

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

CASE NO. 18/75/254.

10th DECEMBER, 1975.

In the matter of:

THE STATE

vs.

S. COOPER AND EIGHT OTHERS

VOLUME 53

Pages 2806 - 2852

LUBBE RECORDINGS (PRETORIA)

/AHC.

DIE HOF HERVAT OM '2 NAMIDDAG OP 11 DESEMBER 1975.

STOFFEL GERHARDUS VAN DER MERWE: nog onder eed:

MR PITMAN: M'Lord, may I just hand in what my Learned Friend promised to hand in. It is the earlier part of Exhibit C.. it is just something that my Learned Friend promised to hand in.

BY THE COURT: Exhibit?

MR PITMAN: SASO R.1.

MR REES: It cannot be Exhibit SASO R.1. They also have not given me a copy of that document. (10)

MR SOGGOT: SASO R.2.

FURTHER CROSS-EXAMINATION BY MR PITMAN: I do not want to open up the whole field of African nationalism. I just want to say finally or put to you finally in regard to something that you answered when you talked about that you were aware of the fact that there was a whole international sort of pressure earlier to as it were liberate African or to take away the foreign oppressor as it were. I just want to put to you that in fact Prof. Hodgkins holds thrust with his argument in this article, because in (20) the very first paragraph in which he makes the point that the whole article is written to show that the common features in all the South African liberation movements is not part of a "communist" theory and that it is not borrowed and that it has a genuine basis and that it is just a fact that there are these common themes and he in fact also he quotes for example from a resolution taken in Accra and Ghana which is purely a non-revolutionary liberation movement. Will you agree with that? Do you agree that Ghana is not a .. (intervenes) (30)

MR REES: M'Lord, how can the witness agree with something that/...

that he does not know anything about? How can he say that Ghana was a non-violent or a violent .. (intervenes)

MR PITMAN : My Learned Friend presumes his expert witness knows nothing about it. My Learned Friend may not, but perhaps the witness does.

MR REES: I presume that if my Learned Friend wants to put something he is not entitled to read into the record something which he cannot prove.

BY THE COURT: What do you want to ask the witness?

MR PITMAN: I merely want to ask the witness whether (10) he is aware of the fact that Ghana - in Ghana there was represented a liberatory movement which was non-revolutionary. -- Ek sal liefs nie nou wil kommentaar lewer nie. Ek het lanklaas my feite oor Ghana in oë gehad.

But I take it you are aware of the fact that there was no armed revolution in Ghana? -- Dit hang af op watter stadium. Daar was Staatsgrepe en so meer.

But wasn't Ghana in fact the classic example of a non-revolutionary transition of power? -- Ek sal liefs nie oor Ghana enige kommentaar wil lewer nie. (20)

BY THE COURT: Wasn't there a .. (intervenes - both speaking simultaneously)

MR PITMAN: M'Lord, yes, as I understand it there - that was after power was - after the transition of power. I think it is quite clear that in a lot of the states, in Nigeria for example, there was violence after the transition of power, for example the Biafran war, but Ghana and Nigeria as I understand the situation, were classic transitions of power without any armed revolution.

BY THE COURT: The witness evidently is not aware of it.(30)

MR PITMAN: Will I be correct in understanding the situation/...

situation that in political science there - political science today as it were is divided up into a number of fields of study, comparative government, international study and another one is a study of political theory, the field of political sociology and public administration and so on. -- Dit is korrek dat daar verskillende onderafdelings in Staatsleer is net soos in enige ander van die vakke, van die sosiaal-wetenskaplike vakke.

I take it it would be almost impossible to be an expert in all these things. -- Om ten volle op hoogte (10) - om ten volle 'n spesialis te wees op meerdere velde is fisies onmoontlik.

Which is your particular field of expertness? -- Uit die aard van die feit dat dit 'n klein universiteit is, is ek verplig om op 'n redelike breë veld in te gaan. Ek het onder andere - en wat ek dan meer spesifiek gespesialiseer het was teorie van buitelandse beleid op een stadium en sedertdien het ek meer - werk ek meer op die algemene politieke dinamika en meer spesifiek op die motiveringsfaktore van etnisiteit is een veld van studie wat ek (20) op spesialiseer op die oomblik.

Would you say that you are not an expert on revolutionary groups? -- Ek het nie 'n intensiewe studie gemaak van rewolusies en so in die algemeen nie. Wat ek meer op gekonsentreer het in die verband is op teorieë aangaande rewolusie, maar in die proses kom 'n mens natuurlik, sal ek sê, kry mens natuurlik 'n bietjie materiaal in oor die spesifieke rewolusies ook.

Sorry, I must ask you to speak up a little. Do I understand that you have done some study on the (30) theory of revolution, but revolutionary groups is not a particular/...

particular field of study which you have done intensive work on, intensive research. -- Nie die besondere samestelling en die besondere aktiwiteite van rewolusionêre groepe as 'n verskynsel nie, nee. Met ander woorde, op die detail van die verloop van rewolusies sou ek nie sê is ek 'n spesialis nie.

Or the preparation of revolutionary groups. -- Met ander woorde die besondere taktieke wat hulle gevolg het en so meer?

Yes. -- Ek sal nie sê ek is 'n spesialis op daardie gebied nie; ek het daarvoor gelees. (10)

You have not written on it for example? -- Nee, ek het nie daarvoor geskryf nie.

I am just interested in one point that you made. You said, page 2416 of the record, that when one reads about theories of revolution, one finds -

"'n groot mate van ooreenstemming ten opsigte van 'n groot aantal faktore betrokke by rewolusie."

You remember saying that? -- Ja. (20)

Would you say is that correct that you found a great measure of agreement? -- Ten opsigte van die breë, sal ek sê, die breë konsepte van die algemene trant is daar 'n baie groot ooreenstemming.

But in regard to the objective causes - I am talking about the objective causes of revolution surely it would be more correct to say that there is violent disagreement. -- Ek weet nie of 'n mens dit moet beskryf as violent disagreement nie, want soms verskil mense van mekaar oor wat nou die belangrikste oorsake is, watter spesifieke benadering 'n mens die meeste insig in die oorsaak van rewolusie/...

rewolusie sal gee en so meer. En dan sover as wat dit die "violent" verskille betref, is dit partykeer so dat mense mekaar taamlik inklím.

What I really meant by using the word violent was that the views expressed are completely opposite in almost all cases; if you take a study of revolution you will find that the views of the various different political scientists conflict greatly. -- Nee, ek stem nie daarmee saam nie, in die sin dat as 'n mens gaan kyk wat die kern en wese van elkeen se benadering is, dan vind 'n mens dat die (10) een gaan van een standpunt uit wat totaal verskil van die ander een se standpunt, maar die essensie waarmee hulle besig is en die - die is baie ooreenstemmend.

I take it that you are aware of the inaugural lecture that the professor of political science gave at Cape Town University this year entitled "The Theory of Revolution", Prof. ..(?) -- Nee, ek het dit ongelukkig nie gesien nie.

I have it here.. He delivered a lecture I will give to you, but some time I would like this back because his name is written by himself on it. He delivered this (20) lecture "The General Theory of Revolution" and the whole thrust of his argument was that there is no theory of revolution because there are these great differences of view held by so many people. I just want to read you page 7. What he does is, he first of all examines four very wellk-known revolutions, the English revolution, the American Revolution, the French revolution and the Russian revolution of 1917 and he shows how each of them theories conflict, that there are opposite theories held by political scientists on these and then he says this: (30)

"My examination of studies of particular
revolutions/...

revolutions revealed a wide divergence of explanations. So also does an examination of the more general literature.

Revolutions have been said to result from a regime's failure to prosecute adequately the task of political socialisation from the inference of counter-ideologies or of subversive social philosophies, from poverty, economic decline, economic progress, economic progress followed by

(10)

economic decline; from too little recruitment in the political elite, from too much recruitment in the political elite; from the mass relations of mass societies, from the class relations of class societies; from too much social mobility, from too little social mobility; from the oppressive government, from insufficiently oppressive government; from inefficient to ineffective government; from relative deprivation

(20)

understood as an adverse gap..."

and he goes on and on and on and the point he is making is that you say (a) is the cause of revolution and somebody else will say no the opposite, (b) is in fact the cause of revolution and he ends up by pointing out that it is quite hopeless to try and find a general objective theory of revolution. Now, you would disagree with that view.

-- Ek het verwys na die boekie van Green wat ook sê indien ons op daardie hoë vlak van teorie gaan soek, wat akkuraat kan voorspel en alle omstandighede in ag neem (30) en so meer, dat daar dan eintlik nie 'n teorie van

rewolusie/...

rewolusie bestaan nie in daardie volmaakte teorie die bestaan nie. Ek het daardie stukkie vir u voorgelees. Insoverre as wat hierdie dieselfde bedoeling het om dit te sê as daardie, met daardie een stem ek saam. Maar dit klink vir my as 'n mens luister na die deel wat u gelees het daaruit, asof daar 'n bietjie meer oor die saak te sê val, met ander woorde, ek wil nie noodwendig met wat alles hierin staan, saamgaan nie.

Do you get the point that he is saying there, even from what I read to you, that the theories are (10) actually opposite, they are not merely slightly divergent. -- Maar dit is juis die punt waaroor ek graag 'n bietjie nader sou wou kyk na op watter gronde hy dit presies sê. En ek meen ek kan dit nie doen net van sy gevolgtrekkings nie.

Anyway, those conclusions you would disagree with. -- Vir sover as wat ek nou kon hoor en assimileer op hierdie stadium - ek wil net myself nie daarmee vereenselwig op hierdie stadium nie.

Do you recall - first of all earlier today I (20) put to you that - I asked you if you agreed and I think you agreed in part that your view as expressed earlier was that the real essential difference between the speeches of people in the CRC and the Transkei Legislative Assembly and all the other groups should have made similar statements to the documents in this case, the difference was, you said, mainly that in the documents before you, that is the documents SASO and BPC, that there was psychological preparation for violence. -- Dit is een van die belangrike verskille, ja. Dit is nie die enigste verskil nie. (30)

No, but you said it was an important difference. Now, when/...

when you dealt with psychological preparation for violence, in your evidence-in-chief that started at page 2076. Now what you did there was immediately then to refer to documents to illustrate this psychological preparation for violence and the first document that you used here was SASO L.1 and the point that you made at page 2077 in regard to this document was this. You read out portions of the document and then your conclusion was this:

"Die implikasie daarvan is weer 'n keer
'n reaksie van die stelsel teenoor die (10)
mense gewelddadig is en indien hierdie
soort suggestie dikwels genoeg voorgehou
sal word dan sal die normale reaksie wees
om met geweld te antwoord. Ek wil hierdie
aspek van hierdie dokument onder die aandag
bring met verwysing na punt 6 van my
raamwerk onder sielkundige voorbereiding
vir gewelddadige optrede."

-- Korrek.

Now that was the very first document you made (20)
that point. You then went on to deal with the next
document BPC E.7 and you made exactly the same point there.
You then went on to the poetry. The point I am making is
that you started with SASO L.1, you went on to BPC E.7,
you went on to poetry. There were one or two documents
after that. You again made a similar point. It is
obviously a point of substance insofar as you are concerned.
Now, what I want to suggest to you is this and again I do
not want to take a long time about it. This is the
Buthelezi speech and I have no intention of going (30)
laboriously through this document. This is the Buthelezi
speech/...

speech that was given to you earlier in regard to the Amsterdam - the University at Amsterdam. Now, it may be that I will be lucky that you agree with me on certain points that I do not think really form a subject of dispute, that we won't have to go through it. But by just glancing through it I think I can probably find certain examples of where he very strongly speaks about system violence and he actually goes into examples and makes a very emphatic and very strong point of this, that the system is violent and he sets out the reasons and (10) uses some very strong language in regard to that. Did you notice that when you looked through it? -- Ja, ek het sulke dinge teegekom.

BY THE COURT: Did you hand a copy of that speech up?

MR PITMAN: Yes, they were - we had the copies made and they were handed - it was the one, Your Lordship will recall, at an earlier stage I said I had several newspaper cuttings and the one long speech and that was the one. It hadn't officially yet been handed in as an exhibit. I think that ought to be handed in. (20)

BY THE COURT: It was given a number, wasn't it? It is Exhibit X in the documents handed in.

MR PITMAN: M'Lord, I suggest that it be given some number. If for some extraordinary reason we are unable to prove it then it will fall away, but at least it is identified. There has been an Exhibit X, I think it should be called Exhibit Y.

BY THE COURT: That is the general numbering.

MR PITMAN: General, M'Lord.

BY THE COURT: I do not think I have the newspaper (30) cuttings. It is Exhibit X that I have and then Exhibit Y is/...

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is the poems handed up. This will probably be AA.

MR PITMAN: Now, just as an example at page 12 it says:

"South Africa is now in a grip of violence,
particularly the grip of State violence,
and institutional violence, people are
herded ..."

he goes on about the jackboot and Nazi kind of images, I
take it the jackboot refers to Nazism and so on and right
down the page:

"South African government has declared war (10)
on us, the Black people. This war must be
fought. The South African government
declared the war and knew that they would
have to fight that war.."

talking about the war in the A.N.C. and the P.A.C. and so
on and so on. As I say there are about 30 examples in
that speech like that. Now, it is very strong language.
Surely that must fall into the same sort of category as
SASO L.1 on your reasoning. -- Potensieel, ja.

I suppose your answer would be that I think as (20)
you intimated earlier that at times he says we are for a
non-violence struggle. -- Ek dink hy maak 'n baie sterk punt
daarvan in hierdie toespraak.

He of course was in fact being attacked when he was in
Holland. I do not know whether you remember that. The
Press indicated that he was attacked because he stood for
non-violence.

MR REES: How would the witness know whether ..(intervenes)

MR PITMAN: If he does not know, then it does not

(intervenes - speaking simultaneously) If he does (30)

not know, I do not know, perhaps he does know. -- Ek het

nie/...

nie dit spesifiek gevolg nie, ek meen of dit op daardie stadium, ek weet nie wanneer was dit, 25 September.

Just to keep my Learned Friend happy. As a political scientist I suppose it is one of your interests to take an interest in current events in South Africa. -- Ek doen dit, ja.

And the current events in the rest of the world insofar as they relate to South Africa. -- Dit is korrek, ja.

And what South Africans say overseas, particularly South African .. -- Korrek. (10)

At any rate, you say potentially that has the psychological preparation for violence. -- Dit is korrek.

But merely because he says that he stands for non-violence, would that be right, you do not regard it as significant? -- Dit is nie 'n kwessie van dat hy slegs sê dat hy staan vir nie-gewelddadigheid nie. Hy gaan in redelike detail in wat - ek meen hy verduidelik in redelike detail, in redelike sterk taal, hoekom hy nie - of redelike duidelike taal hoekom hy nie vir geweld staan nie.

You do not think perhaps as you think in the case (20) of SASO and BPC that he is double-tongued? -- Dit het ek nie beweer - of wag 'n bietjie, laat ek sien, ek dink nie dit val in dieselfde kategorie as die slag - as dit nou is waarna u verwys wat ek aan dink, dan dink ek nie val dit in dieselfde kategorie nie, want hier is in een en dieselfde toespraak die elemente, sal ek sê, van sielkundige bevordering van geweld, maar dan 'n spesifieke verwerping van gewelddadige optrede, maar baie uitdruklik en baie goed genuanseer.

But his expressions of State violence are even (30) stronger wouldn't you say, than the documents of SASO

and/...

and BPC? -- Sommige dokumente, ja.

And you exclude the possibility that he is being double-tongued? -- My kontensie hier is dat daar by een en dieselfde geleentheid hierdie elemente wat geweld sou kon bevorder voorkom en dit word dan daar en dan die nek ingeslaan, dan dink ek dan het dit 'n neutraliserende effek. Ek meen, dit neem nog nie weg nie die punt dat hier baie sterk taal gebruik word en ek wil selfs sover gaan as om te sê dat as 'n persoon byvoorbeeld net een deel van die toespraak sou lees of sou hoor, (10) dat dit dan presies daardie effek sou hê en as hy byvoorbeeld net op een ding ingestel is, kan hy ook net dit hoor.

You recall that he actually goes quite a long way at times, for example at page 16 he makes the point that even the people who are violently engaged against South Africa, meaning the guerilla forces, he says "is my brother." He says -

"although I at no time has opposed - at no time have I opposed forceful liberation at no time will I do so in the future. (20) Anybody who is committed to the cause of liberation in South Africa is my brother whom I can only help in my way."

He makes the point throughout the speech that although he - the point he makes is that I am in South Africa with people who cannot go to violence because they will be slaughtered. -- Ja.

"But people who are outside fighting are my brother and I will help them in my way."

That is very strong, isn't it? -- Dit is sterk en in (30) daardie opsig kan dit sekere gevolge hê, ja.

Along/...

Along the lines of the views expressed by SASO and BPC. -- 'n Mens sou net volledigheidshalwe moet wys op die mate van inkonsekwensie wat daar bestaan. Ek meen as 'n mens nou dit logies sou ontleed, maar 'n mens moet toegee dat alle mense nie altyd heeltemal logies is in die loop van so 'n lang toespraak nie.

Let me just make it clear, I am not suggesting that he stands for those things, but he stands for violence. I am testing your theory as to whether perhaps your theory is not strong enough to be perhaps wrong. Now, (10) isn't the position also that for example one of the very first documents you referred to when you set out your revolutionary idea, you know the BPC documents, I think it was the second document you referred to, BPC.A.1 where you set out the revolutionary idea, doesn't that document in the very same document, also sets out things that are opposed to your view? In other words... -- Watter dokument is dit?

BPC A.1. -- Ja.

Just as Buthelezi's speech, BPC A.1 at page 3 (20) for example - I am sorry, that is the document, but there is a better one. I do not want to go through too many documents. SASO A.1 is better. This point you have already been referred to once in cross-examination for a different reason, but in SASO A.1 you find your revolutionary idea at page 259 or page 12 whichever you want, it is the same page. -- Ja.

That is where you found your revolutionary idea. Now just to give you an example on that. The very page before that sets out conclusions that appear to be (30) in conflict with your views, namely, at the bottom of the page/...

page:

"South Africa is a country in which both Black and White live and shall continue to live together."

-- Ja.

Now that, like Buthelezi's speech, is in conflict surely with the idea of a revolution and the Blacks taking over and not letting the Whites living together with them peacefully. -- Oënskynlik mag dit so lyk, maar die groot verskil tussen hierdie en die toespraak van Buthelezi (10) is dat, waar hy aan die een kant, laat ek dit so stel, gevoelens van geweld kan opsweep, gaan hy aan die ander kant en hy doenpeite om te sê moet my nie verkeerd verstaan as't ware nie. Dit gaan - ek meen, ek haal hom nou nie aan as ek so sê nie, maar dit is waarop dit neerkom. Is hierdie bloot iets wat, as 'n mens dit sal ek dit stel, ek meen dit is nie direk, sal ek sê, dit is nie so daardie direkte teenstelling nie, met ander woorde .. (tussenbei)

Isn't the answer simply that Chief Buthelezi (20) is more skilled at writing speeches? -- Hy is sekerlik, hoe sal ek sê, hy is sekerlik in daardie opsig 'n baie goeie politikus.

Just the very next paragraph, while I am on this point, that I want to canvass with you. You know that point that has been made here:

"The White man must be made aware that he is either part of the solution or part of the problem."

That is one of the things you took into consideration. -- Ja. (30)

Against/...

Against the accused. You know the derivation of that phrase, I take it. Sometimes it is a famous moral ..(?) .. phrase, Frank Buchmanite(?). You know about moral rearmament? -- Ja, ek weet so 'n bietjie daarvan.

A very innocuous background that phrase. You know what it was intended to mean, wasn't it, in moral rearmament, was that you must not be passive, you must do something about it because you are either part of the problem or you are part of the solution. -- Ja, ek meen, ek ken nie daardie frase in daardie verband ken ek (10) hom nie. Ek meen ek is nie so van daardie ding op hoogte nie. Maar ek meen ek wil daar byvoeg dat 'n mens sekerlik soms 'n ding wat 'n redelik onskuldige oorsprong het, ook vir 'n ander doel kan gebruik.

But doesn't it seem to mean that if you are passive and don't do something, then you are part of the problem. They would in fact have been happier if Whites had done something about it, but now Whites are not doing it, because they are just part of the problem now. -- Dit is korrek, dit is korrek en derhalwe moet hulle in die (20) oplossing van die probleem ook in ag geneem word as synde deel van die probleem. Dit klink vir my basies dieselfde.

And it is simply because they are not part of the solution because they haven't solved it, the Whites have not solved the problem. -- Nee, wel, hulle is deel van die probleem wat opgelos moet word.

I want to suggest to you that it is clear that what they are saying is if the Whites had been part of the solution, they would not have been part of the problem. -- Ja, as mens hom so omkeer, ja, sekerlik, maar as mens (30) hom stel soos wat hy hier staan, dan sluit dit ook in hulle

is/...

is deel van die probleem. Die rede hoekom hulle deel van die probleem is, ek gee toe, is omdat hulle nie self die probleem opgelos het nie, maar dit neem nog nie weg nie dat hulle deel van die probleem gesien word.

Now, I believe in your evidence you said that you looked at the various annexures to the charge-sheet. I am just referring to one, Annexure G, that is the resolution about Doornkop. Do you remember that one? -- I will have to look at it.

On page 72. -- Ja. (10)

There is strong language expressed there against the brutality of the White South African system and so on. --Ja.

Now, you know who Prof. Nick Olivier is, do you? --Ja.

A professor at Stellenbosch, wasn't he? -- Hy was gewees, ja.

And he is a member of parliament. -- Ja.

I have a newspaper cutting here, one of the ones you received, from the newspaper called The Rand Daily Mail on the 24th July, this year, in which he describes the resettlement not in the House of Assembly. He slammed(?) the government's policy and quotes him as - on the assumption that he did say this for a moment - he says that the resettlement was - (20)

EXH BB

"callous, inhuman, morally indefensible and irreparably damaging to race relations."

-- Na watter bladsy verwys u?

It has a 9 on it. The first paragraph. -- Ja.

That is also pretty strong language. -- Dit is heeltemal reg. (30)

And it undermines support, doesn't it? -- Dit het die/...

die potensiaal om dit te doen, ja.

But why only the potential? -- Dat as 'n mens vat die konteks waarin dit gestel word, ek meen, sal ek sê die omstandighede waaronder dit gesê word, die persoon van wie af dit kom ensovoorts.

But you see, that is what worries me. You say in your evidence that if you make a criticism, but you make it constructively, then it is distinguished from the sort of things the accused say and another time you say if it is made in the forum, say of the Transkeian (10) Legislative Assembly, then it supports the system and must be distinguished. Now you say if the person who says it is a certain sort of person, then it must be distinguished. -- Ja, wel .. ekskuus, gaan voort.

That is what you say. Is that correct? -- Dit is nie die grond van die ding nie. Die grond van die saak is dat jy hier, sal ek sê, te doene het met kritiek vanaf iemand wat bekend is omdat hy deel is van die wetgewende liggaan, sal ek maar sê, dat hy 'n persoon is wat aan een kant glo in konstitusionele wyses... (tussenbei) (20)

Are you assuming that SASO and BPC do not believe in constitutional change? -- Gee my kans om klaar te praat. Die punt wat ek daaruit wil maak is dat 'n mens hieruit kan aflei uit die feit van die persoon, ensovoorts, dat hy hier besig is met kritiek wat hy verwag dat die stelsel aandag aan sal gee. Met ander woorde, in 'n sekere mate gaan dit hier om kritiek, let wel, teen een enkele punt van die regering - teen 'n spesifieke regeringsuitset. Dit is die een spesifieke beleidspunt kan ek maar sê, wat hy beswaar maak. En sal ek sê, uit die aard van die (30) omstandighede kan 'n mens aflei dat hy verwag van die stelsel/...

stelsel dat hy 'n realistiese verwagting van die stelsel koester om hierdie tipe ding reg te stel. Met ander woorde, die kritiek wat hy hier uitspreek, is die een besondere punt en daarenteen spesifiek die owerheidsbekleders en dat hy steun vir die - met hierdie ding steun vir die owerheid, vir die owerheidsbekleders, maar nie noodwendig vir die stelsel as sodanig nie.

You consider that the person that he is, you say, it is one of the first points that you made, he is a representative - I mean, the Black people cannot be (10) represented in the House of Assembly, so that is truism for a start from being in the same situation. But that is not a distinction surely that you can use. -- Nee, behalwe die feit dat SASO en BPC se verklaarde uitgangspunt is om nie van die government created institution gebruik te maak nie en eweveel as wat ek om hierdie te interpreteer mnr. Olivier se posisie as synde 'n parlementariër in ag neem, eweveel neem ek die ander stelling in ag op die ander plek.

I do not want to take a very long time with you and I am not going to go into all those points, but I want (20) to just put the general attitude to you. I suggest to you that it is totally unrealistic to take into account the fact that he is a representative in the House of Assembly because if a HNP person said that and they are not represented, I cannot see how you can have any distinction between them and Prof. Olivier insofar as the significance of what each of those two different people says, relates to some kind of revolutionary intent. -- Nee, die enigste rede waarom ek dit noem dat hy is 'n lid van die parlement, is omdat dit klaarblyklike bewys is dat hy van die (30) stelsel se strukture gebruik maak. Ten opsigte byvoorbeeld

'n/...

'n persoon wat nie in die parlement is nie, moet 'n mens 'n bietjie verder kyk, maar ek meen ek noem dit net as 'n doodgooi argument, die feit dat hy in die parlement is. Ek meen as u volg wat ek bedoel.

Yes, I understand, but what you have done here is to look at all the surrounding circumstances, you named about six, I have got five of them down, you have looked at five or six surrounding circumstances, but you never did that with the SASO, BPC documents. Your whole view was, that you expressed a number of times in your evidence, was (10) I am not concerned with the context, I am not concerned with the external circumstances, I just take my view from the document. -- Ek het gewoonlik gesê dat ek 'n dokument interpreteer in die eerste plek op sy eie, die inligting wat hy vir my gee, in die tweede plek binne die konteks van die hele groep dokumente en dan verder maar sover nodig feitlik van eksterne omstandighede kennis neem, maar hier staan in hierdie dokument:

"Prof. Nick Olivier, United Party M.P."

En daarom .. (intervenies) (20)

In fact you said you were not even concerned with whether they were SASO or BPC documents. You said: I am not concerned with SASO or BPC, I am not talking about organisations, I am only talking about documents. That is what your attitude was. -- In daardie groep. Miskien moet 'n mens byvoeg een punt of miskien kan ek dit later maak.

Make any point you want to because if I sit down you might not be able to make it later perhaps. What is the point you want to make? -- Dit is net as 'n mens hierdie twee dinge dan vergelyk wat dan blykbaar oor dieselfde(30) gebeurtenis gaan, hierdie persknipsel aan die een kant en die/...

die resoluksie aan die ander kant. Hier gaan, sal ek sê, in die persknipsel gaan dit oor die enkele gebeurtenis, terwyl in die .. (intervenies)

Excuse me, on that point, are you talking about African resettlement, not one incident. -- Een spesifieke punt.

Is there any difference to that in the resolution? -- Ek is net besig om te kyk daarna; ek vermoed so. Hy gaan hierso "in further noting" gaan hy aan en hy sê:

"The typical response of a man who is bent on selling out ..."

so en so, dit is No. 2 -

"that these people collaborating in the perpetual persecution of Black people.."

en dan kom hy -

"and therefore resolves"

en punt No. 1:

"condemn in no uncertain terms the savage atrocities of the ... (?) organisation, for the South African government perpetrates." (20)

Dan is dit dat hy dan weer wyer hierop uitgaan. Dit is nie die beste voorbeeld daarvan nie.

The very document, this one here:

"Professor Willem Kleynhans calls it a security risk for South Africa"

the same thing. You know Prof. Willem Kleynhans? -- Ja.

Weer 'n keer daar in die geval van prof. Willem Kleynhans sal dit seer sekerlik neerkom op, sal ek sê, 'n aftakeling van steun vir die owerheid spesifiek.

I want to hand that document in just for identification purposes at this stage, M'Lord. (30)

BY/...

BY THE COURT: Exhibit BB.

MR PITMAN: Just a final point I want to canvass with you. Do I understand you absolutely clearly that your diagnostic framework is that a theory? -- Wel .. (intervenes)

I just only want to get a name to it. -- Well, you can call it a theory.

Well, your theory you did not have before you saw the documents. As I understand you, perhaps you can correct me, we make no point of dispute about this. You saw the first documents and you came to a sort of general (10) idea and then you got some more documents and then you came to a theory. Is that correct? -- Dit is nie heeltemal korrek nie, in die sin dat die elemente van hierdie laat ons dit dan nou maar 'n teorie noem net vir arguments-onthalwe, wel, sal ek sê, aan my bekend was vantevore, sal ek sê, ek meen ek het byvoorbeeld Easton en verskillende van die ander werke reeds gelees gehad voor ek enige van die dokumente gesien het.

No, what I think you are saying is that you were aware of all these different elements in your mind before (20) you saw the documents. -- Ja.

But the formulation of your theory, if I may just call it the Van der Merwe theory of revolution, I am not trying to .. -- I'll accept that for the moment.

That theory (I hope it does not apply to me) that theory was formed after seeing the documents. -- Dit is verfyn en in vorm gegiet daarna, ja, nadat ek sommige van die dokumente gesien het.

Given form after you saw the documents. -- Sommige van die dokumente gesien het, ja. (30)

You did not have such a coherent, you did not have

a/...

a coherent theory like that, a coherent integrated theory before you saw the documents. -- Nie uitdruklik verfynd nie. Ek het myself al dikwels afgevra omdat 'n mens met hierdie tipe ding te doen het, het ek al dikwels myself afgevra hoe hierdie dinge eintlik werk, met ander woorde, maar ek meen ek het dit eers, sal ek sê, verfynd en in vorm gegiet na die tyd, ja.

CROSS-EXAMINATION BY MR ALLAWAY: M'lord, I am afraid having told M'Lord informally I did not intend to cross-examine the witness, my Learned Friend has not dealt (10) with counts 5 and 10 with regards to the documents which he does give evidence about. May I have a small bite of the political science cake. Mr Van der Merwe, would you please look to the chapters, you will find them at pages 33 and 34 of the annexure to the indictment. You gave evidence about those. I would just like to refresh your memory about them. If you would like to read them again, please do, but I think you will find that the gist of what you said about these pamphlets when dealing with them in your evidence-in-chief which is at pages 2104 with (20) regard to the Chatworth pamphlets to 2106. You will find that the gist of what you said is that this was an attack on the system, it was an undermining of support on the system. I am summarising, your evidence will speak for itself. -- Ja.

I am merely trying to refresh your memory and you also said this was an attack on people who worked within the system, people like the Bantustan leaders and people of that sort. -- Ja.

Will you kindly turn to page 72, that is (30) Annexure 6, which deals with count 10, that is the Doornkop/...

Doomkop resolution. I think you will find your evidence here is on page 2109 to 2110, that is your evidence-in-chief and here too you were saying in effect, amongst other things, that this was in fact an undermining of support of the system and it also showed an example of undermining of people who supported the system, for example like Dr. Fhotudi(?). -- Ja.

Now, what I want to do is, I want to ask you about your conclusions on these documents, but if you will forgive me I just want to get some basic facts (10) established because I am not altogether clear about the situation. You have told His Lordship that from the SASO policy statement which **one** finds in the SASO exhibit, I think it is SASO A.1, you say that in that policy statement they made it perfectly clear that they intended to work outside the system created platform. -- Ja.

If you would like to look at it, please do, but I think you will find that is correct. -- Ons kan dit so aanvaar vir die oomblik vir die argument.

You remember that the exhibit is SASO A.1, there (20) is a resolution which sets out what SASO's policy is. --Ja.

And you drew attention to the fact, with a matter of emphasis for you, that they wished to work outside the system. -- Ja.

And .. (inaudible) And as far as BPC was concerned, you drew attention to resolutions passed at a congress and also, I believe to the constitution, clause 3 of the objects, says they intend to work outside/^{of}the system. -- Ja.

Now, as a political scientist in South Africa, do you see any objection to people who want to work for (30) political benefit outside of the system? Is that

objectionable/...

objectionable or not? -- Dit hang af wat hulle wil bereik.

Well, look, say their attitude is this, we do not want to work within the government established platforms because we think that people who do that will have a measure of they cannot be objective as Black people, **they** are being paid by the government, they get salaries for doing so, and therefore they cannot be entirely objective in that capacity. Now would you think that there is any criticism to be levelled as a political scientist of Black people who took a sceptical view of people (10) who wants to work within the system created platform? -- Dit is 'n oordeelsvraag daardie wat ek nou met ander woorde 'n normatiewe oordeel moet uitspreek of dit goed is en ek meen of dit regverdigbaar is of nie regverdigbaar is nie. Daarop is ek nie bereid om te antwoord nie.

But do you think as a political scientist, I would like you to assist His Lordship here, that this is any indication looked at per se by itself of an intention for massive armed revolution. -- In soverre as, sal ek sê, om politieke goedere te verkry buite die sisteem om (20) is feitlik per definisie in stryd met die norme, ensovoorts en die hele bestaansidee van die stelsel.

Does it mean that that if you do not want to be normal, you therefore intend to be violently revolutionary? Does that follow? -- Nee, dit wil ek nie - ek meen ek het nie miskien op die vraag ten volle geantwoord nie. Hierdie kan ek maar net noem onkonstitusionele optrede is maar een element en iets wat saam met ander dinge soos die voorbereiding vir geweld, die hele tyd die verwysings na geweld op gewelddadige rewolusie kan afstuur, maar (30) nie net sommer so op sy eie is dit - kan mens dit nie sê nie.

Then/...

Then let us take the next step and would it be fair to say that in South Africa Black people are politically inferior to White people? -- Ek wil dit so stel ...
(intervenies)

They have an inferior ... (?) .. to Whites. -- Ja, hulle het nie dieselfde graad van politieke magte as die Blankes nie.

And as a political scientist in South Africa would you think it normal for Black people to want to acquire a better political status? -- Dit maak weer sekere (10)
aannames van wat normaal is en wat nie normaal is nie. Maar ek meen in den brede kan 'n mens dit toegee.

And one can either decide to achieve a better political status in various ways. One of them is to try and achieve that status by operating through the government created system. That is one way, isn't it? -- Dit is een manier, ja.

Another way is to go over to plan for armed and violent revolution. -- Dit is nog 'n ander manier.

And another way I suggest, is to form Black solid body of opinion with which to argue and bargain. -- (20)
Maar dan moet die uiteindelijke arguing and bargaining met die bestaande stelsel plaasvind.

But you do not take as a basic premise that the existing system is not going to be prepared to talk to you when bargaining time comes, that they will be intractable. -- As ek net weer daardie een kan hoor.

Look, do you take as a premise for your thinking that when bargaining time comes, the existing system will not be prepared to bargain? It will decline to talk. -- Ten opsigte van wat? Ek meen, laat ek dit so stel, ten (30)
opsigte van watter situasie is nou daardie - is dit nou die/...

die Suid-Afrikaanse situasie?

I am talking about the South African system, that is all and I suggest to you that if bargaining time came, as a political scientist following current trends, you would with respect concede that the government would talk. -- Die punt is eintlik nie dit nie. Die punt is eintlik dat hier van die regering, sal ek sê, dat hier van government created institutions niks verwag word nie en dat dit uitdruklik gesê word dat daar van die regering niks verwag kan word nie. Met ander woorde, ek wil die stelling (10) maak en sê dat in hierdie dokumente kom dit na vore dat die - dat daar nie 'n verwagting is dat die regering in elk geval die moeite werd veranderinge sal aanbring of die moeite werd dialoog sal voortbring nie.

I suggest to you, you entirely missed the point. The whole point is this, where those statements appear and please, I am not going to take you through the nausea of having to go through them, but where those statements do appear, they are in the context of, ^{if} we do not unite, if we do not form a solid lock of united opinion, you can (20) get nothing from the government or you will get it, you will be fobbed off and divided and moved. Isn't that what the whole of these documents say? Unite and you can bargain, do not unite, you will stay where you are. Isn't that the gist of it? -- Dit is nie my interpretasie daarvan nie. Ons praat nou in baie breë terme sonder verwysing na spesifieke goed.

You see, what I want to emphasize is it has got a distinct bearing on these two counts that I am concerned with. Would you please look at the SASO exhibit that (30) you say and I will give you the reference to your

evidence/...

evidence, it was the basis, according to your evidence-in-chief, for the revolutionary idea you mention this at page 2045.. -- Watter een is dit?

It is Exhibit SASO A.1. -- 20?

Well, it is your own evidence, I am merely giving you the record reference, it will not concern you directly. You said at page 2045 that an example of the potential revolutionary idea was in this exhibit. Right? Have you got it? -- Nee, ek weet nou nie.

In SASO A.1. Just refresh your memory. At line (10) 22 you said: Hier vind ek that SASO upholds the concepts, it is at paragraph (a), holds that Black consciousness and the ... (?) ... Black awareness is the most logical and significant means of ridding ourselves of the shackles that bind us to perpetual servitude. And you went on to say -

"Ek sal hieruit aflei dat die Swart bewustheid hier genoem word as die sentrale idee ..."

you went on to say:

"die sentrale idee is die rewolusie idee" (20)

namely not Black consciousness. That is what you said. -- Ja, in 'n sekere sin.

Well, it was very specific .. -- Goed, ek meen, kyk, tot waar u my aangehaal het, stem ek saam.

That is as far as you went. -- Goed.

On that exhibit. -- Goed.

But what you were saying eventually in cross-examination, I do not mean the actual revolutionary idea, I mean this is the potential revolutionary idea. You said that in answer to my Learned Friend. -- En ek het gesê (30) dat waar 'n mens gepraat het van die rewolusionêre idee, dit

'n/...

'n manier was om net die dinge korter te stel, dat dit elke slag as potensieel gelees moet word.

Potential, but when you talk about revolution, it is massive armed violent revolution. -- Goed.

Right? -- Ja.

Now have a look at the same page, it is page 250 of what has been superimposed on the document, it is page 12 in type. Do you have that? -- Ja.

Paragraph 4(c), the foot of the page. Do you have that? -- Ja. (10)

"SASO accepts the premise that before the Black people should join the open society they should first close their ranks, to form themselves into a solid group to oppose the ... (?) racism that is meted out by the White society, to work out their direction clearly and bargain from a position of strength."

-- Ja.

Now isn't that the whole ..?.. of SASO's policy? -- Ek dink ons was al oor daardie terrein heen. (20)

No, you haven't been over that particular subject at all, no one has cross-examined you about that. -- Want die argument het so gegaan dat net die volgende sinnetjie daar:

"SASO believes that a truly open society can only be achieved by Blacks.."

en dan is daar verskillende ander verwysings waar daar, sal ek sê, gestel word dat in hierdie stryd het die Blankes geen plek nie.

Again, with respect, I am going to be submitting (30) to His Lordship, when I argue about your evidence, and I want/...

want to, in fairness to you, give you a chance to deal with this. I am going to be submitting that, with respect, you have missed the point here too. What you are saying is this: you say I studied these documents and I see the fingerprints of revolution in them, in die algemeen. -- Ja, dit is bietjie 'n ander stelling daardie.

What I am suggesting to you is this .. -- Fingerprints is something which is left.

I am suggesting this that if you look at the SASO policy manifesto, you are saying this, because they (10) go on to say that the society after bargaining, has got to be a society as contemplated by the Black people, therefore when they want to bargain, they intend armed revolution. Aren't you begging the question? -- Nee, ek het dit nie gesê nie. Ek het gesê dat omdat dit duidelik word uit hierdie dokumente en uit ander plekke, ek dink ons is oor daardie argument 'n paar keer heen, dat in die tot stand-bringing van die nuwe gemeenskap, sal die Blankes nie 'n aandeel hê nie.

Well, look, Mr Soggot cross-examined you at (20) length about this. -- Ja.

He showed you other passages where they say they want an egalitarian society and that they want equality for everybody. That is not my point. -- Ja.

My point is this and it centres around a conclusion which you expressed on page 2043 at line 25 of your evidence. I suggest you are assuming that if the time for bargaining comes about, that the reaction of the White system will be such that it will not bargain and therefore there will be confrontation. (30)

BY THE COURT: I think he has dealt with that fully in cross-examination/...

cross-examination. His reply was that according to documents which came to his notice, there is a passage to the effect that the White man must fall in with the Black man and if he does not want to fall in with the Black man he has to quit.

MR ALLAWAY: No, I think the - I haven't read the evidence, it seems that the White man will have to accept the Black's standards.

BY THE COURT: Yes, and if he does not want to accept the Black's standards then he has to do it ..(intervenes) (10)

MR ALLAWAY: Yes, M'Lord, but I do not want to canvass that issue. I heard it debated at length in cross-examination, but this is the point I am making, with respect, Mr Van der Merwe, why do you say that it is revolution to have a policy that wants to bargain? I ask you to look at it from the point of the people who drew up this manifesto, this policy statement. You are saying White people will not agree to accept Black values, they have either got to accept or they have got to quit and SASO says so somewhere and it is in the documents. (20)
But why from the point .. (intervenes)

MR REES: There is again a - the witness did not say White people will not accept Black values. He now says you say that and then he goes on with a long question. He must first establish whether the witness does say that. Nodding the head does not go onto the record.

MR ALLAWAY: What would you like me to say? I do not **understand** my Learned Friend's interjection.

BY THE COURT: He is objecting to your cross-examination.

MR ALLAWAY: Let us start again. Do you say, in order (30) to assist my Learned Friend, that White people will or will

not/...

not accept the Black values once change comes about after bargaining or non-bargaining? -- Dit kan ek nie sê nie.

You can't. -- Dit is nie my -- maar ek dink daar is aanduidings in die dokumente dat die mense, kan ek maar sê, soos uit die dokumente voorkom, daardie gevoel is dat die Blankes dit nie sal doen nie. Met ander woorde, hieruit kom voor dat die Blankes dit nie sal doen nie.

I do not want to argue with you about that, I am going to suggest to His Lordship that the aanduidings in die dokumente shows clearly that what is meant is (10) that if you do not unite and form a solid political power under the banner of Black consciousness, that is what the Whites will do, but you have said that that is your view, we will argue about the documents when we come to the argument stage. What I am concerned about at this stage in order to, as it were, take the benefit of your resources as a political scientist, is from the person who is advocating the policy is saying we want to work out a direction clearly and bargain from a position of strength. Isn't that the same analogy of reasoning that trade (20) unionism has? -- Maar die punt is dat oor daardie deel van die argument is mos een.

That is as far as I want to go on that point. Then if you look please at another exhibit which you referred to when you were dealing with the potential revolutionary idea and this was in the context of BPC, you gave evidence from a document which is the inaugural congress held in July, it is Exhibit BPC B.1 and what you testified to about this document, its various passages, just to refresh your memory, you said that certain reports of the commission (30) showed an intention to work outside government created systems/...

systems and you said this was an undermining of support, etc. Now what I want to ask you is this, would you kindly turn to page 44 of that document. It is a report of the general planning and organisation commission. It deals with: Phase 4: Strategy.

"The strategy is to be an overt people's movement."

What does that convey to you? To be done openly? -- Openlik, ja.

"Periodical ..(?).. decisions to be taken" (10)
that is ad hoc decisions, I suppose if we can equally interpret the .. -- Ja.

And then (c):

"No confrontation shall be sought with the oppressive(?) party."

What does that convey to you? Isn't that a rejection of an idea of making preparations for massive armed revolution? -- Hierdie is, punt No. 1 en punt No. 2 - laat ek dit so stel .. (intervenes)

I think I will try and help you by asking the (20) question differently. How many points do you give to that as a political scientist in balancing the scales of whether these are plans for a massive armed revolution? -- ... (intervenes)

... does one get for that?

MR REES: I think the witness should be allowed to first answer the question. -- Ek weet nie eers meer wat was die vraag nie.

MR ALLAWAY: Would you like the question repeated? -- Ja.

Do you find Mr Rees's interruption disturbs your (30) concentration? (LAUGHTER)

Hy/...

My question was this: within your framework, do you give any marks or points or score or consideration to the fact that the strategy has to be no confrontation in deciding whether a document gives an indication for preparation for massive armed revolution? -- Ek sien hierdie punt hierso... (intervenies)

Have you seen it before? -- Ja, as 'n soort van 'n voorlopige stap. Ek meen, dit is ook interessant dat - ek meen dit is reg aan die begin van die .. (intervenies)

What makes you say it is preliminary? Can you (10) see anything to say it is not final? -- Nee, net in die blote sin dat as 'n mens - sal ek sê, dit sal net logies wees wanneer mens 'n nuwe organisasie op die been bring. Laat ons net vir argumentsonthalwe aanvaar later vir rewolusionêre doeleindes gebruik moet word, vir die argument, dan sou dit logies wees om aanvanklik jou, terwyl jy besig is met die opbou van jou organisasie, nie konfrontasie te soek nie.

So what you are saying that if you are a subtle revolutionary group, you put a statement like that (20) as a matter of a policy.

BY THE COURT: He is not saying that. He says it is phases. It starts with phase 1 and it ends with phase 2 and when you reach phase 2, the organisation is not sufficiently mature to embark on such things as confrontation.

MR ALLAWAY: Did you hear His Lordship's suggestion? -- Ek het gehoor.

About the phases. Do you see, with respect, any chronology in the phases? I suggest the phasing has (30) got no reference to chronology at all. -- Ja, daar is nie

'n/...

'n kronologie spesifiek nie, maar - hier is nie spesifieke kronologie nie, nee.

So you do not suggest well, this is part of a build-up? The first phase you do not seek confrontation. -- Nie in die vorm wat fases hier gebruik word nie.

Do you see anything else in that document, that exhibit, that suggests that this is only something which is preliminary and not intended to be policy for all time? -- Byvoorbeeld in fase 1, punt c(2), Action programme.

Yes. -- Punt (a) Philosophical orientation. (10)
Dit is goed wat moet voortgaan, wat nog moet gedoen word.

But this is the point. Surely every political organisation has got to do things, you have got an action programme, you have got a plan. -- Ja, dit is reg.

But here it says under Strategy, no confrontation. My question is do you give any credence to that statement in deciding whether the organisation is or is not embarked upon plans for armed revolution? -- Sal ek sê, ek gee daar die gewig aan dat dit vir my logies is, sal ek sê dit is - miskien kan ek die punt 'n bietjie breër vat. As (20)
'n mens in die breër konteks van die ander dokumente en latere dokumente en so meer soveel aanduidings kry van rewolusionêre of rewolusionêr geneigde optredes en so meer, dan sal 'n mens geneig wees om hierdie so te interpreteer as vir die huidige.

In your - in coming to your opinion about the documents which you examined, and this was one of them, did you take that statement into cognisance at all? -- Ja.

Did you say to yourself look, I see other statements in other documents, therefore I do not give it that (30)
much weight? -- Nee, wel, mens weeg alles op, want ek meer

kyk/...

kyk hier word gesê geen konfrontasie nie, maar op ander plekke is daar weer dokumente wat konfrontasies wat plaasgevind het ophemel.

Those documents will speak for themselves if they exist. I mean they will be referred to in argument. Do you know, though, what date this was uttered at or this was recorded? -- Die dokument is gedateer Julie 1972.

July, 1972. -- Dit is reg.

Do you know when SASO which is a different organisation started? -- Dit was bietjie vroeër. (10)

When? -- Ek sal nou - was dit 1969.

Do you say we must look at the chronology of documents to form an assessment of whether that phase is merely pro tem? -- Nee, dit was 'n baie sydelingse opmerking.

On this aspect of .. -- Ek kan miskien net byvoeg, as hierdie stelling werklik deel van 'n lang termyn beleid sou gewees het, dan sou 'n mens min of meer, as dit werklik ernstig was, min of meer iets soos die toespraak van Buthelezi verwag het, in geheel gesien. Met ander (20) woorde, waar gepraat word van konfrontasie, waar opswepende dinge gedoen word, dan sou mens verwag dat die mense herinner word daaraan en sê onthou, ons beleid is geen konfrontasie nie.

Now, when one sees a reference to confrontation like that, does it necessarily involve confrontation of a violent nature in your views as a political scientist or is this a confrontation at the level of confronting your political opponent with your requests or demands? -- Hierdie is baie breed. (30)

What would you say as an expert? -- Ek meen my onmiddellike/...

onmiddellike interpretasie was om te sê geen uitvalle nie.

No fall-out with the opposition? -- Ja.

And that at the level of psychological fall-out is not the level of an armed .. -- Ek dink dit sluit ..(intervenies)

Now look, I assure you it has a direct bearing on these two documents that I want to ask you about that in my investigations in the political science has been very, very shallow indeed. I have looked only in the Encyclopedia Brittanica and a book by a Robert A Dahl who is a professor of political science in Harvard, called (10) "Modern Political Analysis" ... (inaudible) .. but Prof. Dahl says this, and I have got a copy if you want to look at it. -- Is dit D-a-h-l?

D-a-h-l, do you know of him? -- Ek ken die naam van die persoon.

I have got photostat copies of this particular page, it is on page 59 of his work. He says:

"Conflict in politics we saw in Chapter 3 are born inseperable twins."

Would you agree with that statement? -- Daar is (20) persone wat spesifiek - ek meen daar is 'n spesifieke konflik benadering wat gevolg kan word in die bestudering van politiek.

He says:

"Yet conflicts can be handled in many different ways by discussion, negotiation, bargaining, confrontation, suppression, violence, war, genocide."

I think it is fair to let you have a look at the document. There is one for my Learned Friend. Just to get this (30) on the record, it appears that at the time that this book was/...

was published, which is 1971, this gentleman, the author was a professor of political science at the University of Harvard. -- Ja.

So we can take him as an accredited authority, I take it. -- Ja.

You seem to be a little .. -- Nee, dit beteken nie dat ek saamstem met alles wat hy sê nie.

No, no, I thought that everyone is entitled to independent thought. -- Ja.

But he says this: (10)

"Yet conflicts can be handled in many different ways by discussion, negotiation, bargaining, confrontation, suppression, violence, war, genocide."

-- Ja.

Now I am not sure one needs a very good scientist to say the truth of that statement, but in broad terms would you agree with it? -- Ek stem saam. Ek stem saam daarmee dat konflik in baie opsigte - ek meen ek stem saam met die stelling soos dit daar gesê word. (20)
Ek weet nie watter afleiding u daaruit wil maak nie.

Now the only deductions I would like to make are these, that in South African society as one finds it at the time of these two exhibits, that is Chatsworth in 1973, the Doornkop Resolution in 1974, do you think Black people could be accepted, that is understood, if they wanted to resolve conflicts by bargaining from a position of solid strength? -- Dit hang af met wat hulle sou bedoel met bargaining en bargaining met wie.

According to my clients the objects of these (30)
organisations, I want to put this to you quite clearly, let
there/...

there be no misunderstanding about it, not committed to violence at all, but were committed to uniting a block of solid Black thought so that the existing system, as you call it, I call it the government, as the control of the system, could be bargained with in order to effect change without violence. The question is, do you think that that was a satisfactory way of dealing with their problem, as a political scientist in 1973 and 1974? -- Sal ek sê in die sin dat mense wat dan - ek meen, kyk, dit is 'n baie breë beskrywing daardie - mense wat aan daardie breë (10) beskrywing voldoen, sal dan moet kennis neem van die gevolge wat hulle besondere aksies in 'n besondere tyd en stelsel sal hê. Dit is, sal ek sê, hulle sal moet kennis neem daarvan of hulle daardie beleid sou kon volg sonder gewelddadige gevolge. En dan sou hulle hulle, indien hulle sou, hulle, sal ek sê, groep op die been bring met die oog om te onderhandel of te bargain, maar seker maak dat dit nie die grense van die wet oorskry nie en nie geweld veroorsaak nie, dan sou dit sekerlik nie onnatuurlik gewees het nie. (20)

And isn't in the whole field of political science, and I am only foreshadowing something that Prof. Gurr will tell His Lordship, isn't in the whole field of political science the power of bargaining is a fundamental tool in order to put pressure onto the authorities to effect change without violence? Isn't that a norm or idiom in political science? -- Ja, ek meen kyk, met die stelling basis soos wat hy so staan, stem ek saam, maar daar is baie kwalifikasies daaraan verbonde.

These two annexures, the Chatsworth pamphlets, (30) there are two Chatsworth pamphlets you talked about and the

Doomkop/...

Doomkop Resolution, these resolutions or documents amount to a criticism of the state system, don't they? -- Ja... (intervenes)

I do not want to mislead you but I think .. -- Dit is - ja, ek meen dit beantwoord aan die algemene beskrywing van kritiek, as mens dit breed verstaan.

You have dealt spesifically with the meaning of certain pages, but that is what they are. They amount to a criticism of the State system. Now, I would have thought it was fundamental in South Africa in 1973 and 1974 (10) that Black people would have the right to criticise the system. You accept that, I take it. -- Ja-nee, dit is heeltemal.

And would you agree with me that one of the ways to attract membership to organisations such as BPC in the one case, would be to point out in the view of the organisation the shortcomings of the system? -- As algemene stelling, ja.

And do you see anything in the Chatsworth pamphlets that is inconsistent with the notion that it is a call for action by uniting as Black people? -- Dit is natuurlik (20) baie breed wat u nou stel, né, maar ek meen daar is vir my -- dit voldoen aan daardie beskrywing, maar ook nie.

And what the Chatsworth pamphlets in fact say in a nutshell is this, look, you cannot trust government appointed people to solve this transportation problem, they cannot look at a thing objectively, you have got to solve it yourself and the way to solve it is united Black people under our banner, power and solidarity. Isn't that the essence of what is being said? -- Mens kan enige ding sê op die manier reduseer totdat hy al sy implikasies (30) verloor.

But/...

But do you know anything about the actual facts that produced the Chatsworth transportation problem? -- Ek is nie heeltemal in detail ingelig nie.

I am not criticising, but did you make a study of the situation in political science? -- Spesifiek van die omstandighede van die Chatsworth nie, ek het dit van koerante gelees en so aan.

Now you see, you said at page 2104 at line 13, you make reference to the first passage, this is annexure 2:

"Violence to the feature of our pre- (10)
South African way of life, violent
atrocities are committed against^{us}/every
day in the name of White justice and
White domination."

And what you said about that was that this is a suggestion that White people are violent. That was the impact of your evidence. -- Ja.

Now do you find any fault with that suggestion in its context, namely that Black people find themselves in a situation where they are asked to move by (20)
arbitrary action under the Group Areas Act? -- Wil u nou aan my stel dat die mense se optrede redelik was, sal ek sê menslik was?

Look, I think it is better - I do not want to take sides in that issue at all. I am not making any submissions on that. -- Ja.

But you see, what it says^{is}/this. I am more concerned with the right to criticise which your "raamwerk" with respect does not seem to recognise, but let us get down to brass tacks. (30)

"First the daylight robbery of our
homes/...

homes by the arbitrary action of the
White Group Areas Board."

Now as a political scientist you do know there has been a lot of criticism as a result of the fact that the Group Areas Legislation does in fact deprive people of their property, they have to leave and they are given compensation. -- Ek is bewus daarvan, ja.

"And the herding of our masses of fellow Blacks into so many cattle against their will into murky ... (?) .. like Chatsworth." (10)

Have you ever been to Chatsworth? -- Nee, ek was nog nie daar nie.

"Now the Nazi-like banning of the Chatsworth bus service and the open denial of the freedom of choice of transport of the politically weakened people of Chatsworth."

Now isn't the author saying, I have got to foreshadow everything, that is why I want to put this to you. -- Ja.

Isn't the author saying this, look, the violence I am talking about is these situations where Black people (20) find that they have to leave their homes, or they are told you are going to have this transport or that transport? Now if you were a Black political scientist or any political scientist for that matter, would you not concede that that is a legitimate - when I say legitimate - understandable basis for setting up a political platform of criticism of the "stelsel"? -- Dit is, hoe sal ek sê as 'n mens - as daardie omstandighede wat daar geskep word - wat daar geskets word waar is, dan is dit sekerlik nie 'n onlogiese optrede om so 'n organisasie te skep nie - (30) te skep nie.

And/...

And if you were a political scientist adviser to this body, wouldn't you suggest to then well, look, this is the sort of way you can get in, this little platform, to spread your gospel. Would you give that sort of counsel or would you say no? If you are looking for membership and solidarity. -- Soos dit vir my lyk wat hier ter sprake is, is: is emosionele sake nie 'n goeie ding om mense mee te inspireer nie, ek meen, en as dit gaan bloot om te sê om lidmaatskap te kry vir jou - maak nie sê wat die ander gevolg is nie, dan is daardie seker (10) effektief.

It is effective. But isn't this the point that politicians, if you are being political, you have got to deal with grievances, otherwise you become sterile. -- Ja-nee.

That is party politics, it is ordinary politics. -- Ja. To high-light grievances. Isn't that fundamental? -- Tot 'n punt toe.

I am not suggesting one high-lights grievances to such an extent that you say well, now it is a (20) grievance .. (inaudible) .. cut people's throats. -- Ja, en soos u sê, net high-light grievances dan het dit - dan kan dit verskillende effekte hê.

Do you agree with me that that paragraph high-lights a grievance? -- Ja, dat dit griewe onder die aandag bring, sal ek sê, griewe uitlig en voorhou, ja.

Then you dealt with the second paragraph, just for convenience reference, at page 2105 line 25 of the record. This is in your evidence-in-chief.

"It is important to remember at a time (30) like this ..."

you/...

you did not actually deal with that sentence -

"that these acts of racism against us are not isolated."

The sentence you dealt with started from "they" and ended up at the end of that sentence. Now what do you understand by racism as a political scientist? -- Wat ek verstaan onder rasisme is een ding - daar is baie verskillende definisies daarvan, maar .. (intervenies)

May I help you with the Webster and the Oxford dictionaries' definition? I do not know whether a political scientist's one is any different. If I may assist. Racism in Websters is said to be: (10)

"programme or practice of racial discrimination or it can be segregation" that is the programme or practice of segregation, "a programme or practice of persecution, a programme or practice of domination based on ..(inaudible)"

-- Ja.

Now, you, as a political scientist, do you offer any complaint about the use of the word racism in the context of the South African society in 1973, namely a society which had a programme of separateness? -- Of ek daarmee saamstem met daardie beskrywing hang weer af van watter van daardie definisies 'n mens aanvaar. (20)

Well, I am suggesting that - I beg your pardon. -- Die punt hierso is dat in hierdie konteks waarin hy hier gebruik word, hy gebruik word in die konteks van 'n verdrukking van een ras deur 'n ander ras, of van een groep deur 'n ander groep. (30)

You are saying this is in the context of, just to refer/...

refer back to Websters, of domination, a programme of domination. -- Nog bietjie meer. Wat is daardie ander?

I will give you the - would you like the book? Programme or practice of racial discrimination, segregation, persecution, domination. -- Ja, ek dink dit is min of meer wat hier na vore kom soos wat dit hier gebruik word.

Well, are you saying to the fore as merely separate-ness or as domination? -- As oppression.

Oppression.-- So kom hy hier voor in hierdie (10) dokument.

You see, in your evidence you said this, you referred to the next sentence, you quoted it, you said:

"They are part of a master plan by the White man to keep us in perpetual servitude and to seal the shackles that bind us in bondage."

Now you said in your evidence at the line reference I gave, that that was "'n verswaking van die steun vir die stelsel." -- Ja. (20)

Do you find that that statement is an indication for a preparation for revolution? -- Ek het gesê dat dit 'n voorbeeld is van waar iets gesê word wat die gevolg sal hê dat steun vir die stelsel ondermyn word.

But why is that a bad thing if the author believes that that part of the system it's discriminatory, dominatory aspect is wrong? -- Ek het nie gesê dit is reg of dit is verkeerd dat hulle dit doen, ek het nie gesê dit is reg of verkeerd dat die mense wil rewolusie speel(?) nie. (30)

But why do you say that the moment a man attacks the system/...

system and says th e system is discriminatory, it is
dominatory, it is oppressive, that he is on the path to
revolution? Why is he not just trying to remove what he
is complaining about? -- Mens kan nie een so 'n dingetjie
alleen vat nie. Dit is daarin wat die breë konteks van
al die dokumente saam belangrik is.

But this is my point and I will be arguing it to
His Lordship and I want your assistance please. I must
give you the chance of dealing with it. In any political
sphere surely if you want to effect change, you have (10)
got to attack the system, otherwise you might as well go
out of politics. -- Aanval is .. (intervenies)

By attack I mean attack in the critical sense. --
Ja-nee, ek bedoel, dit hang weer af hoe 'n mens - goed, as
jy wil verandering hê, maar let wel, in hierdie sin sluit
verandering ook rewolusie in. Rewolusie is 'n vorm van
verandering.

All you .. (inaudible) .. page 2104, line 25, this
is an example of "die verswakking van die steun". -- Dit
is korrek. (20)

But you do not say that people who do attempt to
weaken the support of the system are even probably
engaged on revolutionary .. (inaudible) .. -- Nee, ek meen
kyk, dit is nie so dat as jy net as sodanig die steun van
die stelsel verswak, of sal ek sê, kritiek op die stelsel
uitspreek, byvoorbeeld, ek meen net in die algemeen, kan
jy nie sê dit is rewolusionêre optrede nie.

What I want to be clear about is this, you say nothing
more about that passage, that is in the second paragraph,
you are only saying look, M'Lord, this is an example (30)
of weakening of the support. You put it no higher than
that/...

that, do you? -- Wel, in die sin waarin die getuienis gelewer is op daardie dag, was hierdie nog 'n voorbeeld van die ondermyning van die steun van die stelsel, en 'n redelike sterk voorbeeld daarvan daarby.

But as long as I am ad idem with you and that is that's all you offered, nothing more, nothing less. -- Sal ek sê dit is wat ek gesê het ten opsigte van daardie stukkie, goed.

And the article then goes on to say - it refers obviously to transportation problems that they had (10) in Port Elizabeth and the people of Glenvildale preferred to walk to Port Elizabeth and back rather than sell their souls, etc., and the next passage you quoted. M'Lord, the evidence reference is 2104, line 30, to 2105 line 5. You quoted from the third paragraph:

"White people never suffer the way Africans, Coloureds and Indians, all Black people have suffered and will continue to suffer as long as we let this suffering continue."

And you gave that in your evidence as an example of (20) a call to action, 'n oproep tot aksie. -- So long as we let this continue, dit is 'n oproep tot aksie. Dit is so.

Now every political organisation has got to mobilise, hasn't it? -- Dit is reg.

It has got to encourage people to organise. -- Ja, dit is reg.

It has got to do - I do not want to go into your "raamwerk" in detail - it has got to do all the things that you talked about and that is it has got to make them receptive for the uniting or the "saamtrek" idea. (30) Korrek - dit hang af wat die saantrekkende idee is, maar

ek/...

maar ek meen daar moet 'n idee wees, dit gee ek toe.

Die idee kan kleiner of groter in omvang wees.

THE COURT ADJOURNS.

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