BY THE COURT: Well I do not think so. There is no right of - it is the whole object of the procedure that we follow, that you cannot cross-examine a witness in this type of matter as a result of what flowed from the cross-examination of the State, you cannot do it. (30).

MR SKWEYIYA: I appreciate that. That is why I am asking for/...

for Your Lordship's indulgence and really it is not covering anything new, just to clarify one or two things.

BY THE COURT: I would like to help you, but I think I have been very fair with the scope that has been allowed, but in my view it is most undesirable in fact and I am afraid that my ruling is against you because there is nothing exceptional that you put before me to induce me to change what is the normal procedure.

MR SKWEYIYA: M'Lord, I cannot take it any further than that. The reason why no questions were asked whatsoever is because(10) the evidence as it stood then was .. (intervenes)

BY THE COURT: I know exactly what you are saying, but it is precisely, if I may say, for that reason that one should abide by the normal procedure in this case and as I say, it is for precisely that reason that one does not - it is not desirable in my view that there should be an opportunity for further cross-examination.

MR SKWEYIYA: As the Court pleases.

BY THE COURT: I make the ruling against Mr Skweyiya. There is nothing exceptional in what you said and I do not think (20) it justifies further cross-examination.

SAAK VIR NO. 7

-----

DIE HOF VERDAAG.

-----



THE COURT RESUMES ON THE 6th FEBRUARY, 1979.

DEUR DIE HOF: Mnr. Saaiman, u het gister gesê dat u die saak van No. 7 sluit.

MNR. SAAIMAN: Dit is so, Edele.

DEUR DIE HOF: Ek het glad nie daarop ingegaan wat die implikasies daarvan is nie. Beteken dit noodwendig dat u dan die reg van verdere kruisondervraging ontnem? Ek het nie daarop ingegaan nie. Wat is die posisie?

MNR. SAAIMAN: Edele, dit is net die getuienis wat ek gaan lei vir No. 7 op hierdie stadium. Ek het net myself verkeerd (10) uitgedruk.

DEUR DIE HOF: Ja, ek sal maar net 'n notule maak daar wat die kwalifikasie is. U het nie bedoel dat u nou nie verdere, as dit nodig is, van kruisondervraging of wat ook al, daaraan deel te neem nie.

MNR. SAAIMAN: Dit is so.

DEUR DIE HOF: Goed, ek sal maar net die kwalifikasie notuleer.

JULIUS LANDINGWE: sworn states: (English)

EXAMINATION BY MR PITMAN: What was your address prior to your arrest? -- NY.6 No. 96, Guguletu, Cape Town. (20)

What is your age? -- 17th March, 1946.

Are you a married man? -- Yes, I am.

To whom are you married? -- Nanceba Nkitsi.

Do you have children? -- Yes, two. Two girls namely

Nonkululeko and Nomsani.

Now, you went to school and you started your schooling at Kensington Primary School. -- That is correct.

Is that in Cape Town? -- Kensington in Cape Town near Sir De Villiers Graaff's farm.

Despite that handicap you went on and went to another (30) school thereafter. -- Yes, the Langa Methodist School, Langa.

And/...

And after attending the Langa Methodist School, where did you go to? -- Langa High School.

Now, did you continue there until matric? -- Yes, I did, although I had to supplement with one subject.

When did you leave school at the end of matric? -- 1963.

Was 1963 your matric year? -- That is correct.

After leaving school did you take up employment? -- Yes, I did. I worked with the City Council.

Was that for a shortish period? -- I would not describe it as a short period. I started in 1964 up to 1971. (10)

Your particular employment with the City Council was what? -- At the early stage when I started I was at what we refer to as the Labour Office. Then a department was added in the Labour Office which is the Department of Recreation and Amenities for the community, the Black community. Then I was transferred in 1965 to that department. At that stage it had only a swimming-pool and controlling the sea whats-its-name beach, which is now known as Nandi Beach for the Blacks.

Speak a little bit louder. -- And I then became the supervisor of Langa swimming-pool and then later on I was transferred to what is known now as - it is referred in short, centre, it is the community centre. (20)

In what township? -- In Guguletu Township.

BY THE COURT: The community centre? -- The community centre. The actual centre where I started it was Ikwezi Community Centre, later on transferred to Iloyolo Community Centre which was more or less to be a head-office of the whole Western Cape in fact for the Black community under the City Council.

MR PITMAN: Would it be correct to describe that place now as the Guguletu Community Centre? -- That is correct. (30)

During the largest portion of your working career, you

have/...

have been working with and for the Black community.

BY THE COURT: Was this still actually while you were employed by the City Council? -- That is correct.

So you .. -- It was merely a department which was created by the City Council, while ..(inaudible) .. up until 1975 the townships were under the control of the City Council, so turning again, say in a period of a 5 year period it would be an extension in the administration and in adding so, this was one of the departments which was added under the City Council.

Well, this community centre which you - to which you (10) were transferred, did that employment at the community centre cease in 1971? -- That is correct.

MR PITMAN: And after that work ceased, you were in employment in other places, terminating, I understand, - when I say terminating, I mean the last place of employment was? -- H.S.K.

HSK Building Contractors? -- That is correct.

In Cape Town? -- That is correct.

During the time that you were working in this department of the City Council in Cape Town with the Black community, did you join any organisation? -- Yes, I did. I need to (20) explain this a bit. When I left school, having been an associate member of what is known as NUSAS.

Is that the National Union of South African... -- That is correct. And they had a commission of education which was later registered as the South African School for Higher Education, SACHED in short.

South African College for Higher Education. -- South African College for Higher Education. Which then I tried to proceed with my education and .. (intervenes)

Trying to proceed with your? -- With my education. (30)

Through SACHED? -- Through SACHED.

Was that not attending school full time? -- No.

Was it by correspondence? -- By correspondence.

BY THE COURT: Is that like UNISA? -- That is correct, it could be like UNISA.

South African College .. -- For Higher Education. In the early days of 1968 the Non-European Student Movement was then started which is now lately known as SASO, South African Students Organisation.

In the early days of 1968? -- 1968.

The organisation for Black students? -- It was then known(10) as Non-European Student Movement.

And that you say became later ... -- Later known as SASO, South African Students Organisation.

MR PITMAN: When was that? Do you recall when it became known as SASO? -- It became known as SASO in the year 1970.

Were you then automatically a member of the South African Student Organisation? -- I would not say then I was automatically a member. I would say a supporter. Until 1971 when in the GSC of 1971 .. (intervenes)

What is GSC? -- General Student Council a clause was (20) inserted in the constitution which allows non-university people to be members which were described as associate members, people who embrace Black Consciousness.

BY THE COURT: To allow non-university persons to become associated members. -- Associate members.

MR PITMAN: You said provided they embraced .. -- Black Consciousness.

Perhaps we can call it a philosophy. -- That is correct.

An attitude which is expressed by the term Black Consciousness. -- Well, although there are so many other (30) people who came up to describe what Black Consciousness is, what

I understood and what it is up until today, it is the attitude of mind, the way of living.

Were you an enthusiastic supporter of Black Consciousness?

-- Yes.

And are you still? -- I am.

Was it in 1971 that you became a member or an associate member of the South African Student Organisation? -- In 1971 then I became officially a member.

As a matter of interest, were you still studying at that time? -- I was studying with 'SACHED at th e time. (10)

That is S A C H E D? -- That is correct.

Did you at any stage hold any position in SASO? -- In SASO in the branch of the Western Cape branch I did hold a position as the chairman of the region.

BY THE COURT: Of a region? -- Of a region, yes, the Western Cape Region.

MR PITMAN: The Western Cape Region? -- The Western Cape Region.

When did you attain that position? -- 197.- at the end of 1973. (20)

And until when did you hold that position? -- Until the 28th September, 1974.

Did you become a member of any other organisation? -- Yes, I was a member of the National Youth Organisation in short which is referred as NAYO.

It is referred to as NAYO. That was in 1972? -- That is correct.

What was that organisation about? -- It was an organisation which grouped the youth in the entire country, the Black youth, when I refer to the youth, it was specifically for the (30). Black youth.

Would you explain to His Lordship what you mean by the term 'Black' when you use it in that context? -- I use the term 'Black', as I understand it, it means nothing else - it has no connotations or connection with colour pigmentation. As I said earlier on it is a way of life, an attitude of mind.

That is Black Consciousness. -- That is the term 'Black'.

And that was the sense in which it was used. -- That is correct.

When applied for example to NAYO. -- That is correct.

Did you become a member of the Black People's Convention? -- Not only a member, founder member of the Black People's Convention. (10)

Now would you tell His Lordship how that came about? -- In the early part of 1972 .. (intervenes)

BY THE COURT: Is that BPC? -- BPC in short. In the early part of 1972 the South African Students Organisation realised that one does not continue to be a student in a university in order to working in the Black community helping these people. Then the idea came up in a special general meeting which was called in order to assess the situation in the country. (20)

Then we realised that there was no political movement which was reflecting the true situation of the Black man like in the country, although there were groups like tribal groups in the homelands, we felt strong.. (intervenes)

MR PITMAN: Just a moment. Do you mean by that political groups in the tribal homelands? -- Yes.

Political groups? -- Political groups. So we felt strongly about the situation and the idea then was to try and assess the general people how do they feel. After a short survey was conducted the result showed positively that really there (30)  
was a need that a political organisation stood on its own, not

on the platform offered by the authorities as such although it will be working within the framework of the law, but standing on its own independently.

And was the idea that it was to be an organisation which included people who were not necessarily students? -- That is correct. All people, young and old to become members of it in the Black community. When I refer to the Black community again it must be very clear precisely it is all what the government refers to the so-called Coloureds, the so-called Indians, the so-called Bantu. We group together all these people under (10) the term 'Black'.

Now you got to the state where there was a general meeting of SASO, and a survey had been conducted. -- After the survey had been conducted and the result had been made known to the - there was a committee which was sort of appointed to carry out this work and I was one of the members of that committee. The chairman then was our late president, Ntuli Kashezi. Then a general meeting was sponsored by SASO in the area of Transvaal where we would start BPC. Then invitations were sent out right through the country to all people interested and there in (20) that meeting a stand was taken to form the Black People's Convention.

Where was that meeting held precisely? -- It was held in Hammanskraal, St Peter's Catholic Mission.

And when it was started, were you immediately a member? -- When it was started I became a member.

Did you hold any position? -- At the beginning I did not hold any key position because at that stage I was busy with the - I was being a national organiser of the NAYO, so in 1972 I did not hold any position. (30)

Did you later hold a position in the BPC? -- Yes, I became

a regional chairman of the Western Cape in the year 1975 up to the present day.

You say until the present? -- Yes.

Are you a person who was enthusiastic about sport? -- Yes, I am a rugby player presented the non-racial side, SARU, it is known as SARU in short.

It stands for South African .. -- South African Rugby Union.

BY THE COURT: You say you were a member of that body? -- That is correct.

Where did you play rugby? What position? -- What (10)  
position? I played No. 7.

MR PITMAN: What do you mean by No. 7? -- ..(inaudible) ..  
forward .. (inaudible)

His number has changed since those days. Did you play for the SARU side? -- Yes, I represented the national side.

And did you later take a part in the administration of rugby? -- Yes, I became a secretary in 1970 to be correct.

Secretary of? -- Secretary of the Western Province Rugby Board.

When did you get that position? -- 1970. (20)

Did any of the other accused here play rugby with you? --  
Yes.

Who is that? -- My co-accused No. 9, he played for the school side which I was at one stage a coach of it and when he left school he played for the local club there. He played for Olympics while I was playing for the Crusaders.

What position did he play? -- Hooker.

Did you get involved in any other organisation, and I am thinking particularly of say an educational organisation? -- Yes, I got involved with the - known as Masacan Educational (20)  
Promoters.

And/...



And were you instrumental in the forming of that organisation? -- Yes, I was instrumental in the formation of this organisation.

What was the purpose of that organisation? -- It was to promote education in the Black community at large. After we realised that the political situation in the country and the economical position of the Black man in the country could have been described in the terms that it was below zero because we found in the Western Cape particularly, for instance if I would take the area of Dimbaža where I worked for some (10) time, you find kids of the age of 9 and 10 having been out of school, they have not yet started and they are already out of school because their parents could not afford.

Could not afford what? -- Afford to send them to school, pay for the fees, the uniforms, even their own food in fact.

Did they have to pay fees for the children to go to school? -- Yes, we pay for our fees which is monthly in fact which would depend on the principal's attitude as to how much a student should pay but it is normally R1.

Per? -- Per child. (20)

Per? -- Per month. And this idea came up in 1974 actually, although the organisation, I could not establish the organisation before that because I was in detention in the latter part of 1974 until 1975 and when I came out I started the organisation, I carried on with the idea and it was established on the 25th November, 1975.

Who established it with you? -- My co-accused became the secretary, No. 9. And then it appointed board members of this, Sayed being the executive member.

Now you appointed board members. You say one was a (30). man called Sayed. -- Yes, Abdul Sayed.

Just/...

Just tell His Lordship what occupation did he pursue? -- Abdul Sayed is a printer by profession and he was an executive member of the board.

Apart from being a printer, did he publish any .. -- He is also in the Western Cape there is a newspaper known as the Moslem News. He is the publisher.

Who else was on that board? -- Abdul Sayed, Bethuel Lugulwana.

Was he a witness in this case? -- He was.

Yes? -- Mpazamo Yanana. (10)

Yes? -- I counted myself and accused No. 9.

Was there a man called Peter Jones? -- Yes, his name keeps on slipping my mind. Peter Jones was also a member of the board and also in fact somebody who wrote our books because he was an accountant in one of the firms locally there.

So he looked after your books. Was he in the nature of a treasurer? -- That is correct.

So far as you know is he a man in detention at present? -- I have read about it that he is in detention.

Are you acquainted with a man called Johnny Issel? -- (20) Johnny Issel later was appointed in 1976, at the beginning of 1976 into the board.

Did Masacane put out a pamphlet setting out the goals and aims .. (intervenes)

BY THE COURT: Just a moment. Masacane?

MR PITMAN: That is this organisation we are speaking of is known as Masacane Educational Promotions.

BY THE COURT: I thought you were referring to a person. -- No. It set out the broach there, we refer to that as a broach.

MR PITMAN: Brochures. And is this the brochure which (30). I think has already been handed in, I forget the number, but through/...

through the witness Victoria Makheta. -- That is correct.

It was handed in provisionally and it was stated at the time that we would prove it properly at a later stage. -- That is correct. This is the document.

BY THE COURT: What exhibit number is it? Can you tell me?

MR PITMAN: ZZZ, M'Lord. Now, do you have before you a similar pamphlet to EXHIBIT ZZZ? -- Yes, I have.

And is that the document which your organisation put out? -- Yes.

And does it correctly set out the aims and principles (10) and goals of the organisation? -- That is correct. It sets out the goals and aims and principles of the organisation and it had this motivating factor and the duties of the board.

And who printed that pamphlet for you? -- It was printed at Sayed and Sons in Athlone.

That is the printers you have referred to already, Abdul Sayed. -- That is correct.

Where was Masakhane based? -- The office was based in Guguletu in Cape Town.

Did you do anything about your expressed intention (20) in that pamphlet to give assistance to young people in the form of bursaries, etc.? -- Yes, from the very first month we had published it, we printed quite a number of letters to the various business organisations, businessmen in the private sector, be they White or Black, for donations in order to facilitate the organisation and then having been the national organiser of NAYO then I was aware of the fact that I had a colleague then whom I was working with in the National Youth in organising funds for the organisation who was doing - he was based outside the country then. Vuyisile Selando was the man who was (30) working with me in NAYO.

Is he the man who was based outside the country? -- That is correct.

Where was he based? -- He was based outside the country, not in a particular country where I would say that he had an office in this particular country but he is now based in Botswana.

And what was his significance? -- He was then our research officer in NAYO. Then with his help in this organisation of Masakhane then he started fund raising because I sent out the brochure and the letters requesting donations to him. (10)

Requesting donations? -- That is correct.

Where did you send them to him? -- He was then in Lesotho when I sent the letters and the brochures and then he started scouting for money in those countries.

You say you wrote to many people. Did you write to people in South Africa? -- I wrote to people in South Africa and abroad.

Did you write anything to a person called the Reverend H.J. Allan Hendricksen? -- Yes, I had an interview with him in fact.

You had an interview with him about? -- About the - firstly we had a problem because the Guguletu Township does not have (20) all the facilities for any organisation in fact to run an office, an open office, so offices are based in Athlone. Athlone is a sort of a - I would refer to it the so-called Coloured area.

In government terms is it a Coloured township? -- That is correct.

Near Guguletu? -- It is near Guguletu. It has sort of buildings, you know, for offices and industries.

It is a more sophisticated township than Guguletu. -- That is so. So I realised that for instance the Labour Party in (30) the Western Cape commands quite a number of buildings under their/...

their control, you know. So we wrote to them asking for donations and also an office, requesting for an office.

Office accommodation. -- Accommodation.

Do you have before you a copy of a letter? -- Yes, I do have the copy although this copy is not in full because what is left out here is the budget which we set out, but this is a copy of the letter we wrote to Rev. Allan Hendricksen.

Is it correct that that is a proper carbon copy of the letter which you sent? -- That is correct.

But you say that you attached to it? -- The budget. (10)  
Of Masakhane? -- Of Masakhane.

Do you not have a copy of the budget? -- The copy of the budget is not here.

When was that letter dated? -- It was dated 12th July, 1977.

And was it sent to the Rev. Allan Hendricksen? -- Yes.

Now who is he? What position does he hold at present? --

He is now lately the leader of the Labour Party.

Lately you say, you mean at the moment he is the leader of the Labour Party of the Coloured Representative Council? --

That is correct. (20)

Was he the president of the Methodist Church of South Africa? -- He is the president of the Methodist Church and in the so-called Coloured Representative Council he was dealing with education, the Education Department.

You hand that letter in as EXHIBIT RRRRR. I would like to show you another document. Do you recognise the document I now show you? It is a photostat copy of something, is it not?

-- Yes, it is a photostat copy of the Moslem News of the 10th June, 1977.

And you have before you I think something that is (30)

Probably more correctly called a photostat copy of the editorial

of the Moslem News. -- That is correct.

On the 10th June, 1977. -- That is correct.

And did you see that copy of the Moslem News? -- Yes, I think I still have one copy at home, although I would not be sure now where I placed it. I have a copy of this newspaper.

M'Lord, I am going to tender that although it is a photostat copy, EXHIBIT SSSSS. Now, did you in fact, as a result of your efforts, receive any financial support from anywhere?

-- Yes.

Where did you get money from? -- In Denmark we (10)  
received some funds there to an individual known as Susan. I do have the address here.

You received funds from Denmark? -- From Denmark.

Let us just be clear about one thing. Did you yourself at any time ever go out of the country to look for funds? -- No, not at all, not outside the country.

Right, you received funds from Denmark. Where else? -- I received funds again from Vuyisile which funds were sent through Victoria Makheta. She was then in Swaziland at the time he sent the money. (20)

Did you receive money from any people inside South Africa? -- Well, I did receive money from inside, although most of the individuals would not like to be identified. They would send in the form of cash.

What happened to the money that arrived? What would you do with it? Did you keep it on you or where else? -- It was banked.

Where was it banked? -- In Barclays Bank in Claremont.

Barclays Bank in Claremont, Cape? -- Cape.

Did you yourself travel - you say you did not travel (30)  
outside South Africa. Did you travel around South Africa at

all? -- Yes, almost to every corner of the country.

For the purpose of? -- I would not describe it for in one organisation hence I was a member of, you know, so many other organisations, partly for BPC, partly for National Youth Organisation and for Masakhane.

When you were national organiser of the National Youth Organisation, did you have an office anywhere? -- I had an office in Johannesburg, Braamfontein.

And where precisely was that office? -- In the building of the - well, I am subject to correction to the owners, (10) well, we refer to it as CI Building.

It is a building used by the Christian Institute. -- That is correct.

And did you ever at any stage work in that office? -- I worked in that office from 1972.

And when you were working there where did you stay? -- I stayed in Diepkloof.

Did you go home to Cape Town during that period? -- I was spending weekends at home.

And how did you travel between Johannesburg and Cape (20) Town? -- By air.

And who was paying for your flights? -- The organisation, although well, partly of - half of the flight is half of my salary.

When you say the organisation, which organisation? -- NAYO.

During the years 1970 to 1977 were you detained? -- I was detained in fact from the year 1970.

BY THE COURT: In 1970? -- In 1970 for a short period of 2 months. Detained again in 1971 spending a week or depending to the police using Section 22. Sometimes I would not (30) even finish that 14 days.

MR PITMAN: Is that Section 22 of the General Law Amendments Act? -- That is correct.

Which allows detention for 14 days. -- That is correct.

Were you detained more than once in 1971? -- I would say I was detained on six occasions in 1971 alone.

And after 1971 were you detained again? -- I was detained I would say not necessarily wasting time in saying that in 1972 I was detained 5 times again, but I was detained the longest in 1974, 28th September until the closure of the Cooper case, the SASO trial. (10)

So that was from the 28th September, 1974 you were detained, for what sort of period of time was it? A few months? -- Until the closure of the SASO/BPC trial.

Yes, but when did that trial close? In 1975? -- When I say the closure, the State case. I think in October, if I am not wrong, in October, 1975, at the end of October.

Were you detained for something just like just over a year? -- That is correct.

And after that were you detained again? -- I was detained again in 1976 at the beginning towards the 25th March. (20)

Until when? -- I was detained 14 days there. Released again and again I was detained on the 13th August if I am not wrong, at the beginning when the uprising started in the Western Cape. I am not exact with the date, it could be the 13th August.

Yes, until when roughly? -- At least officially I was kept under Section 10 then, officially I was released on the 28th December, 1976.

Is that Section 10 of the Internal Security Act? -- That is correct. Although I was transferred immediately after (30) having the letter from the Minister releasing me, transferred



to Section 22 in the Guguletu Police Station until January.

And you were detained after that again, were you? -- I was detained again just before the 21st March, 1977 for a short period, very, very short, at least compared to the other 23 days, that is until after the 21st March.

And detained again after that in 1977. -- I was detained again just during the June - on the eve of June 16th, 1977.

Is that a year after the commencement of the disturbances in Soweto? -- That is correct.

And you were detained until? -- I was detained for 14 (10) days complete.

Were you ever charged in any court for all those occasions on which you were detained? -- Not at all.

You say you were never charged in court. Was there any occasion on which there was a charge brought against you and withdrawn? -- There was. During the - when we were brought forward in the Saths Cooper case.

You were brought to court, were you? -- I was brought to court with the whole group of people which were charged.

In the case which has become known as the SASO case. (20) -- That is correct. Then we appeared in the Magistrate's Court and Reuben Hare .. (intervenens)

One of the accused in the SASO case. -- One of the accused in the SASO case, Reuben Hare, Variava and myself we were separately set aside and later on the same day charges were withdrawn, but kept in the same place where the others were kept.

So what you are really saying is that in regard to all those detentions you were not involved in any trial. -- No.

As an accused person. -- Except in that form of appearing in that form. (30).

There has been evidence given in this court relating to you/...

you.

BY THE COURT: Can I just get clear. When was the last time you were detained for this trial? I do not think you mentioned that. -- For this trial I was detained on the 23rd July, 1977.

That was just shortly after you had been released. --

That is correct.

MR PITMAN: There was evidence given against you in this trial by three witnesses that I want to deal with: Zolile Mazamanzi, Bathembu Lugulwana - sorry, four witnesses - Vicks Vanyaza and Victoria Makheta, who specifically referred to you. Now, (10) taking those witnesses in the order in which they gave evidence, the first one was Zolile Mazamanzi. Now, he gave evidence .. (intervenes)

BY THE COURT: Was he the driver?

MR PITMAN: Correct. He gave evidence that he was taken to a house, that he saw at that house certain people, including yourself and accused No. 9 and that he met someone there also called Vuyisile. Now, do you recall that evidence? -- I recall that evidence. There I wish to clarify this question of this Vuyisile very briefly. Mazamanzi is correct in saying that (20) he met myself, accused No. 9 and Vuyisile. The Vuyisile which he refers to there is Vuyizile Selando who was staying with Yanana.

This Yanana is the man you mentioned earlier who was referred to by the State witnesses as Mpazamo. -- That is correct.

And was it the house of Mpazamo that you were talking about?

-- That is correct. In fact I will say not his house but his parents' home.

Now I think I want to just deal with that point you (30) raised and get clarity on that point. It means going on just

to/...

to deal with it. You will recall that the witness Bathembu also gave evidence about meetings at Mpazamo's house. -- That is correct.

And he gave evidence that you had on one occasion shown him something in the Cape Times concerning the detention of a man called Vuyisile Dlova. -- That is correct. That is what he said.

And it was put to him on your behalf that the Cape Times which you showed to him in fact had referred to a man called Vuyisile Selando and not Vuyisile Dlova. -- That is correct. (10)

And he denied that. -- He disputed that.

Now, I show you the Cape Times for June 8th, 1977. Do you see it? -- Yes.

Are you looking at the front page of that newspaper? -- Yes, I am looking at the front page in column 3 of it.

What is the heading there? -- The heading is: "Reports of four held on Rand."

Now would you slowly and clearly read that out, that report? It is not a very long one. -- Witness reads:

"Johannesburg

(20)

<sup>107</sup>  
Mr Papa, George Mashobe, regional chairman

of the Black People's Convention (BPC)

believed to be one of the longest held

detainees since the outbreak of the riots

last year, has been redetained it is

reported. The detention of Mr Mashobe

was reported by a BBC spokesman. Mr

Mashobe was detained on June 17 last year.

Other people reported detained yesterday

in a pre-dawn raid were Mr Vuyisile Vincent

(30).

Selando, BPC administrative assistant, and

Miss/...

Miss ..(inaudible) .. Ethel Mtizo  
..(inaudible) .. Johannesburg  
journalist and Miss Adelaide Sagane  
police Black Sash interpreter. No  
Security Police official was available  
for a comment."

Yesterday. -- Yesterday.

Will you just have a look at this. This is a photostatic  
copy of that report. -- Yes, it is.

Now I am going to ask you to hand in the photostatic (10)  
copy because unfortunately the newspaper belongs to a library  
that will not let me have it, EXHIBIT TTTTT. Is that the  
report to which you drew the attention of ..(inaudible) .. --  
That is correct.

So what you were saying to His Lordship was that the  
Vuyisile at the house of Mpazamo to whom Zolile Mazamanzi was  
referring you say was that Vuyisile Selando. -- It was Vuyisile  
Selando. In qualifying that for instance it is simple that  
the previous State witnesses, for instance the woman ..

Victoria? -- No, no, Lena Mawela refers to the (20)  
Vuyisile, that Vuyisile Dlova has gone to Cape Town during the  
period of December and of which it is practically impossible  
for me to have seen Vuyisile Dlova, except what I saw is, what  
I can never deny, the postcard - the posters which were adver-  
tising the Swazi Show which was promoted by Mr Tshabalala of  
Soweto.

Let us just get that into comprehensible form. What you  
are saying to His Lordship, is it this? Are you saying that  
there is a man called Vuyisile Dlova? -- There is a man called  
Vuyisile Dlova. (30)

Are you saying that Mr Vuyisile Dlova is the man who  
did/...

did go to Cape Town? -- He was in Cape Town advertising this show over the radio, with posters, his photograph, there were two of them. One is a known guy in Cape Town but although now he stays in Cape Town he is referred to Bingo Bongeni.

Yes. -- With whom Mr Tshabalala.

We are going into sidetracks now. You say that he went to Cape Town and he advertised over the radio and with posters he advertised a show. -- He advertised this show with Bingo Bongeni. There were two photographs appeared on the posters.

What is the show he was advertising? -- The Swazi Festival. (10)

It was referred to at the time as the Swazi Summer Festival? -- That is it.

When was that Swazi Summer Festival to have been held? -- It was supposed to be held on the 25th December, 1976.

Now you say that you accepted Mr Vuyisile Dlova came to Cape Town to advertise that festival. -- That is correct.

Are you saying that he came obviously before that festival was due to be held? -- That is correct.

So when would he have been in Cape Town? -- He could have been there because it was before the cancellation on the eve of the 25th. (20)

So when would it be? -- It was almost a month that he was on the air in Cape Town.

On the air? -- On the air. I was in detention when I listened over the radio.

When you say on the air, you mean on the radio. -- On the radio.

Where were you at the time? -- In Victor Verster Prison.

Until when were you in Victor Verster Prison? -- On the - I left Victor Verster on the 28th December, 1976, transferred/... (30)

transferred to .. (intervenes)

So are you saying to His Lordship that you could not possibly have been together with Mr Vuyisile Dlova during the time that he was in Cape Town advertising the forthcoming Swazi Summer Festival? -- That is correct.

And are you therefore saying to His Lordship that the person that you were in fact together with in Cape Town was a man called not Vuyisile Dlova but Vuyisile Selando? -- That is correct, it was Vuyisile Selando.

Are you putting it on the basis that it is impossible (10) for you to have been together there with Vuyisile Dlova? -- That is correct.

Until, at the very earliest, the 28th December, 1976. Do you confirm that? -- Yes.

Let us go back then to Zolile Mazamanzi's evidence where he said that he found you and accused No. 9 and a person called Vuyisile at the house of somebody known as Mpazamo. Now you have confirmed that you were in fact there. -- I was there.

Now, Mr Zolile Mazamanzi says at page 1 661 of the evidence that he went with you and accused No. 9 to fetch a motor (20) car and that you had an envelope of money with you at the time. Is that correct? -- That is correct.

It is correct that he said it and it is correct that it in fact did happen. -- It did happen.

He then said in his evidence on the same page that you told him that he would take certain people only to Soweto but that you also added that those people would go to Swaziland with Vuyisile for military training. -- That is incorrect. What I said to him, in fact he had already known it because what in fact was my duty there, I was told to get a Combi to get (30) the two SRC's, that was the SRC of Western Cape and the SSRC

of Johannesburg a Combi to drive them to Johannesburg with Vuyisile Selando.

BY THE COURT: To drive who? -- It was going to be to drive the two SRC's, the SRC of the Western Cape and the SSRC which is the Soweto SRC.

MR PITMAN: Was the Soweto SRC then in Cape Town? -- It was in Cape Town, staying at Reverend Guma.

At the home of Reverend Guma. -- That is correct.

Is that the Rev. David Guma? -- David Guma.

What I want to know is this, did you in fact tell (10) Zolile Mazamanzi who it was he was driving or did you just tell him that he would be taking people to Soweto? -- I simply told him that he would be taking these students to Soweto. What their business was in Cape Town that I never told him, neither did I inform him whether these other groups, they were a separate group from Soweto.

BY THE COURT: You did not inform him? -- That in fact some of the students were SRC's from Soweto.

MR PITMAN: Do you know of your own knowledge did Vuyisile go with Zolile in the vehicle to Johannesburg? -- That is (20) correct, they did. They left together with Vuyisile.

BY THE COURT: Who is that now?

MR PITMAN: That is Zolile Mazamanzi. I think he was more known as Mazamanzi. That evidence is at page 1 662 and you confirm that evidence. -- That is correct.

Mazamanzi then said that on his return from Johannesburg he saw you and accused No. 9 and that he told you that it all went well. Is that correct? -- It is correct.

I would like you to tell His Lordship why it was in fact that Zolile Mazamanzi did come back to you after his (30) return from Johannesburg. -- Firstly, when he left Cape Town he/...

**Collection Number: AD2021**

**SOUTH AFRICAN INSTITUTE OF RACE RELATIONS, Security trials 1958-1982**

***PUBLISHER:***

*Publisher:*- Historical Papers, University of the Witwatersrand

*Location:*- Johannesburg

©2012

***LEGAL NOTICES:***

**Copyright Notice:** All materials on the Historical Papers website are protected by South African copyright law and may not be reproduced, distributed, transmitted, displayed, or otherwise published in any format, without the prior written permission of the copyright owner.

**Disclaimer and Terms of Use:** Provided that you maintain all copyright and other notices contained therein, you may download material (one machine readable copy and one print copy per page) for your personal and/or educational non-commercial use only.

People using these records relating to the archives of Historical Papers, The Library, University of the Witwatersrand, Johannesburg, are reminded that such records sometimes contain material which is uncorroborated, inaccurate, distorted or untrue. While these digital records are true facsimiles of the collection records and the information contained herein is obtained from sources believed to be accurate and reliable, Historical Papers, University of the Witwatersrand has not independently verified their content. Consequently, the University is not responsible for any errors or omissions and excludes any and all liability for any errors in or omissions from the information on the website or any related information on third party websites accessible from this website.

This document is part of a private collection deposited with Historical Papers at The University of the Witwatersrand.