

c.c.

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

CASE NO: 18/75/254

DATE: 27 APRIL 1976

THE STATE

vs

S. COOPER AND EIGHT OTHERS

VOLUME 71

PAGES 3959 - 4019

LUBBE RECORDINGS (PRETORIA)

THE COURT RESUMES ON THE 27TH APRIL, 1976.

SATHASIVAN COOPER: (still under affirmation)

CROSS-EXAMINATION BY MR. REES (continued): Mr. Cooper, yesterday you made a statement to the effect that once the Whites have been stripped of their megalomania they are shown to be craven, is that correct? --- I may have made such a statement, I don't recall specifically mentioning, using those words.

Is that in fact a sentiment entertained by you? --- I remember I used the word craven in respect of the person who is the centrifugal force in "Before and After" and in respect that he is a craven pitiable being. (10

Mr. Cooper, what did I ask you? --- Your Lordship, the prosecutor wants to know from me whether I used the sentiment when the Whites are stripped of their power they would appear craven, and I said that I used the words.....(intervention)

What was the question thereafter Mr. Cooper? --- If you did ask me a question thereafter, I don't know what it is.

You didn't even pay attention to what I am asking you? --- I am trying to answer the question to the best of my ability.

Mr. Cooper, what was the question I asked you? --- It is very difficult if I am heckled continuously. (2)

Mr. Cooper, what was the question I asked you? --- I have just answered that.

What was the question I asked you? --- If I made a sentiment that the Whites, when stripped of their megalomania would appear craven, and I said, Your Lordship, I remember making a statement in respect of "Before and After" that the central figure does appear craven and a pitiable being when stripped of his power and all its appurtenances.

Mr. Cooper, will you please listen to the question next time and answer what I asked you. I asked you specifically is that a sentiment/... (3

a sentiment entertained by you? Now will you answer it please?
--- Specifically it is a sentiment contained in "Before and After" that when the White is stripped of his power he appears in his true light a very insecure, craven, pitiable being and in that respect I harbour the sentiments.

Is that a sentiment harboured by you? --- I just said so.

Without a qualification Mr. Cooper? --- Your Lordship, without qualification I would say, well, as a generalisation that would be so.

Now what does the term "craven" mean? --- I think I have (10 explained it often in the context that I have been using it and that is a person devoid of his former self and in this context devoid of the megalomania, the power, the privilege, a pitiable being, a being that is insecure, dejected and deprived of his prejudice, depraved of his prejudice.

Mr. Cooper, in plain English it means one who is afraid, a coward. One who is afraid to fight, a coward, isn't that so?
--- I have not used the word in that context, I have not used the word in that context, no.

And a megalomaniac, what is that? --- A megalomaniac is a (20 person who loves power and in this context the Whites are exercising a system of, where they like overwhelming control of other beings and, Your Lordship, Eric Fromme the prominent psychologist in his book "The Hearts of Man" - pause -

Who is Eric Fromme? Where is he from? Have you got the book here? --- I just said.....(intervention)

Have you got the book here? --- I haven't got the book here.

Well, then please don't quote him unless you can show us the book so that we can refer to it. (Mr. Soggot intervenes)

MR. SOGGOT: My Lord, if the witness does wish to rely on other (30 sources he can do so without having the book.

Mr. Pees/...

MR. REES: My Lord, I want his own sentiments. If he wants to rely on Mr. Eric Fromme, then he has got to produce Eric Fromme so that we can challenge him on it if necessary, otherwise are you giving this up as your own sentiments? --- I agree with the sentiments expressed by Eric Fromme, when he says in his book "The Heart of Man" he talks of the very essence of the sadistic drive and he talks of overwhelming control, the inordinate desire for power, and usage of other beings, and in this respect he talks of persons involved in this type of pursuit who love themselves, wanting to transform the animate into the inanimate, (10 and he uses the term specifically, necrophily and biophily. The necrophilous person loves death, he does not love life. He loves to possess things, he loves to possess other human beings in order that others can be looked upon as an appendage of himself, and in this context he talks of changing the organic into the inorganic, and bringing this down to our situation here at home, the Whites insisting that the others are the Non-Whites, being appurtenances of themselves, reifying the others, making the others look at themselves as things. As Jean-Paul Sartre said "making people ashamed of their existence." (20

What is the purpose of all this philosophy and psychology Mr. Cooper? What did I ask you that gave rise to that answer? --- I think the central issue involved here is Black Consciousness and the manner in which the Black Consciousness Movement, that is BPC and SASO, have been utilising its philosophy and in this context it has to refer to other sources, etc.

Mr. Cooper, have you got this inordinate desire for power? --- No, Your Lordship.

Not? We will come to that. I want you to tell us that (30

is Black/...

is Black theatre as seen by you? What is the purpose of it?
--- The purpose of Black theatre is to make theatre more relevant to the existential situation of Black people in this country. The message is the medium, I think that is it in a nutshell.

Is that all you have to say on the subject? --- Well, I have other things to say on the subject but on what is Black theatre that is contained in the paper that I wrote, part of the exhibit, I think it is EXHIBIT G.3.

Yes, that is what I would like to have a look at now, Mr. (10) Cooper. Could the witness be handed EXHIBIT G.3 please, My Lord. Mr. Cooper, I want to refer you to a page that is numbered in the - in His Lordship'd copy and my copy as page 71. It starts off with in brackets "There is a peculiar thing called Black comedy which is in no way connected to Blacks at all". Have you got that page? I think if you loosen those pages it will save time. Have you got it? --- Yes.

And you say that whole piece was written by you? --- Yes. Yes, I think - yes, the whole thing is in my handwriting except for the top "Saths Cooper" - I don't know whose handwriting (20) that is.

May I just write on the top of it being the numbers 71 and 72, so that it coincides with the documents we have. Now Mr. Cooper, I have written in the numbers 70 to 74 on this document so that it coincides with the documents or the numbering of the documents which His Lordship has before him. Would you refer to page 70, please. You say there in the second paragraph: "In Black theatre the message is the medium", more or less what you said just now. Is that correct, do you find the statement, near the top, page 71? "In Black theatre the message is the (30) medium"?./...

medium?" Have you found the passage? Mr. Cooper, have you found the passage? --- I am trying to look for it.

Are you looking from the top? --- That is what I am trying to do. It is the first paragraph, yes, not the second paragraph. Yes, Your Lordship.

Yes, then it follows: "Black theatre of Black people for Black people and only by Black people." Is that your sentiments? --- Yes, all this is my sentiments.

"Black theatre does not speak to the oppressors. It has nothing to say to them. Everything it has to say and do is for (10 the ears and eyes of Black people only." Is that correct? --- That is so.

"Black theatre is a theatre of liberation." Is that so? --- It says so, yes. It is so.

"It is the forum for an expression that would otherwise be stymied and...(inaudible)...out of existence." Is that your sentiment? --- All this is my sentiments.

Mr. Cooper, I am afraid you will have to answer my question. Each one as they are put to you. --- I am trying to save the Court's time. (20

Yes, Mr. Cooper you will just answer the questions as they are put to you please. The next point is, in the next paragraph you say, in the middle of the paragraph "Black theatre is a breaking-down of traditional beliefs of the biased view that the Blacks can only be the villains of the maids while the White terrorists are portrayed as the real heroes." Is that correct? --- That is correct.

Now, how is the Black theatre going to set about breaking down traditional beliefs? --- Certain expressions have been quoted from the documents and I haven't familiarised myself with (30

these/...

these documents for some time. And the sentiments there expressed, the last sentiments that the prosecutor read out that "Black theatre is the breaking-down of traditional beliefs of the biased view of Blacks can only be the villains or the maids while the White terrorists are portrayed as the real heroes"....(intervention)

Mr. Cooper, I didn't ask you to read the document, I asked you to tell the Court how..... --- I will have to.....(Court intervenes)

BY THE COURT: He is still explaining that sentence, Mr. Rees.

MR. REES: My Lord, I don't want him to explain the sentence. I (10 want him to tell the Court how he envisages that the Black theatre is going to break down traditional beliefs, that is the question. --- I said that - before I was interrupted - that these sentiments have been quoted, not the entire section from the beginning to that point, and I think in fairness I will have to familiarise myself up to that point and then try and answer this question.

Yes? --- The General - I think it is G.3(a) - up to that point we show an explication of the thought that is running central through the theme of this document, this is a paper (20 delivered to the South African Black Theatre Union function in Cape Town in December, 1972 and some of the background to this is explained in the headnote there which is.....(intervention)

Mr. Cooper, just before you carry on. What is the question you are replying to? --- I am getting to the point where we stopped, that is breaking down of traditional beliefs, etc.

But what is the question you are replying to? --- How is Black theatre going to do this. I am getting to that.

Yes? --- Now, the headnote which has been scratched off, gives a background to the...(inaudible)...particular paper. (30

Now/...

Now coming to this specific paragraph, in order to save time, Black theatre is about a people who have so far been prevented from finding any viable means of expression. That speaks for itself. A people so accustomed to being relegated to an inferior status and having insults hurled at them, that they fail to see the inherent good merits in themselves. This is all in the ambit of the Black Consciousness approach. Black theatre is a breaking down of traditional beliefs. I will pause there with that first sentiment.

Yes? --- It is talking of what has been said immediately (10
above in the previous two sentences, that is that the traditional belief is in this country that Black people should be relegated to the status of menials, and this is all, the status of things, the status of non-beings and this is.....(intervention)

Mr. Cooper, I asked you how you are going to do it. I did not ask you what it was? --- If I don't.....(intervention)

Are you trying to evade my question? --- I am not evading the question. If I don't explain that and come to how it is going to be done.....(intervention)

Well, can't you tell us how, and then you can come to (20
your explanations if necessary? --- Well, if you.....(Mr. Soggot intervenes)

MR. SOGGOT: My Lord, the witness is attempting to explain something to Your Lordship and that is how certain concepts of things are broken down. I would submit that this is a matter of relevance for him to say these are the beliefs I am talking about, and these are the beliefs that are to be broken down. My Learned Friend might desire a different order of presentation, but with respect, the witness is giving evidence and should be allowed to explain to Your Lordship in a logical form. (30

By the Court/...

BY THE COURT: Well, he is busy explaining Mr. Rees, and when he has finished you can tax him as to whether he has explained it or not, but give him a chance to explain it.

MR. REES: Yes? --- Your Lordship, Black theatre is the breaking down of the traditional beliefs that are held in our South African Society in the terms of what is characteristic to the racist epoch in this country and that is the status of non-beings and the status of beings. This being respectively Non-White and White. In our terms Black and White, oppressed and oppressors. These values, which are sham values, need to be given the boot to by our Black theatre. It is specifically in reference to Black theatre, adopting the approach of Black Consciousness. The sentiments contained continues after traditional beliefs of the biased view that Blacks can only be the villians or the maids, while the White terrorists are portrayed as the real heroes. Of the biased view that Blacks can only be the villians or the maids, while the White terrorists - it is talking of what has been traditionally drama, if I may just borrow from American drama - where, through the ages until very recently Blacks were always portrayed as maids, as villians, as thieves, as rogues, etc. Always in particular reference to their status in that society. And coming over to South Africa, this is what we also find. There are works of South African origin which have been launched to portray Blacks in the role of menials and this is all, not taking it any further. (10

Yes? --- While the White terrorists are portrayed as the real heroes. Your Lordship, White terrorists, rather a turgid use of an epithet there but - pause -

Turgid use of an epithet, what does that mean please? (30

It is/...

It is colourful, it is bombastic. Terrorists in reference to persons who are portrayed in dramas as being the heroes whereas in actual fact it ought to be Black persons who also are capable of being represented as heroes in works of art, in drama. It ought not to be just Whites who are continuously portrayed as heroes, whereas the villains and other menial roles are relegated to Blacks, not as actors but as parts. And this is in that context (Court intervenes).

BY THE COURT: It is purely recasting the roles? --- Well, it is a cry for a re-assessment of the worth of people, as people, (10) and in this particular context it talks of Black people, that Black people ought not to be merely cast in the role of a traditional slave, menial maid or a villain, but Black people ought also to be portrayed as the heroes, as the chief characters, without the villain attachment being there. And Black theatre, it seeks to do this by attempting to have drama which looks for its heroes from amongst Black people. It would portray Black situations to Black people by Black people.

MR. REES: And the Whites as the villains? --- No, it does not say so, it does not say that we must now reverse the roles. It (20) says, and this is in the context of our approach in the Black Consciousness Movement, that there must be a humanisation on all facets of Black existence and in fact White existence. So that there can be a par of existence in this country. And in this context I am not saying we must just reverse the roles and make out that the Whites are the terrorists or the villains, but this has been happening and it should not be happening, it ought to be Blacks who are also portrayed in the role of heroes, and not merely in the role of menials and maids. It continues (30) that paragraph, there is one more sentence.

Have you/...

Have you now finished us how you are doing it or are you coming to how you are going to do it? --- I have completed that, Your Lordship.

Now you have told us also what the beliefs are, not so? Are you still trying to save the court's time? --- I believe so.

So every time I ask you a simple question, I asked you how you do it, so you told us what it is, you said it was necessary, is that so? --- We are facing in this court not a specific charge, the charge permeates the entire being of Black society in this country. (10)

Mr. Cooper, will .. --- And it is not possible to merely talk of one concept in that structure. One cannot as I have said before one cannot talk of politics in this country, one cannot talk of oppression in this country, without reference to Whites. In the same light one cannot just remove a particular sentiment out of its context and say - how are you going to achieve this type of thing, whereas the whole document, if the document is read, if you desire to find out what it is about, I think the unfolding would be quite logical.

Mr. Cooper, it is not the Blacks who are on trial, it is Mr. Sathasivan Cooper who is on trial here, for allegedly attempting(20 to bring about violent revolutionary change in this country and for allegedly trying to sow hatred between the Whites and the Blacks. That is the charge, and the charge is not against the Black community, it is against Sathasivan Cooper and his eight companions. Do you understand that position? --- No, I don't understand that. I don't believe it is so. I don't believe that I am being charged here as myself. I believe I am a scape-goat for the evils that have been perpetrated through the ages by White people against Black people. BPC is merely responding (30 to the/...

to the situation of estrangement and alienation in this country. And in giving articulate expression to this we are being hauled before the Courts for allegedly causing this alienation of feelings, for causing racial hatred. Your Lordship, this is amiss, because the racial hatred is, it is existent in this country, it has been caused by the White rulers. It can never be caused by the oppressed people. Your Lordship, as Professor Small said "...the privileged of a country can never know the disprivileged of a country as the disprivileged know the privileged of a country.." I don't believe that we are on (10
trial here merely for activities that we have engaged ourselves in which is terroristic. There is nothing terroristic about our activities at all. I cannot see it, and even as I am standing in the box here, I cannot see where we have advocated racial hatred, where we have advocated hostility against White society. We have not done so, we have merely removed the area of the problem and said that this is the problem in this country, that is White oppression, and we are busy setting about to effect change in this country, trying to effect a peaceful solution to the evils that face this country. And (20
it will always, Your Lordship, it is not the unloved who cause disaffection, it is those who do not love, because they love only themselves.

You seem to love yourself only, don't you Mr. Cooper?
--- I am referring to White persons here. It is not those who are despised who initiate hatred, but those who hate. It is not those who are denied their humanity who negate man, but those who deny that humanity and thus denying their own humanity, negating their own humaneness, and to the oppressors any concept of unification, of solidarity, of organisation, of con- (30
sciousness/...

sciousness of the people, of nation-building, will be labelled as terroristic, as subversive, as a danger to the State, because it is a danger to the power, privilege and prejudice as Mothlabi called it, of White, of White society, and this is what we are faced here with. Not for what we have done. We have merely responded to a situation of inferiority which we have felt historically and which we do feel existentially. This is all that we have done, and in seeking to do this, we have adopted the methodology of Black solidarity in order that when a solidarity has been effected and got, we can bargain (10 with the powers that be, which powers may not be the powers that are today.

Mr. Cooper, have you finished now? --- I am trying to dispel the myth that it is I and my eight brothers who are on trial here. We are here on trial for holding beliefs which the Black community at large holds dear to themselves.

Mr. Cooper, do you think you are representative of the Black community? You? --- The prosecution has said so.

Are you? --- The prosecution has said so.

Mr. Cooper, do you think you are representative of the (20 Black community? --- I believe I am representative of the Black community.

Are you suffering from megalomania? --- No, Your Lordship. This is exactly what we are.....(Court intervenes)

BY THE COURT: Let us get on with the case. You have made your point Mr. Cooper. --- Thank you, Your Lordship.

MR. REES: Now, let us get back to G.3. Will you have a look at the next page? Have you got page 72? --- Yes.

Now, you refer there to artists who are not afraid to state what they really feel about anything, notwithstanding its (30

unpopularity/...

unpopularity? --- That is correct.

That is the sentiments you expressed to this group?

--- That is correct.

They were a Black group? --- Yes.

Where? --- In Cape Town.

How large was the group? --- I should imagine there were in the region of about two dozen upwards, or less, I am not too certain on that.

You were trying to motivate them to adopt these ideas, weren't you? --- Well, the South African Black Theatre Union (10 has adopted Black Consciousness as its approach to theatre.

Mr. Cooper, were you trying to motivate them with this speech of yours? --- Well, I suppose so. I cannot be certain on whether I tried to do that or nor, but.....(intervention)

Well, what was your purpose in making this speech? --- This was a paper that was presented at a conference of the South African Black Theatre Union.

But what was your purpose in presenting it? --- The purpose was - it is aptly touched in the headnote there which has been struck off - this is the motivation behind it, which was what I (20 had based the paper on that is "Black South Africans are asking what is this thing called Black theatre. Others are asking why has it been given this tag 'Black'. Is it really and truly Black? Shouldn't theatre be colourless, universal, just speaking to people without reference to their colour? Does Black theatre have any particular or special message? From where does this concept emanate? Whom does it represent? Just what does it represent?" That is the motivation.

Your motivation? --- Behind this paper, yes.

Your motivation? --- Yes, that is my sentiment.....(inter- (30 vention) Right/...

Right, turn back to page ... --- And that was the basis on which the paper was written.

Turn back to page 72, there you say : "Black theatre is a dialogue of confrontation"? --- Yes.

And then you explain what you mean by confrontation in the next paragraph. "Confrontation with life in a racist society and overcoming this mere meaningless day to day existence. This meandering in a state of Black? without goals and without fruition." Is that right? --- That is correct.

Then you continue, "Confrontation with the racists and (10) coming to meaningful terms with Black people in their idioms." Is that right? --- That is so, yes.

Then you proceed and you wrote in a piece specifically, a little lower down you say : "Black theatre is the theatre that is relevant to the needs of the people but it will shock Rip Van Winkles and sleeping Sallys will be jolted back to reality." --- I would say that Blacks would shock - Blacks who have been Rip Van Winkles and sleeping Sallys will be jolted back to reality.

Thankyou, yes, and then the next piece that you want to in-(20)sert there is : "Blacks who have so far adopted a don't care attitude will be forced to commit themselves to doing something about themselves and their surroundings." --- That is correct.

In other words this document was intended to motivate and force people to act according to certain lines, isn't that so? --- To motivate people, yes, force people, no. Black Consciousness does not work in that way.

Well, why do you use the word "force"? --- That is taken out of context entirely. It has all being taken out of context. It is obviously taken out of context. As I said Black (30) Consciousness/...

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Consciousness is not a manipulative theory, it does not force people to do things. If they don't want to do it, fine. If they want to do it, they will find inherently within themselves that need to do it.

Once they have been properly conscientised? --- It may not have been properly conscientised, it may just grow on you. Nobody conscientised me in that sense.

Yes, let us return to the word "force" there. Why do you use the word "force" what is its meaning? --- I think all these sentiments follow one upon the other.

(10

Yes, but what does the word "force" mean in its context there? --- If this is what the prosecutor wants me to deal with, I will deal with that specific sentence only, although I may be doing an injustice to it. "Blacks who have so far adopted a don't care attitude" and "don't care" is in adverter commas attitude, "will be forced to commit themselves to doing something about themselves and their surroundings." This is the challenge, it is saying: this is the challenge of Black theatre in the '70's, this is in the '70's, when the new mood of Black Consciousness is sweeping through the country "and Blacks who have adopted - well, let me see, traditionally this goes back now to the traditional beliefs - Blacks have adopted a hopelessness attitude about their situation, and Black Consciousness has come as a succour, as a pabulum, to Black people in their hour of need to show them that there is hope, that they ought not, that there ought not to be hopelessness and insecurity and diffidence about our situation, because this that we face is not inseparable and here "force" - it speaks for itself - they will have to commit themselves to doing something about themselves and their surroundings, in that sense.

(20

(30

Yes/...

Yes, now..... --- In that sense, and it is not saying we must now go ahead and force them to do it by stabbing a knife in their backs and so, by taking a gun to them, no, it does not say that.

No, you must force them by persuasion? They must be able to feel themselves obliged to do so, not so? --- Well, in that sense.

Yes, now the next piece that you inserted. Let's just look at that "Just as God created man in His own image, the Black artist must mould the theatre in his own image to reflect accurately his desires, his aspirations, his experiences, his lifestyle." Is that so? --- Yes. (10

Now when we look at this other document, this "Before and After" document, EXHIBIT G.4, isn't that in fact what you and your group of workshop artists were trying to do? --- I think getting this sentence here out of context: "Just as God created man in His own image" etc. etc. and applying it to "Before and After" is doing total injustice to this paper. First of all, because all this that the prosecutor has quoted, Your Lordship, this is the original of the document, this was not in the form that it was presented. The form that it was presented would have (20 been the other written version where it follows in sequence, because, Your Lordship, will find asterisks and crosses, etc. arrows pointing to various sections which thoughts grew on me after I put down the initial ideas, and which I put in there(intervention)

Mr. Cooper, I don't want to analyse the document, I want to analyse your ideas please. I want to analyse your ideas. Now tell the Court this please, here you say that the "Black artist must mould the theatre in his own image to reflect accurately his desires, his aspirations, his experiences and (30

his/...

his lifestyle." --- That is so.

That is a sentiment which you expressed which was intended, isn't that so? --- Yes.

Right, then the next question is when you wrote EXHIBIT G.4, would you like to have a look at it? --- If I may?

When you wrote G.4 that was Before and After, did you perhaps in effect give effect to the sentiments expressed here? --- Not entirely. I would say that there are certain sentiments expressed in this sentence, and in fact in the whole paper, which may find themselves in Before and After but I cannot say that (10) the entire sentence there as it stands is reflected in Before and After.

Mr. Cooper, perhaps you didn't listen, perhaps you are misunderstanding me. All I want to know from you is whether when Before and After was written it wasn't a sincere attempt to do here - to accurately reflect the desires and the aspirations of those budding authors. That is all? --- If Before and After was motivated by an attempt to look at a hypothetical situation, a situation based on the huge word "if", if this happened, would the crowd, the mob here in this instance, (20) act the way it is acting in Before, would the co-ordinator coördinate the way he is coördinating in Before, would the central figure react the way he is reacting in Before - it is purely an investigation into what could happen. It is not advocating anything here which says "we must now go and cause a revolution in the sense that we must now cause bloody revolution" or we must now cause an estrangement of feelings between Whites and Blacks, we must now cause hostility. It is merely an investigation. Art, the very essence of art, is speculations on the nature of being truth and knowledge, and (30) if we/...

if we accept that in its metaphysical form, then one looks at art in the sense in which it ought to be looked at, and not pick out things to suit a particular purpose.

Mr. Cooper, perhaps again we are at cross-purposes. All I want to know from you whether or not that was a genuine effort by those people to give expression to the sentiments which you have set down here? --- As I have said no, not entirely so. It was because this - I am reading now from page 72 of the G.3 -(intervention)

Mr. Cooper, perhaps you had better read it too so that (10
we can get on the same wave-length here. You say: "The Black artist must mould the theatre in its own image to reflect correctly his desires - to reflect "accurately" his desires - his aspirations and his experiences and his lifestyle." Now that seems to me to be a very correct setting up of what the Black artist should do, or any artist should do? --- That is so, but it is not an accurate assessment of that paragraph, because the paragraph begins: "By the foregoing it can be seen that Black theatre is made up of two levels, thought and action. Thought attempting to break down (20
the psychological oppression that is presently shuttling. Black people, and the action, defining Black people with all the physical and other attributes possessed by all human beings. The end result is the beautiful ...(inaudible)... that is Black theatre."

Then there is an asterisk, and the asterisk reflects, refers to "Just as God created man in his own image, the Black artist must mould the theatre in his own image, to reflect accurately his desires, his aspirations, his experiences, his lifestyle." - and it continues -
"and in order to be always alive to Black people, (30

Black/...

Black theatre needs to constantly evaluate itself in terms of its achievements and its redundancies, so that its purpose is never lost but remains firmly with the people." -

And Your Lordship, in this context, the previous page, page 71, it talks about - the first paragraph there says : "Throughout history the artist has been using his medium to mirror the social evils and to get the answers to these evils of the ..(inaudible)."

And in this context now we come to Before and After the Revolution. (10) Would this be the answer to the evils of our time. This is as far as Before and After goes, Your Lordship.

Mr. Cooper, you have to do a lot of explaining to get yourself out of your sentiments expressed in Before and After? --- Your Lordship, I have attempted to go through Before and After. We laboured with this yesterday when we were bickering, the prosecutor and I, over my answers. And if I may be allowed to go through Before and After from the beginning I think it will save all the problems.

Mr. Cooper, when your Counsel will have an opportunity (20) of putting you through that. At the moment what I want to know is let us confine and first go through this document G.3 and complete that. Now at the bottom of G.3, at the bottom of page 72 you say : "We in this violently political country have a need for art, not mere entertainment" - you say - "but art which speaks to us in constructive terms about doing something about our situation now before it is too late." -

Is it correct therefore to say that you want to inspan art to induce people to do something, you want to induce action with (30) art?/...

art? --- Your Lordship, that would be correct in the context of seeking a cultural identity for Black people, because after all this is what the Black Consciousness Movement is about, attempting to regain that lost humanity, that lost identity.

You told us also about..... --- And in this context it says: "It ought not to be mere entertainment, but it ought to be entertainment with the purpose of redefining ourselves in terms which we as Black people would find meaningful to us in our oppressed situation."

You told the Court that you went down to Cape Town, is (10 it in connection with the production of "Requiem for Brother X?" --- This was a S.A.B.T.U. function, a South African Theatre Union function.....(intervention)

I don't want to know what it is, did you go there at all? Yes or no? --- I have said so and I am trying to save time by saying what we did there.

Well, I will ask you what you did there. I am going to ask you..... --- The questions are repetitious, Your Lordship.

Mr. Cooper, it is not for you to decide, it is for His Lordship. Did you go there? --- I did go there. I said so (20 time and again.

When did you go there? --- In December of 1972.

What was your purpose in going there? --- The South African Black Theatre Union is a union of theatre groups. I was the director of the union.....(intervention)

Who were your co-directors? --- I was the only director. The director of the Union, not the director in the sense of directing productions, but a director in the sense of organiser of the Union, and serving in a non-executive capacity there were five, I think, other executive members who were re- (30 sponsible for the executive management of the organisation.

I would/...

I would like to refer in this connection to EXHIBIT G.2. My Lord, may these other documents be taken away or refiled and G.2 be made available to the witness? Now, would you just tell the Court briefly what is G.2? Let me just have a look at your copy, please, just hold it this side? Who were the other executive members, first tell the Court that? --- This is the type of interruption, Your Lordship, the prosecutor asks me a question, then he heckles me with another question and I don't know where I stand, whether I should answer the last question first, or the first question last. (10

Mr. Cooper, what question are you trying to answer? --- I don't know, that is what I am saying.

Well, what did I put to you? --- There are so many questions put, I don't know which one to answer when.

The last thing I asked you was to show me the document, you did so, then I asked you who were the directors of this organisation? Now answer that one please? --- I was the director of the organisation.

Yes, and who were the other directors? --- There were no other directors. (20

So, this was a Saths Cooper organisation? --- I take it.....(Court intervenes)

THE COURT: He said there were executive directors.

MR. REES: Who were the executive directors? --- Let me put Your Lordship into the picture. This SABTU was formed in July of 1972 and there was an executive which ran the day to day affairs, the executive, the controlling body of the organisation - I think it consisted of five officials who were the president, who was accused No. 9, Mr. Strini Moodley, the vice-president Mr. John Kani of the Serpent Players from Port Elizabeth, the (30 secretary was a Mr. Monde Nbikwana from Port Elizabeth,

Serpent /...

Serpent Players also. The additional executive member was somebody from Bosmont in Johannesburg from The Masks, I can't remember his name offhand, and the treasurer was a Mr. Theron from East London, belonging to the East London Arts Society and these respective officials formed the executive. I was ~~the director to run the organisation in that context, not to~~ direct anything.

May I just have a look at the documents you have got in front of you? There is a fair amount of writing on the front of this EXHIBIT G.2. Would you read to the Court the writing (10 and tell the Court whose handwriting that is? On the left hand side it starts with "..Chatsworth bus bar White skins hide in same mind.." Who wrote that? --- Do you want me to read the stuff and say who wrote it, or do you want me to just answer now who wrote "..White skins hide in same mind..?"

Carry on, please. --- No, I can't carry on..... (Court intervenes)

THE COURT: Who wrote "..White skins hide in same mind..?"

--- I don't know who wrote that specific one Your Lordship. My writing on this is "..Which European suburb has no bus.." (20 And at the top "..Is this what is called separate development.." and "..Amen to buses, Amin to trains.." that is in my handwriting. I don't recall who wrote the rest of this stuff. It seems to be the handwriting of various persons.

MR. REES: When was all this handwriting brought onto that is that the programme? --- This is a programme, but not of the event we are talking about. As Your Lordship will see, it refers to July, 1972 and.....(intervention)

Let me see the original? What do you know about this particular production? --- Which particular production? (30

Mr. Cooper/...

Mr. Cooper, the one reflected in this document? --- I think there are various productions there.

Well, start at the beginning and tell us what do you know about these productions then. Start at the beginning. --- I have not even answered where this was written and how this came to be written on the top. Can we dispose of that first please? This was written either at, or after Chatsworth bus meetings, and these were various sentiments expressed in various placards at that Chatsworth bus meeting, and I have photographs to show that these were placards, these sentiments expressed here: (10
"..White skins hide in same mind..", "..Amen to buses, Amin to trains..", "..Is this what is called separate development?..", "..Be humane, act sane, don't give us pain..", etc. were sentiments expressed in placards at the Chatsworth bus meetings.

Yes? --- Now they did not emanate from me or from any of my associates, they emanated I don't know where, but there were various placards at the meetings. Now, Your Lordship, the first play in this programme. First this was a festival organised by Tecon, the Theatre Council of Natal, of which I had been secretary up until this time I think it was. And the (20
first play is by Serpent Players, it's The Just by Albert Camus. The next play is.....(intervention)

Just a moment please. The Just, now on the righthand side you have some notes, there is says "encounter?" --- No, that is on Tuesday, the 4th of July.

Oh, the number, the first one was The Just of which we have no particulars except the cast, is that right? --- Oh, The Just is a famous play by Albert Camus.

BY THE COURT: Let me see that. I have no idea what the notes are. (30

Mr. Pees/...

MR. REES: My Lord, it is on the righthand side of page 40 that I am going to refer him to now.

BY THE COURT: Well, it is a programme, on the lefthand side you have the plays with the cast and on the righthand side you have a repetition of that together with acknowledgments. Is that correct?

MR. REES: No, My Lord, we obviously - may I just ...

BY THE COURT: Over the page it is just a continuation of the programme?

MR. REES: Yes, My Lord, but I am dealing only with this page. (10) Those are the notes I am referring to, it is written there, Notes. It is not written, it is printed Notes.

BY THE COURT: Well, it is just an explanation of the .. --- Of the play, yes.

MR. REES: Yes, just give us what is that explanation of the play? Just read it to the court? --- Here the note just says :

"Encounter: .. the pertinent expression of the Black viewpoint on White label terrorism. This concept is thrown into new perspective emphasising the legitimate struggle of oppressed peoples against the repressive machinery (20) of White imperialism and (Mr. Rees intervenes).

MR. REES: Will you raise your voice, please? --- "Encounter kicks brainwashed Blacks in the ass and awakens them from befuddled notions of the benevolent White father fighting on their behalf to rid the country of terrorists and other such agitators."

Yes, so this term "kicks brainwashed Blacks in the ass", that is strong language? --- It is not strong language, in the context of the theatre it is in fact very mild. (30)

Very mild, and what does it mean? --- Just what it says, to kick/...

to kick them in the ass.

It is intended to goad them into action? --- Well, I don't know about that. I think it talks of destroying whatever brain-washed befuddled notions they had.

Just look at the next page then, Mr. Cooper? --- It just gives a very short background to what Encounter is. In fact I think it is a viewpoint, it is a note on Encounter. And it is not, and it just does not have notes purely because they aren't notes, but not because it is something subversive or hidden.

(10)

I didn't ask you about that. --- There was that insinuation.

Now, look at the next page please. The one dealing with Friday, the 7th of July, 1972. -- Yes.

That is a play by Tecon, Requiem for Brother X. What does the term "Requiem" mean? What is a requiem? --- A requiem is a play, an ode, something in honour of the dead, in that context. It is an ode, a paean.

Who is this brother X that is referred to here? --- Brother X here - it is some time back but I think it refers to - I may be incorrect on this, but I think it refers to Malcolm X.

(20)

What was Malcolm X? --- I don't know what he was, I know who he was.

What did he represent, or what was he doing? --- Malcolm X was a leader specially of Blacks in America. I don't know between what year and what year. I am not au fait with that history, and Malcolm X stood for equality of Blacks in the United States.

What finally happened to him? -- I think Malcolm X was assassinated. Yes, he was assassinated. I don't know when he was assassinated.

(30)

Right, then you have got the notes. Let's just deal with those notes. Will you read the first portion there? --- Just before/...

before I read the first portion I would like to point out that this Requiem for Brother X formed part of the old charge sheet. This is a.....(intervention)

Why are you telling the Court that? --- Because it was dropped from the charge sheet.

Did I ask you that? --- You didn't ask me. I feel it is my duty to tell it to the Court.

Why Mr. Cooper? - (- Because you decided to leave it out of your charge sheet.

What is the importance of that? --- I don't know what is the importance. I don't know why you are bringing it up. This is why I am pointing it out to the Court. (10

I will ask you another question. When you..... --- Don't I need to read the notes now?

Who is the person, directed by Strini Moodley, who is that? --- Do you want to know who is Strini Moodley?

Yes. --- Strini Moodley is accused No. 9.

Now, then to the notes. Will you read the first paragraph? --- "This is it, a true Black drama, a dialogue of confrontation.

It speaks to Blacks only about Blacks, their fears, their desires, their hates, and the complexity of living with racism in a multi-racial society. Although in Black American style its relevancy to us here in South Africa cannot be stressed." (20

Must I then continue?

Yes, carry on. --- "The pain, the sorrow, the pride, the anger, the love, and the frustration of being Black explodes onto the stage in 45 minutes of high-powered beautifully ugly drama. One of two possibilities will occur tonight. You will either hate this play violently or love it passionately. The response either way should haunt/... (30

haunt you for the rest of your Black life or your Uncle Tom life. Requiem for Brother X gives us an example of what our direction should be in drama. The lie, the drama is apolitical, is dead. The drama is apolitical, then it does not reflect...(inaudible)... with politics, dirty White politics, and this play calls upon us to clean it up now before it is too late." That introduction, that was also adopted by you and your committee, wasn't it? --- What, Your Lordship?

This Force of Introduction, did you read that to the Court? (10
--- I don't know about adopted, it is in the programme. "Requiem for Brother X is a dramatic dialogue about Black people trapped in the ghetto. It is an expression of the triste feelings of anxiety and deep inner frustration. It is a shout, a cry of mercy, a lamentation for understanding. It is a spit at the Black middle-class for turning their backs on the Black masses still in bondage. It is triggered anger and hostility towards the White masses. It is the trillion hallelujah's and amens of a dirge, a Black mass. It is a requiem for (20 the dead Black people buried in the stone jungles of this country. The play is about the impact of a man called Malcolm. It is about people who cannot talk, who just exist from day to day. They cannot talk because they have never been allowed to talk. Requiem is about Haarlem, Chicago, Southside and the sickening memory from childhood of a place called Goodbread Alley. Requiem is about a place called Watts, a recent example of the tragedy of people who have been unable to find expression. (30

It is/...

It is about other places that have yet to define themselves, other places ever sweltering and abounding with anxieties and frustrations of people overcome by impotence and helplessness. People on the verge of breaking point. Whatever that breaking point is, only God knows. Only time will tell."

Yes, do those sentiments there accurately reflect the BPC sentiments? --- I think I introduced in my evidence-in-chief a book called Anthology of Black Drama. If I am not incorrect I think this is word for word taken from the author's introduction of Requiem for Brother X, which is contained in that same anthology. It does not reflect BPC's sentiments(intervention) (10)

At all? --- It does not reflect BPC's sentiments, full stop.

Why then was this, why then were these, was this author's notes brought onto this programme? --- To show what the author thought about his production. It is his introduction to his play. In fact it was the radical requirement if I remember correctly, the author desired that certain things had to be put into the programme, if I remember correctly. I think the book is here in Court. If I may refer to it and point out whether this is so or not. (20)

Mr. Cooper, the author says here "...It is a spit at the Black middle-class for turning their backs on the Black masses in bondage."

Now isn't that part of the BPC's policy to denigrate what you call the Non-Whites, that is those Black who co-operate with the Whites? --- Your Lordship, that is a total misunderstanding of Black middle-class in this country, and I take it it is exemplary of the entire charge sheet that we are facing.

The Black middle-class is not necessarily Non-White, I belong to the Black/... (30)

Black middle-class.

Do you? --- And if - I said so. The prosecutor is heckling me, Your Lordship.

I thought you are suggesting you belong to the Black upper-class? --- I made no such suggestion, this petty fogging will get us nowhere. I have just said that Black middle-class does not refer to Non-Whites and Non-Whites does not refer to Black middle-class. No, the two are not synonymous. We have never used that in that context. Otherwise we will be referring to ourselves and we will be denigrating, to use the prosecutor's (10 word, ourselves.

Oh, but you do denigrate all those Blacks who co-operate with the Whites, don't you? --- No, that is not correct. We have attacked homeland leaders and that is part of the charge sheet, denigration of homeland leaders, and we have attacked those persons. I think I made that (Court intervenes).

BY THE COURT: You have explained it yesterday. --- I have explained that, yes. Although I may have done an injustice to Chief Mangope because I remember when he came back from overseas he did say - I think it was in 1972 - he did say he supports (20 SASO, if that is anything to go by. But be that as it may, I still feel that Chief Mangope is speaking with his tongue in his cheek.

MR. REES: Mr. Cooper, you seem to be au fait with all the aspects of the charge. Do you recollect that you were charged with - one of the allegations in the charge is that you communicate with people who are hostile to the Republic? Do you remember that? Or do you want me to read it to you specifically? --- If the specific part can be read to me?

Yes, certainly. The charge on page 5 reads : To co-operate(with/...

"To co-operate with and maintain communication with foreign organisations and persons hostile to the Republic". Do you remember that? --- Yes.

Yesterday when I asked you where your finances came from to finance this trial you said you refused to answer the question? --- Yes, Your Lordship.

And you have persisted in that refusal? --- Yes.

I suggest that you refused to divulge this, the source of these funds, because you cannot deny that these funds come from more than one foreign source? --- I refused to divulge it, (10) because I thought that it was a highly unethical question. It has got nothing to do with the prosecutor and it is entirely a matter between attorney and client. Unless the prosecutor feels that there is something criminal about it, I am sure he can investigate the matter, but here we are concerned with an entirely different matter altogether.

Mr. Cooper, you haven't ... --- And Your Lordship, the point is I am not aware that our funds come from hostile organisations, to the Republic.

Mr. Cooper, I didn't use the word hostile. I said that at (20) the moment you cannot deny that these funds come from more than one foreign source? Can you? --- I refuse to answer that question.

Also I suggest that you cannot deny that at least one of the sources has in the past few years regularly supplied money to finance terrorism trials? --- I think this is cheap slander.

Well, it is in your hands to tell the court ... --- It is cheap slander.

It is in your hands and you refuse to reply? --- It cannot assist the court in any way, it has got nothing to do with the (30) charge/...

charge sheet, and I don't see what it has got to do with any aspect of cross-examination. I can't see it.

Your Lordship, would this be a convenient stage to take the adjournment?

COURT ADJOURNS

COURT RESUMES AFTER TEA ADJOURNMENT.

SATHASIVAN COOPER: (still under affirmation)

CROSS-EXAMINATION BY MR. REES (continued): Mr. Cooper, I want to ask you something about this EXHIBIT G.1. Would you have a look at it please? I see you have taken out another document (10 and placed it in front of you. What is it Mr. Cooper?

--- This is a.....(intervention)

Can I have a look at it? --- This is a cutting of the Argus of the 16th of December, 1972 which gives a..... (intervention)

Mr. Cooper, let me have a look..... --- ...which gives a coverage of the.....(intervention)

Mr. Cooper, will you let me have a look at it please?

--- Which gives a coverage of the SABTU funtion which, at which the paper was read and the paper itself is substantially reported, and I think this was referred to by Mr. Read, the prosecutor in (20 the Regional Court case of racial hostility in which I was involved.

Now will you please put this document away? --- Your Lordship, I intended to hand it to Your Lordship. I am afraid this is the only copy I have. To show Your Lordship the background to the SABTU funtion, and that paper was substantially reported in the Press at the time.

Mr. Cooper, you are not.....(The Court intervenes)

BY THE COURT: Give it to your Counsel, he will decide he wants (30 to hand it in or not. --- Fine.

Mr. Rees/...

MR. REES: Are you trying to take over your Counsel's function now? --- That is totally ridiculous.

Now have a look at EXHIBIT G.1. Do you know that document?

--- Yes, Your Lordship.

What is EXHIBIT G.1? Would you just describe it to the Court? --- Exhibit G.1 is the draft of the BPC Newsletter prepared in 1973. It never saw publication. It was confiscated by the Security Police towards the end of 1973 and it came back into my possession some time in 1974. The Security Police had had it until then. (10

What part did you play in either the editing or the compiling or whatever you have of this document? --- I assisted to a large extent in the editing of this document and.....(intervention)

Who did you assist? --- Roy Chetty, P.R.O. of BPC at that time.

What was your position in BPC at the time? --- I had no official position.

What was your de facto position? --- Well, I had been the P.R.O. Roy Chetty replaced me because I had been banned.

Was the preparation of this document started before you were banned or after you were banned? When you say "banned" you mean restricted? --- I think after, I am not too certain, but I think after. (20

BY THE COURT: I missed that, what, after, he approached you after.....? --- No, I think the compilation of this document began after.

Oh, after you were restricted. --- That is correct.

MR. REES: Did this restriction have any effect on you? On your activities other than preventing you from in fact attending meetings? --- That is a very odd question, yes and no. (30

Have/...

Have a look at page 54 of this document. That is "PRO on Racial Hostility Charge." --- That is correct.

Whose handwriting is that? No, the one I am looking at is in your hand. You need not page over it. Whose writing is that? --- I am trying to answer that question. I am not so certain whose handwriting this is, but I think it is my brother's.

Let me see that document. (Court intervenes)

BY THE COURT: Is that the original?

MR. REES: I don't think there is an original. All the Police (10 found I think was this, yes, My Lord, Major Stadler's evidence was that he found the original, the photostated it and then handed the original back to them, and this is that photostatic copy. Right, Mr. Cooper, the heading on page 54 is "PRO on Racial Hostility Charge." --- Yes.

And that would refer to you? --- That is correct.

Just read to the Court what is said there on the top?

--- "All BPC members, Saths Cooper, Revabalin Cooper, Indrin Chetty, and Colin Jeffrey refused to plead to charges promoting feelings of racial hostility at the time of the Durban strikes (20 early this year. "...All you White oppressors should be on trial for hostility to Blacks. I refuse to plead to your charges.." "...I do not recognise the validity of the White minority.." "...I refuse to plead to charges put to me by a White racist Court.." "...This Court has been set up by White people for White people. Blacks play no part in its setting up.." were the reactions the prosecutor got when he asked the men to plead. The State case ran for five days with numerous Police witnesses being called. The Defence case lasted half an hour. All the accused electing to make statements from the dock. This is (30

what/...

what the PRO of BPC said on June the 20th."

Then they published what you said to the magistrate. --- It was not published. As I said this was never published.

Well, you intended to publish it. --- This was a draft as I said. It was not published.....(intervention)

Was it intended to publish it? --- The prosecutor said "..you published it.." and I am saying it was not published. It is as simple as that.

The next question is: did you intend it to be published? --- As I explained this was a draft of an intended newsletter. (10

You intended to publish it? --- Which if it saw the light of day would have been published. I think I have answered that question Your Lordship.

Did you intend this for publication? --- I am not answering it. BY THE COURT: He has replied, Mr. Rees.

MR. REES: Mr. Cooper, does this page 54 accurately express your sentiments about the Courts? --- Your Lordship, this is.....
Court intervenes)

BY THE COURT: You asked him yesterday, and he has given you a full explanation yesterday Mr. Rees. (20

MR. REES: I didn't ask him on this aspect, My Lord.

BY THE COURT: Didn't you ask him about his attitude toward the Court?

MR. REES: Yes, but I am asking here about this expression here? --- Which particular expression?

The whole of the page, Mr. Cooper. --- I think the whole of the page is misleading because the first paragraph is just factual. The sentiments there are just quote, unquote, "..All you White oppressors should be on trial for hostility to Blacks. I refuse to plead to your charges.." I said in response to "How do you (30
plead?" to the charge that I was facing of racial hostility in the
Regional/...

regional court at that time, and I think this was the document BPC D.3, I am not too certain, I may be wrong with the numbering.

And you adopted the same approach in this court in the beginning, didn't you? The same basic approach? --- I think my plea stands on the record.

Did you adopt the same basic approach, Mr. Cooper? ---
(Court intervenes).

BY THE COURT: It is on the record, I didn't get the impression that he adopted this approach.

MR. REES: I am interested in his state of mind, Your Lordship. (10
---As I have explained this was an attitude to that particular charge I was facing in the regional court at that time. My attitude to this case I am facing is - has been adequately expressed I think when - during the plea stage.

BY THE COURT: Well, when you had to plead? --- That is correct.

MR. REES: Mr. Cooper, ... --- My attitude to the court has been I think explained yesterday, Your Lordship.

Yes, perhaps you will then explain to the court how this EXHIBIT G.5 must be interpreted. Will you have a look at Exhibit G.5. --- Do you want this back, this Exhibit G.1? (20

You are the author of that letter "Out of Prison" aren't you? --- I haven't had a chance to look at it. Yes.

How did you get that letter out of prison, who did you give it to? --- I had given this letter to my wife, and I assume that she did hand it over to the persons that it was intended for.

Now who was it intended for? --- A few of my associates who I had been in contact with in connection with the Black Allied Workers Union in Durban.

Mr. Cooper, who was this intended for? --- I just said so.

No, you have not? --- I will repeat, a few associates (30)
whom I/...

whom I had been associated with in connection with the Black Allied Workers Union in Durban.

Mr. Cooper, who? --- Do you want them specifically?

Isn't that clear? --- I think the names I have mentioned right at the end of the second page - it refers to Dudu, Jabu, Pat, Mr. Mapumulo and Philip.

Who are they, give me their full names please? --- I may be incorrect on certain surnames, the first name Dudu refers to Miss Dudu Buthelezi, the second name - I can't get the second name of Miss Jabu, I am afraid. Pat is a man, I don't (1 know his second name, I have forgotten it. Mr. Mapumulo and Philip, Philip's surname, that skips my mind at the present moment.

What were these people, were they members of what organization? --- These were workers in B.A.W.U. The Black - that is officials in B.A.W.U., the Black Allied Workers Union in Durban.

Now why do you write to the Black Allied Workers Union, why don't you write to BPC people? --- There is no suggestion that I haven't written to BPC people. It is just that the prosecutor happened to stumble onto this letter which I had written to (2 certain persons associated with the Black Allied Workers Union. I didn't say that I did not write to BPC people. Neither did I say I have written to BPC people.

Well, did you write to BPC people? --- I think I must have written to BPC people.

In a similar vein to this? --- Well, this I can - perhaps I can just briefly glance through this. I should imagine in a similar vein although I won't put my head on a block on that.

To which BPC people would you have written? --- I can't be specific on that. (3

Who are/...

Who are the BPC people that you would address, Mr. Cooper?

--- As I said I am just guessing that I have written to BPC people in the same vein. I can't specify. I have written to various persons, I don't know specifically. No, no prominent BPC persons that stick out in my mind.

You say "...My dear brother and sisters, We send you greetings from the Babylon of our oppression.." Were you writing this on behalf of all the other accused, or just using the term "we?" --- I think I signed off myself. I signed off Saths. And Your Lordship, in the context of what has been said in this Court, when Black persons speak, they don't refer to normally "I" it is in the context of "we" a Black brotherhood, and when I - this is why the prosecutor has found reason to interrupt me and say whom do you mean by "we" - when I was giving my explanations on various aspects. "We" It is a common usage referring to myself, my people and I, this type of attitude. "We." It goes back to the Black Consciousness approach of communalism that there is a sharing of oppression and there is a sharing of involvement in the struggle for oppression, and we in the Black community, the primacy of the community rather than the primacy of the individual as is prominent in Western culture.

Mr. Cooper, did you write this on behalf of the others or did you write it on behalf of yourself? --- I wrote it myself. I did.....(intervention)

Did the other accused know what it or not? --- The other accused were not aware that I had written to.....(intervention)

Not a word? Now you also say "...All of us are keeping fine and our spirits are exceedingly strong despite the circumstances.." --- The second paragraph?

Is that correct? And then you say "...On our second Court appearance/...

appearance we shook the daylights out of the system by our attitude and conduct. You must have heard about the grand start to our case." - How did you shake the daylights out of the system? And what was the conduct by which you did so?

--- This must have been in reference to I think the first occasion when we appeared in the Palace of Justice, and Your Lordship, the attitude and conduct that I am referring to here is our singing, and the dignity with which we conducted ourselves despite the falseness of the allegations against us.

I can't remember specifically what it was on this occasion. (10)
As I say I think this must have been the first appearance in the Palace of Justice.

How did you shake the daylights out of the system? Who is the system that you are referring to? --- The system is with reference - here I think it must be specific reference to the Security Police. But I would not - I will have to go back and find out when our second appearance was, etc., and I can do that, I have kept a short note of our different appearances.

Mr. Cooper, you say by the dignity of your appearance and (20) your singing? Is that what you are saying? --- That is correct.

But haven't the proceedings in the court been in a dignified atmosphere always? --- There is no suggestion that court proceedings are conducted in an undignified manner. I was talking about what I meant by our attitude, what I must have meant by our attitude and conduct. As I say I cannot specifically remember what particular occasion was being referred to. But I can refresh my memory on that aspect.

We shook the daylights out of the system by our attitude and conduct. That was the singing - what did you sing, Mr. (30) Cooper?/...

Cooper? What did you sing in the court? --- I don't remember what was sung on that occasion.

What was the attitude you adopted to the court? --- As I explained the dignified manner in which we had come up from below the grille and sang our songs and sat in the dock.

You even turned you back on the judge who was remanding the case, not His Lordship, another judge, and playing with the people in the back of the court. That is how you shook the daylights out of ... --- That I don't think is correct. I think that is totally incorrect. I don't know whether (10)

BY THE COURT: It couldn't have been - because this was February, and the next occasion was probably in March or April? --- I would like to say that that occasion that Your Lordship points out was some other occasion when Your Lordship was not present. We, the accused, had come up with the belief that there was no presiding officer and we continued in the manner that we had continued up to date, and we did not show any disrespect for the presiding officer, purely because - for the simple reason that we were not aware that the presiding officer was present in court before our appearance. We had come up normally and (20) continued facing our people, we turned around and it was only then it struck us that the judge had already been seated, and had been waiting for us.

Mr. Cooper, I think you are being deliberately untruthful? --- I reject that totally.

Yes. --- If there is anything to the contrary, it would be the prosecutor who is being deliberately untruthful.

Yes, Mr. Cooper, you see, I had reports from certain policemen as to what they told you before you came up, to face the ... --- If that is so I am surprised, if that was so why didn't those(3) policemen/...

policemen come up and give such evidence, Your Lordship? If this was the attitude.

BY THE COURT: Mr. Rees, I am not prepared to investigate that incident now.

MR. REES: As Your Lordship pleases. I want to point out to you too that this matter is dated the 24th of February ... --- 1975, yes.

You were not then in the Supreme Court, you were referring to the magistrate's court, weren't you? --- That may have been so. As I said I could not pinpoint the second court appearance that (10) I was referring to.

Now here you continue : "No doubt the fight for our freedom from White "baasskap" shall go on despite the annual casualty." --- Where is that?

Look for it and you will find it, about nearly halfway down. "The fight for our freedom from White "baasskap" shall go on". --- Yes, Your Lordship.

" ... despite the annual casualty." Under that paragraph you say : "Free from White arrogance and superiority forever."

--- Yes, Your Lordship.

(20)

Of course, you did not know that this thing would fall into the hands of the police, did you? --- It has fallen into the hands of the police. There is nothing here that is wrong, but it adequately expresses what I have said.

You did not know that it would fall into the hands of the police? --- Persons don't do things with the hope that it would fall into the hands of the police and with the hope that they don't fall into the police hands. There are so many things that have been put to me about - what was your motivation, etc. and I have been trying to point out that I did not ascertain certain(30) motivations/...

motivations, certain reasons at that time, for example when various persons had approached me to find out - look, what is your reason in coming to see me about a symposium that you are going to organise at the Kajee Hall in September, 1974, because I am going to be charged at some stage in the future and I must have a sufficient reason to present before the prosecutor, who incidentally I feel Your Lordship, has no case, because/^{we}are facing nothing in this court.

You did not know that this matter would fall into the hands of the police? --- I just said so now. It is not that way that I operate. Look, this thing here now, I must say it in such a way - this is sent through the prison, and the prosecutor here has had a whole string of dates that he confronted me with yesterday about various persons and surely - I mean this is done openly, there is nothing to hide, there is nothing in those documents which suggests anything of the kind.

"Azania shall be free and it will be through our doing".
What is Azania? --- It is a - the reference to Azania is a reference to South Africa.

Where does the term come from? --- It has anthropological beginnings, it refers to - I may be incorrect on this, specifically an ancient civilization, the territory of an ancient civilization in Southern Africa. I won't be able to specifically say it belonged to a particular part of Southern Africa, but it is a common term used in reference to South Africa, particularly where people seek change in a country.

"Azania ^{shall} ~~will~~ be free and it will be through our doing".
"We must preserve in our fight for justice and liberty from 'boer' oppression". --- We must persevere.

"Despite the many obstacles placed in our path at every turn/...

turn like our arrest and detention without trial." Now that was at the time when you had already been notified of your date of trial? --- I do not know if we had been notified of the date of trial (intervention)

Mr. Cooper ... --- I would like to clarify that. The prosecutor says that the second court appearance refers to the magistrate's court and I am not too certain, we may have been notified of date of trial. I can't say.

But the point is, Mr. Cooper, that this is not quite a true statement when you say .."like our arrest .. --- Oh yes, (10) it is a true statement. With the greatest of respect, why should - Your Worship, this is now the paradoxical reversal, we (Intervention).

Don't you regard coming to court as a trial, Mr. Cooper? --- Oh yes, we are in a trial here. But this is a true statement .. "like our arrest and detention without trial". This is true. I don't (intervention)

When were you detained without a trial? --- I was.

What is happening to you now? --- Your Lordship, the prosecutor is being deliberately ridiculous. He knows that ... (20) (Court intervenes).

BY THE COURT: Mr. Cooper, don't make that type of remark here. -- He knows I was arrested and held under Section 6(1).

MR. REES: And you were brought to trial? --- Yes, eventually, after the expiration of about four months.

But that is not being held without trial, Mr. Cooper? --- Oh, if that is not, I don't know what is.

Now you say on the next page : "We know that you will continue putting into practice all that needs to be done, putting B.A.W.U. on the map forever. We heard that you are progressing on the workers' field and cutting the grass from (30) under/...

under the White feet of the Bolton Hall crowd." What does that mean, what progress is being made in the worker field? --- BAWU, the Allied Workers Union is a trade union for Black workers and obviously worker field getting BAWU established. Like I said, it speaks for itself.

But you there were meddling into the trade union affairs, the Black worker affairs? --- Meddling has a sinister connotation. It has a sinister connotation.

Well, you give us another word for meddling and you tell the Court what it means. --- I was interested. (10)

Interested? --- Interested.

Actively interested? --- I have stated my involvement in the Black Allied Workers Union.

Yes, so you were involving yourself here in Black workers activities? --- Well, in the sense that I had written to the persons who I had been associated with certainly.

Now, I think we are through this, because I want you to explain to His Lordship your next sentence. --- Oh no, I have not been taken through this step by step. Only certain statements have been taken out. We have not gone through the entire document. We haven't gone step by step. (20)

Well, carry on. "...Who are intent only on getting Black workers support only as far as their own White positions of power and privilege are preserved forever.." Is that so? --- Yes.

"..This is the typical role of the White liberal who will befriend Blacks in a situation where their own money and power is repressing us. This role of theirs they will never give up of their own accord." Will you just explain that passage please? --- Well, it seems self-explanatory to me. That.....
(Court intervenes) (30)

By/...

BY THE COURT: What is the Bolton Hall crowd? --- Oh, Your Lordship, there is a trade union group situated at Bolton Hall and the Boltons are a trade union family. Mr. Bolton had been involved in the Garment Workers Union, his wife had taken his position, I don't think she is in the country now, I am not too certain of that, but anyway, the Bolton Hall crowd as I express it here, were involved in organising Black workers into certain areas of trade union activity. The bulk of their organisation centred around a benefit society and Blacks were under the impression that they were joining a trade union whereas in actual fact they were joining an insurance fund. (10)

MR. REES: Now you say : "This is typical of the role of White liberals who will befriend Blacks in a situation where their own money and power is repressing us." Would you explain that? --- It expresses my attitude to the involvement of White liberals in the Black struggle for the realisation of their aspirations, in whatever sphere it may be, the workers sphere or the political sphere. It goes back to the attitude that the Black Consciousness Movement holds in respect of the ever pressing question of White membership in the organisation. (20)

BY THE COURT: Did the Bolton family have an interest in this? Were they financially interested in this organisation that you spoke about? --- That is so, that is so but I would not like to go into detail on that.

MR. REES: Mr. Cooper, when you say here - "This is typical of the role of the White liberals", you were generalising, isn't that so? --- Yes, I am saying that the White liberal as expressed in the Bolton Hall crowd that I am referring to, is typical of the ilk of the White liberal. (30)

And the/...

And the White liberal is in fact the man who for all practical purposes is standing or trying to stand closer to the Blacks than any other Whites? Is that a correct assumption? --- I don't think that is a correct assumption.

Well, you tell me what would be the correct categorisation of these White liberals, with regard to other Whites? --- Well, the correct categorisation of liberals is that they are anodyne Whites out to assuage their consciences by involvement in the Black struggle for liberation which struggle for liberation is there because of the practices and the attitudes of (10 of persons like the White liberals. If there was no situation of oppression there would be no liberals to exploit that situation of oppression to further their own - well nests, very narrowly.

Then you continue and you say: "This role of theirs they will never give up of their own accord." --- Yes.

Will you just expand on that? --- Well, Your Lordship, the traditional liberal role in this country has been that we, the liberals, know what the solution to this country's problems are, and we, the liberals, will lead you, the oppressed Blacks, to the solution and the situation of dialogue is (21 removed, effective dialogue is removed, because already the solution has been prognosticated in the minds of the liberals, and they come to the poor native and offer - proffer a solution to the problem, and in this respect it has been a perpetuation of liberalism. A classic example is the Liberal Party, it is a group primarily of Whites, they have very few Blacks there, and the solution is cut and dried worked out by the Whites, Blacks would form an appendage to it purely to satisfy their - I will be generous and say their quest for humanity would - within the context that they understand it although we believe that Black (31 and/...

and White cannot effectively meet now unless we have Black unity, because any White would enter into a situation of Black involvement in the struggle with the marks of his origin, and it is very difficult in a situation where we have various groups of people, for the groups of people who are struggling, and in this context I am speaking of Black people, who are struggling for their liberation to effectively give of themselves, to effectively give off constructive thought and time and involvement without there being inter-group suspicion purely because of the involvement of at this stage of the struggle Whites, whereas in actual fact we believe that the problem is the White problem. And the solution will be a Black solution. (10)

Right, you have explained quite a few things fortuitously, thankyou. Then you say : "We shall have to make them give it up by getting Black workers to realise that we are on their side and that our future is bound together and our future lies in ourhands." - I think you have covered this in your explanation, but the effect of that is, isn't it, you must wean Black workers away from co-operating with the liberal Whites? (20)
--- No, not entirely in that context.

Well, put it in your own words? --- As, Your Lordship, Aimee Cesairé said : "To invent souls"? and in the context of conscientisation and the context of Black Consciousness Movement, we have our role, that is us in the Black Consciousness Movement initiating that Black Consciousness in our attempt to conscientise the people towards an effective Black solidarity. Our role is to make Black people realise that our future lies in our hands. If we progress it is not through chance, it is not through the intervention of some divine force, it is through(30)
our/...

our doing as Black people that we will effect whatever progress we make, and on the other hand if we stagnate, if we retrogress, it is also because of us. And in this context we talk to Black people about complicity in their oppression and we believe that in order to remove the physical and psychological oppression that Black people find themselves in we have to realise that our future lies in our doing. Because power concedes nothing without demand, and Whites in this country will not give up their position of power, privilege and prejudice without it being brought starkly to their door that they hold this power, (10) privilege and prejudice, and that the holding of this power, privilege and prejudice is to the detriment of other humanbeings. The moment they realise this and the moment they realise that there is an effective group that they are bound to bargain with, only then will they concede, and in this context power concedes nothing without demand.

You say "The Whites will only concede when it is brought home to them", when what is brought home to them? --- When it is brought home to them that, look, in this country Whites are responsible for the oppression that Blacks suffer. And that (20) you as White people have held for yourselves all the power, all the privilege, all the prejudice and that the prejudice is responsible for your cupidity in privilege and power, and that you have to realise that the others, that is the oppressed people, are humanbeings, and that by negating their humanity, you are in turn negating yourself. And you as White people will not realise this unless it is brought to your door, and in this context we have decided to organise around the banner of BPC for an effective solidarity to be achieved in order to engage in the process of finding a solution for the problem in our (30) country./...

country.

But Mr. Cooper, I still don't - with respect to you, I still don't understand what you are trying to get at. You say now, you have told us why it is the Whites hold onto what they have got. Then you say they will not change unless it is brought home to their doors. Just explain how you see this process of change being effected? Or what will induce the Whites to change? --- Well, firstly, it is very difficult for any group that has found itself in a position where they have been accustomed to a certain state of affairs being the norm, (10) to recognise that there is also something else which ought to be the norm, but which you in your power, in your privilege, in your cupidity and prejudice, you have refused to see, or which you may see, but which you don't want to concede. Now it will be brought home when Black people are united as Black people, not merely as Coloureds or other coloured or Indians or Xhosa or Zulu, etc. but all Black people, all people who are discriminated against by virtue of skin colouration in this country. When there is a unity of this dispossessed, (20) disprivileged group in this country, Whites will realise that there is the other to contend with and considering along the lines of what I have said, Your Lordship, in terms of BPC eventually bargaining from a position of strength with the powers that be, these things fall in line in a logical sequence.

Well, that is what I still can't quite understand. You must please assist the court, you say it will be brought home to the Whites. How will this change of attitude be brought about by the unity? Why by the unity of all the Blacks? Why can't it be brought about now? --- Well, it can't be brought about now for the simple reason the Black people are not united (30) at present./..

at present, there are various ethnic divisions in the Black community, each division has been imposed on them, and this is unfortunately the classical response of rulers in terms of dividing and ruling the people whom they wish to subjugate. Because if there were unity as Black people in the country, this would of necessity signify a threat to the privilege and the power and the permeation of prejudice that White people find themselves in, because there would be no divide and rule politics then, there would be a united Black group and coming now to the prosecutor's point, that once there is unity, then (10) Black people under the banner of BPC can now begin a process of effective collective bargaining for removal of measures discriminatory, for removal of psychological and physical strictures on Black people.

That is what I want to know, how? You say here the White is sitting in the power position, now you want the Black to unite before he can deal with the Whites, isn't that so? --- Well, in that sense of bargaining with the Whites, yes.

Yes, in whatever sense, before he would be - now you say if I understood you correctly, that this Black unity will pose (20) a threat to the White privilege and power. Will you just explain that? --- Well, it would signify a threat, because it would then mean that White people would have to give up the privilege, and the power, which through their prejudice they have held solely in their hands.

Yes, but now what is going to make them give up this privilege and power? You have just said the people in power don't lightly give up these privileges? --- The demand for it, and that would be in the form of an effective Black solidarity group under the egis of the Black Peoples Convention. (30)

I don't/...

I don't quite understand if you say the mere demand will make them change, because isn't there a demand today for it?

--- No, Your Lordship, I don't think there is a demand, not of the type that we are asking for. We are asking for the removal of measures that discriminate against Black people, very very plainly. The equalisation of human norms in this country. And Your Lordship, nobody in this country who is involved in any aspect of seeking change is asking for that, and constructively attempting to do that, if as Gatsha Buthelezi says : "I believe in the universality of man and I believe (10) that all people should be equal, should be free", etc. etc. He is doing it the wrong way, he is going about it through the very creation which will destroy and negate what he is trying to effect in the end.

But you still have not dealt with the point that I can't quite understand. You want a Black unity, you say first of all that power does not concede anything without demand? --- Yes.

You also say the Whites are in power, and the Whites are exercising all these privileges at the cost of the Blacks. Now you say when the Blacks are united under the banner of BPC (20) they are going to make demands, or whatever it is, and the Whites are going to give up their privileged positions? Now what is the difference, what will make - what is the inducing factor? That will make the Whites give up this privilege? --- Well, as I have tried to point out, that the one factor that will have the effect of inducing - as the prosecutor puts it - or persuading the Whites to give up this position of power, privilege, that they hold, will be a united Black group in this country. That is the one and only consideration to which the Whites will concede their power. That is the demand. (30)

Alright, /...

Alright, now how does this united group make or persuade the Whites to hand over as it were? How? --- Well, Your Lordship, (intervention)

Perhaps if I may assist you, look, what I really want to know is if the Whites don't want to give over now, you say you require a united Black group to persuade or induce the Whites to give over. Now what is the difference, how will this unity change the minds of the Whites to induce it? --- Well, between now and then it is simply that now the Blacks are divided, the Whites are in power, they hold this power, because of the very (10) divisiveness of their holding of this power, Blacks are divided, then it will be that Blacks will not be divided anymore, but will be unified, will be a solidified unit in their aspiration towards their legitimate goals and ideals. Then there will not be this state that prevails now and that has prevailed through the various rules of various Governments in this country. There will be for the first time a united Black voice, and it will be then that the powers that be must of necessity have to conduct any negotiation with that group only. It will not be negotiating with Gatsha Buthelezi for a few Zulus, with Chief Mangope for (20) a few less Tswanas, etc. etc. It will be BPC negotiating for all Black people on behalf of all Black people, in order that they can return to South Africa an egalitarian society, a society where colour knows no origin, a (intervention)

Mr. Cooper, I think you are going off the point still. That may well be what you will reach, understand? I am not disputing this like that. You see, you have sketched your Utopia, and your professor, Rick Turner, has sketched his Utopia. All I am interested in is how you foresee that this united bloc will assist to persuade the Whites, and if you use persuade in its (30)

narrowest /...

narrowest or widest sense that you like. --- Well, that is what we have positive, and that is what we have believed in, and that is what we are working towards, and as I understand it, the basic rule of politics is bargaining from a position of strength. There is no other rule of politics which is as basic to human aspirations as that, and this is in the context of what we have foreseen and what we are fervently working for and what we are desirous of in the future. Now Your Lordship, we haven't - bear in mind, Your Lordship, that I speak specifically for BPC - that BPC was officially launched (10 in 1972, late 1972. It had 1973 one year, and nine months in 1974, before I specifically was arrested.

Yes? --- And in this time we have been addressing ourselves specifically to White people, although - to Black people, sorry - although White people have entered into it indirectly in that we have utilised the channels of the White press, etc. We have attacked certain White concepts, in that we have addressed ourselves to White people, because the theme of our actions is recognition from White people, and of necessity we have to address ourselves in some way, although we say time and again (20 we do not address ourselves to White people. Our concern is with our people, that is Black people. But indirectly it has happened. We have been involved in the process of addressing ourselves to our people, and attempting to articulate what the basis for our future negotiation would be. Unfortunately we didn't get to the point where I was arrested there, and there as that point there was no formulation of a negotiation strategy as it were to say: look, this is how we are going to do it in the year so and so. We are going to do this and then if that is not met, we are going to do that. Your Lordship, (30

unfortunately/...

unfortunately that did not occur purely because we were busy addressing ourselves to Black people in order that Black people could align themselves with BPC, and all that it stood for. So that BPC could eventually get itself in a position where it would be the sole voice of Black people. But I am aware that subsequently - I don't know whether it was the end of 1974 or 1975, I think it was the end of 1975 - the BPC did have a congress.....(intervention)

Is that before or after your arrest? --- After I was arrested Your Lordship, and a future state was put forward on (10 paper. Unfortunately up to the time that I was arrested, we were too busy striving, finding a solution to the problem created by White society to prognosticate a future society and how we would get about actually. The mechanics of actually getting down to creating that future society.

I think, Mr. Cooper, if I understand, I have given you an opportunity of explaining. His Lordship will decide whether your explanation is adequate or not. In the context of what you have just said, isn't it a fact that BPC is holding out or representing, or claiming or putting forward that the Blacks are oppressed (10 and despised in this country? --- I don't remember the specific words "oppressed" and "despised" in that context, but we have spoken of Blacks being oppressed. This is so. I think I have attempted to try to show that Blacks are oppressed in this country. It is very difficult for White society to appreciate the mechanics, the quotidian factors which daily confront Black people in their milieu of oppression, but..... (intervention)

Perhaps we misunderstand. All I want to know from you is not whether the Whites understand it, but whether or not BPC claims, or puts out, puts out the version that the Blacks are (30 being/...

being oppressed in this country? --- Yes.

And that they are being despised by the Whites? I think that is inherent in what you have said, a couple of times?

--- Well, Your Lordship, despised in the sense that White society has not seen fit to accord to the others, to the oppressed, to the Black people, what they have accorded to themselves.

Now you say BPC has also put it forward that the Whites hold power by force, illegal force? --- Well, I don't remember specifically that, but we believe that the Whites in this (10 country have no moral ground for claiming to rule the country, because it is done to the exclusion of the majority of the people of our country.

Mr. Cooper, you also represent the Whites as being murderers and rapists and the Government, you represent the Government as its policy is to exterminate Blacks, isn't that so? --- I don't think we have represented the Whites as murderers and as rapists. It would be correct to say in respect of specific incidents that we have referred to murderers of Black people at places like Sharpeville. Rapists, I don't know where that comes in, but I (20 mean I have looked through the documents and I can't find an incidence of rapists, but the point about the Government desiring to exterminate us, as Professor Gerwel of the University of Bellville said, the spiritual extermination, the spiritual destruction of Black people, Black people, the very fibre of what Black people are inherently is being destroyed, is being exterminated by the very position that Whites have found themselves in, have kept to themselves, and have directed certain measures against Black people in this context of destroying Black people. It comes to my mind that for example in the (30

1920's/...

1920's, Dr. Dube, a prominent reverend and a Black leader at that time said that if the Government persists in its ways you can take that they have no other desire than to exterminate us. And this is in the epoch of Black thinking, that Black people are not going to give up without a demand their position of power and privilege and that White people, by continuing in this prejudiced manner, will continue the extermination of Black people in the sense of destroying the very fibre of Black society.

Yes, now that is the point I am trying to get in the (10
proper context of your thinking and BPC's thinking. You represent the Whites in these terms, and then you say you must have a united Black group to make the demand to the Whites. Now, if Whites have all these characteristics that you attribute to them, what is there in your unity that is going to make them, that is going to induce them to change these attributes, unless it is the threat that this unity holds in? Isn't that so?
--- Well, Your Lordship, the unity does have a threat to it. That is the threat to White power and privilege.

What is the threat? --- The unity of Black people. (20

Unity as such can't threaten anything, just like Mussolini's Fasces could not threaten anybody. There has to be something that does with it. That is what I would like you to explain.
--- I don't know whether that is historically correct about Mussolini's Fasces not threatening anything.

Fascays are just like, Fasces represents unity and unity as such does not mean anything. Unless it is directed at something. That is what we are trying to get at. --- That is correct. Unity as such does not mean anything, unless it is

(30

directed/...

directed in a particular manner, and in our context we are talking about unity of all Black people, directed towards making White people realise across the table in that eventual situation that they have been holding power and privilege through prejudice and through fear which is unfounded, and that it is time that they gave up this to all people and not just selfishly hold it for themselves and themselves alone. But it is not correct that we have represented Whites as murderers and rapists. As I said I don't know where the rapists come in but murderers we will accept, that those were (10)
- those who murdered Black people at Sharpeville are murderers.

Yes? --- Now about whether Whites, if one attacks White society, one attacks - one is critical of what Whites represent in the society, whether Whites will then now see the need to change their ways. That is a matter for extreme speculation, and I don't know, this is under - this is the impression and this is the fervent belief that we hope White people will eventually sit down and consider the mistakes that they have been perpetrating against Black people. I have not come (20)
across a situation with the exception of certain Security Branch policeman during detention, I have not come across a situation where Whites have said - Whites in a position of power - have said - "We are not going to concede one iota, this is what we have and we are going to stick to it, come what may. I have not come across that position. The situation that I have come across is the type of situation where it has been put to me - okay, now you have got your solidarity, and place Vorster there, and Vorster says no to your demands - of course, expletives were used, but Vorster says no, what are (30)
you/...

you going to do and this is the type of situation I personally have been confronted with .

Yes, and what was your reply? --- In detention for example.

Yes, and what did you reply? --- That is the only situation. The reply is the reply that I have been giving in this court. That is one cannot say that the rulers in this country are going to say categorically no, because a situation like this has not arisen where the rulers in this country have been faced with a unified - a solidified Black voice. The situation has not been that, for us to pre-suppose, for us to be presumptuous enough to(10) say - what if the Whites will do this, because the Whites have not done this, there has not been a situation where they have been confronted with this type of situation.

Right, I understand the position. Now I just would like to get this clear. At least, we are going to canvass this point afterwards, but I would like to make it clear here in the context. I suggest that in the writings of BPC dealing with such matters as Sharpeville and Shezi's death etc., the crux of the BPC propaganda was not that it was that man who murdered somebody, but that it is typical of the Whites as such? Do you (20) understand the point? Is your point that that is not the crux of BPC propaganda? --- I don't know whether those documents which referred specifically to Shezi did say so, if they do say so it is a question of cause and effect, one cannot remove - the prosecutor gave an example of a young boy being assaulted by somebody else, and then the blame resting on the whole community from which that assaulter comes from .

Perhaps we are missing one another. Look, all I - the only point I want to make clear to you here is that the State's suggestion is that with regard to such matters as Sharpeville (30) and Shezi/...

and Shezi and the like, that the crux of BPC propaganda is that this is not only an isolated incident, this is typical of the whole White community. Do you understand the point I am making with you? --- Yes.

That is what I am going to canvass. I don't think I need canvass it now, because I would like you to think about this. If you are clear on that, we are going through those documents in some detail. --- Well, I can think about that.

I would like to ask you this, would you look at G.1, page 48. Because I think in your publication there you have given some (10) of the approaches. If you look in the middle about of that page? Have you got a copy? There is what appears to be a second paragraph - page 48, My Lord. You were publishing here:

"In his first address since his release from detention after his Basutho Congress Party and won the Lesotho General Election and Chief Leabua Jonathan had seized power, Mr. Ntsu Mokhetle said - 'Changes in Southern Africa will come by force, as this is the White man's choice. When such changes come the White man will have to go or suffer ill-treatment.'" (20)

So you see, it is a prominent politician in a Black context, has analysed the position and BPC has published this analysis, do you understand? --- No, it is not published.

You intended to publish it then, let us not quibble over words? --- Well, it is so important, but the point here is that Mr. Ntsu Mokhetle is a foreigner. He does not belong to South Africa, and in this context BPC is not concerned with his utterances about Southern Africa, because he is talking of changes in Southern Africa will come by force. He is not referring to South Africa in our context of BPC talking about South Africa and we have said that change can only come about (30) in/...

in South Africa by effective bargaining from a position of Black unity and strength.

Yes, but now this is a document which you proposed to publish in the BPC Newsletter. Isn't that so? --- Well, proposed to.

Right and Mr. Mokhetle is a prominent Black politician in Southern Africa, that is in Lesotho? --- That is correct.

Right, and Lesotho is in fact part of South Africa although not part of the Republic? --- That is totally incorrect. This is another example of distortion, because Lesotho is a sovereign (10 state and this sovereign state South Africa is aspiring towards for example in respect of the Transkei, but Lesotho is on its own a recognised territorial national unit which has got nothing to do with South Africa. I mean the geographical boundaries. Lesotho is not South Africa.

Well, then perhaps my geography and your understanding differs, but I have always thought that Lesotho is in South Africa, although it is..... --- No, definitely not. South Africa is a specific country, it is not geography. South Africa is a political entity, and.....(intervention) (20

It has nothing to do with South Africa? --- That is correct.

And then..... --- And Lesotho is also a totally independent political entity without any reference to being part of South Africa.

But it is geographically part of South Africa.
--- Geographically, that is another matter.

Then if you read the top there, it reads, well, let us have a look at the bottom of page 48. Will you turn back please? Under the heading "Liberation by Force." Now, who wrote in those words "Liberation by Force?" --- I cannot be certain on (30
that/...

that, Your Lordship.

It must have been one of the persons who was editing this for publication? --- It must have been one of the persons who was editing it for publication. It could have been - I could have written that but I can't say that I did write that.

So it would be : "Liberation by Force. If the liberation and freeing of South Africa and countries like that will be by force, then the White man has a very ..?... future, but if it is going to be by some peaceful arrangement, I cannot see this (10) happen. But supposing someone very intelligent within the White group in South Africa and influential enough realise it they have a future."

It continues: "The war of liberation, either an open war or a guerrilla war, will take place in South Africa."

--- Can I just stop there, I don't think that this is a reference to South Africa. I think it is Southern Africa because it says S. Africa, and on page 48 the second paragraph says - "Changes in Southern Africa will come by force," and I think (20) this is a continuation of that sentiment, that is S. Africa that is Southern Africa. I don't think that is a specific country, that is South Africa.

Well, let us start again. "A war of liberation, either in open war or a guerrilla war will take place in S. Africa. No man can stand being oppressed and despised forever. If you crush me in front of my children, if you misuse me in front of my children, or if you misuse my children in my presence, the body part of my being becomes less important. The (30) pain/...

pain that I suffer becomes unimportant because of the spiritual suffering. The spiritual torture and spiritual challenge that faces me which is superior to my physical being, I will sacrifice all my physical being to salvage my spiritual being. The White man may believe he is so strong when he looks at his forces, but there will be change which will be brought by force if it cannot be brought peacefully.

That is the White man's choice at the present moment."

Now, you had some difficulty with S. Africa, Southern Africa. (10

Could you tell us what countries are found in Southern Africa?

--- Well, the countries that I think of in Southern Africa are South Africa - pause -

That is the Republic? --- That is our country, yes. The Republic, the Republic of South Africa, the Republics of Lesotho, Swaziland, Rhodesia, Zimbabwe as it is popularly known, Mocambique, Namibia - that is South West Africa and Zambia - Angola, part of Angola at least. These are the countries that I think of in relation to Southern Africa.

Why did BPC want to publish this article of Mr. Ntsu Mokhetle? --- I don't know what the heading of this is, but if I turn around there, it is on page 47. It is "Focus on SASM". That is the Southern African Students Movement. One Africa, one destiny and unity. (20

Is that the same as BPC had? --- No, BPC has not got to the stage where it has claimed that we have, that we ought to have one Africa, one destiny, one unity. We have got to the stage where we have said we have one South Africa, one destiny, one unity, in South Africa.

My Lord, would this be a convenient stage to take the adjournment? (30

COURT ADJOURNS

Collection Number: AD1719

State v S Cooper and 8 others.

PUBLISHER:

Publisher:- Historical Papers, University of the Witwatersrand

Location:- Johannesburg

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DOCUMENT DETAILS:

Document ID:- AD1719-Vol71

Document Title:- Volume 71, Pages 3959 - 4019.