

NKOMO

IN THE SUPREME COURT OF SOUTH AFRICA

(TRANSVAAL PROVINCIAL DIVISION)

78

CASE NO. 18/75/254

DATE: 3RD MAY 1976.

In the matter of:

THE STATE

vs.

S. COOPER AND EIGHT OTHERS

VOLUME 78.

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LUBBE RECORDINGS (PRETORIA)

COURT RESUMES AT 2 PM. ON 3.5.1976.

STEVE BIKO (Still under oath)

EXAMINATION BY MR. SOGGOT (Continued): Mr. Biko, before lunch I asked you if you were aware of an article by Mr. Mangena? It is My lord, General Exhibit K.1, the SASO Newsletter? --- Yes.

And you are aware of the - do you know the contents of that?
--- I know a bit about the contents, yes.

Now to get back to the SASO Resolution, Resolution No.50, you have already mentioned to His Lordship some of the reasons why you people rejected foreign investment. Are there any (10) other themes which are connected with it? To your recollection?
--- Well, I thought I detected another theme which was basically that of a creeping sense of nationalism into economic considerations, the point here being that the wealth of the country must eventually be enjoyed by the people of the country. The idea here was that foreign investors will come and exploit the wealth of the country to their more advanced technological means than those we have for instance in South Africa, siphon off profits which rightfully in a sense belong here, and these go to profit societies other than our own societies, and this is a theme which(20) has found a bit of airing in recent years.

Yes? --- People like you know De Gaulle and after him even the present president of France have constantly said this, especially about the growing investments of America into Europe, the point they are making here being that if they are not careful they are going to find that Europe will cease to be a power and that the situation will be that of America first, Russia second and thirdly American investments in Europe, and they will boost this line seriously to try and limit the extent of investments in France. I think it has been said also about Australia - I am (30) not sure/...

not sure who is pushing it there. Now this did creep into part of the thinking at the conference. One must understand here that this is a very sort of contentious topic you know, people have various attitudes to it and people oppose it for several reasons. I will just highlight the (Intervention).

What is of interest, were there any pushers so to speak of the anti-foreign investment line whose aim was to achieve a weakening of the South African economy? --- No, this was not considered as an end of what you are talking about there.

Or the creation of wide-scale unemployment? --- Certainly(10) not.

Now I think we have been talking in the abstract as to what your stance was, your attitudes. Now would you tell His Lordship what as a matter of fact SASO set out to do as far as foreign investments were concerned? --- What is the number of the resolution?

It was 50.

BY THE COURT: Page 294, you will see the number on the side. --- Okay, I've got it. Do you want me to go through this phase for phase.

MR. SOGGOT: Mr. Biko, just for the moment what I want to ask (20) you - leave aside those details, what was SASO's aim, what did they want to achieve with their stance? Let me phrase it that way? --- Yes, I think our understanding of the position was that we were particularly weak in this area, there was nothing we could do. We took up discussion of this particular motion which was adopted, the resolution, amongst other things because foreign investment at that time was a topical question. There were several people talking about it. There were church groups from America and England specifically coming to investigate the position of their firms inside this country, to see how they were(30) dealing/...

dealing with the whole question of Black labour and how they are fitting apartheid. So SASO took this decision purely as a policy matter just to have a view and to use it, you know, as a political stance.

In order to achieve what? --- In order to be able generally speaking to achieve the three points we have been talking about here, in other words to focus criticism on the foreign firms such that the foreign firms may themselves generate pressure on their Governments to see the sort of interminable position they were in here. They were investigating the apartheid (10) situation and Blacks are opposing their investments, and therefore can't you as our Governments you know, apply pressure on South Africa to change its operative system, such that it would accomodate the Black aspirations.

Yes, now as a matter of fact, what did you people believe could be accomplish^{ed} as far as the withdrawal - the actual withdrawal of foreign investments were concerned? --- We never for a moment thought that foreign firms would as a result of this kind of stance withdraw.

What was your belief as to their ability to withdraw, (20) even if they wanted to? --- Well, our understanding at the time, and I think it still appertains at this moment, is that certainly after Sharpeville the whole question of investment or participation in the economy of the country by foreign firms was tightened. In the first instance, to make it impossible for anybody who was intimately involved with the South African economy, to withdraw at will. Certain regulations were put in - besides I am not quite sure as to their specific details, but I seem to remember for instance that there are several ways in which checks were placed in the wary investor, such that he could not pull out (30)

his/...

his money, in the first instance.

Yes? --- And of course if you are investing in machinery in factories and so on, you won't take this to England with you, you will leave them here, so if any particular investor feels uncomfortable all he can do is to sell it to the next investor, or to a South African concern. And in this sense, you know, it was impossible to foresee even if one wanted to anyway, disruption of the economy system.

Yes, and would you have a look in this context at Resolution 51, that is the next one. --- Yes, alright? (10)

Was this move, was this GSC noting that : "This council is not composed of people who are capable of keeping the foreign investments out by merely rejecting them , therefore substitute "reject" with the phrase "and discourage"? --- Right.

Can you tell us how that came about and how it came to be ...(inaudible)..? --- Well, the mover of this particular amendment was Jerry Modisane according to the Minutes, was suggesting that this stance we were taking of rejecting is a colourless stance, it serves nothing, it does not commit us to (20) anything. His view was that we should in fact adopt a programme of discouraging foreign investment which I think he foresaw as discouraging further capital so to speak. Now the argument against it was that we were not interested in mounting a programme of de-investment, in mounting a campaign of de-investment, precisely because in the first instance we don't believe for a moment that those who invest here do so without being aware of the situation, they are quite aware of the situation, and it is up to them to decide you know, to take action. We are not of our own going to mount a programme in that direction. (30)

Yes, and/...

Yes, and so it was defeated? --- It was defeated, yes.

Now would you please just turn to Resolution 50. Perhaps I think that (i) to (v) speaks for themselves. Could you deal with the Resolution from thereon, (vi), please? Would you just read each Roman sub-paragraph and very briefly explain what was intended and in what context the proposition fell? --- (Court intervenes).

BY THE COURT: That is now ...? ---

MR. SOGGOT: My Lord, it is page 255, Resolution 50. --- Yes.

"Noting further that foreign investors seeks profit (10)
from such exploitation and ends up with a vested
interest in its maintenance ..(indistinct)..".

Now I think this is looking at the relationship between Govern-
ment and the companies which invest in South Africa. In other
words if there is a large proportion of American investors in
this country it does imply that there were very close tie-ups
between America and this country economically. Further -

"Foreign investors through this relationship and
are being closely tied up with the direction of
affairs in the South African political attitude. (20)
America therefore is likely to be on the side which is
likely to retain their investments in good hands, in
other words to keep them profitable.".

Point no. (vii) : "Make it possible for South Africa to ..?...
world opinion to maintain her racist regime.' -

If South Africa has got some powerful countries backing it,
whether tacitly or openly as a result of this economic relation-
ship, therefore they are able not to care for instance about the
attitudes of the Third World like Africa, Latin America, or any
other country which is critical but which do not have any (30)
major/...

major relationship with South Africa economically. As long as they win the major countries will invest here.

"(viii) Boost South Africa as international image and make South Africa an ideal land for investment whilst the social evils practised by the regime are lost sight of."

I think it is now repeating really the same sort of theme in the above two points.

Yes? --- "Gives South Africa an economic stability that enables her to gain diplomatic and economic acceptance (10) in the international scene." -

I think it also says precisely the same thing. - "With perhaps one modification, that I think here the term economic stability was understood much more in terms of economic involvement, an economic involvement that enables her to gain diplomatic and economic acceptance in the international scene."

(x) Are forced to take a compromising stand on apartheid on ..(inaudible).., boycotts and embargoes." -

I think this emphasises the same point again. (20)

Now if I can just interrupt you there, you people talk about foreign investments. Have you ever taken an attitude towards trade with South Africa? --- No.

Have you ever taken an attitude towards arms for South Africa? --- No.

Can you explain to us why foreign investment concerns you people but the boycott of trade or of arms has not come into your horizon? --- I think foreign investment is an area of inter-relationship between South Africa and other Governments. We are of the belief that if we are to move towards a peaceful solution our efforts must be coupled with support from other (30) people, /...

people, from other Governments, and we see this whole foreign investment question as a possible vehicle for generating pressure to sympathise with our point of view so that South Africa can listen, not only to us but also to other people talking about the same thing, so inevitably this whole change boost-up begins to take root in the minds of those who are ruling us. Now this whole question of arms and trade, we don't see how arms affect us. I mean we are not in any way interested in making South Africa less armed or more armed, I mean as I state we are interested in the internal policies, (10) and we are looking for a vehicle, and we picked this one as a convenient one. It has never occurred to us in fact to pick out the arms issue or the trade issue, the trade boycott issue, as an effective - precisely because it was not as topical and certainly not as applicable to our particular situation as this one was.

Yes, thankyou. Would you please go on to the ..(inaudible). Resolutions. "(a) Rejects foreign investment"? --- Therefore "(a) Rejects foreign investment as being in nature and having a ...?..... effect on the (20) Blacks creativity and initiative."

I think it refers to the argument that was often put up by some foreign investors to the effect that foreign investment offers job opportunities and therefore it helps the Black man in that way. And it also refers to the attitude taken by people like Polaroid to say that they are going to be involved in the future problems of the Black man by donating part of their profits to welfare programmes, and in this instance I remember eventually they gave money to Qfeca. Now we felt that this is paternistic, we felt that the point of application of foreign investors (30) must/...

Asseca

must be the humanity of the men they employ rather than pandering to considerations of materialism, like giving him a token increment here, or giving him token assistance at social welfare level. We felt that the area of open (inaudible) is with the worker himself and his humanity. If they can accept this as their responsibility to train Black workers and to allow them all the opportunities, this was the real thing, anything else is paternistic.

"(b) Rejects forein investments because in no way do they alleviate the lot of Black people, for even if (10) foreign investments are withdrawn the Blacks will be least to be affected."

Now this point again refers to what is mentioned earlier on, that, there is no way in which established industry which has been set up with foreign capital in this country is going to be killed, just because one proprietor pulls out, because there is always going to be another one who takes up, so from the point of view of jobs and job situations, those Blacks who are employed in firms directed by foreign investment are going to continue in employment. What we attack is precisely the (20) fact that when these people have got a point of leverage, because they are not South Africans, because they are subject back at home probably to more liberal attitudes, they don't make use of this. They go out of their way in fact to destroy the system. This is what we attack. And this is what you are referring to here as saying - "they don't alleviate the lot of Black people", and certainly even if they withdraw themselves we are not going to suffer, because there is no difference whether it is a South African proprietor or a foreign proprietor. The conditions apparently as the situation goes now are going (30) to be/...

to be the same.

Paragraph (c)? --- "(c) Rejects foreign investments with the belief that South Africa is economically poverty viable to alleviate property if she wanted to." -

Now again this refers to the claim by foreign investors of again offering job opportunities. Our argument here is that South Africa is at a stage in its economic development where it can provide in fact most of the capita it requires to maintain - you know, the present growth rate economically.

We believe that the so-called token gestures by Polaroid, (10) Asseca giving money to Afeca(?), giving money to some other welfare organisations, you know, can be adequately fulfilled from within the country, so that it is not a risk, this is a primary reason for their existence here. We have got our own wealth, we have got a country that is viable economically, we can do all those things, and that they may not quote them as reasons for staying in the country.

And then (d)? --- "(d) Further condemns the Black puppets who go overseas under the cloak of leadership and persuade foreign investors to stay in South Africa with the belief(20) ^{it} that/is for the betterment of the Black man." -

I think this is an attack essentially on Bantustan leaders, I think of Gatsha Buthelezi especially, he did this, there may have been others, I know also that Cebe of the Ciskei Government did this, who go out into the world to specifically invite foreign investment without any understanding of what we as representatives - as we believe of Black people -think. Now we believe that they are puppets in a sense, puppets not to us but to those who work against our interests, with generally White society, and when I say White society I mean White (30) Society's/...

Society's Government power structures so to speak. So we are taking them for speaking as if they are speaking for Black people, because they are not canvassing the point that we are people, they will never raise the point at any platform, these are their own views, they have never debated it. They merely say, as we believe they do often, what they are expected to say by those whom they serve, by being in those structures like one of them.

Mr. Biko, would you please turn to Resolution 42. That is on page 249.--- (Court intervenes). (10)

BY THE COURT: Before you read this, now point (c), if you accept that South Africa is economically viable to alleviate poverty property if it wanted to, are you only concerned with poverty there? If South Africa is economically as strong as you suggest, well, does it then really matter whether you discourage foreign investment, or not? --- In fact we believe South Africa is moving in that direction, the rate of investment in this country, or the rate of necessary investment has dropped tremendously. As far as I understand it is about 6,4 per cent. So that in fact we believe that our nationalist philosophy in (20) economy is shared even by the White Government. They are gradually decreasing the level of foreign investment in the country.

But isn't it because of the economic positions throughout the world, there is inflation and there is a bit of a recession? --- Yes, I think the major question is dependent on a foreign power, or on foreign powers, because it can never predict - you know, they are trends, you can never predict with - or motivate I think the tenet is to draw the world now, for nations to depend mainly on what they can provide from within their (30) societies, /...

societies, from their own economics, and I think South Africa has progressively encouraged, you know, a downgrading of the level of foreign investment in our economy.

MR. SOGGOT: What is your -- I am sorry, My Lord, am I interrupting?

BY THE COURT: I think you mean seeking capital more from local sources? --- Yes.

MR. SOGGOT: Well, what is your belief on that point as to South Africa's ability to generate sufficient capital for development? --- Well, in some reports, I think it was an (10) economic development report drawn up by one of the Government departments, that I came across at some stage, the figure I mentioned just now was stated, that South Africa is at a stage now where they require only about 6,4 per cent of total investment from outside. The rest which is about 93,6 per cent they can produce internally. So the level of importance of foreign investment has dropped in this country justifiably.

Mr. Biko, would you refer to Resolution 42 on page 249. In paragraph (2) there you have referred to the definition of Black people which I will not trouble you with, but paragraph (20) (3) I should like you to deal with. "SASO believes" - if you will read (a) please? --- Yes. "SASO believes that

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

Now what does that mean? --- Well, this means that we accept the fact that the present South African society is a plural society with contributions having been made to its development by all segments of the community, in other words we speak of the groupings both Black and White. We have no intention of (30)

- of course/...

- of course we regard ourselves as people who stay here and shall stay here. And we made the point that we've got no intention whatsoever of seeing White people leave this country, when I say leave, I mean leave this country.

Leave? --- Yes.

L-e-a-v-e? --- That is right. We intend to see them staying here side by side with us, maintaining a society in which everybody shall contribute proportionally.

I wonder, in this context, would you please have a look at SASO G.1, Resolution 45? On page 206. --- Right? (10)

Would you read from : "This country belongs .."? ---"Therefore we wish explicitly to state that this country belongs to Black people and to them alone. Whites who live in our - who live in this country on terms laid down by Blacks and on condition that they respect the Black people. This should not be construed as anti-Whitism. It only means that in as much as Black people live in Europe on terms laid down by Europeans, Whites shall be subjected to the same conditions. We further wish to state that in our operation it shall always be" (20)

Can you explain what SASO meant by that resolution? ---

Well, I must explain I was not at this particular meeting but from reading this document, what I understand it to mean is that this country is essentially a country in Africa, a continent which is inhabited always naturally by Black people, and that Whites - it is conceived that Whites are here and that they may live in the country, or they may leave the country, depending on their relationship with Blacks, and their acceptance of whatever conditions Blacks in this country shall lay at a certain time. I don't know what time the resolution is referring to. (30)

You /...

You yourself as you understand the position, on the accession to an open society, how will people be able to vote? What rights for example will the White man have to vote? --- Well, we view the voting as strictly being on a one man, one vote, basis. That is the current theme in our talking.

Was this the current thing at that time? --- It was a current thing at the time, we took the policy manifesto, I am not aware that it has changed.

Yes, then 3(b) please, that is on SASO A.1, page 249: (10)
Back to the second ... --- Oh, I see. "That the White man must be made aware that one is either part of the solution or part of the problem."

I think this statement is self-explanatory. In a situation where you have a hiving of privileges within society for the sole enjoyment or for the major enjoyment by one section of society, you do get a certain form of alienation of members who are on opposite sides of the line, and that the White man specifically has got to decide whether he is part of the problem - in other words whether he is part of the total White power (20) structure that we regard as a problem, or he accedes and becomes part of the Black man, that is the target of the problem. I think this is what that particular statement is saying.

Then 3(c)? --- "3(c) That in this context because of the privileges accorded to them by legislation and because of their continual maintenance of an oppressive regime Whites have defined themselves as part of the problem."

Again this I think speaks for itself. Generally speaking it is White society who votes at election time, it is them who return(30)

a /...

a Government into power, be it Nationalists, the party, the United Party, the Progressive Party, and it is that Government which maintains legal provision that creates problems for Black people, problems of oppression, problems of poverty, problems of deprivation, and problems of self-alienation as I said earlier on. It is White society on the whole. Some may vote one way, some may vote another, but all of them belong to an electoral college if one may speak in those terms, of the whole society, which is jointly responsible for the Government that does all these things, or that makes all these provisions applying to Black people. (10)

And in this sense therefore they lose the natural right to speak as co-planners with us in our way of determining our future. This is what that resolution is saying. They define themselves in other words as the enemy.

3(d)? --- "That therefore we believe that in all matters relating to the struggle towards realising our aspirations, Whites must be excluded." -

I think that speaks for itself.

Once the struggle is over, what is the attitude of SASO? --- The attitude is a simple one, an open society, one man, one vote, no reference to colour. (20)

And what do you mean by the phrase "the open society"? --- We regard an open society as one which fulfils all the three points I have mentioned just now. Where they can be free participation, in the economic, social and all three of the societies by anybody, you know, equal opportunity and so on.

Then 3(e), have you any comment on that? --- "That this attitude must not be interpreted by Blacks to imply anti-Whitism, but merely a more positive way of attaining a normal situation in South Africa." (30)

Now again/...

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Now again/...

Now again this is a warning to the membership of the Organisation that it is not our intention to generate a feeling of anti-Whitism amongst our members. We are merely forced by historic considerations to recognise the fact that we cannot plan side by side with people who participate in their exclusive pool of privileges, to make sure that both privileges are shared. We don't believe - we don't have faith in them anymore, that they are willing to share with us without any form of power

What sort of Whites were you thinking of at that stage?

--- When we spoke of ..? (10)

Of this attitude to Whites, and in the struggle and ...?

--- Whites in general.

What sort of Whites had participated in the struggle with you as did the Blacks? --- Mainly the Liberals, mainly students, left-wingers if one may call it that, and to some extent the Progressives.

Yes, now 3(f), Mr. Biko? --- "That in pursuit of this direction therefore, personal contact with Whites, though it should not be legislated against, must be discouraged especially where it tends to militate against ^{those beliefs we} ...?... hold dear." (20)

Now we did not intend making ourselves a policeman organisation over the formation of friendships between one individual and another. We did not intend discouraging any particular Black student or a member of SASO at that time, from forming a friendly relationship with either his mother's employer or his father's employer or another fellow student or any White person within society, but we felt that where there was a possibility - and this was strictly within the political arena, of such a (30) friendship militating against the beliefs that we hold dear, we must/...

we must warn those who are involved.

Now Mr. Biko, I will return to this document in the context of dealing with some of the more overriding features of BFC as well. My Lord, with Your Lordship's permission, may I then leave this document for the moment. I think it might be more convenient to deal collectively with certain of the themes. It might save time.

BY THE COURT: Just before you leave that document, now you say you people stand for one man, one vote? --- Yes.

Now is it a practical concept in the African set-up? Do (10) you find it anywhere in Africa? --- Yes, we find it, even within this country.

Now apart from this country, I mean now let us take any other country in Africa. Do you have one man, one vote in any other country? --- Yes.

Which country? --- Here in Botswana, ...not to go far.

Yes, those are under the influence of the South African background and traditions. Now take it away from the South African traditions? --- Where to My Lord, for instance?

Well, now anywhere outside South Africa? --- You have it (20) in Ghana. The one man

What parties are there in Ghana? ---- I would not know what parties are there now.

Well, why do you say there is one man, one vote there? --- There was at the time

Oh yes, that is so, there was. Didn't that disappear in Nkhruma's day already? --- It didn't disappear, what has happened is that in Ghana now there is a military regime, but the concept of elections, be it for city council, be it for provincial council, or any of the Governmental structures that they have, (30) is on/...

is on a basis of one man, one vote.

Well, that may be the subordinate bodies, but now when it comes to the important vote, affecting the country, is there any country in Africa where you have one man, one vote? --- Well, I cannot refer to specific instances but I know in Kenya for instance ...

Just recently I read that they say I think there are 46 countries in Africa and of the 46 I think only 5 countries have a democratic form of Government and they are just around South Africa? --- I saw the same thing, I think what they said is (10) that there are 46 countries in Africa, there are 29 with non-military Government, but of that 29 a lot of them are one-party States. Now a one-party state is not necessarily undemocratic, if it is selected by the people. It is selected by the people.

Yes, but now just to test that, Russia also operates on that basis? --- Yes.

And of the two hundred - I think and forty-five million, only fourteen million are Communists, and they are the people who really govern and decide who the people should vote for? (20) --- I have not gone into the Russian society, I won't be able to dispute that.

Yes, but you see, there again it is a one-party state and that also argue like you, everybody has the vote, but now what is it worth? --- Yes, My Lord, let us take the Kenya situation for instance, where there has been a natural dealing(?) of the opposition.

But I thought that disappeared when Odinga Oginga was assassinated? --- No, Odinga Oginga has not been assassinated, he is still alive. (30)

Tom Mboya?/...

Tom Mboya? --- Tom Mboya was with the governing party, and the governing party is still governing up until now.

Yes, but then they found out that he had a certain adherence amongst the people and ... --- I think My Lord, you are mistaking Tom Mboya with Kariuke. It was Kariuke who was murdered, and it was Kariuke who had generated amongst the people a certain thought, but Kariuke was also operating from inside the governing party. You see, in Kenya there is a very good demonstration of what a one-party state can achieve by way of differing thought within the party. Kariuke was the (10) advocate on the one hand of the common man, the worker, the servant in Kenya, against this whole development in Kenya, of a boiserie within the ruling party. You had Kenyatta on the other hand who felt constantly attacked by Kariuke, okay, Kariuke was allowed to air his views in parliament, he was allowed to hold meetings throughout the length and breadth of the country, but still operating from within KANU, which is the ruling party. This is the essence of a one-party state. That there is no need to divide your men and let them lead other parties to (20)

Yes, but Kariuke didn't survive all this? --- Oh well, My Lord, several politicians don't survive, it seems like Verwoerd didn't survive. (LAUGHTER).

But now you see, it is not his own people who killed him, it is not his own party people who killed Verwoerd? --- We don't know who killed Kariuke. It has not been established.

Well, who did they accuse of having killed Kariuke? --- Well, rumours there are memoirs there that it is probably Kenyatta, it is probably so and so, it has not been established, My Lord. (30) But we know that in politics this sort of thing happens. Like
I mean/...

I mean I could make an allegation here which would be pre-
Black
posterous. Amongst the/society there is a very strong belief
that Mr. Verwoerd's murder was generated from within the
Nationalist Party and that a particular politician is named.
This is the kind of belief which can sometimes go out and
is believed by the outside world. The same thing applies to
Kariuke.

Yes, but now you have only been able to mention the one
country, Kenya of '46. --- Well, I happened to discuss that
with two Kenyan quakers who visited this country recently, that(10)
is why I know, it came to me. I have also discussed Botswana
with people from Botswana who visited this country. The point
in issue is that there isn't much interchange of ideas between
Africa and South Africa, because it is not so easy from Africa
to visit South Africa and vice versa, as they have not been
allowed to move around the country, so I cannot from our own
experience and dialogue with people quote other instances in
Africa.

Well, are you prepared to say that there is one man, one
vote in the other countries? --- Yes, I am. I want to say (20)
quite frankly that the military in Africa tends to play a
very important part in politics. The military in Africa tends
to often decide to declare the election and the election is
some kind of coup, okay, but then you get situations throughout
the world where there is chaos. You get in Italy a government
resigning virtually every two months. You can't help it.

Yes, because there you have one man, one vote? You see,
that is the trouble. --- Now I think we share the belief of
one man, one vote, with the Government, because when they set
up the Bantustans they gave one man, one vote, to the Transkei.(30)

To Zululand, /...

To Zululand, to Bophutswana and so on. They don't say to people only those who can ..?... may vote. It is a one man, one vote. Suddenly they are mature enough to

I am interested in whether it is going to work, that is why I am asking you, do you think it is going to work? --- It seems to be working, it seems to be working in the Transkei.

Well, the Transkei is just starting? It has just started. But do you think it will work in the Transkei? --- I think one man, one vote, could work. I doubt if the Transkei itself will work. (LAUGHTER). (10)

Yes, but now why do you say that? --- I think that ...

Why do you say one man, one vote will work, and that the Transkei wont work? I mean it is inconsistent ideas? --- No, you may find that My Lord, if Matanzima decides to take the issue of the Transkei Independence to a referendum, there will be a beautiful vote, well controlled vote, people voting earnestly without force, but they may reject the concept of an independent Transkei.

They may reject it? --- They may reject it, yes. (20)

Yes well, that is another matter, and you will say that is - will you blame one man, one vote for that? --- I will blame - no, I will blame apartheid, I will say the Transkei has not worked, one man, one vote has worked.

Democracy, doesn't it pre-suppose a developed community, democracy where you have one man, one vote? --- Yes, it does, it does, and I think it is part of the process of developing the community. You cannot - My lord, people in voting, when allow-^{ing} them to vote, I think you have got to give them the vote, I think you may devise? as the Government in a way the means of ensuring a proper exercise of that vote, but (20)
certainly/...

certainly you give them the vote.

Yes, but democracy is really only a success if the people who have the right to vote can intelligently and honestly apply a vote? --- Yes, My Lord, this is why in Swaziland for instance where they have people sometimes who may not read the names of the candidates, they use signs.

Yes, but do they know enough of the affairs of Government to be able to influence it by a vote? I mean surely you must know what you are voting for, what you are voting about? Assuming now they vote on a particular policy, such as foreign investment, now what does a peasant know about foreign investment? --- I think My Lord, in a Government where democracy is allowed to work, one of the principles that are normally entrenched is a feed-back system, a discussion in other words between those who formulate policy and those who must perceive, accept or reject policy. In other words there must be a system of education, political education, and this does not necessarily go with literacy. I mean Africa has always governed its peoples in the form of the various chiefs, Chaka and so on, who couldn't write. (20)

Yes, but the Government is much more sophisticated and specialised now than in those days? --- And there are ways of explaining it to the people. People can hear, they may not be able to read and write, but they can hear and they can understand, the issues when they are put to them. And I think this is happening in fact in

Well, take the Gold Standard, if we have to debate whether this Government should go on the Gold Standard or go off the Gold Standard, will you feel that you know enough about it to be able to cast an intelligent vote about that? --- Myself? (30)
Yes?/...

Yes? --- I think probably much better than the average Afrikaner in the street, My Lord.

Yes well, that may be so, now do you think you know enough about it to be able to cast such an intelligent vote that the Government should be based on that vote? --- Yes, I think if - I have a right to be consulted by my Government on any issue. If I don't understand it, I may give over to someone else that I have faith in to explain to me.

Well, how can you? I mean that is your vote, and what about the ten other people who have votes? --- The same applies(10) to everybody else, and this is why we have the political process whereby things are explained. I mean the average man in Britain does not understand on his own accord the advantages or disadvantages of Britain becoming involved in the whole economic market, but when it becomes an issue for referendum, political organisers go out to explain and canvass their points of view, and the man in the middle listens to several people and decides to use what he has, the vote. But in the meantime he has got no particular equipment to understand these technicalities of the whole of society. (20)

But isn't that one of the reasons why Britain is probably one of the most bankrupt countries in the world? --- I think I prefer to look at it more positively and say it is one country which is most democratic.

Yes, but now it is bankrupt? --- I think it is a phase, My Lord. Britain has been rich before, it may still get you know up on the ladder. I think it is a phase in history.

Yes, but something went wrong somewhere along the line, and is it because of its different democracy probably? --- I don't think so, I don't think so personally. I think it has (30) been/...

been partly the whole decolonisation process which has robbed Britain of a very fixed life, of what they used to get before. Now they are forced back on their resources and they don't have much. It is a small country, smaller than Natal. What can you get, it has got fifty-six million people, no land to cultivate, very few factories unless my

Yes, but now capitalism really develops and wasn't Britain powerful and because she was powerful she developed, she became an empire and then that is how capitalism, it is like a snowball, it just grows and grows? --- Yes. (10)

But she must have had good government at one stage? --- I think she could have had good resources at one stage and she could have tightened the belt such that the distribution of wealth did not touch the lower man at some stage, like during the time of Adam Smith?, even the time of the laissez-faire policy when you know, the few people who controlled industry in Britain went rampant throughout the country, manufacturing ...(inaudible), making themselves rich, and of course the Government got rich, but the people didn't get rich. The people got poorer, and this is why in Britain now more than in (20) any other country (Intervention).

They had a vote? --- They had a vote then, and they have been gradually returning a more socialist government which is against exploitation of people. People are you know restoring the whole process, the wealth must come back to the people.

But doesn't that all go to show that one man, one vote is not the "clear all"? --- I think this is a debate which is going on in the world now, the debate between Democracy and Communism, between Capitalism and

Yes, they all have disadvantages? --- Yes, they all have. (30)

And I/...

And I think we are also free to make up our own mind about it.

MR. SOGGOT: I suppose that leads to a discussion on anarchy,

My Lord. Mr. Biko, if I may just perhaps explore some of the questions further which His Lordship has put to you. As far as this country is concerned, do you visualise any particular impediment to the adoption and functioning of the one man, one vote system? And perhaps in your reply if you can give us any useful contrasts or comparisons with the political debacle, the political debacle, of many African countries?

--- And European countries? Yes, I would say basically that (10)

the South African Blacks in many ways are different from the

- at the present moment, from the stage at which several

African countries took up independence. I think he is a

highly westernised man in the first instance, and his accommo-

dation of the whole western system becomes that much greater,

I can say only the degree of literacy, functional literacy,

and beyond that education, is that much higher, and thirdly

I think he is faced with a different problem, unlike any other

country in Africa, which has been inhabited by a colonialist.

We have a situation here where we have Whites who are part of (20)

this country, they have got nowhere to go to. They are not

hiding passports in their back pockets. You might get a few

Liberals doing this (LAUGHTER). But on the whole

the basic governing force in this country which is the Afrikaner,

is a man of here. He is in fact spurned by the countries where

he came from, which are mainly the Netherlands. He can't

run there anymore. So that he has got to devise a system

whereby he can live forever with abundant life right here and

Blacks recognise this. So I think My Lord, the whole process

of political development in this country is going to (30)

accommodate/...

accommodate the various factors you know, that make up our society. We would - we have got a stance and we know what is the stance. Our stance is we want a one man, one vote. Whites say ja, we have got some suspicions about that, but on the other hand he is saying - we want one White man, one vote. And we say ja, we have got suspicions about that. Now in the process of bargaining surely some middle situation must be achieved amongst the two forces. You can't bargain without a stance you know, but our stance is not exclusive of the White man. When I say one Black man, one vote, you know. (10) He is saying one man, one vote. He is saying one White man, one vote. So we reach somewhere in the middle.

Mr. Biko, I am going to change my direction and keep this theme. If one goes back to SASO A.1 you have the phrase in paragraph 4 : "The basic tenet of Black Consciousness is that the Black man must reject all value systems that seek to make him a foreigner in the country of his birth and reduce his basic human dignity." ---

Sorry, I am just trying to find that.

It is on page 253 (Court intervenes). (20)

BY THE COURT: Which exhibit are you busy with?

MR. SOGGOT: It is A.1. If you look at paragraph 4. --- Is it Resolution 42, My Lord.

Resolution 4. --- (Intervention).

BY THE COURT: No, it can't be

MR. SOGGOT: I am sorry, it is Resolution 42, paragraph 4. On page 12. b(ii)? --- Oh, I see.

Yes, will you read that please? --- "The basic tenet of Black Consciousness is that the Black man must reject all value systems that seek to make him a foreigner in the country of his birth and reduce his basic human (30) dignity./...

dignity."

Now I wonder if you would indicate to His Lordship how this relates to the concept of Black values and "Ujama" which is referred to in a BPC document - I am dealing with this now because this seems to be an appropriate stage. Can you briefly tell us what all that is about and what this involves in terms of the future society, in particular economic society, which the Blacks - you people - want to bring about? --- Alright. From the economic point of view I think the starting point is that we as Blacks and certainly as Africans (10) in this country, have had a form of economy, even in our rudimentary culture, I use the term "rudimentary" now because the whole scope of knowledge has so widened you know, in latter years. We had an economy which was mainly an agrarian economy centering around crops and centering around oxen, cattle, and sheep and so on, small stock and big stock. Now the whole operation of that society had certain basic tenets, the first one being - we did not believe in apportioning land for private ownership by individuals. The land belonged to the tribe and land was held for the tribe in trust by the chief.(20) The chief could say - over there we are going to have our grazing area, and you Mr. Rees, are going to sit over here, and have your farmstead here, and you are going to live here. Now when he does that he is not giving you what is commonly held very dear by Western society, a title deed over something that you have bought, something that you have been given or something you have bought. He is merely giving you a right to stay there. If the tribe for one reason or the other may require to use that portion, he gives you another place, and there is (30)

no/...

no question about it. But of course, he does not do this in a rude way. You know, he consults with the people and everybody is free to consult in the various meetings that *central* are called by the chief, but the centre point of what I am saying is that the economic system has certain basic tenets. Now we are advocating Black Communalism, which is in many ways similar to African Socialism. We are expropriating an essential tribal background to accommodate what is in fact an expounded economic concept now. We have got to accommodate industry, we have got to accommodate the whole relationship (10) between industry and politics. But there is a certain plasticity in this interpretation precisely because no-one has as yet said this is it, and believed by all. You get Kenya, for instance, saying they believe in African Socialism, but Kenya is almost a carbon copy of the old British society, terribly capitalistic in approach, but they say they believe in African Socialism. Then you have

Has there been any expropriation in your thinking in Kenya, Mr. Biko? --- No, no, not at all.

BY THE COURT: Didn't the British Government buy out a lot of (20) these British farmers in which they settled Black farmers? Well, in the Abedare? area? --- I am not aware, My Lord.

I think it is raising problems now at the moment and that is why I happen to know about it. --- No, I am not aware, but as far as I understand in Kenya there is no expropriation, the whole concept of private owners still obtains

No, I don't say Kenya expropriated. I say the British Government - well, it may be sort of forced purchases, they bought out the farms from the

MR. SOGGOT: I think what happened, My Lord, is that White (30) farmers/...

farmers were encouraged, and still are encouraged, to sell.

BY THE COURT: Yes well, it is not expropriation. --- They were encouraged to sell, that is correct.

MR. SOGGOT: It is not expropriation. As far as your understanding goes, companies in Kenya have they been expropriated? --- No, and they have not been nationalised either.

I am sorry I interrupted you. You were talking about Kenya, and then? --- Now then again one finds another form of African Socialism in Zambia.

BY THE COURT: Well then, of course, that is not African Socialism in Kenya, I mean even if they say so it is not African Socialism? --- This is the point I am trying to make, My Lord. That in the end it is a very flexible concept, everybody says this is it. You know, we are not quite sure, and even amongst us there is a constant debate about this particular topic, Black Communalism. As far as I understand BPC right at this moment is still examining that concept to try to come to a precise understanding that is common to everybody else. Today I believe what is going on in Zambia, which is a 51 per cent ...(inaudible) ... nationalisation, in certain spheres(10) like the copper industry, or do they believe what is happening in Tanzania, where Government expropriates with compensation and Government forces a system to be adopted by the whole community because they believe this is the best to do for this particular community. So there is a wide range of claims that are made on African Socialism by countries which in fact differ fundamentally in their economic concepts and operations.

Now as far as you people were concerned, have the extent and ambit of Governmental interference or nationalisation or expropriation ever been settled? --- No, it has not. I think (30) the/...

the point we make here is the family accepts the fact that Government must take a lead in the planning, but no-one knows, or rather no-one has as yet expressed in concrete terms what type of lead, what type of control, the Government must have on private industry. No-one knows whether there is going to be a private plot or not, you know, we talk of land in terms of being a people's thing, this is borrowed straight from ... (inaudible) ... Whether or not this is strictly applicable not to an economic system that has so developed has not been fully debated. For instance, certainly what has been (10) accepted now is a need to focus thought on this particular direction, but no-one can tell me in very precise terms what the BPC/SASO policy on Black Communalism is and say ... (Court intervenes).

BY THE COURT: Anyway, it is a starting point? --- That is right.

MR. SOGGOT: It is a starting point which leads in what direction, in what way does Communalism or these concepts of African Socialism inspire you people or direct you people? In other words how do you use it? --- Sorry? (20)

How do you use it in other words, or foreshadow its use? --- What we have accepted is the introduction of the concept of sharing in the present society, right? Now we have sort of given a rudimentary explanation for what we believe. We know that we believe - that we are dealing with a society which is basically capitalism orientated, although they do embrace a lot of socialistic attitudes. I mean in South Africa for instance there is nationalisation of - to a great extent of several things like the radio, the Railways, like Iscor for instance, and - you know. Now again, we are talking of (30) bargaining/...

bargaining, we are talking of dialogue, you know, from two different standpoints between two people who are both interested in the future of the country. We would be developing our standpoint from this side, which is the platform from which we are going to talk to a people who hold dear a free enterprise system, and out of these two clearly you know the synthesis will come.

BY THE COURT: But am I not correct in saying, I get that impression from your literature, that first of all you want to break down capitalism because capitalism sort of eulogises (10) the individual, and you don't want individuality to play such a role in your idea, in your community, because of your traditions? --- That is also correct, and of course there is a second point, My Lord, that capitalism tends to lock up wealth of a country in a few hands at the top.

MR. SOGGOT: When you talk of opposing individuality of capitalism, can you be just a little bit more precise, as to what individuality you are talking about? --- I am talking about

The individuality of the individual and his personality (20) how would that figure? --- (Court intervenes).

BY THE COURT: Well, according to the writings I think he becomes exploited if you allowed him free reins, and then he eventually becomes rich and he forms an elite and they start all over again? --- Yes.

This is the same trouble? --- Yes, I would have said this.

MR. SOGGOT: You mentioned the question of bargaining? --- Yes.

What is that - how does that link precisely with your concept of an eventual fixing of policy in relation to an economic change in this country? --- You will have to rephrase (30) your/...

your question.

You say that there are going to be two groups and you are going to bargain? --- That is right.

Do you visualise a bargaining in connection with the economic adjustment of the country? In the sharing of wealth? --- Yes, we are bargaining here, I am implying an attempt at synthesising two different viewpoints. You know, you've got two strong points in the society, the one is strongly capitalist, the other says - we are Black Communalist in approach or we are African Socialists or we believe in (10) sharing. Now you have got to synthesise that, you know. This is all part of the values, the beliefs, the policies, that have got to be synthesised in the bargaining process between Black and White in this country.

What is the - is there any part of your programme which suggests that all private property must be expropriated, full stop? --- I am not aware of this.

Not that you are aware of? --- No.

Then again (Court intervenes)

BY THE COURT: I think your Counsel is probably afraid to (20) mention it. Isn't it part of the policy to have a redistribution of wealth? --- That is correct.

Now how can you have a redistribution of wealth without taking it from somebody? --- My Lord, you can take from somebody without necessarily abolishing the principle of private ownership, I mean, even in our society, in our tribal society, you know as I said which is the starting point, you do have the concept of so and so owns so many cattle. The important thing here is what you personally mentioned, the individuality^m society, I own this cattle alright, but if (30) someone

is/...

is starting a house nextdoor, it is custom for me to be of
- you know, and I have ampathy with him, it is part of my
cultural heritage to set him up, so that my relationship with
my property is not ~~is~~^{as} highly individualistic that it seeks
to destroy others. I use it to build others.

That is your property, what about the White man's property?
--- Now this is precisely the point. Now we may get a situation
and I certainly think it is a possibility, where certain
people in the country according to whatever values are adopted
at the time, own things that they should not have, which (10)
historically they have immorally got, to a point which cannot
be forgiven, I am sure I mean we are just like any society
you know, you have got to create what you call some retribu-
tion, there has been an abuse or something, and someone has
collected

That I can understand, but how do you deal with him? ---
It does not mean that every White man or every rich Black man
will be subjected to this, but I can just foresee, and this is
my own viewpoint, I can foresee a situation where there will
be people who own so much that they have got to be told - give(20)
it back, we will give you what we think it is worth, you know.
If you want to buy the land, because he may be in the position
of owning the land, you pay him what you think the land is
worth, not the sum he may fix perhaps.

Yes, but who is going to pay it? And where are you going
to get the money from? --- Well, I am talking about the
Government, I am talking about a situation where

You mean the Government that ... --- Yes, there has been
a synthesis and we are now as joint Black and White settling
discourse of this thing with those people of society whom we (30)
jointly/.....

jointly feel we cannot accept in terms of their monopolistic property. You pay him a price. I mean the Government does it anyway. They sometimes tell the owner, sell us your property, they buy the property and they fix a price. Never mind what the man says, well, if he says half a million and the Government says it is worth two million he gets two million. If the man says R200 and the Government says R150 he gets R150. This is the whole principle of expropriation.

Just to continue finishing of this theme of the synthesis,
(10)
or your new society, the values of this society, in the documents here there is - there are suggestions that existing values are no good and you have got to have new values? --- Yes.

Can you tell us what is foreshadowed, and the thinking behind it, whether you are considering going back to the sixteenth century, or ... --- No, I think we reject the return to the bush concept which is what Bernard Potter suggests we want to do in the book, what is the title of that book now?

BY THE COURT:

Just indicate who? --- Bernard Potter, I think he says "Your fault, Black man" and he is saying that the fault of the Black man (20)

genes
It is Potter? --- Yes, now he says the fault of the Black man is in his jeans, and he suggests in the book somewhere that you know, what he wants is a return to the bush and that sort of thing. Now this is not really what he wants, you know. I think what we need in our society is the power by us Blacks to innovate, we have got the very system which - from which we can expand, from which we can innovate to say this is what we believe, accept or not accept, things that are thrown at us, and it is society that is a constant physical ... (witness speaks very indistinctly) ... you know, cultures affect each other, you know like fashions and you cannot escape rubbing (30)
against/...

against someone else's culture. But you must have the right to reject or not anything that is given to you. At the moment we exist sort of as a limb of the White culture. You know we form what we must call a sub-culture, precisely because of a situation that forces us to behave in a certain way. For instance if you look at the sub-culture of drinking at a shebeen, now this is very common in Black society, you know, everybody drinks at a shebeen, I drink at a shebeen. Now it cannot be traced back per se to our tribal life because we didn't have shebeens in our tribal life. But it is a sub- (10)
culture arising out of the fact that we don't have bars, we don't have hotels where we can drink, so what do we do? We are either a genius to invent a shebeen and to drink at the shebeen, and out of this a sub-culture develops you know, what I am trying to suggest here my Lord, is that (Court intervenes).

BY THE COURT: It is evolution, the shebeen fact just happens? --- But the primary important thing is that you must have the right to reject or accept any new trend.

MR. SOGGOT: The question I think which is of greater interest (20) to us is on the first day of the open society, on the following day, is there going to be general destruction - any destruction or proscription of existing culture and cultural values? --- I think a modification all round.

Now what sort of modifications are envisaged? --- I think again it would depend very much on the bargaining processes and the result thereof. I think SASO in its documents, and certainly in the many speeches delivered by its leaders all that they insist on is primarily a culture that accepts (30)
the/...

the humanity of the Black man, a culture that is basically sufficiently accommodative of African concepts, to pass as an African culture. What we are saying now is that at the present moment we have a culture here which is a European culture. This country looks, My Lord, like a province of Europe. You know, to anybody who perceives the behaviour pattern it looks like a province of Europe. It has got no relationship rootwise to the fact that it happens to exist in Africa, and when mnr. Pik Botha says at the United Nations "We are Africans", he just doesn't know what he is talking (10) about. We don't behave like Africans, we behave like Europeans who are staying in Africa. So we don't want to be just mere political Africans, we want to be people living in Africa. We want to be called complete Africans, we want - social Africans. ... (inaudible) ... said I must understand Africa and what Africa is about. And we don't have to go far. We just have to live with the man here, the Black man here, whose proportionate contribution in the joint culture is going to sufficiently change our joint culture to accommodate the African experience. Sure, it will have European (20) experience, because we have Whites here who are descended from Europe. We don't dispute that. But for God's sake it must have African experience as well.

And is that the synthesis you foreshadow? --- This is the synthesis we talk about.

Now Mr. Biko, still while we are dealing with overall themes, can we now get onto the question of the achievement of your freedom? I would like you to - I know this is short-circuiting your evidence, but I would like you in this context (30) to deal with BPC as well. We will look at the BPC documents tomorrow./...

tomorrow. ---Right.

But I think they can usefully be dealt with in the same breath as the SASO documents. Would you have a look on the same page at paragraph 4(c)? --- Yes.

Would you read that please? --- "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 definite racism that is meted out by the White society, to work out their direction clearly and bargain from (10) a position of strength. SASO believes that a truly open society can only be achieved by Blacks ..."

Yes, now I wonder if you would pause there. Now I think - without troubling you with actual documents, in BPC A.1 there is in a resolution the following phrase - it is on page 2, and that is - "A political movement be formed that shall consolidate" - paragraph 4 - "consolidate the different sections of Black community with an aim towards forming a power bloc."

Have you got that, and you know what I am talking about? (20) Paragraph 5, - "The primary objective the total liberation of all Blacks. "

Now would you indicate to His Lordship your conception, SASO's conception of the forming of - here it is referred to a "a solid group", and in BPC as a "power bloc". And how you visualise the generation of this so-called bloc as leading towards your liberation? --- First of all I accept that in our analysis the cardinal point is the existence in our society of White racism which has been institutionalised, and also cushioned with a backing of the majority of Whites. In (30) other/...

words a White child does not have to choose whether or not he wants to live with the White, he is born into it. He is brought up within White schools, institutions, and the whole process of racism somehow greets with him at various levels and he attempts to have an attitude against Blacks, so Whites are together around the privileges that they hold, and they monopolise this away from Black society.

Yes? --- Now then comes the analysis. Can we in fact crack this cocoon, you know, to get Whites away from the concept of racism, away from the concept of monopolising the (10) privileges and the wealth of the country onto themselves without necessarily being together. Can you preach to them in other words as individuals. Now our belief is that White society will not in fact listen to preaching. They will not listen to their Liberals. The Liberal Party has not grown within White society, and certainly we as Black people are unable to stand idle watching the situation.

Yes? --- Now we can only generate a response from White society when we as Blacks speak with a definite voice and say what we want. The age of the Liberal was such that the (20) Black voice was not very much heard except in echoing what was said by Liberals. Now has come the time when we as Blacks must articulate what we want, and put it across to the White man, and from a position of strength begin to say - "Gentlemen, this is what we want". "This is where you are, this is where we are, this is what we want ". Now putting ...(inaudible)... there is a specific moment at which bargaining you know will be entered into. In fact this is not true. All that BPC wants is to gain a majority of Black support so that it can authentically sound a ...(inaudible) on behalf of (30) the/...

the Black people. You know, we must be able to say tomorrow that we don't want a Transkei as Black South Africans, and know also that it is known by the White society that we are speaking for the majority of Blacks in this country. Now the bargaining process again is not anything which will clear that particular point in history. It starts now when we take a resolution at a conference and we say we are going to communicate the contents of this resolution to the people concerned, whether it is a university, in the case of SASO, or whether it is a sporting body, a governing body in the case(10) of BPC, all of this is bargaining. We are beginning to say this is what we are thinking.

Yes? --- Now at this given moment our strength is such that we have got to deal with issues that are very very low-key. Now as you develop strength you begin to pick up issue after issue and it is all over a course of time, and it is all not as clearcut as perhaps it might be suggested by this term here which says : "Form yourself into a solid bloc and then begin to bargain". It is not as clearcut as all that. This is a frivolity, this is a way of putting the process into one (20) paragraph. The process in fact may take well over twenty years of dialogue between Blacks and Whites. We certainly don't envisage failure. We certainly don't have an alternative. We have analysed history. We believe that history moves in a particular logical direction, and in this particular instance the logical direction is that eventually any White society in this country is going to have to accommodate Black thinking.

agents

Yes? --- Now we believe that we are mere aegis in that history. There are alternatives, on the one hand we have groups that are known in this country, who have opted for (30) another/...

another way of operation, who have opted for violence. We know that ANC and PAC have done this in the past, they have taken this step. Now we don't believe it is the only alternative. We believe that there is a way of getting across to where we want to go, through peaceful means.

And the very fact that we decided to actually form an above-board Movement implies that we accepted certain legal limitations to our operations. We accepted that we are going to take this particular course. We know that the road to that particular truth is wrought with danger, some of us (10) get banned, like I am. Others get arrested like these men who are here, but inevitably the process drives towards what we believe history also drives to, an attainment of a situation where Whites first have to listen. I don't believe that Whites will be deaf all the time. We believe that this is you know a last ditch stand so to speak. There are signs right now of Mr. Vorster going to Smith to face issues. Inevitably he must know in his own mind that at some stage I must speak to everybody. Okay, but for the moment it is only a plan dismissed. Even the whole idea of (20) Bantustans being given freedom, this is a way of accommodating political aspirations of the people which is an inevitable accommodation of what the Blacks want eventually. But we reject this, what we want is a total accommodation of our interests in the total country, not in some portion of it. So we don't have a side programme, we don't have any alternative. We believe ultimately in the rightness of our strength, that we are going to get to the eventual accommodation of our interests within the country. (22)

MR. SOGGOT:/...

MR. SOGGOT: Your rejection of the Bantustan solution, do you consider that it has any political significance? At the moment? --- Yes, it has.

Is BPC a strong organisation at the moment? --- Well, I would not say it is strong, I mean I don't know what strength you are using for instance, I would not compare it to the Nationalist Party. It certainly has a following. It probably has got much more following than it has got members in the country. But part of what you are trying to kill has not quite died, the whole concept of fear, and Black people are (10) steeped in fear. We want to get them away from this.

Black people are steeped in fear? --- In fear, yes, they are afraid of existing structures and reactions you know, from the System, so that they may not come forth. You do get in fact within Bantustans people coming from - coming to you to tell you that they agree with you, you guys, we now we must work for our bread. One man who advocates propaganda in Radio Bantu here at home every day, it is some sort of current affairs programme, he came to me one time and said - "You know, I don't believe in what I am saying, but I am paid to say it". And (20) I quite believe him.

Mr. Biko, you say that your present rejection has a political meaning. --- Yes.

Would this have a greater or a lesser meaning if your organisation were taken as in fact representative of the Black people? --- It would have much greater meaning.

Could you just tell us how you see that? --- At present the - let us refer to the whole Transkeian institution, I believe that if BPC were an established organisation that is known to (30) represent/...

represent the majority interest of Black people, and if BPC were to say - "we are not going to accept the kind of independence which is being given to the Transkei", there would be resulting action in the Transkei, in the form of people saying to their Matanzima, that we don't want this. But right now Black people are operating under a veil of silence, and their operational use(?) are not known. And because BPC has not quite got to that position where it can be regarded by everybody, all and sundry, speaking for the majority of Black people, even when they speak about the Transkei independence (10) it is not sufficient for the people to come and say they don't want this independence, because BPC hasn't developed this kind of complexion of speaking for the majority of Black people.

Now assuming that it had developed that, what effect do you visualise it would have on the Government? --- In ..?

In the bargaining process? --- I believe it would have a softening process. I believe that inevitably this Government will listen to Black opinion. In my view this Government is not necessarily set on a Hitlerised path. I think it is(20) biding time. From their interpretation of the situation at the moment, the situation is such that they can continue. Mr. Vorster can postpone some problems and say - well, the Coloured issue will be solved by the next generation. Because he can see his way clear, even given the time of timidity to which Black people have been pushed, but I believe that as the voice which says "no" grows, he is going to listen, he is going to begin to accommodate the feelings of Black people, and this is where the bargaining starts. You know, any issue that you win because of your "no" implies that you are being (30) listened/...

listened to by those in power.

I think the suggestion which may be made is that you are building up a power bloc and when you have got every man and woman in your power bloc you will then confront Mr. Vorster? And force on him the decision of war or peace? --- Yes, I said to you we don't have an alternative. We believe that - in fact the whole process of bargaining is then damaged in our operation, we are not interested in armed struggle. We have stated clearly in our own documents that we are not interested either in confrontation methods, by that meaning (10) demonstrations which lead to definite breaking of existing laws, such that there is reaction from the System, what you call the System.

Yes? --- Now our operation is basically that of bargaining and there is no alternative to it. It is based as I say mainly on the fact that we believe we have interpreted history correctly, that the White man anyway is going to eventually accept the inevitable.

My Lord, I think that I would not start on the theme of the BPC. Perhaps Your Lordship might find this a convenient (20) stage ...

BY THE COURT: I just want to ask him one question and then we can take the adjournment. I think what Mr. Soggot is trying to say to you is this, assuming now that one doesn't find any fault with your aims and politics as such, but can it not be said that you are trying to achieve your end in such a way that you are building up a hostile power bloc, which is sort of oriented for action, and if you don't get your - if you are not satisfied when it comes to well bargaining, that your power bloc will then react and then you will have no control over (30) the/...

the power bloc? --- My Lord, I don't

Perhaps I should put it in a different way. When I say that you are preparing it in such a way it means I am trying to convey that the means that you adopt in order to build up the power bloc and to conscientise people, has the effect of antagonising the Black people, and eventually you have a situation where you will not be able to control this bloc if they don't get their claims met by the White group? --- If I contest the first point, My Lord, I don't think the means are used for conscientisation have that effect at all of making (10)
- of antagonising Black people, or of creating antagonism within Black people. On the contrary, what I would say is that our methods do in fact give hope. I think it must be taken in the context of a situation where Black people don't have any hope, don't see any way ahead, they are just defeated persons, they live with their misery and they drink a hell of a lot because of the kind of misery

Well, that is why I say --- Now when you speak to them, conscientising them, what you are in fact doing is to rekindle their hope. (20)

Yes, but the objection is not against conscientisation as such, it is the manner of conscientisation pointing out to them what enemies they have in the White people? --- Again as I said earlier on this is just a common starting point. You are speaking about what that man knows, you are moving from there to talk about ways you go from here. You are giving him some kind of home within a group called the Black Peoples Convention, if you are in trouble go to the Black Peoples Convention. (Indistinct). You are saying this is what BPC is all about. You stand squarely on the side of the (30)
Black man/...

Black man, we understand the problems, to be these. And they know the problem. No matter what you say to them they know the problem. As I say they can express their problem stronger than you can but now you move from there to create some kind of hope, some kind of opportunity, and in fact I think you are giving them some kind of psychotherapy to move away from being a defeated society to being a hopeful society, and you are not dealing out some kind of juggernaut that is going to get out of hand. When you are speaking of Black solidarity all you are talking about (10) really is just that feeling that you are speaking for the majority of Blacks. You are not going to have every individual placed in a room and taught point 1 to 20 which he can decide and ..(inaudible). No, he is just going to believe that BPC speaks for me, BPC is my Movement. Right, and now my leaders are bargaining and this is what they are saying, you know, and when we consult him he ... says we want this or we don't want this. This is all. In a sense, in the same way that one is a member of the Nationalist Party. There is nothing sinister in it. You are just a member, you just (20) support the party that to you gives you the best hope in a given society. This is what Black solidarity is all about. It is not an army as such like some of my ... (voice fades).

BY THE COURT: The court will adjourn until tomorrow morning.

/YC.

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