

MR SHUN CHETTY

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

VOL 109

CASE NO: 18/75/254

DATE: 9TH JUNE 1975

THE STATE

VS

S. COOPER AND EIGHT OTHERS

VOLUME 109

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LUBBE RECORDINGS (PRETORIA)

COURT RESUMES ON 9th JUNE 1976JUSTICE EDMUND LINDANE MYEZA, STILL UNDER OATH:

CROSS-EXAMINATION BY MR. REES CONTINUED: Have you got a letter you want to read to the Court first? --- Your Lordship, I have got a list of the documents that I knew before.

Well that is still going in as part of your Defence case, will you just tell the Court please? --- I have got the list of exhibits here, Your Lordship, SASO A.1 .. (Court intervenes)

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Well just tell us now what is that list? --- It is a list of the documents that are before Court that I knew before my arrest.

Before the case you knew them? --- Yes. SASO A.1, SASO C.1, SASO G.1, SASO G.4, SASO H.1, SASO K.1, SASO H.1, SASO N.1, SASO N.2, SASO H.3, SASO N.4, SASO P.1, SASO P.2, SASO P.3, SASO Q.1, SASO R.1, GENERAL EXHIBIT H.1, this is what I wrote, the title of it is "The Correct Perspective" and BPC B.2, K.3(a), K.4(a), Q.2.

MR. REES: You say you took part in these multinational Games here? --- Yes I did.

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And did anybody force you to take part? --- No, nobody forced me.

And what happened to you in those Games? --- I took part.

Yes, but what did you do? --- I boxed.

With what result? --- I lost on points.

Against whom? --- Against - what is his name again - I think he is presently the Transvaal Heavyweight champion in the white section, I think his name is Coetzee.

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Court / ...

COURT: Knoetze? --- No, not Knoetze.

Oh, Gert Coetzee? --- Gert Coetzee, that is right.
And he, Gert Coetzee, was eliminated by Knoetze.

MR. REES: Oh, so would it be correct to say that you were in select company there? -- I don't understand the select company.

Select in the boxing parlance.

COURT: Mr. Rees is complimenting you he says you were with quite good boxers? --- Yes they were quite good boxers, at the time they were still raw, but I don't know now.

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MR. REES: Well they must have been not as raw as you were otherwise they wouldn't have won? --- Oh well, if I were to say something about the actual fight, I didn't think much of Coetzee when I fought him.

Oh, all right, you say that when you originally joined SASO and found out about it, you said you were completely represented in what SASO was saying, do you remember that? --- Yes.

And you also accepted that the White man was part of the problem? --- Yes.

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You say what SASO was saying were things that you felt your whole life? --- That I had felt my whole life, yes.

Is that to the effect that the Whites are the oppressors of the Blacks? --- Your Lordship, in the sense that it is White people who rule or who have or who are in power over the Blacks.

Is this what SASO was saying, that the Whites are the oppressors of the Blacks? --- I don't know if I will

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put / ...

put it that way, I don't think I will put it exactly that way, I will put it - PAUSE

How will you put it? --- I would say that SASO said that we have a problem, and because of the South African situation Whites by their participation in the South African situation which is oppressive to Blacks, and also because of what they gain from such a participation, they therefore represent part of the problem.

Yes, they are part of the oppressive system? --- Yes. 10

And as such they are persons or they as a group commit savage atrocities against the Blacks? --- There are incidents where such acts have been committed where one could say they are as you have described them, but I don't remember SASO saying this that Whites as persons or a group have committed savage atrocities.

You yourself say Whites and the White system commit savage atrocities against the Blacks? --- With specific references, specific references, not just that Whites go about doing those kind of things. 20

Didn't you ever say: these savage atrocities committed by the Whites against the Blacks? --- Your Lordship, I might have said that, if I could be shown where I said that?

Is that how you felt or is that how you felt SASO felt? --- That is how I felt, so if you can show me - PAUSE

I am not interested in showing you anything - is that how you felt your whole life or is that only how you felt after you got in contact with SASO? --- No, my whole life. 30

You / ...

You felt that the Whites commit savage atrocities against the Blacks? --- I don't - Your Lordship, the thing is as far as this case is concerned, I think we are concerned here with Whites and our creation of enmity between Whites and Blacks, and now, in answer to the prosecutor's question I don't think I will be doing justice if I just say Whites, because I think I have made reference to particular - for instance I think the Resolution 46 of 1974 talks about a specific incident. Now I am not saying that SASO has said of all the daily activities of Whites that this is what they do, that is Whites, and in that particular Resolution I am referring to a specific incident, to a specific official of the government. 10

I want to know just from you whether your whole life long you have regarded Whites as people who commit savage atrocities against the Blacks? --- Whites as a group ..(Mr. Rees intervenes)

Will you just listen to the question? --- Yes, I am listening, I am trying to answer. 20

Whether you your whole life long have been regarding Whites as persons who commit savage atrocities against the Blacks? --- Not Whites, the persons, but the machinery is of such a nature that it is oppressive to Blacks.

Did you regard Whites your whole life long as being persons who commit savage atrocities against Blacks? -- I don't think the prosecutor understands the answer I am trying to give.

COURT: Are you saying you make a distinction between Whites and their system? --- That is right. 30

You / ...

You say your grievance is against the system?

--- That is correct, Your Lordship, it is not that it is every White man that I see I say he is committing atrocities against the Black people.

MR. REES: And you mention atrocities in Resolution 46 of 74 of which you were the proposer, isn't that so?

--- I think there is mention of atrocities in that Resolution, it could be atrocities or atrocity.

Now, what other atrocities did you personally come across in your whole life, outside of your association with SASO? --- Your Lordship, I don't know where I would start if I were to say that, but I would say in a nutshell that the whole fact that I as a Black man am submitted to the things that I have to undergo.

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You mean the fact that they take you in a bus with plush bottom cushions and they take you to a Five Star Hotel, that is subjecting you to discrimination? --- In a minute sense, yes, because after the Games, the day they ended, I couldn't go into Burger's Park Hotel because I was a Bantu, these are similar incidents. But there are so many, that for instance I have to carry a pass..(Mr. Rees intervenes)

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Do you want to go into Burger's Park Hotel? Do you want to go back? --- I wanted to go back.

Oh. SASO referred to the Whites as the enemy? --- Political enemy, yes.

Not political enemy straight enemy without the word political in front of it, SASO referred to the Whites as the enemy? --- There again, Your Lordship, it is necessary to strike a distinction between White people like if I

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would / ...

would say Mr. Rees and the whole system.

Didn't SASO refer to the Whites as the enemy? --- In the sense that I have described, yes.

Did they refer to them plainly and simply as the enemy? --- I don't remember that, where they say White people ..(Mr. Rees intervenes)

Where they say the Whites are the enemy? --- Yes but Whites, I mean even if you look at the word Whites itself, it is a distinctive term, and Whites when it is used in SASO it is used as a political term, and in that sense SASO has said Whites are part of the problem. 10

And when SASO has said Whites are part of the problem you agree with them? --- In the sense I have described I agree with them.

They said so without qualification, they have said Whites are part of the problem? --- Your Lordship, unless the prosecutor shows me something where that thing stands ..(Mr. Rees intervenes)

I want to know from you, without showing, I want to know from you whether or not you agree with me that SASO refers to Whites as part of the problem? --- In the sense that I have described, yes. If you insist on the sense that you are speaking about you will have to show me. 20

I don't propose showing you anything, what I want to know from you also is whether SASO refers to the Whites as the enemy? --- I have just answered that.

Well answer it again? --- That SASO has used the term enemy with reference to Whites as a political - as a concept.

Yes, and they have also referred to the State as the enemy / ... 3

enemy? --- The system.

Or the system as the enemy? --- Yes.

Also SASO refers to Whites as racists? --- Yes - I am sorry I mean Whites are racists, but I don't think SASO has said Whites are racists.

What is a racist? --- A racist is in a very simple definition that I will give you a person who discriminates on the basis of colour, one who takes race as a - PAUSE -

As a criterion? --- As a criterion, yes.

Then aren't the members of SASO also racists? --- No. 10

But they say: we are Black, Whites must be excluded? --- Racist in the sense that the Whites have chosen to be racists of their own accord, SASO is made to exclude Whites.

I see so when SASO specifically adopts a programme of anti-Whitism you say that you are made to do it, but when the Whites ..(witness intervenes) --- No, no, no, SASO hasn't adopted a programme of anti-Whitism.

Not? --- I think it is stated clearly in the policy manifesto that our stance, that is of having Black people 20 in the organisation only should not be constituted as anti-Whitism, because in the same document, the policy manifesto, they say that for a good and proper society to come into being Black people do not have to be assimilated into this already established society, but they have to enter it, it follows automatically once people enter or accord themselves the right to decide as individuals, and then they can enter this. So ..(Mr. Rees intervenes)

Does that mean the Whites must change their present habits and methods and must fall in line with what SASO 30

wants / ...

wants, and they can do so freely provided they do what SASO wants, isn't that so? --- No, I don't follow, this is directed at Black people, that here is the South African society, now we want to live together in this society, but we don't want to be assimilated into a society with already established norms.

Right, so you want to change that society? --- We want to change the society.

The whole basis of that society? --- I don't understand the whole basis.

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You don't like the capitalist system, you don't like the fact that the Whites are in charge, you don't like the White social system, isn't that so? --- PAUSE

Well let us start at the beginning, do you like the capitalist system as it is? --- No.

Right. Do you like the White social system as it is? --- That is the system that we are forced to live under.

The system, by whatever name you call it, the White social system, you don't like that? --- Yes.

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You don't like the white economic system? --- Yes we talked about that.

You don't like that? --- No.

You don't like the fact that the Whites are in control of the government? --- That the Whites are in control of the government to the exclusion of the Blacks.

Right, so therefore you want to change the whole system? --- We want to change the system, but - PAUSE -

According to Black values, you want to substitute Black values? --- No, it is not a question of substituting, 50

it / ...

it is a question of getting together forming a joint -- from which all the various people of South Africa can contribute.

Are you suggesting you are wanting to get the Whites to be friendly, you want to get friendly co-operation between the Blacks and the Whites? Is that what you want? --- To be South Africans.

I want to know whether your aim and SASO's aim is to get a friendly co-operative spirit between the Blacks and the Whites, is that your aim --- That is our aim, in the ideal society.

All right, then why do you refer to the Whites in all these derogatory terms? --- Such as?

Such as pigs? --- No, that does not refer to Whites that I know of.

Oh, if I find any references to the Whites as pigs you say that we must exclude? --- Ah, I think that follows that that must be excluded, because ..(Mr. Rees intervenes)

Why do you say a reference to Whites as pigs is derogatory, or do you say that it is derogatory? --- How first, I don't say the term pigs refers to Whites.

Why not? --- And the term pigs in any sense I think - if I call you a pig, it would be derogatory.

Yes? --- But now I think we have agreed there that the term pigs as I understand it refers to policemen, and I think, Your Lordship, I tried to explain the whole context or the evolution of the word pig.

Yes, now as I understood it, as I understood it, in my association with the Zulus from which you stem, they are a warrior race and they are a brave group of people,

isn't / ...

isn't that so? --- I think that can be said for - PAUSE --

Now, I am only talking about the Zulus, never mind about other people, you don't know about other people you know about the Zulus, you think you know about the others? --- Just as much as I think you think you know about the Zulus.

I don't think I know anything, I am asking you? --- But you just said so, I am saying, Your Lordship, that ..(Mr. Rees intervenes)

Now confine yourself to the Zulus that is all I want to know? --- Every tribe has got its fits of bravery, they have got their heroes, and they have got their warriors, I think from every tribe we can pick similar or incidences that can be described ..(Mr. Rees intervenes) 10

Yes, but as a nation the Zulus ..(witness intervenes) --- A tribe, a Zulu is a tribe.

As a nation or a tribe, whichever you prefer, they are, especially those I came across in Zululand and in the whole of Natal, they are a very polite group of people aren't they, they are proud of themselves but they are polite among themselves, aren't they? --- Like any other people, Your Lordship. 20

Forget other people I am talking about the Zulus of which you are a member? --- The thing is, Your Lordship, I don't look at myself as a Zulu and when I speak to a person I don't speak to him as a Zulu, I speak to people as people, and if I were to take my home situation in Soweto, in Soweto they have sections, there is a Zulu section, a Tswana or Xhosa section, but you find that people from all tribes stay together, and where I stay 3

nextdoor / ...

nextdoor to the left they are Sotho, and nextdoor to my right there are Swazis, opposite there are Xhosas, but it is all one thing really.

Is it correct that - or do you know the history of the Zulu nation or don't you? --- I have a fair knowledge of the history of the Zulu tribe.

Now, they used to refer - the only people who were referred to as people were Zulus, isn't that so? --- PAUSE
No, that is not true.

Well, I am told a Zulu was asked about three people, 10
whether there were three people and he said: Abantu, ababile, msutu, uyetwa (?) - what was he saying, translate that please? --- It is two people and one Sotho.

So, you would understand that to mean there are two Zulus and one Sotho, not so? --- Your Lordship, I think ..
(Mr. Rees intervenes)

It is a way of speech among them.

COURT: Doesn't Abantu mean "of us" too? --- Abantu is the plural of person, so it means people. So now when one says Abantu, you mean people. 20

MR. REES: Yes, but if a Zulu says to you "Abantu ababile" you clearly understand he is talking about two Zulus isn't he? --- Not necessarily, Your Lordship.

Not necessarily, but ..(witness intervenes) --- Your Lordship, this thing, say I read in one book about the French and the English, the French referred to the English as "roast beefs", now I think that is in the same context as the illustration the prosecutor is putting to me, and it is in the same sense that the Mexicans call the Americans Gringos or something like that. 3

Or / ...

MYEZA

Or the "Doughboys"? --- Or something like that, I think every nation has got a name for the other nations, but it is not really a question of what the prosecutor is trying to suggest.

"Abantu ababile Msutu uyetwa", that is the way they speak isn't it? --- No.

MR. SOGGOT: M'lord, I think my learned friend ought to give evidence, he seems to be quite a master of the Zulu language.

COURT: Have you heard that said already amongst your people? --- Your Lordship, this is what I would call a fireside joke, people speak like this when say for instance, with no malice really, people of Zulu origin sit around and they say ... (WITNESS SPEAKS ZULU) ... you know that kind of thing, but the Sotho can be sitting there, and he can say ... (WITNESS QUOTES) .. you know that kind of thing, and it means nothing. 10

MR. REES: Oh I see, but this type of thing leads to faction fights ever so often? --- LAUGHTER - No, that is not true. 20

That is why the Basutos and the Khosas get into one another with assegais at the mine compounds isn't that so? --- No, it is not like that. For instance, Your Lordship, it is to be expected if you keep people together and they do the same things in a confined space like a mine compound, human nature has that, they fight amongst themselves, but when they do fight now you get people coming to say now: who was fighting, or: it is a Zulu that was fighting and it is a Khosa that was fighting, therefore there is a faction fight. 20

And / ...

And all the Zulus come and they help the Zulu, and the Xhosas all go and help the Xhosa, that is what happens not so? --- Oh, not because of the faction fighting - I am sorry, it is not because of - if you look at the incidents maybe you will find that it started off as Mr. Soggot fighting Mr. Rees, and then Mr. Rees was helped by Mr. Attwell, and Mr. Attwell was helped by Major Stadler, and therefore they formed one group. The other side Mr. Chetty, Mr. Radichaba, they helped Mr. Soggot, so there is now what you would call a 10 faction. Now if you want to say that these faction fights are what you have been suggesting, then I think you might as well accept that when people fight there are bound to be people taking sides, and it so happens that the people who take sides are either friendly or belong to the same side.

COURT: I think what Mr. Rees is driving at is this sort of thing, we find that in Court, you find that on a Saturday people go to drink beer, and on the way back they meet "the Russians" or the "Red Blankets", they are mostly 20 the Sothos? --- Yes.

And then because they are the "Red Blankets" or "the Russians" they just kill them, or kill some of them, or if one is alone they just kill him? --- No, Your lordship ..
(Court intervenes)

Now isn't it because at a previous beer drink those people again killed one of their people? --- No, Your Lordship, I think - PAUSE

You know the name "Russians"? --- Yes I know it.

Now who are the "Russians"? --- I know who the
"Russians" / ...

"Russians" are and what this whole - PAUSE -

Well why do they call them "Russians"? --- I don't know really.

And the "Red Blankets"? --- The "Russians" wear blankets, Your Lordship, and I think the thing is they wear blankets and they carry sticks under those blankets so they are called "Russians", but Your Lordship, when these fights start like for instance there was a fight at the Dube hostel. Now there was a big fight there and the people from the hostel were fighting against the people in the location, because ...INAUDIBLE.. so what happened was these people at the hostel had been getting robbed by the people in the location, so what they felt was well, there is unity in strength, let us club together and fight this getting robbed every Friday, because they take our money every Friday, so that is how it began, and they were beating everybody, because they suspected everybody, and they said all those that have got caps are the ones that rob us on Friday nights, so they beat everybody that has got a hat on, but it fizzled out and died. Now, Your Lordship, to come back to Your Lordship's that these are the things that cause the fights because there had been a beating at some other time so they must retaliate, it is really that one finds that in such a situation the one party feels: I must defend myself. Because take for instance this incident I am referring to, the police can't do anything about it, because they hardly ever see these incidents, they get reported, and the police just ignore some of them. So they think now, we must protect ourselves, and they do

this / ...

this and then there way of protecting themselves they just ward off or hit anybody they meet.

But now in Soweto there are a lot of these gangs aren't there? --- There used to be, Your Lordship.

They carry the names of their football teams - I don't remember the names anymore, but there are quite a lot of these gangs, they really start as football teams, and eventually ..(witness intervenes) --- No, Your Lordship, they didn't start like that, they started from the different sections of the location, there were the Apachés, there were the Elevens, and there were the Texans, and all this, but those fizzled out and died, now a new breed has been coming up they call themselves the Exiles, the Hazels and so on. But this starts of in this way, Your Lordship, that I think it is really lack of anything to do, so they say: this is our territory, if you enter our territory, say Dube, if you enter Dube, you are trespassing. So if people ..(Court intervenes)

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Because they are from the same area therefore they are the same gang? --- They form the same gang, and you find that there is only one shop which is in Dube, so the people from the other locations want to come and buy, and in order to come and buy they have got to be able to pass this ring that has been formed, so they form a gang, and when they come to the shop they come in a group, and the others say: out of our territory, and a fight starts.

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Now you as a Zulu, of Zulu origin, would you be scared of "the Russians" if you go to a beer drink? --- No, in fact I have been to beer drinks with them.

With "the Russians"? --- With "the Russians", and they 3

are / ...

are really very very jolly people. They are just like every other person. They say: you are a young man who can't sit here, you walk debile(?), you talk Zulu, you must now talk - you know general things, but otherwise everything is okay.

But when you go home, on the way, would you be scared of them? --- No, I wouldn't be scared of them, in fact that thing, Your Lordship, it died a long time ago, it doesn't happen anymore. When it happens is when the people gather at a sports field or somewhere and they dance, where they get together, that is what I am talking about, when they get together and they do their different dances that each tribe has, and the Zulu people come with their own tribal dance, and the others come with their own tribal dance, and there is a get-together, they drink together, I have seen this happen.

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Then they also fight, I mean when they go to these dances? --- When they go to these dances ..(Court intervenes)

Then they fight with the other dancers? --- Sometimes.

I know the Msinga people they fight against one another, but at these dances, I have had cases already where trouble really started at the dances? --- Yes.

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But now I cannot say whether the dancers belonged to a particular ethnic group, but do they usually belong to different ethnic groups when they fight like that? --- No, Your Lordship, it is not really particular ethnic groups, a fight might start over a woman, say there is a fight - a particular group of dancers there and one of them has got a woman, and this dancer from this other group proposes to that woman and the other man says: no, you can't do

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that / ...

that, and his group sides with him, the proposer's group sides with him, and a fight starts over a woman, something like that. Like anywhere, I think it starts in any other ..(Court intervenes)

But isn't there a very strong group cohesion amongst the Black people, now take Msinga, Msinga is there in Natal, and I have had cases in Johannesburg already where people who have come from the different factions in Natal they fight here in Johannesburg and they kill each other?

--- Yes, Your Lordship, because these things do happen, but I think what I am trying to say here it is not really because of the fact that you belong to the N'tembu tribe and not belong to the Zondi tribe or the Clan-Clan. It is really because of the friction that is caused other than the fact that this is N'tembu and this is Zondi. It could be women, it could be the question of land, it could be the question of ..(Court intervenes)

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Well I have tried to find out from them, I mean from the Msinga people, well why do they fight down at Msinga, and they say well they don't know, their parents also fought? --- That could be so, but you see if I could take one illustration here, you find the people have been the cause of the system of government, the chief has been removed and the system has put a new chief there. Now the people want to pay allegiance to their old chief, now others say: no, let us pay allegiance to this chief, and then it starts there.

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Oh, yes, well I know about that with the Matlalas in Pietersburg, but there again it is just the one tribe?

--- It is one tribe, but where you get for instance - I haven't / ...

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haven't come across say where people from Empangeni go and fight with the people of Nqutu.

It is from the same locality where they have these little frictions? --- It is from the same locality where they have these little frictions. If one looks at the confine of the space, the way everything is run, the grazing land, I think one can easily pinpoint the cause the root of the whole friction, I think, Your Lordship, it does not happen from far apart groups, it happens only within a confined space, and the confined space being such that it has extraneous influences being introduced to it by say - take for instance around Empangeni there was a Chief there, his name was Mtwanakankudla. Now, the government removed him and they put one other chief there in his place, but the people around there it is very fortunate that they didn't fight about this, they just said: we do not recognise this chief.

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But it can be a source of a lot of trouble? --- Yes.

Well that I understand, but now let me ask you do you know the history of the Black peoples in this country? --- I think I have read - PAUSE -

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Now tell me, historically, can you think of any case where the Zulus co-operated with the Xhosas or with the Sothos or the Pondos or the Matabele or with the Shangaans? --- Yes, Your Lordship, it is a pity that such things are not recorded. But for instance if one looks at the history of the king Chaka, he had his medicine man, his doctor ..(Court intervenes)

Which king is that do you say? --- Chaka. Now he had also his servants around him, and from there one reads

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that / ...

that whenever there was a sickness that they couldn't cure, they would send the chief doctor around there to Ezweni lama thongo, to the land which is in the north. And they would discuss the trouble for many days and many nights and so on. One looks at it and sees that this must be some people to the north, in the place where the people called Ama Thongo are, you see those are the people whom we can say with some amount of certainty are the people in Mozambique, and then ..(Court intervenes)

That isn't to the north - oh you mean north from Zululand? --- North from Zululand, and then there would also be incidents where a king of some - I think there is mention of a king of the Sothos who brought the feathers of flamingo, of the flamingo or ostriches, to the king as a sign of peace. And there is also a lot of other reference that is made to ivory being given and Chaka giving away a lot of things and sending his own people to go and stay there and learn their ways.

Well that may be so as far as help is concerned, they got help from each other, but can you think of any stage of history when they lived together in the same area? --- No, not in the same area, Your Lordship, because when Chaka embarked upon the policy of unification, he put the tribe, after a tribe had been conquered, he just left it there with its king for paying allegiance to him.

Well what do you say, how did old Ketschewayo get to Rhodesia? --- No, I don't know, but the pity is ..(Court intervenes)

What do you say, how did the Dhlaminis get to Swaziland? --- They are really one people.

Well / ...

Well, that is why I am asking you? --- You will find that some - they have got Dhlaminis, and they have got - I don't know what you will call it in English - Tagazeli, for instance I am Myeza, and then after me there comes Dimbane Mpangene Buthwala, now those are the different generations from which I am descended, and one traces from those generations, you find at some point there is a link between my lineage and that of say the Zulu family. Now somehow by some happening I happen to be at a certain point and some happen to be at a certain point. To take a better illustration, Your Lordship, you take the Ghaza family, the Ghaza family, and from the Ghaza family there came the Msumile and the Msome family and the Meyiwa family. Now the Ghaza family, if you look for the Ghaza family you will find it right in the place around Greytown, but the Msumile family you find up next to Croutville. When I asked about this they said no, what happened was when the people got - when the first son got a big family he was given land where he could say and multiply from there, but there is a direct link between that person and the roots like the Ghaza family. So I wouldn't say really there is any difference between - PAUSE -

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So you say there was dispersion? --- There was.

MR. REES: Now, does all this amount to the fact that you say that the Black people are generally a law-abiding people? --- Yes I think that is correct.

And the Blacks are polite and respectful towards one another? --- I think all people are like that.

And if you want to create trouble, you do so by
insulting / ...

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insulting the other man, don't you, or if you insult the other man you can be reasonably certain you are going to get trouble from him, isn't that so? --- It depends whether - it is dependent on so many things, Your Lordship, if ..(Mr. Rees intervenes)

Well, would you like it if somebody called you a pig --- For instance to me such things as name-calling doesn't make any difference, it just runs along my back.

If a man calls you in front of the girls, he calls you umfaan, how would you react, especially if he is a Sotho? --- It means nothing. 10

And if he says umfanyanana, how would you regard that, just translate that for the Court.

COURT: Umfanyana? --- Umfanyana.

MR. REES: Umfanyana but he says umfanyanyana? --- It is wrong, there is no such word.

All right, you tell us, a small boy Umfanya? --- Umfanyana.

All right, now he wants to say a small small boy, what does he say, tell me? --- The thing is, Your Lordship.. 2

No, you tell us, you say I am wrong, you tell the Court? --- Yes, Your Lordship, the language, when you refer to a specific age group it has got a name for that age group so umfanyana means of a specific age group smaller.

COURT: And an infant, what would you call an infant?

--- The infant would be ingana, and in some instances from ingana would be indwana.

Umfanyana is a diminutive of umfanyan? --- Umfanyana is correct, umfanyanana is wrong. 30

Umfana / ...

Umfana? --- Umfana is a boy who is running up towards 15 years.

MR. REES: But if a man calls you that you will immediately know he is trying to be insulting, wouldn't you? --- No, umfana is not insulting, it depends on the context really.

It depends on the context yes, like this Mr. Small said, he says to the man: jou vark, wat maak jy, the man will laugh at him, but if a man says seriously to you: you umfaan, you will say: what, what do you mean, wouldn't you? --- LAUGHTER Your Lordship, this whole thing, umfana means small boy, if I say Mr. Rees is umfana, I don't mean he is 12 - 15, I just mean he is - how do I put it, a youngster. He hasn't come of age, if I use it in this context, for instance if Mr. Rees because he is Senior Counsel would say to Mr. Soggot because he is a Junior Counsel he will say: umfana Soggot, it means I am more experienced than you, that is what it means.

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Now if a man says to you seriously: you are just a mampara? --- That is not a Zulu word.

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No, I know it is not a Zulu word, but you know what it means, you would realise this man is trying to be insulting, wouldn't you? --- It depends again on the context.

It depends on the context, I see. So when you people refer to the Whites as racists, imperialists, pigs, and that type of term, one looks at the context don't you? --- Yes.

To decide whether they are merely uttering words or whether they are serious --- Yes.

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And / ...

And these things can be most serious and can be aimed at causing trouble and causing illfeeling, isn't that so? --- Like I said it depends on the context, but if one calls a person a racist and that person is a racist, then there is nothing really. If I say you are a prosecutor I mean you are a prosecutor, and there is no insult meant there.

And if you say a person is a racist and an imperialist and a Nazi and a Fascist, what then? --- I call these names one person?

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You call the Whites that - all right you call it to one person, let us hear what then? --- I think, Your Lordship, you are trying to get when does it become derogatory.

Yes.

COURT: Well, it is a long time since I spoke Zulu, but delela means that you insult me isn't that so? --- You have no respect.

Now the Black man is very touchy as far as that is concerned, if you don't respect his manlihood or if you spill his beer for instance. I have had cases already where a man asks another man for a match and he doesn't give him a match, then he feels that the man hasn't respect for him, that he is insulting him? --- Again - PAUSE

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What is the word delela? --- Delela.

Now in other words - well what causes the insult, the way you say it or just the action itself, I mean just spilling a man's beer can lead to a fight? --- Like I said, Your Lordship, when for instance we are having a drink and you jump over the liquor, that shows disrespect,

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delela / ...

delela, so a person gets upset sometimes if you don't apologise or show that this was a mistake. But there are things like if you just stretch your leg and kick the beerpot over.

That is a deliberate insult? --- It is a deliberate insult. Now I wonder what point Your Lordship was trying to make?

I am just trying to find out whether it is not easy to insult a person, or whether it is easy to insult a Black man, because the Black man is touchy about certain things? --- Well, I think here there is a distinction really between Black people themselves and Black people and White people, because sometimes it really depresses one to see a man being illtreated by a White man, and he is saying: Dankie baas, ja, Nkosiane, all those kind of things, it is really depressing, but it shows that that same man if you follow him and you find him at a beer drink, he is very sure of himself, and he is protective of his rights and - PAUSE

And his manliness? --- His manliness, but in front of the White man he is cowed down as the saying goes, he is really not a man, he is not what he is or should be.

COURT ADJOURNS

COURT RESUMES:

JUSTICE EDMUND LINDANE NYEZA, STILL UNDER OATH:

CROSS-EXAMINATION BY MR. REES CONTINUED: --- Your Lordship, may I just say something in connection with what we have been talking about, there is this big gulf as it were between the Black people and the White people. Black people themselves are as we have described them peace-loving

Mr. / ...

(Mr. Rees intervenes)

Peace-loving like the Russians? --- And everybody - no, they want to retain their manhood, and this they do exceptionally well I think in the Black community amongst themselves, but there comes this dimension now where there is the White man, and the White man in the eyes of the Black people, is a monster that you can't say anything against, you can't criticise, you have got to take what he is saying as the truth, and that is the end of it. But there comes also this, in their desire, or shall I say in our desire to maintain the semblance of manhood that we still have, not to give the White man what we think he will use against us to further oppress us. That is why, Your Lordship, I think you have mentioned here that there have been these faction fights, and you have not been able to get to the reason. The reason is there, Your Lordship, but to find it it means that people don't want to tell Your Lordship this, because for fear of reprisal. They fear that if perhaps they are fighting over a chief who they do not want, they feel the minute they tell you they are in trouble with the White man. It is always the fear of the White man, what the White man will do to us. But when we sit on our own and we talk about the White man it is flowing, because every Black person has an experience of the contact between himself and the White man, and that experience is an unhappy one. That is why you will find when people talk about the White man, when a man talks about his place of work, he talks - he has got every White man has got a name, he has been given a name ..(Court intervenes)

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Court / ...

COURT: A nickname? --- A nickname, he has been given a name by the person he employ , and that nickname describes how that man feels towards that White man, because of the things, the experience he receives from that particular White man. And this whole thing, what we are saying in SASO and BPC is that things will continue this way, they will continue this way, you will continue getting less and less money, unless we stand up and say: For God's sake, this is not right, this is not what we want, let us have a change, regard us as human beings, regard us as men. We are entitled to our human dignity, this is what we are trying to put across. These things, Your lordship, that is why you find that when for instance I write, I write say Resolution 46 of 74, I write about the removal of people in Doornkop, that is a perception that I have and is enjoyed by the ..
(Court intervenes)

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Is shared? --- I am sorry, is shared by the whole people that I am with, and here we sit and we say: something must be done. And because we have agreed that we must talk about these things, we talk about them, and we put them in an organised fashion into resolutions, and we communicate these resolutions to the people, to say: look, the time has past when you could do things to us and kept quiet. What we are doing now is we are telling you what we do not want, these are the things we do not want and we tabulate them. And because we are students, you find that there is, if I may just mention, there is to some extent a difference between the way we as students speak and the way the Black people in general

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speak / ...

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speak, in that we are students and we have come to - the moment you get educated you go to university, and the more your perception increases, the whole thing begins to fall into place, so much so that I have felt that it would have been better if I had ended up in Standard 6 so that I couldn't read all these things that come up in the papers, I couldn't read the English. Because it kills one's soul, Your Lordship, when reading an advertisement in the newspaper and it says: "required urgently - umfanus domesticus" that means they want somebody who is going to work as a domestic in some kitchen or another. Then it hits you right in the face that here is an advertisement in the newspaper just as if they are advertising for soap or any other thing, but here they are dealing with people and I am that people. Now this is the whole thing, Your Lordship, that I am trying to get across that what we are doing, the question of creating racial hostility doesn't even enter into it, because what we are saying is: let us be South Africans, we are also people, we belong in this land, we want to have the right to determine our lives and allow us to do this. But we realise just talking ..(Mr. Rees intervenes)

MR. REES: Yes, but why didn't you say all these things in the documents that you issued, why didn't you say these things in the speeches you made, why do you make speeches of this kind now, why didn't you express yourself in these terms at your meetings and in the documents you issued, tell His Lordship that? --- I am telling Your Lordship that. These are the things that ..(Mr. Rees intervenes)

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intervenes) I want to know from you why you didn't say what you are saying now in the documents that you issued as president and secretary-general of SASO, that is what I want to know? --- Your Lordship, as president and secretary-general of SASO I did some things, but it is not merely a question of making speeches wherever you meet people ..(Mr. Rees intervenes)

You did not say anything about conciliatory acts towards the Whites, you called them all these names we have been canvassing here, you didn't say: we want to work with the Whites, you said the Whites are a problem? --- But it is true, before we can begin to do anything we have got to organise ourselves, we have got to streamline our activities, we have got to direct them at one thing ..(Mr. Rees intervenes)

Direct them at the Whites? --- Our whole direction has been to the Black people, we have been talking to the Black people, saying Black people this is the problem that we have here, we all don't like these things, let us do something about it, and this is what we have been doing, don't continue crying that your children can't go to school because you get little money, do something, contribute something to the community fund, let us build a school, and we have been building schools. Don't continue complaining ..(Mr. Rees intervenes)

I am interested in what you said about the Whites, that is what I want to know about, why did you not talk about the Whites or the State as you are trying to talk now? --- The Whites and the State, it is like I say, when I speak I don't say: I, Muntu Nyeza, because I know I am

Muntu / ...

Muntu Myeza, now what I do is : what can I do, and I continue. I see there is an organisation SASO and I said this organisation, I found myself thoroughly and completely represented in it, and this is the organisation I have been involved in.

Yes, but please answer my questions now, you have had a quarter of an hour at least talking off the point, and you haven't answered the simple question I asked you, now what I want to know from you is whether as a Bantu, you feel that you can speak for and echo the sentiments of all the other Bantu accused before the Court? --- Your Lordship, I will ignore the reference to Bantu, because I think sufficient explanation has been given here.. (Mr. Rees intervenes) 10

Why do you want to ignore the reference to Bantu?

--- Because ..(Mr. Rees intervenes)

What is wrong with it? --- This is the whole, it goes against the exercise that I am trying to describe.

What is wrong with the term Bantu, why do you want to ignore it? --- Could you just give me a moment, I am trying to answer .. (Mr. Rees intervenes) 20

Answer my question? --- I am trying to answer the question.

Why do you say you will ignore the term Bantu?

--- Because I am explaining why I am ignoring it.

All right, tell us? --- Your Lordship, it militates the need - first before we can do anything, we must be able to define ourselves the way we want to be defined, and we have said amongst other things, and this is.. (Mr. Rees intervenes) 30

I asked you the question why do you think you can speak for all the other Bantu accused here, can you echo their sentiments, please answer that? --- But, Your Lordship, now the question that I am answering is being overridden by the latter question. The question I was answering to Your Lordship was why do I want to ignore the term Bantu.

You didn't answer my first question, do you think you can speak - as a Bantu you can speak for the other Bantu accused, I want to know? --- Your Lordship, before I can do justice to the question I think I must clear up the air ..(Mr. Rees intervenes) 10

You must please answer my question?

COURT: He says he is answering your first question.

MR. REES: My first question to you was whether you think you can speak for the other Bantu, yes or no. Do you think you can speak for them? That is what I want to know? --- Your Lordship, I prefer to say other Black people.

Other Black people. What is wrong with the term Bantu, does that offend you? --- That is the point I have been trying to make. 20

Does that offend you? --- I have told you that personally, I, any name you can call me it doesn't matter to me ..(Mr. Rees intervenes)

Does the term Bantu offend the other Bantu? --- PAUSE

I want to know from you? --- Your Lordship, this is the - everything now is coming into focus..(Mr. Rees intervenes)

Do you believe that the term Bantu is offensive?
--- Look, you ... (Mr. Rees intervenes) 30

Just / ...

Just a moment ..(Court intervenes)

COURT: I think we have already settled that difficulty, he has already told us why he thinks Bantu should not be used in this case.

MR. REES: I want to know from him if Your Lordship will allow me, I want to know from you whether you regard - whether the Blacks regard the term Bantu as offensive? --- It is derogatory.

It is derogatory? --- Yes.

Why do you regard it as derogatory? --- Are you going to allow me to answer? 10

I don't want a long speech, can you give it to us shortly? --- Yes. Your Lordship, this is what I was trying to say, we are a people and we want to be referred to the way we want to be referred to, we want to be defined the way we want to be defined and define ourselves, and when somebody comes and says: you are a Bantu - whether you like it or not, it is a manifestation of - I would call it ..INAUDIBLE .. of the whole structure of South Africa, where it is said that because you are a Bantu you must carry a pass, because you are a Bantu you must get less wages, because you are a Bantu you must stay in Soweto so many miles away from your place of employment. And now this whole thing we are saying, this is not correct, because if we want to right the wrong, we must right the whole of the wrong not part of the wrong. And when you say Bantu it is just as good ..(Court intervenes) 20

COURT: You say the system characterises you and you don't want to be characterised, you want to determine your own identity, and therefore if you accept the word Bantu you 30

merely / ...

merely accept the characterisation of the system which you do not accept? --- Which is wrong amongst other things, Your Lordship, because the term Bantu, if you look at the term Bantu, even in the language I speak that is Zulu, it is cacophony, it is wrong, it - PAUSE -

MR. REES: All right, I understand the point, you say it is wrong and you object to Bantu. And, if I understand you correctly, you say because you are characterised as such by the system and as such it is derogatory, is that correctly summarising your views? --- The characterisation, 10 I think one can write a whole dissertation on the ..(Mr. Rees intervenes)

No, just answer the question, don't write a dissertation or give us a talk on that dissertation, tell me is it the fact you object to Bantu because it characterises you in a derogatory sense, is that how you understand it?

COURT: He didn't say derogatory sense, he said in a system which oppresses him? --- Yes.

MR. REES: Now why then do you object to it, you say the 20 system oppresses you, they use Bantu, therefore you don't want the term?

COURT: He says the Bantu has to carry reference books, and the Bantu has to live in a particular area, and the Bantu has a lot of disabilities, and he says that he is against, so he doesn't want to be referred to as a Bantu because he is against everything related to Bantu.

MR. REES: But if we call you by any other name the effect is still going to be the same, you are still going to have to carry the reference book, isn't that so? --- We 30

have / ...

have got to start somewhere. Black people throughout the ages have been registering their protest against the passes. I carry a pass, unfortunately I don't have to carry it in prison otherwise I would show you, I don't want to carry a pass, and so many people have said so before me, but we still carry a pass.

You see I purposely put these questions to you to show that you whether you call yourself Bantu or Black are touchy about these labels, is that correct, you are touchy about the labels, yet you go and you call the Whites racists, and imperialists, isn't that so? --- Your Lordship, if I can answer that question ..(Mr. Rees intervenes)

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Isn't that so? --- If I can answer that question, I personally have said that I don't mind the name that one can throw at me, but for instance we are saying why we do not like to be called Bantu, and where there is reference to racists, if the White people do not want to be called racists, it is for them to tell us : we are not racist, but this term racist doesn't come from the air, it comes ..(Mr. Rees intervenes)

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The term racist is an insulting term as used by you and your organisation, that is the point? --- I don't think it is, and I sincerely think so, that racist - if I say I am a racist, it is just like well, I say I am describing the way I view things in life, and if I say I am a racist I mean that I believe that Whites are superior ..(Court intervenes)

COURT: Well I think your literature expresses it much better, racism draws attention to your inferiority,
Blackness / ...

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Blackness draws attention to your pride, your identity, your self, and I think your literature shows that you want to be called a Black because you advocate a community where there is no stratification into ethnic groups and Coloureds and Indians, so you want Black, because your community that you envisage is a community where they are all equal? --- That is correct.

MR. REES: Yes, but now the terms in which you refer to the Whites are derogatory terms and you know it, the terms in which SASO refers to the Whites are derogatory terms? --- Your Lordship, I picked at random on the term racist. 10

All the terms they use about the Whites? --- Pig or imperialist, I don't think in the South African context imperialist would be correct if it refers to White people in South Africa. And what was the other one?

Nazis, Fascists, murderers? --- Those two, I will take the two Nazi and Fascist, those simply mean intolerance, authoritarian, they describe the type or form of government or official action. 20

A foreign settler regime? --- That describes in the same terms as Fascist and Nazi.

Yes, that is the way you refer to the government and the Whites, a foreign settler regime? --- But these terms, where they are used - for instance if I were to take an instance of what has been happening recently. The government - the Bill in Parliament is called the Promotion of Internal Security something - no, no, it is called Promotion of State Security. Now it was called the S.S. Bill, and what it talks about is detention without 30

trial / ...

trial for a period of about a year..(Mr. Rees intervenes)

Do you know what the SS were, what the SS stands for? --- Now, Your Lordship..(Mr. Rees intervenes)

Do you know what the SS stands for? --- Now that is the point I am coming to.

What does SS mean? --- That is the point I am coming to. Everybody, I think the people who knew about this thing said this is a Nazi Bill, this is a Nazi action of the government, the desired - the Bill - and the government - it is a form of criticism which resulted in I think the relevant Minister saying: no, no, it is no longer going to be called the SS Bill. 10

Well what was the SS, that is what I want to know from you.

COURT: I think you are at cross-purposes, he is talking about a Bill which is now before Parliament the promotion of State Security, SS - State security, and he says that they are criticising it, not that it is an authoritative Bill, they say it is a Nazi bill, because of the historic meaning of Nazi. 20

MR. REES: M'lord, I want to get from him the allusion to SS.

COURT: In his evidence now?

MR. REES: Now, I want to ask him, what do you understand by SS, or don't you know? --- I think from my knowledge of it the SS was some - PAUSE -

COURT: But did you use it in that context now? --- No, no, I am using it to illustrate a criticism.

No, but SS, do you use it ..(witness intervenes)
--- No, no ..(Court intervenes) 30

Not in the historical sense? --- Not in the historical sense. I used it ..(Mr. Rees intervenes)

MR. REES: Yes but look, I gather from what you are saying that you are using it in exactly the same sense as I interpret Mrs. Helen Suzman tried to use it, that is you say the SS Bill is a Nazi Bill? --- I think the whole world ..(Mr. Rees intervenes)

Just answer yes or no? --- ... is agreed on the - that authoritarianism or some form of dictatorship or intolerance is bad, and a criticism now in order ..(Mr. Rees intervenes) 10

Will you please just answer the questions, I don't want long dissertations from you I want my questions answered. Firstly, do you know what the allusion is to SS, who or what were the SS during the Nazi regime, do you know or don't you know?

COURT: But in what context, Mr. Rees?

MR. REES: M'lord, when they refer to the SS Bill - well firstly the opponents of the Bill ..(Court intervenes)

COURT: No, but he is not an opponent he is trying to identify the Bill and he says it is the promotion of SS State Security, and he says because they can lock you up for a year without trial, therefore it is authoritarian and therefore he says it is a Nazi Bill, is that what you are trying to say? --- That is what I am trying to say. 20

So the SS is just coincidental that he uses SS? --- Yes, Your Lordship, but now that coincidence is there to criticise the Bill.

MR. REES: What is the coincidence, I want to know from you? --- The coincidence is in the existence of the SS. 30

Who / ...

Who or what were the SS that is being alluded to there as you understand it? --- I have been trying to say..(Court intervenes)

COURT: He is just trying to tell you what the criticism is that he read about it, and he wants to explain how they use Nazism in that context.

MR. REES: With respect, M'lord, what was the SS? --- It was - I don't know German it is something like "Staf en Stamvoor" or something.. (LAUGHTER)

Well what did they do, what was this SS unit known for? --- I beg your pardon? 10

This SS was a German army unit, wasn't it?

MR. SOGGOT: Well perhaps my learned friend could help us in German as he was liberal this morning in Zulu. (LAUGHTER)

MR. REES: I'll put the question directly, you knew that the SS was an elite German army group wasn't it, who were supposed to have had a special loyalty to Hitler, and who were supposed to have been a particularly ruthless bunch, isn't that so? --- I have read ..(Mr. Rees intervenes) 20

Is that how you understood it yes or no?

COURT: Well it was the Storm Troopers they called them? --- I think that was my knowledge of it, they were called the Storm Troopers.

MR. REES: You say that SASO acted as a guide to power thinking - I am quoting you - do you remember that? --- I think I remember that.

Did they guide your thinking by means of the GSCs and the newsletters, is that right? --- I think, Your Lordship, I must elaborate. 5

Did / ...

Did SASO guide your thinking by means of the GSCs, yes or no? --- It is not a yes or no question, Your Lordship, I think an elaboration is necessary.

Did SASO guide your thinking by means of the GSCs? --- Mine, no.

Did they guide anybody's thinking by means of the GSCs? --- What I meant there, Your Lordship, was SASO was, and I think I said this, wanted to gain recognition.. (Mr. Rees intervenes)

I asked you a question and I want a reply to that you said SASO guided your thinking, did it or did it not? --- I just said no, in the sense ..(Mr. Rees intervenes)

SASO did not guide your thinking, then why did you say so in your evidence-in-chief? --- That is why I am trying to illustrate ..(Mr. Rees intervenes)

I don't want illustrations? --- To elaborate on what I meant.

COURT: He wants to show to what extent he was guided or not guided by SASO.

MR. REES: Well, why did you not elaborate in your evidence-in-chief ..(Mr. Soggot intervenes)

MR. SOGGOT: M'lord, - Mr. Rees please ..(Mr. Rees intervenes)

MR. REES: M'lord, I am entitled to have an answer to my question.

COURT: Well he is entitled to object.

MR. SOGGOT: M'lord, I am concerned more for the state of the record than any of my learned friend's cross-examination, because the record is going to read a series of questions, an attempt to get something out, and a

repetition / ...

NYEZA

repetition of questions, M'lord, and it will be Mr. Rees on the record and not the accused.

MR. REES: I don't know what the terms of this objection were, but I want to know from you how the GSC or whether or not SASO acted as a guide to your thinking by means of the GSCs, yes or no? --- Your Lordship, I think I was forced to say yes or no at some stage, but I must..
(Court intervenes)

COURT: What did you mean by guide your thinking? --- Guide in the sense that it was in an organised fashion. 10

Well I think Mr. Rees probably wants to know whether you accepted the policies of SASO as expressed in the GSCs, and did you act accordingly? --- Your Lordship, I think I said I found myself to be represented there, and I accepted what SASO said, but the question I think..(Court intervenes)

It does not follow that it was really what you thought, you merely carried out the policies of SASO?
--- PAUSE

I want to find out what you are trying to say? 20
--- What I am trying to say, Your Lordship, is I have my own way of thinking, I think in a certain way, but SASO is an organisation that is there and it has got a stated policy, and to that policy you have to conform if you belong to SASO, and this is the sense in which I used guide, that is get our activities and our direction organised.

MR. REES: How did SASO guide the thinking of the SASO members, that is what I want to know? What methods did it use? --- The word guide, maybe I should not ..(Mr. 3

Rees / ...

Rees intervenes)

You used that word? -- But in the sense that SASO has got a policy, and the policy is as I think is reflected in the documents, and the students who belong to SASO will know that this is SASO and SASO says this is what you must do.

I follow. Now SASO makes its thinking known at its GSCs doesn't it? --- Yes, by passing Resolutions.

So, that is how it lets you know what its thinking is and what you have got to conform to, and SASO also makes use of seminars doesn't it? --- Yes we do have seminars. 10

Yes, and SASO issues the SASO publications? --- Yes.

And it holds heroes days? --- Yes.

And it holds rallies? --- Well there was only ..(Mr. Rees intervenes)

Well but that is a matter of SASO policy in which it sets out what it wants its members to know and to follow? --- I do not know about rallies, Your Lordship, but I would say meetings. 20

And SASO has discussions? --- In the form of formation schools.

And it makes use of poetry? --- We do encourage budding poets to come up to write poetry.

And SASO tried to establish branches at all universities? --- Yes, that we tried to do.

You yourself tried to establish branches? --- Yes.

And did establish branches? --- Yes.

Which branches did you establish or try to establish? --- No, I didn't establish a single branch, but I also took 30

part / ...

part in the exercise.

Yes but where did you take part? --- Fort Hare.

Fort Hare and where else? --- That is about the only place.

Did you not also make speeches in the Cape? --- No, I did not make speeches in Cape Town.

What did you do, was there not a meeting ..(Court intervenes)

COURT: Western Cape University? --- Your Lordship, I went to the University of the Western Cape, and I had discussions with the SASO people there, and I think it was during the presidential report I also had talks with youth clubs. 10

MR. REES: Yes, now in your talks there and in your talks in the Transkei, you were concerned in furtherin the aims and objects of SASO weren't you? --- Yes.

And did you tell them all about SASO, what SASO's policies were and what SASO stood for? --- You see, Your Lordship, when I went ..(Mr. Rees intervenes)

Why don't you just tell the Court whether you told them or you didn't tell them? --- I think what I am trying to say will answer your question. At that time our branches - we hadn't been to the 5th GSC, we didn't know what was happening, so what we did was to - well I took that journey, to assess the situation for the permanent organiser to ..(Court intervenes) 20

COURT: You didn't really do the organising yourself, you merely had to report on the state of affairs? --- Yes. So we had discussions for instance, take the University of Western Cape, we had discussions about the programmes, 30

they / ...

they told us their programmes, there was a dispute over the Constitution of the SRC, and that dispute was still going on, so all really that we talked about was the necessity for the people I talked to to get - to arouse interest in the students to take heart in the negotiations that were going on for the SRC Constitution, and the University of Fort Hare, the students there, there had been a big strike the previous year, and there was really nothing going as far as student activity was concerned, so what I did, I got there, this is what I did when I got there, I get together with a few people who are around, and you try to invite as many people to sit down and think about what we can do. 10

MR. REES: I want to know what you said - you have given us a lot of - I want to know what you said to the people? --- I can't remember what I said.

COURT: No, but what Mr. Rees wants to know is did you propagate SASO policy and did you try and get an audience so that you could get it across?--- Like I have been trying to explain, Your Lordship, the only time where there was an audience of some sort was at the Federal Theological Seminary where we had a big meeting ..(Mr. Rees intervenes) 20

MR. REES: Did you at any stage try - listen to my question - did you at any stage try and tell these people what SASO was about? --- This is the question I am talking about.

But then please say yes or no, I don't want to know the whole ..(witness intervenes) --- Then we sat down 3

and / ...

and I told them: look this is the situation, we must make a branch because this is SASO, I am here, I am the president.

COURT: How that is at the seminary? --- Yes. But we had students from Fort Hare who attended there. So in that sense I did put across the policies of SASO.

And at the other places? --- At the other places like at the University of Zululand when I got there, the students there knew me, and they knew what SASO was.

Yes but were you concerned with organisation or organisation of problems or did you really go and sort of spread the SASO gospel? --- I would say the spreading of the SASO policy played a minor role, because I did do that, but my main concern was an assessment of the situation so that we could consolidate our branches.

MR. REES: Now, you say you became the secretary-general of SASO and SASO paid you a salary? --- Yes.

What did they pay you? --- Your Lordship I was supposed to get R200 a month.

And what did you get in fact? --- I got R160 a month. 20

Why, was that because they didn't think much of you or because they didn't have the money? --- No, the money, I was trying to say there was money, but some of the money I had to use for the ..(Mr. Rees intervenes)

Where did the money come from? --- The sponsors I mentioned.

Which sponsors? --- The I.U.F. - international university exchange fund, and the world university exchange fund.

But how did the money reach you? --- By mail. 30

From / ...

From where? --- From Geneva.

Why should these people be paying for a South African student organisation, what have they got to do with you? --- Oh, I guess because they had been approached.

By whom? --- By the people before me, but by SASO.

So if you receive their money you have got to do what they want from you, isn't that so? --- No, that is not so.

A person does not pay out money or an organisation does not pay out money to somebody who is not going to follow its line, does it? --- No, we write our budget proposals, say take for instance the Culcom - the Cultural Committee project ..(Mr. Rees intervenes) 10

But they were paying you a salary, that is what I am interested in? --- Then we ..(Court intervenes)

COURT: No, but did they pay a salary or did they just send funds and the money was then appropriated? --- They sent funds, but included in the budget proposal is for this purpose we need somebody to be there full-time, and ..(Mr. Rees intervenes) 20

MR. REES: Well clearly you set out all your expenses, which included the salary of Muntu Iyeza? --- That is right.

As simple as that. And then they send a cheque for so much? --- Yes. No, I am sorry, it is not as simple as all that, they chop and change, they might say no, we don't think we can give you - say you asked for R400, they say - I am just taking a rough number ..(Mr. Rees intervenes)

They don't give you R200 salary, that must be cut to R160? --- They say: you don't need R400, you need R200 3

for / ...

for this whole thing.

Let us deal with this rally for a moment.

COURT: Before you do that I think we really cut Mr. Rees off from his cross-examination just now when we discussed these things about the SS. Now, Nazism and Fascism and those words, well we know what they mean, I think it is accepted when you want to say a person is authoritarian then you say he is a Nazi or a Fascist?

--- Yes.

But now don't you have a particular reason for using those words, don't you choose these strong emotive words really to whip up feeling, instead of using the ordinary word authoritarian or words to that effect?

--- No, Your Lordship, I think when we use such words it is not choice really, because when - PAUSE - myself, I will take myself for an example for instance, I find that I will use in the same document, I will use Fascist and I will use authoritarian in the same sense, so I think really what happens there is you just think of this thing that you want to criticise and you see that this type of action is authoritarian, and you might use some ..(Court intervenes)

Yes but if you want to be more expressive for instance, don't you use Nazi or Fascist when you merely mean oppressive or authoritarian, don't you use those words because in the community they are really words which have a very bad connotation? --- No, Your Lordship, I don't think that is the reason really, because largely at the GSCs where I have been, it seems like sometimes there is a competition as to who can use how many adjectives in

one / ...

one sentence, and it is therefore - there is really no choice about it, they are both fitting really. I think it goes right back to, I think some writers have written about this that people in an oppressed situation tend to want to use the language of the oppressor better than the oppressor, and in the process they fall all over themselves in trying to speak in a big way.

But isn't there a tendency really to associate the oppressor with the Nazis because Nazism is anathema to the international community? --- Well, Your Lordship, I think that the international community is all agreed on the fact that Nazism is bad. 10

Yes, but now isn't that the reason why that word is used when you merely mean authoritarian? --- I don't think so, I think the reason, Your Lordship, is to give what you are saying strength, to the person who is doing that kind of thing, so that he does not do it, I think it is really - it is intended to get a positive reaction from the person who is receiving it, in that a thing like that - the illustration I was using, where they say this is a Nazi Bill, and immediately they change the name. I think that is the thing that people use these names, the response these people are aiming to get. 20

Yes, well now if you are interested in response, isn't that also the reason why you use the word enemy and committing atrocities, and the enemy doing this, and the enemy oppressing? --- No, no, Your Lordship, I think where the word enemy - I think enemy has become - is a word that is used every day to refer to your opponent. I think you read, if Your Lordship reads any kind of 3

literature / ...

MYEZA

literature you will find that the opponent or the opposition or the opposing side is always referred to as the enemy.

In contradistinction from friend for instance, he is not your friend? --- He is not on your side, he is the opposition, like for instance the Defence team and the Prosecution team, these two are enemies, but it is not that they hate each other or something like that, it is just like the Orlando Pirates are the enemy to Kaizer Chiefs because they are fighting for the league log. But in that context, Your Lordship, an enemy - it has come such a long way that it does not really mean anything. 10

MR. REES: It does not mean anything? It does not mean anything if a person calls you an enemy, or if you call a policeman a dog, it doesn't mean anything - then why do you use these words, why don't you refer then to "our opponent", why do you use that term? --- I think if you call a policeman a dog, if you tell the policeman: you are a dog, it also depends. For instance I have a friend there in Soweto, he is a feared policeman of the C.I.D. but when he and I talk he is just, I say: kunjane agapa, and he jokes and he laughs, but I think it also depends on the way it is used, it depends on so many things. 20

Yes, Mr. Myeza, but you and your organisations make all these Resolutions in the very strong terms, and you send these Resolutions to your sponsors overseas, and you send them to newspapers don't you? --- Oh, Your Lordship ..(Mr Rees intervenes)

You send these things overseas, do you or don't you? 30

Well / ...

--- Well I haven't sent any.

But SASO sends them? --- I think what we send is the performance say for GSCs, and say : we had a GSC these are our expenses.

Oh. Don't you inform them of your activities, don't you send them copies of these Resolutions, don't you say these things must be distributed to international organisations? --- No.

Isn't that what you say?--- No, no, no, I am not saying not - I am saying it is not in the sense, in the way that the prosecutor is trying to put it that this is what we, you know, as if you say - I don't know how to explain this, but it is not in the sense that you ..(Mr. Rees intervenes)

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All right, let us have a look at SASO N.1, your own Resolution, you said: "to communicate the contents of this Motion to the so-called Bantustan leaders, mass media, international organisations and other relevant Black bodies", you were very proud of these Resolutions of yours, and sending them all over, weren't you? --- Which Resolutions?

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46 of 74 I am reading, and it is above the name of Muntu Myeza and Mr. Majeke? --- Now, Your Lordship, the question I think was specifically we send these things to the sponsors, now we had been talking about sponsors..(Mr. Rees intervenes)

Oh, so you don't send them to the sponsors? --- In the sense that you are trying to say that - PAUSE - in the sense that you have been saying. Now, Your Lordship, let us take just one of the persons to whom this thing was sent.. (Mr. Rees intervenes)

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Was / ...

Was your intention to send these things to international organisations? --- Yes, this is what I intended. But, Your Lordship, I became the secretary-general and I had been ..(Mr. Rees intervenes)

What did you expect from these people ..(Mr. Soggot intervenes)

MR. SOGGOT OBJECTS: H'lord, may the witness be given an opportunity to answer, my learned friend just is not letting him, H'lord.

COURT: I think he had finished, he said as the secretary 10
general he had to do these things? --- I attended to these things, and amongst other things, amongst other Resolutions this particular Resolution was sent to the Bantustan leaders, the other international organisations we hadn't had the time, we didn't have the time before. But the response that we got from them ..(Mr. Rees intervenes)

MR. REES: I am not interested in the response and I did not ask you about it? --- I am just trying to put his Lordship in the picture. 20

Well I didn't ask you for it, answer my questions. --- Your Lordship, I must put ..(Court intervenes)

COURT: You can tell me later on.

MR. REES: Now, your intention was that this type of Resolution should be brought to the notice of international organisations, and the mass media and that type of thing? --- Yes.

And you use these strong terms, you refer to people as oppressors, and you refer to them as Nazis? --- No, Your Lordship, that is not in this Resolution. 30

Not / ...

Not, you refer to them as perpetrating naked acts of terrorism, didn't you? --- Yes.

You refer to the brutality of the violent White South African system? --- Yes.

And you refer to them perpetrating their malicious acts of injustice, you refer the outrageous capitalist regime in the decadent South African society, is that conciliatory? --- Your Lordship, the prosecutor is picking out these phrases from the Resolution..(Mr. Rees intervenes)

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That is right, of course I am picking them out? --- I think it is necessary to view these particular phrases in the sense that they are used in the Resolution.

Well what do they mean here: "With grave concern and disgust", was that what you meant, were you gravely concerned and disgusted? --- Yes ..(Mr. Rees intervenes)

And you wanted other people to react with disgust didn't you? --- At this - Resolution says that this GSC noting, and it is this GSC that notes all these things that we are talking about, it is this whole thing, this Doornkop removal, I think ... (Mr. Rees intervenes - speaks simultaneously with witness)

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COURT: Let him first finish his sentence? --- If you get to know what was happening here, then this whole thing, all these phrases you are talking about are very mild, weak.

MR. REES: Mild, do you usually use ..(witness intervenes) --- In the context of this.

Do you use stronger terms? --- Me?

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Yes / ...

Yes? --- Well I can't say, I just use words, and I try to describe ..(Mr. Rees intervenes)

Is that your normal way of speaking, or were you trying to express yourself very strongly in this Resolution 46 of 74? --- I think this Resolution reflects the way I talk.

Were you trying to express yourself very strongly there? --- Yes, yes, and I think I failed.

You think you failed, you could have said it much more strongly? --- I ran out of words here. 10

What words do you think of now that you could have added? --- I think if I had another chance I would write this Resolution in Zulu.

So that you can describe it more strongly? --- Yes.

Why would you write it more strongly? --- Because, Your Lordship, you know this thing of removals, it is bad, it is bad, I can't say anything about it, it is just bad. The other day some people were getting removed, and the people were saying they were getting removed ..(Mr. Rees intervenes) 20

Were you there? --- ... to a land where there was a swamp, he said go and swim there in the swamp.

Were you there, did you hear somebody saying that? --- I did not.

Did this affect you, the fact that the man said go and swim there? --- I read it in the paper.

But did it affect you? --- It is bad, it must stop.

Did it make you angry? --- Angry

Yes? --- I got disgusted.

Yes, because of something you read in the newspaper, 30

isn't / ...

isn't that so? --- No, not because of something I read in the newspapers, because of the removal..(Mr. Rees intervenes)

No, no, no, the removal as reported in the newspaper? --- Not as reported, but if ..(Mr. Rees intervenes)

You were sitting here in Court or in prison when those things happened, you didn't see it, all you know about it is what is written in the newspaper? --- But, Your Lordship, but I don't have to be in Parliament for instance to know what is happening ..(Mr. Rees intervenes)

Just answer my question, the only thing you know about that so-called removal and the remark is what you read in the newspaper? --- Yes.

That is all I wanted to know. And that affected you and you felt very strongly about it? --- About the act that had been created. That particular act of removing people.

Yes, that is why you use strong terms so people will also become affected as you had become affected? --- But unfortunately this Resolution didn't have any effect.

Yes, thank you, you intended to send it all over the place, didn't you? --- To these people mentioned here, I wonder if I could just point out this one point, that this Resolution was sent to the Bantustan leaders, and at time of my arrest I had received only two replies.

The Bantustan leaders probably treated you with a measure of contempt didn't they? --- On the contrary, Your Lordship, the replies I got was one from Chief Justice Mabandla and the other one was from Chief Buthelezi.

This / ...

This Mabandla, is that the father of your associate in Durban? --- I do not know whether he is the father, but he is in the Transkei - not the Transkei, in the Ciskei. Your Lordship, they said ..(Mr. Rees intervenes)

I don't want to know what they said, I didn't ask you about it. --- I am just telling you.

COURT: But he is entitled to say what the response was because you are relying on the reaction of the Resolution.

MR. REES: M'lord, then I submit that he must lay that response before the Court, it is hearsay, if these people wrote to him then this Court is entitled to the best evidence there is of it. Did they write you a letter? --- Your Lordship, I had the documents and they were confiscated by the Security Police, and when we asked for the documents that particular response was not amongst them, and Chief Gatsha Buthelezi sent along with his response a speech he had delivered I think the previous year, that would be 1973 at the University of Zululand. And to this particular Resolution he said that they, the Bantustan leaders, all of them, had met I think at Umtata, and they had agreed that they would object in the strongest terms to these removals.

So you did get a reaction from them? --- Yes, from the two I have just mentioned. And, Your Lordship, the point really here is there is talk of Dr. Phatudi there, and he is the man who - these particular people, the removal of Doornkop - or the removal was embarked upon in order to consolidate as they said lebowa. And he - if the other Bantustan leaders said they agreed to object in the strongest terms to this thing, it nullifies, it cancels

out / ...

out their whole participation in these things, it shows their insincerity, because they are ..(Mr. Rees intervenes)

Yes, but I am not interested now in other people's insincerity, we are interested in Muntu Iyeza's state of mind when he made that thing, and telling the Court about or criticising Bantustan leaders for acts that have got nothing to do with this trial is not going to bring you anywhere? --- I think, Your Lordship, it has something to do with it, if I say there is some talk of ... (INAUDIBLE.. MR. REES SPEAKING SIMULTANEOUSLY WITH WITNESS) with Bantustan leaders.

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..... the fact that you wanted to get a reaction and you did get a reaction, and you told the Court that. When you were thinking of organising the rally, you knew that before Portugal handed over her territory, handed over her power in Mozambique, she had been fighting against liberation movements for about ten years, you conceded that yesterday, isn't that so? --- Yes.

And that the Portuguese economy had become strained as a consequence of this war that she was engaged in? --- PAUSE

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Or didn't you realise that? --- No, I think the Portuguese economy was okay.

That there had been very strong efforts to isolate Portugal both politically and economically? --- By whom?

By various movements and governments, especially Black governments in Africa, or don't you know that, if you don't know it say so? --- No, I don't know.

And I put it to you that the coup would never have occurred / ...

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occurred if there had not been this - these wars of liberation in which Portugal was engaged? --- Your Lordship, I think the coup would still have occurred. Because the people in Portugal were against the dictatorship, they were against the Gaitano regime, not so much about the colonies, they were concerned about the form of government in Portugal.

And I suggest to you that you knew perfectly well that Frelimo would never have come to power if the Portuguese had not become war weary which led to the coup? --- That Frelimo would not have ?

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Would never have come to power if the Portuguese had not become war weary? --- I think, Your Lordship, this whole exercise of decolonisation was not only restricted to Mozambique, it was with all the other colonies or erstwhile colonies of Portugal.

Is that all you want to say. You said that Frelimo which was present in Mozambique was able to, as an enlightened and competent organisation, to take over? --- Yes I said that.

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Now why did you say that? --- Your Lordship, I am saying this because when Portugal ..(Mr. Reed intervenes)

I will repeat the question, you said that Frelimo was an enlightened and competent organisation able to take over, that is the point I want answered please?

--- Yes, may I answer it. When this organisation, or rather when the Portuguese decided to give independence to their various colonies, they had to look to whom they were going to give this independence, and in mind here I have the later incident which happened in Angola, because there / ...

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there was no competent organisation in Angola..(Mr. Rees intervenes)

Not Angola, I just want ..(witness intervenes)

--- But now Mozambique, because there was an organisation there and able ..(Mr. Rees intervenes)

You said there was an enlightened and competent organisation, how did you know that? --- Oh, this is what I tried to say, that this was known.

How did you know? --- I knew, I think I pointed out a few of my sources of information. 10

Well tell the Court, how did you know it? --- From the newspaper reports.

How did you know they were an enlightened organisation? --- Oh from what they were saying really.

What were they enlightened about?--- As to how they would - their whole outlook towards self-determination.

What did they say? --- The most important thing I think in what I read as enlightened on their outlook, was the fact that they said they were not going to - how does one put it - they were not going to - PAUSE - they would have a non-racial country. 20

Oh, but in fact they chased all the Whites out? --- I don't think that is true.

Why, did the Whites just run away? --- Yes.

Why should the Whites run away from such an enlightened government? --- I think there are many factors that played a part, Your Lordship.

Well what should cause the Whites to run away - I will ask this question again, what would cause the Whites to run away from such an enlightened government? 3

Because / ...

--- Because I think the most important factor which contributed to Whites running away was that here was an organisation, or here was a government coming into power which was saying all men would be equal.

Oh, and is that why the Whites ran away? --- And the Whites, I mean you asked me for my opinion ..(Mr. Rees intervenes)

No, not your opinion - or yes that is right, why you think the Whites ran away? --- This is why I think they ran away, because they felt that they could not tolerate to be in a country where they are equal to Black people. 10

Oh, well, how do you apply that to South Africa, is that your general opinion of the Whites, that they would not tolerate being equal to the Blacks? --- No, that is not my general opinion.

Well, how does it differ from South Africa? -- The fact that there are no Whites running away from South Africa.

Why not, what will the Whites do? --- Well if I had to speculate about what the Whites would do, so many things would happen, and in fact I think ..(Mr. Rees intervenes) 20

Did you think the Whites in Portuguese East Africa ran away because they did not want to be equal to the Blacks? --- That is my opinion, but in South Africa I think there is a great difference.

Yes, the Whites are stronger here, much stronger, much more prepared to fight aren't they? --- I don't know about their preparedness to fight, but I am talking about 30

MYEZA

- I think here your question was what will they do. Now, I think it is so far removed, there are so many things that must happen in the ..(Mr. Rees intervenes)

But what do you think the Whites will do? --- I think the Whites will stay right here.

After what has happened? --- That is the question.

How are you going to get your power? --- I think the whites will continue to stay in South Africa.

Equal and ..(witness intervenes) --- Yes, equal everything, everybody equal, nobody carrying a pass, nobody staying in Soweto, nobody ..(Mr. Rees intervenes)

Nobody staying in Soweto, where will they stay? --- Nobody having to call anybody baas.

Oh, you would like some Whites to call you baas wouldn't you? --- No, I don't like it, in fact I don't have the capacity of carrying that, I am not a baas.

Yes, as you say with your tongue in your cheek. Why did you say the Portuguese ran away, the Whites in Mozambique? --- Because as I said, Your Lordship, they didn't want to live equally with the Black people.

You don't think it was anything that this enlightened government did? --- Well I don't know, at the time of my arrest - by the way I was arrested on the 25th - so this government, that was the day when the government came into power, but the Whites had already been running.

Yes, so that by that time you were quite clear, and the students ..(witness intervenes) --- Yes, but even whilst they were running Frelimo was saying: no, stay in Mozambique, we are all Mozambique citizens, help us develop this country.

And / ...

And they continued to run? --- And they continued to run.

Till there were none left - there must have been something that frightened them? --- Now the question is what, and I voiced my opinion..(Mr. Rees intervenes)

Yes, we want to hear your opinion on this, tell the Court? --- Your Lordship, my opinion, I think I said it is because they didn't want to live equally with Black people. To say it another way, the Mozambiquans stayed in Mozambique and the Portuguese left.

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Yes, all the Whites left and ..(witness intervenes) --- No, not all the Whites, only the Portuguese left and the Mozambiquans are still there.

The foreign settlers will leave South Africa too won't they? --- No, where have they got to go to in the first place? Those people went back to Portugal, where is the White South African going to go to?

You realise the Whites here will have to stand and fight? --- Not because of that, no, everybody is talking about living together.

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Mmmm - except SASO and BPC, they say the white is the enemy? --- No, SASO at least says Whites and Blacks will live and continue to live together.

Yes, the enemy, so did Mr. Samora Machel say: all the Whites are welcome to stay and now they are running away? --- Why are they running away?

Yes. So you are also paying lipservice aren't you? --- I am not paying lipservice, this is something that I believe will happen.

You say the ability of Frelimo and Portugal to reach 30

a political solution was hailed as another truth of the betterness of a political solution rather than the gun? --- Yes.

But you knew that political solution was resulting in Whites having to or feeling themselves obliged to get out of that country? --- I beg your pardon?

You knew that this solution that was found in Mozambique resulted in the Whites feeling obliged to get out of that country and get out fast, you knew that at the time? --- I don't quite follow the question, but the fact that Whites were running away..(Court intervenes)

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COURT: Mr. Rees is asking what you knew at the time?

--- I knew that the white people were running away, and I think some Blacks did run away.

MR. REES: You see Portugal in fact handed over all power all her power to Frelimo isn't that so? --- Yes I think - although on the 25th September it was to be handed over I think 75% to Frelimo, and the other 25% would be I think Portugal and the other organisations that are represented, but this was really a transitional government.

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And you wanted the same type of thing in South Africa, all power to be handed over - not to the Blacks, but to BPC and SASO, isn't that so? --- No.

You wanted all power in the hands of SASO and BPC? --- No, how could SASO - SASO is a student organisation.

What about BPC? --- BPC is a political organisation.

Well you wanted all power into their hands, didn't you? --- We wanted everybody to take part in government, everybody to have the right - one man one vote.

Under the auspices of BPC and SASO? --- They will vote 50 and / ...

and BPC will have to - this is just my speculation -
BPC will have to canvass votes.

Oh, did Samora Machel canvass votes, and did Frelimo
canvass votes, or did they just take power? --- Your
Lordship, I think this here brings us to why I said
Frelimo was a competent organisation, because when this
thing came up, I think they even threw Spinola out
because he wanted - the Portuguese threw him out
because I think he wanted to have a longer period. And
they said: no, no, no, we don't want to have anything to
do with the Portuguese colonies, and they just left, and
so Frelimo was there and able, just like they did in
Angola, they just flew out and they left the country in
a mess.

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You said that our Foreign Minister said that South
Africa would recognise Frelimo and extend the hand of
friendship? --- Yes, that is what Dr. Hilgard Muller said.

How did this influence your decision to hold a
rally? --- It influenced our decision in the sense that
we felt, as I think I said, this is one point where we
agreed with South Africa.

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Well I want to know, how if at all it influenced your
decision to hold the rally? --- It influenced our decision
in that we felt we were at one with the government.

Would you say that you intended these rallies as
support for the government, to extend the hand of
friendship to Frelimo? --- Yes.

Was that your intention? --- It was included in this,
because if one can just think what would have happened
after we had had our rally and it was a success, and it

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was / ...

was not banned, the whole world would have said:
"hooray South Africa, at last you are giving your
people the opportunity to express themselves".

Right, now why didn't you say so, why didn't you
in your advertisement say: the Minister has said so
and we are now in full agreement with this, why didn't
you say that? --- But, Your Lordship, it was implicit,
the government had said it, and we were saying now we
SASO and BPC, this is where we also appreciate it.

Why didn't you say so, you said - what did you say
in that advertisement of yours? --- "Viva Frelimo".

Yes, and what else - reactionary or revolutionary?
--- Oh, you are talking about the pamphlet.

Yes, where did you say: our government has extended
the hand of friendship and we are doing the same? --- No,
I didn't say that.

Why didn't you? --- Because I was speaking as SASO
and BPC not as Hilgard Muller.

Well why didn't you say, here is now a beautiful
opportunity of uniting the Whites and Blacks in South
Africa? --- Oh, but Mr. Rees - Your Lordship, we are an
organisation of our own right, and here we see Dr. Muller
saying this is what we are going to do as far as
Mozambique is concerned.

In your news releases, if I read them correctly,
there was throughout an atmosphere of defiance of the
government, when you heard the government wanted to ban
why didn't you say: no, we want to co-operate with you?
--- You see that is one point really that with the South
African government, they say things, and it just ends

there / ...

there, they pay lipservice to you ..(Mr. Rees intervenes)

You also paid lipservice didn't you, you didn't put the newspapers right? ---About what?

About a lot of things you said here in your evidence? --- I was putting the newspapers right in fact when I said this thing is not banned and we are going on. That is one way of putting them right.

Did you think that the liberation of Mozambique would make the Blacks in South Africa happy? --- They were happy.

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Did you think that this liberation made them happy? --- Yes.

Why did you think that? --- Oh, because the people were happy, in the buses they were talking about this and the newspapers were saying - were quoting some incidences where people had been walking in the streets and shouting "viva Frelimo", and I think one editor of The World which is a Black newspaper was quoted as saying: this whole thing is a replay of when the Chief Albert Luthuli was coming back from receiving the Nobel prize and it was a big thing really, Black people were very happy.

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What effect did you think this rally would have on the Whites? --- I thought they would also appreciate the event, and they would ..(Mr. Rees intervenes)

What effect did you think it would have on them, did you think they would have been happy? --- Here the Whites would see that there is a new government ..(Mr. Rees intervenes)

Did you think that the Whites would be happy? --- I thought they would be happy.

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What / ...

MYEZA

What would make them happy? --- What would make them happy was that they were also reported as saying now the South African government, you see the Portuguese - we had been called all kinds of names because of our association with the Portuguese, now there is a new government here and Black, let us join hands with the rest of the world and be happy about this thing and thank you, Dr. Hilgard Muller, for representing us correctly.

Did it come as a shock to you to see what the newspapers said about the reaction of people like Mr. Koekemoer? --- Mr. Koekemoer - PAUSE -

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Or did you expect that type of thing? --- No, Mr. Koekemoer - that is why I even phoned him, because he was a voice in the wilderness really as far as our advertisement of the rally was concerned..(Mr. Rees intervenes)

No, but you are evading my question, did you read what Koekemoer said in the newspaper? --- Concerning the rally?

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Yes, concerning the rally? --- Yes, they quoted him and I think some of the things are before the Court.

Yes, they quoted Koekemoer, and were you - do you still say that the attitude of the Whites was one of great happiness? --- Your Lordship, as far as this Koekemoer is concerned, I don't know why the newspapers did this, but they took a letter that Koekemoer had written, because he was a regular writer to the letter pages of the Daily Mail, they took one letter where he said we must defend our families, I think he said, from

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the / ...

MYEZA

the murderers and so on, but what Koekemoer or the newspapers didn't realise was that we were talking about Mozambique and South Africa had had nothing to do with the fight in Mozambique. So really this is why I said to myself, now this Koekemoer, where does he come from.

why did you think the government banned the rally?
--- I think (1) they were misinformed, (2) because ..(Mr. Rees intervenes)

Misinformed about what? --- About Koekemoer.

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Yes, so they thought there was likely to be a racial clash didn't they? --- No, I don't think there was any reason - anything that gave them that reason, what I think the main reason behind this was, it was just that they didn't like SASO and BPC, that is the only reason.

So do you think this was just an act of spite? --- I think so.

Did you think that at the time? --- I thought so.

Why should the government act in spite against these
organisations? --- Your Lordship, SASO and BPC had presented a particularly - shall I say - PAUSE - they presented a - at least we presented a voice that the government didn't want heard, and they wanted to do things to keep us quiet.

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Now when did you first think that the government might ban this rally? --- The question of the banning of the rally I think as far as the government was concerned, I said to myself, the government won't ban this rally, this particular rally, because if they do so they would be

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going / ...

going back on their word.

Then why did you people take steps right at the beginning to make alternative arrangements? --- But the South African government as I think I have been trying to say, says things which they don't mean.

So you believed right at the beginning that the government might ban the rally? --- It was a very remote ..
(Mr. Rees intervenes)

But it was sufficiently strong for you to have this hall booked in the name of another organisation, so it couldn't have been remote? --- Just in case.

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Well then it wasn't very remote? --- It was, it was remote.

You thought it was a very ..(witness intervenes)
--- Because you see when we organised this thing and we put the banners, we said this is one thing now where we think the government will go along with us and let us have this rally because of all the things that they, the government, would get praised for, if they let the rally go on.

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Now, if you are being truthful now, I put it to you one would have expected that right at the beginning instead of trying to get BAWU to book the hall and trying to out-manoeuvre the government, you would have communicated with the government and said: look, we are supporting you in your attitude towards Frelimo, won't you co-operate with us, that is what one would have expected? --- Your Lordship, the government is a political party or organisation, and we are also a political ..(Mr. Rees intervenes)

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The / ...

The government is a government, in power in this country? --- No, but the government of South Africa I think represents one type of thinking, and now I don't think any organisation, any political organisation wants to be outshone as far as ..(MR. REES AND WITNESS SPEAKING SIMULTANEOUSLY) are concerned. So now the government thought: Ha, SASO and BPC are taking their cake and we are losing ours.

How would they lose out by such a beautiful co-operation between ..(witness intervenes) --- But now that is the unfortunate part of the South African government, what good they do on the one hand, they undo on the other.

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Why didn't you try to co-operate with them, why didn't you offer co-operation? --- Now why didn't they offer co-operation? (LAUGHTER)

Why didn't you, why didn't you? --- That was our gesture of co-operation saying: oh, you say you want a friendly relationship with Mozambique, okay, we go along with you, we call a rally, that was our gesture of co-operation.

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I see, so that is why you drew up these documents and you made these statements about : we would like to see them ..(witness intervenes) --- Oh, what statement, wait a minute.

The statement where you said to Bokwe Mapuna: "Ah, we would like to see them banning us"? --- I said to Bokwe Mafuna, you see he referred to the conversation, I said to him, he says: ha, ha, you think they are going to allow it - because he knows South Africa, they say one

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thing / ...

thing when they mean the other, so he says: you think they are going to allow this rally, they are going to allow you to take their cake, and I said: no, we want them to - or what are the words I used?

Yes, you want them to ban you ..(witness intervenes) --- Yes, because I know they won't, that is why I said it.

You know they won't ? --- Yes.

And you said you would like to see them shooting you? --- I think I have explained there ..(Mr. Rees intervenes) 10

You wanted another Sharpeville? --- ... those lies you say there are happening are not there.

You said: I would like to see them shooting us? --- Who?

You said so? --- Who said we want - who did you want to shoot.

The policemen shoot, not you? --- The police, where do the police come in now?

You see the dogs didn't even catch you! --- Where do the police come in? 20

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