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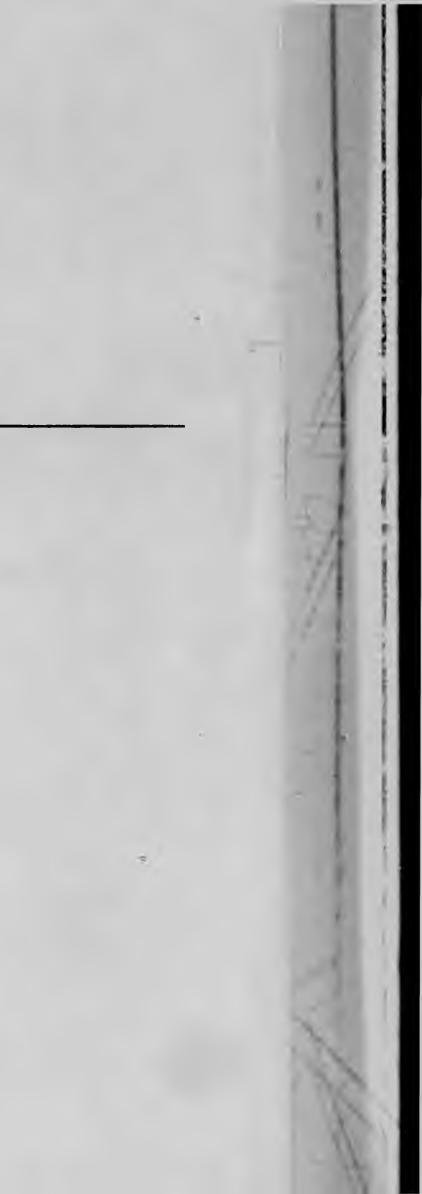
vs.

S. COOPER AND EIGHT OTHERS

VOLUME 62

PAGES 3444 - 3482

LUBBE RECORDINGS (PRETORIA)



/VMD.

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BUTHELEZI

COURT RESUMES:

DR. BUTHELEZI STILL UNDER OATH:

<u>CROSS-EXAMINATION BY MR. ATTWELL CONTINUED</u>: Doctor, to digress for one moment, could you tell the Court where you were yesterday? ---- Yesterday I was at Rustenburg.

Could you tell the Court what you were doing in Rustenburg? ---- As general secretary of my church, I was invited to attend a Diocesan Council meeting of my church.

Did you in fact attend that meeting ? ---- Yes, I did.

And was there any possibility of your attending Court yesterday, was it discussed at all with the Defence? --- It was.

And is the reason that you were not here yesterday the fact that you had to attend this meeting? --- Well, I do not know what was discussed concerning a postponement, but all I can say is that as far as I was concerned I was at Rustenburg attending an official meeting of the church.

Was that the only reason that you could not be here? ---- If I had to be here that was the only reason.

I see. Doctor, I also notice that you have been

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referring to files and notes during your evidence, both in chief and now during the adjournment, could you perhaps tell the Court what they are? --- It is the same batch of material which is - PAUSE -

Are they the documents which are before Court as exhibits? --- That is my assumption.

Are there any notes of yours amongst those

documents? --- No.

Would you mind making the files available to the State?

Mr. / ...

BUTHELEZI

MR. SOGGOT: M'lord, those are the documents which I indicated were selected .. (COURT INTERVENES - INAUDIBLE) that is correct, M'lord, and if that proposition is not correct I would be grateful if the State indicated that. MR. ATTWELL: Talking about the documents, Doctor, have you in fact gone through all the documents that are in this file that you have now produced? ---- I cannot claim to have expert knowledge of the details, but I have read so as to get an overall impression of what it is about.

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You have read through all the documents in this file? ---- I have read what was referred to me, but I cannot claim to be an expert - to have expert knowledge of the details of each particular document. I have just read to have an overall impression about them in as far as they create an impact.

Do you know what proportion of the total volume of documents that have been handed in in the case these represent? --- No.

Have you looked at any documents apart from the documents in this file which you have now handed to the Court? --- Apart from what was given to me?

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Apart from what is in this file, have you looked

at any of the other documents that have been handed in during the course of this trial? ---- Some documents were handed to me by the lawyer - by the advocate.

Apart from what was in this file, were there other documents that you consulted or looked at before giving evidence in this case? ---- No.

So this represents the complete number of documents which you have looked at for the purposes of this case? ---- Yes.

Doctor / ...

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BUTHELEZI

Doctor, before the adjournment we had got to the point in time where in Germany you had been referred to a specific cutting which contained a report about the formation of BPC. Now, on your return to South Africa, did you attempt to find out a bit more about this organisation, BPC? ---- Incidentally no, I just continued in my ministry, I never followed up what I had read in that paper. I was aware of the fact that there is in existence an organisation known as BPC.

I see. Doctor, your knowledge of the two 10 organisations, SASC and BPC, if we can take them individually first, on what is your knowledge of SASO based, from what do you derive your knowledge of SASO? --- It is first based on my meeting those who are connected with the organisation, whom I met from time to time, either at meetings or just chance meetings, and secondly, it is based on the fact that I addressed - some of the meetings I addressed had SASO members who took an active - who played an active role in those meetings, and thirdly, it is based on what I have read in the newspapers about SASO, in the newsletter of SASO and in 20 occasional publications either by spokesmen of SASO. While I say this, I can recall for instance a book, I think it is edited if I am not mistaken by van der Herwe, Students' Perspective. In that collection of essays are two written by Steve Biko and Pityana, and so these are the factors which have placed me in some position of relative familiarity. Were those articles by Biko and Pityana on specific topics or were they in connection with the nature of the organisation as such? ---- They were on specific topics. For instance Black Consciousness or Black Theolog; 30 or something like that? --- Yes, on specific topics. Did / ...

Did they give an insight into the nature of the organisation? ---- In that particular collection of essays if I remember correctly it was just on a particular theme rather than on a description about the organisation.

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BUTHELEZI

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So they in fact were not very helpful about the nature of the organisation, SASO, as such? --- If one were looking for material concerning how SASO is organised they would not be helpful, but would be helpful if one were looking at some of the representative views of SASO spokesmen.

You mentioned meetings or discussions you had had with people who were connected with SASO, could you perhaps detail for us who the people were with whom you had discussions in this connection? — As I said earlier, I knew some of the leaders of SASO by name, because of certain reasons, for instance Steve Biko I invited at one point to come and address a meeting which I had organised. But there were other members of SASO whom I never had the opportunity of either being introduced to or they being introduced to me, although I was aware that these were SASO representatives.

At the moment I am confining the questions, Doctor, 20

to in fact actual meetings or discussions which you had with SASO members. We have heard now you had discussions with Biko, is that correct, you have met and spoken with Steve Biko? --- Yes, that is correct.

In relation to the nature of SASO? --- As I said in my earlier evidence my first introduction to the nature of SASO was when Steve Biko came with other officers of SASO to address students at the Theological Lutheran seminary. On other occasions it was not so much on the description of SASO as such but either that I was a speaker at a meeting at which he was present, or that he was a speaker as well.

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Any other important persons that you can recall in SASO with whom yo u had had discussions? --- By name?

By name? ---- Stanley Ndosa, Barney Pityana - well I cannot go through the names without really sitting down and bringing up the matter to the surface of my memory.

Well if we may turn at this stage to the accused before Court, would you start on the left and tell me which of the accused you know, they are numbered 1 to 9 from your left to your right as you look at them, which of the accused do you know? --- I have met some of these at 10 meetings, but it was the earlier generation of SASO leadership where I had the opportunity of working in very close contact, I have met some of these just occasionally, but not really to the same extent as I have met others who happen not to be here.

Would you please tell the Court who you have mot, starting on the left with Accused No.l? ---- I have not had time to meet Accused No.l although I have heard about it, the same thing applies to Accused No.2, you can appreciate the fact that when you are invited it is not always possible - 20 people may know you but it is not always possible to know the persons so intimately so that you can recall whether you have in fact met them or not. I am placed in the same situation - the other one, I do not know what number it is -PAUSE -

Accused No.3 in the blue jacket, have you had discussions with him? ---- Not, not as far as I remember, it might have happened in a meeting that somebody comes and asks a follow-up question but without my really knowing that I have had discussions with this one, so I cannot for certain say 5 that I have never spoken to any of the Accused.

Accused / ...

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Accused No.4? ---- The same thing applies to him, and the next one I had the opportunity to speak to him when he was in the BPC seminar or symposium in Durban.

Did you speak to him there? --- I think - if I remember correctly I think I did mention that I might invito him to come and speak to a group of White persons whom I considered would be ..(Court intervenes)

COURT: No, this was No.5, Mkomo? --- Yes, Mr. Mkomo.

If I understand you correctly your contact with them was very formal, I mean at meetings and in passing?

So there was no sort of friendly relationships with any of these you can mention? --- No.

Perhaps I think you should mention the names. <u>MR. ATTWELL</u>: Yes, M'lord, perhaps I can phrase the question differently and ask the witness whether there are any before Court that he can specifically recall having had a discussion with?

COURT: Yes, but the name might ring a bell.

MR. ATTWELL: As the Court pleases. Starting on the left,

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Saths Cooper, No.2 Muntu Myiza, No.3 Patrick Lekota, No.4 Dr. Aubrey Mokoape, No.5 Vincent Nkwenkwe Nkomo, No.6 Phandelani Jeremiah Nefolovhodwe, No.7 Gilbert Sedibe, No.0 Absolom Zitulele Cindi, and No.9 Strinivasa Moodley? ---- As I said I may have spoken to them, but it is Accused No.5 whom I had a specific thing to address and I was trying to arrange something with him.

Now you said there were other occasions at which there were meetings at which SASO members attended? ---- Yes. Were these in fact SASO organised meetings or was it just fortuitous that SASO members were either there or had /... - 3450 - BUTHELEZI

had been invited to attend? ---- It is the latter, I have never attended a SASO meeting as such, or a conference, but it was only when I was invited as a speaker that I happened to be in a meeting where there were representatives from SASO.

As far as BPC is concerned, your knowledge of BPC is it on the same footing as your knowledge of SASO? ---- AS far as BPC the only occasion in which I was involved in something relating to BPC was in Durban in 1974, when I was invited to speak.

Can you recall any other speaker at that specific symposium apart from yourself and Nkomo, Accused No.5? ---- Before I spoke there were a few speakers, if I recall one of them was Kenyetta, it was just a greeting, not so much a speech, then Nkomo and then another Indian gentleman, I have forgotten his name.

At which stage of the proceedings did you address the meeting? ---- After they had spoken.

 A_t the end, were you the last speaker? --- I can not recall whether I was the last speaker or not but what I do 20

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remember is that there were a few speakers before me.

Were you there when it closed, the meeting? ---- I was there.

Question time, does that normally occur at the end of the meeting, or was there a question time at the end of that meeting? ---- There was question time.

Was that the only time while you were there that there was in fact a question time? --- There was a question time after Nkomo's speech, as a matter of fact I was one of those who raised questions, and there was I think - there was 30 some discussion, I have forgotten, discussions were interspersed here / ... here and there, I cannot recall exactly at what points because I was involved myself.

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Were you there at the beginning of the symposium ---- No, I was not there.

BUTHELEZI

The Indian whose name you cannot remember, if I give you a name would it be possible to perhaps identify him as the person who did speak? ---- We can try.

Is it Harry Singh? --- It may have been, but I had never met him before.

Was he the only Indian you saw there that spoke, 10 the one that you are referring to there? ---- I think that is correct.

So, Doctor, just to sum up then, is your knowledge of the organisation based merely on those things you detailed, you have never attended any of the GSCs of SASO or the national conventions of BPC? --- That is correct.

The policy-making bodies which meet once a year or sooner if circumstances so require? --- That is correct.

You have never in fact served on the Executive of any of these bodies? --- That is correct, as bodies, but I have worked where one member of these was present, but not in the Executive of these bodies.

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Could you perhaps just amplify that last, I did not quite follow that, you have served where other members of the Executive have been - PAUSE ---- Members of SASO - where members of SASO have been, for instance Black Theology agencies.

I see, yes, but the official Executive of either of the bodies? ---- No.

You do not know anything about them? --- No. You have never attended therefore any national executive meetings of either of the organisations? --- No. Have / ... - 3452 -

BUTHELEZI

Have you ever attended any formation school organised by either SASO or EPC? ---- I do not know whether the one to which I was invited at Turfloop was a formation school or not, but I just addressed the students who were there, I was not interested in how the gathering had been set about, so I cannot answer one way or the other with reference to that, but SASO was involved in inviting me.

When you accept an invitation to address a gathering, is it of no importance to you who is the organiser of the meeting? ---- Oh the invitation was coming from SASO. LO

Did the invitation come from SASO? ---- Yes.

But you are unable to say whether that particular thing was organised by SASO? ---- No, what I am not certain about is whether it was technically a formation school or simply a gathering to which people had been invited, where a speaker was going to address them, that is what I meant.

Is this the only one you are not sure about whether it was a formation school, this occasion? --- I am not sure.

When was this, could you just tell us again the date of this particular meeting? --- It was the second half 20

of 1974.

At Turfloop you say? ---- Yes.

Can you remember any of the other people who were there, of the SASO people who were there? --- I think one of them was Ramaposa.... AWAY FROM MICROPHONE..

You remember him: --- Yes.

Is that the only one offhand that you can remember: --- There are others but - there were many students and I cannot say if one was SASO, because I was not interested whether they were SASO or not but just a group of students, 30 it so happened that it was SASO people who had invited me. Have / ...

BUTHELE //I

Have you ever attended any Sharpeville commemoration meetings.or heroes' days? ---- No.

Have you been involved at all in any of SASO or BPC's community projects? ---- Maybe indirectly but not directly as far as I remember, because I am involved in many things, it might happen that unknowingly SASO is involved, but not directly.

In any of the literacy training or free university schemes? ---- No.

Now I think you told the Court that at this 10 particular meeting where Biko spoke, he spoke of Black Consciousness? ---- Among other things, that is the thing that struck me at that moment.

Now, I am interested as to why this struck you at that moment, was it a new phenomenon which you had not come across before? --- Not so much the word, but I think it was the first time that a South African Black student presented what he presented in the way he did, I was struck by this, and against the background of the South African student

movement why they broke away from NUSAS, that was the first 20 time.

What struck you about this particular exposition of Black Consciousness? --- Positively it wasTWO PHOPLE SPEAKING SIMULTANEOUSLY..INAUDIBLE... that interested me.

So it was rather the person who was putting it across than what he was saying.. --- The manner ...(Court intervenes)

<u>COURT</u>: His ability? ---- Yes, the manner in which he was able to communicate what he believes in, that interested me. <u>MR. ATTWELL</u>: So it was rather the person who was putting it 30 across than what he was saying? --- It is not possible to separate / ...

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separate the speaker from what he is presenting, I cannot make that distinction, I think it was a combination of both and not just Steve Biko but what he was able to communicate to me.

Now the idea of Black Consciousness, had you not felt yourself feelings along those lines through your religious background? ---- I think it must be clear that phrases like Black Consciousness and Black Theology are just phrases, but the phenomenon or the process to which they point may antedate the phrases themselves. In other words 10 I believe that Black Consciousness was there before the phrase was invested, perhaps in a very informal way, but it was there.

In other words it was formulated on this particular occasion in a manner and presented in a manner which you found particularly attractive? ---- Yes, in a very clear and concise manner.

But the ideas behind it, the motivations behind Black Consciousness, was something, were feelings which you had felt yourself because of your religious background and I 20

am sure in your experience in the United States you must have dwelt on these topics? ---- Not so much in the United States, what he was speaking about was things in which I as a member of that audience felt I was involved in. It was only the manner in which he tried to formulate my experience that I became struck, not so much because what he was talking about was something strangely new.

Can you remember anything of the content of that speech? --- The speech, I can remember two parts, just in general. He did explain about the background of SABO, why SASU was formed, why it broke away from the multiracial organisations / ...

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BUTHELEZI

organisations, and then in that context also he said something about Black Consciousness.

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Was Black Theology touched on at all as a vehicle for the expression Black Consciousness? ---- Not as far as I remember.

The term Black Theology, when did you first start using it and why? ----- I first heard of the term when I read somewhere in some church periodical or magazine about what a group of Black ministers in the United States had tried to do in challenging the churches over there, but it was just 10 something of distant interest. It was when I was invited to address a Black Theology seminar which was organised in Johannesburg at Roodepoort where Black Theology as such was the theme of the conference, so I made a contribution in that gathering, and then many other such occasions occurred after that particular one.

Can you recall who organised that seminar? ---- I was invited by Basil Moore who was then general secretary of UUL and the invitation came through the stationery of UCA.

> Mere SASO people there at all, can you recall? 2

--- Stanley Ntwasa was playing an important role, he was one of the organisers of that.

How do you know that this person, Stanley Ntwess is a SASO member? ---- It is just an assumption because of the way in which - his line of interest and reasoning reflects what I might call SASO thinking. That was the only reason. There was something distinctive about his line of reasoning from others which enabled you to assume that this man was a SASO man, if I follow you correctly? --- Yes, belonging to the same school of thought. 50

Now what did you find distinctive about his views

etcetera / ...

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BUTHELEZI

etcetera which enabled you to label him as a SASO man? ---- The element of Black Consciousness and the deliberate attempt to challenge Christianity to be relevant to the problems of the Black man. I had become aware of that particular challenge in its dynamic form from representatives of SASO, and that is how my assumption was formed about his affiliation.

The Black Theology - you have told the Court what you understand by Black Theology, and it is in fact what you have now just told the Court was SASO's policy in regard to this Black Theology, is that correct? ---- No, my definition 10 of Black Theology is not necessarily what SASO or other people interested in Black Theology may define as Black Theology. So I am only responsible for my particular definition. It is only when there are lines of contact that I can say that one representative of SASO spoke about Black Theology challenging the church, but ultimately I have my own way of understanding Black Theology.

I am quite sure that you have gone into some detail and some investigation as to how SASO views Black Theology? ---- Within the limits of the contacts I have described either 2

through literature or through meeting people at meetings and on a private basis.

Are there any significant differences between your view of Black Theology and SASO's view of Black Theology? --- I do not believe that it is the function of a student organisation or any other organisation to deal with theology, but Christians can always express theological sentiments. I think it is only in as far as among SASO people I believe there have been concerned Christians that question which have a bearing on theology have come to the surface, and I do not believe that it is the responsibility of SASO as such to create / ... - 3457 -

create a theology.

I do not think you followed the question. Mhat I would like to know is you have an idea of what SASO believes Black Theology to be, through discussions with various people and association with SASO members? --- Yes, that is correct.

BUTHELEZI

You feel that this is quite a distinctive point of view that they put forward because it enables you to see that this man is a SASO man. You have your own ideas? --- Hot through Black Theology, there are many people who are interested in Black Theology, some are my colleagues in the 10 ministry, what I tried to express was that I was able to identify for instance Stanley Ntwasa because of the manner in which he presented his statements, and also on Black Consciousness, and therefore I developed an assumption which may be not sufficiently founded or well founded.

From your knowledge as far as it goes you have seen that SASO does subscribe to this Black Theology? ---- Yes, as a matter of fact when I was invited to address students at the University of Zululand, that was one of the highest points in my life, when I could feel that I was communicating 20

something to these people, they could understand what I was trying to communicate to them.

So you had discussions with SASO people, you have been at gatherings where there have been SLSO people and where there has been talk of Black Theology. You yourself have views on what Black Theology is and what it can achieve, are there any significant differences between your views of Blach Theology and what it hopes to achieve, and SASO's views of Black Theology and what it hopes to achieve? --- I cannot definie SASO's views on Black Theology, but I can only make 30 comments on the basis of what I have heard members of SLSO cay, I / ... - 3458 -

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I do not have an official point of view of SASC.

I think we know on what you base your knowledge of SASO's views, if we can call it that for the purposes of this argument, but the point is was there anything strikingly disparate between your view of Black Theology and their view of Black Theology? --- In most cases whenever I was there, I was giving my point of view, and I would get questions, so what was under discussion in those circumstances was my theological point of view and not so much SASO's point of view, but through questions people ask, very often you can more or less draw a picture of what is lying behind the question.

And you have drawn a picture? ---- Some picture.

What would you call a seminar, what is the purpose of a seminar? ---- Unlike the ordinary meeting, I have no dictionary, I am no dictionary, but unlike an ordinary meeting, in a seminar emphasis is placed on discussion rather than simply listening to a speaker and letting people disperso.

In other words it is an exchange of views, is that correct? ---- That is correct. 20

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Right, so you put your views and you listen to other people putting their views? ---- That is correct.

Now what I want to know is whether there was any significant difference between what you saw Black Theology to be and what you gathered SASO people saw Black Theology to be? --- Whatever I saw in SASO was by way of questions or challenges either directed towards the Christian church or to a particular speaker at a certain point in the meeting. Doctor, I think you made the point clear how you arrive at what you view SASO's view of the thing to be, but 30 I want to know, do you see anything strikingly different between the / ... the way they see it and the way you see it, that is all I want to know, yes or no.

BUTHELDJI

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<u>COURT:</u> Doctor, shouldn't you here refer to your essay, SASO relates Black Theology to its struggle, you in this essay of yours after sort of a scholarly discussion you try and see how you can relate Black Theology to the problems of the daily life of the Black man - I think if you look at page 7 the last paragraph, and also the last paragraph of your essay? --- Yes.

Is that not the answer to his question? ---- Well 10 it is true, I have a particular point of view with regard to what Black Theology is, and another theologian may define it differently from mine, that is always there no matter whether it is a difference between a theologian or a layman or between a theologian and a theologian.

MR. ATTWELL: Have you expressed your view of Black Theology in that essay which you have just consulted? ----- Yes.

Could you perhaps read it into the record, your view on Black Theology as expressed in that essay? ---- The

whole thing?

<u>COURT:</u> You see you debated first, and after you have really debated theories the ethnographical approach and the anthropological approach, then you start reasoning, well now, he probably wants you to read the part that I drew your attention to on page 7, he wants you just to read that out, because I mean that is what you say? ---- "Allow me to speak more completely. A man who has lived to know other Black men as his only everyday life brothers cannot honestly understand the church to be a medium in which solidarity according to the categories of Blackness and Whiteness have been dissolved. A genuine theology grows out of the dynamic forces / ...



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the way they see it and the way you see it, that is all I want to know, yes or no.

<u>COURT:</u> Doctor, shouldn't you here refer to your essay, SASU relates Black Theology to its struggle, you in this essay of yours after sort of a scholarly discussion you try and see how you can relate Black Theology to the problems of the daily life of the Elack man - I think if you look at page 7 the last paragraph, and also the last paragraph of your essay? --- Yes.

Is that not the answer to his question? ---- Well it is true, I have a particular point of view with regard to what Black Theology is, and another theologian may define it differently from mine, that is always there no matter whether it is a difference between a theologian or a layman or between a theologian and a theologian.

MR. ATTWELL: Have you expressed your view of Black Theology in that essay which you have just consulted? ---- Yes.

Could you perhaps read it into the record, your view on Black Theology as expressed in that essay? ---- The whole thing?

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<u>COURT:</u> You see you debated first, and after you have really debated theories the ethnographical approach and the anthropological approach, then you start reasoning, well now, he probably wants you to read the part that I drew your attention to on page 7, he wants you just to read that out, because I mean that is what you say? ---- "Allow me to speak more completely. A man who has lived to know other Black men as his only everyday life brothers cannot honestly understand the church to be a medium in which solidarity according to the categories of Blackness and Whiteness have been dissolved. A genuine theology grows out of the dynamic forces / ... - 3460 -

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forces in life, that is, forces which are decisive for the shaping of everyday life. As far as I can judge Black Theology is nothing but a methodological formula whose genius consists in paying tribute to the fact that theological honesty cannot but recognise the peculiarity of the Black man's situation. To be theologically honest one need not reconstruct first the situation in which our grandfathers lived. The realisation of our authentic humanity as Black people, does not consist merely in reconstructing the old patterns of the past world theologically and sociologically 10 speaking, but in gaining access as Black people to that which constitutes the wholeness of life in the present-day world. Whatever lasting spiritual insight the old world view contained will be activated only as we realise our humanity by meaningfully sharing in all the life facilities the present day world offers". And then the last paragraph: "It is here wherein lies the contribution of the Black theologies methodological techniques of theologising. Elack Theology challenges established Christianity to engage in a dialogue with Black people who feel that somehow theology has not 20 taken them into consideration. It cautions the preacher and minister to stop preaching a pie in the sky religion, but instead to come down and toil with the Black man spiritually and existentially in the search and dust of daily life. As soon as this ultimate objective has been realised, the whole world will know us as human beings and not merely study curiosities that adorn many a page of doctoral dissertations". COURT: Well that is your approach? ---- Yes, this is my approach. In other words I see it as a method of doing theology if you contrast it with what has been known as African theology, 31 because African theology has been understood in the context of the / ...

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the cultural tradition of the African, whereas in Black theology there is something which is highlighted, an existential facet of life, and in our context in South Africa colour is one such existential facet in as far as it determines to which school we go, to which church we go, how many pounds - how many kilograms of meat we can eat a week, and so on and so on. So I am saying that theology must use this kind of experience as a point of departure and not merely cultural realities, important as they also are.

Well I think to put it in a nutshell, if I 10 understand your essay correctly, you say the White man puts questions, and the answers were found in Christ, you say the Black man puts questions, and you say the answer must also be found in Christ, and then you say well that is how you find the answers? ---- Yes, how you found answers, the questions which have been in the past been claimed to be answered by theology were questions which arose somewhere in Europe, they are not questions which arose from our situation. Take for instance the guestion of the doctrine of the Trinity, or the doctrine of the two natures of Christ, this doctrine was formulated because there were people who were seriously asking: what is this jealous Christ in relation to Yahweh, God the Father, and therefore theologians were forced to answer these questions by formulating Christology, so the same thing applies here, what has been happening in the past is that our questions were not seriously taken as legitimate points of departure in theology.

So yours is a theoretical approach to a problem and SASO was busy with a practical application of principleo for a resolution of a problem? ---- This particular - in this 30 particular essay I was trying to analyse the distinction

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between what is called African theology and what is called Black theology, so that is the context of these actions, and not so much what theology should be, dealing about as far as the content and its practical implications. MR. ATTWELL: Would you say that Christianity is different things in different societies? ---- Well the word Christianity involves a lot of things, it involves the organisational shape, Christian institutions so-called can take in the course of history, so I am not happy about the word Christianity, but rather the Christian faith. It is true that the Christian faith takes different shapes in different cultures...(Court intervenes)

COURT: But practical Christianity must differ within the society in which it is applied, is that what you are trying to say? ---- M'lord, I do not draw a distinction between practical Christianity and theoretical Christianity, because the Gospel deals about down to earth things, not a theoretical idea on anything, what is called theory and what is called praxis in the Gospel are joined together, I do not make 20 that distinction.

I do not think you follow the question, I am just talking in the light of your essay, your essay is the White man had problems, and they found the answer in Christianity, the Black man has problems so you say they must also find the answer in Christianity, in Christ. Nov, the problems must vary with the community in which the problems exist, so I mean of necessity you must look at the community and first find out what the problems are, and then see whether Christ is the answer to those particular problems? --- That is correct. Perhaps I can refer you to the SASO newsletter, Ju MR. ATTWELL: document SASO E.1, it contains an interview between a representative of SASO and a United States Black American

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American exponent of Black theology movement, James Cohen, in which Cohen expresses the idea that theology changes depending on the situation in which the people might live -would you agree with that statement? ---- Once more?

Theology changes depending on the situation in which the people might live? ---- I agree.

You agree with that? ---- Yes.

In other words in South Africa, therefore, theology will have a necessary political, social and economic bias, is that right, it will be involved in those things because 10 of the circumstances which exist here? ---- I would put it in slightly different words and say that in South Africa theology will take seriously those elements of life which can be distinguished among other elements as South African, and therefore the South African incarnation of theology, then we can speak of a South African theology.

And your Black theology that you are advancing is in fact the theology for South Africa? ---- Yes, it is a South African theology but for the sake of convenience that label Black theology has been used, and I do not think that it is 2

so necessary.

Yes, but as we have been talking about Black theology and SASO have been talking about Black theology, it was Black theology in relation to the South African situation? --- I would say that Black theology is the first beginning of a truly South African theology.

If I may turn to some general matters, Doctor, when were you first consulted by the Defence about your possibly giving evidence in this case? --- I do not remember the time, but it was some months back.

Can you not be more specific than that? ---- I received a / ...

- 3464 - BUTHELEZI

a message from Mr. Chetty.

You cannot say any more than it was a couple of months back? ---- I do not remember the exact month, because I have not had time in which to think ...(Court intervenes) <u>COURT:</u> Was it some time ago? ---- It was some time last year. <u>MR. ATTWELL:</u> And you say it was Mr. Chetty that approached you? ---- Yes.

What did they want to know from you? ---- Well he simply asked whether I could have time to go to Mr. Allaway's chambers.

Is that all that was discussed at that first meeting with Mr. Chetty? ---- No, it was a message, I received a message and therefore I arranged -- and then I went there.

Did you have any idea what it would be about before you actually went to the meeting? ---- Not precisely except that it was vaguely mentioned that it might have something to do with a trial which was pending.

Did you know which trial? ---- I got an idea.

And this trial, was it in fact this trial that you are now appearing in, was this your impression? ---- Yes.

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When did you first hear about this trial? ---- When

I was in the United States, I was in the United States for about six months, I read in the newspapers that a trial had started.

Can you recall that date more or less? ---- No, I cannot recall the date except that I was in the United States between January and June 1975.

Now did you in fact attend a meeting with the Defence? ---- I did, yes.

How many meetings? --- I cannot recall.

More than one? --- Tes it was.

More / ...

Mhere did these meetings take place? ---- In Durban. And where in Durban? --- In the Chambers of Mr. Allaway.

Who all was present at the first meeting that you attended: ---- I think Mr. Soggot was present.

Mr. Allaway? ---- No, he was not.

Mr. Pitman? ---- ne was.

Anybody else? --- It was Mrs.Mere, and well - MULL -Were there others that you cannot recall? --- Yes. Were there other Europeans there? --- Yes there 10 were.

Can you remember any of them? ---- Well the trouble is that it was a number of consultations, I cannot remember precisely when I met whom where at what time.

Were there always a number of other people apart from merely defence Counsel there when you were there? ----- That I cannot answer for sure.

When the discussions on your possible evidence were under way, were other people present apart from yourself and the Counsel? ---- Yes.

Can you remember who? ---- I think the matter of being a possible witness came up later, it was just a matter of being asked questions about certain matters which had a bearing on the pending trial, but the matter of whether one was a possible witness is something that came as a matter of fact maybe this year.

In what regard were you primarily concerned, in which sphere of activity were you primarily concerned, Black theology, or did it go wider than that? --- Oh, I was asked a number of questions including Black theology, which happens to 30 be my interest.

What / ...

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What apart from Black theology did the Defence want to know from you? --- ... bout Black consciousness.

BUTHELLII

Anything else? --- Black experience.

- 3466 -

Were you attendant at discussions when other people gave - discussed their specific topics or experiences with the Defence Counsel? --- In Durban it was merely a matter of being asked just questions, but when the matter of the trial came up it was mostly then I had moved up to Johannesburg.

Did you hear discussions by any other persons about their aspects? -- You mean in Durban? 10

Anywhere, we can start in Durban and then we can come up to Johannesburg? ---- It used to happen that there would be a general discussion asking questions: what is your views, what do you think about this and that, when other people were present.

And did you hear their views and they hear yours?

And was this the pattern in Johannesburg too? ---- No, I do not say this as a pattern, but it just happened, it is

not necessarily something which was a pattern, I am merely 20 describing that sometimes this happened, but recently it has been just myself.

Have you had any discussions with the Accused at all since they have been detained? ---- No.

Doctor would you perhaps give us all the people that you can recall being present at discussions which you had with the Defence, and when you were present and they were discussing their aspects with the Defence, a list of the people, not necessarily on one occasion, on all the various occasions? ---- When we were discussing specifically in connection with 3 the trial and when I knew that I would be a possible witness I / ... I was by myself.

Now before that, before you knew you were definitely going to be a witness? ---- I - PAUSE -

You referred to Mrs. Meere, anybody else? -- Mr. - he is a sociologist, he is based in Durban, his name has just escaped me.

A sociologist in Durban? ---- Yes.

European? --- Yes.

COURT: Is it not Dr. Turner? --- Oh I met him once, but I was not referring to Turner.

<u>MR. ATTWELL</u>: Did Turner attend any of the discussions when you were asked various things and when people spoke about your evidence or held discussions with the Defence Counsel? ---- There was one meeting at which - PAUSE -

He was present? ---- Yes.

Can you remember anybody else? ---- Some of the persons - I only remember those I happen to know.

So the only one you happen to know and remember is Mrs. Meere? --- Yes.

Nobody else? ---- There is another one, he has made 20

some research, his name has just - Schlemmer. Turner was there once.

Have you given any evidence in any Court of law before? ---- A very minor one.

Pardon? --- In a very minor one involving biggmy.

Did your evidence there concern Black theology?

--- No, it was as an expert witness.

In the field of bigamy (LAUGHTER)

<u>COURT:</u> Well you had better qualify that? ---- I solemnised a wedding, in which one of the parties was later ..(Court intervenes)

Mere / ...

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- 3460 - BUPHELEZI

Where you were the marriage officer? --- Yes. MR. ATTWELL: Any other people that you can recall? --- No, not at the moment.

This was rather a rare occasion to be consulted by the Defence in a big case, is that not so? ---- Yes.

Is there anything wrong with your memory that you cannot recall discussions that you people had? MR. SOGGOT: He has not been asked that question, Hlord, ho was asked who else was prosent.

MR. ATTWELL: I am now asking him, M'lord, if there is anything wrong with his memory that he cannot remember. What? COURT:

MR. ATTWELL: That he cannot remember who else was there. COURT: Well he says it was a number of consultations he had and a lot of people were present at different times. MR. ATTWELL: M'lord, do far we have heard two people that he can recall as having been present, and apparently there were more.. (Court intervenes)

COURT: No, but, did you know the other people as far as you can remember? ---- Not always, there might have been some

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whom I did not know. I just recall those because I know them. MR. ATTWELL: Can you remember the capacity in which they were there, were they SASO members, Executive of SASO or BPC: ---- No, I think they would fall in the category of people who are experts in their particular field. Was the person Steve Biko ever present at any of these discussions? ---- No. Pityana? --- No. Do you know a person Thomas Mantata? ---- The one 30 who was working in Johannesburg? Do you know a Thomas Mantata? --- There may be a number / ...

- 3469 -

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number of Thomas Mantatas but there is one who is working at the South African Council of Churches with that name.

BUTHELEZI

Was such a person ever present when you were discussing with Defence? ---- No.

Is that Thomas Mantata you are referring to, does he have any connection with SASO or BPC to your knowledge? ---- I think he has had connections.

The other persons who were consulted, what was the field in which they were supposed to be experts and were consulted? ---- It was I think sociology and political science. 10

Anything else? ---- And then it was myself, theology. That is all I can remember.

I see. How long did these discussions last, can you recall? --- No, I did not look at times but it was - PAUSA -

Were they short, were they a whole day, were they a morning? ---- Just a reasonable length of time which I cannot qualify as either long or short. (LAUGHTER)

A reasonable length of time, surely it is either long or short?

COURT: What do you call long?

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MR. ATTWELL: Were they in the morning or the afternoon? ---- That I cannot remember whether it was in the morning or in the afternoon.

Did any ever last longer than a day? --- No, it was just some time, not long. It is safe to say not long. That seems safe to say. Where did the consultations in Johannesburg take place? --- In Mr. Soggot's place. Were there any other places where these discussions were held? --- No.

It was only Mr. Allaway's Chambers in Durban and 50 Mr. Soggot's Chambers in Johannesburg? ---- Yes. And / ... - 3470 - BUTHELEZI

And it is safe to say they were not long? ---- I was qualifying what I meant by a reasonable length of time.

Can you not be more specific than that, Doctor?

Yes, were they ever just a minute or two or five minutes? ---- No, that is unreasonable if I drive a long way to attend a two minutes meeting. (LAUGHTER)

Do you have any idea how long they would be before you went to the meeting? ---- No.

Were you told how long to make yourself available: 10

Would you have to cancel any arrangements of your own to attend these discussions? --- As far as I can recollect it happened to coincide with times which were free.

Purely fortuitous? ---- Yes.

You never had to make arrangements to cancel anything? ---- Not as far as I can remember.

Would you agree that Black theology as expounded by SASO uses God as being the God of the oppressed peoples struggling for liberation? ---- I cannot speak on SASO's views 20

on Black theology, but only what some SASO people have said, in that latter context that is correct.

Have you heard those views expounded by SASO? ----- Representatives.

Bo once again referring you to the document SHSO M.I. on page 12 of the newsletter which is page 248 of the other numbers used by the State, in this article which is an interview with James Cohen where Cohen says that: "I believe that the Gospel is primarily a Gospel which contends that God is on the side of oppressed people struggling for freedom," 50 those would coincide with views you heard expressed by 3230 members / ...

- 3471 - BUTHELEZI

members on Black theology? ---- I am not sure about that, I cannot tell.

Nould you like to read the specific part here, starting in the second column there the top on the previous page, would you start at the top there and read it out to the Court?

COURT: Now what page would that be?

<u>MR. ATTWELL:</u> M'lord, this is on page 248, and it is a book which has been printed sideways, M'lord, two pages, it is page 12 then of the article, in the second column under the 0.0 interview, would you read that please? --- This is the words of Cohen.

Yes. --- Not mine. "I believe that the Gospel is primarily a Gospel which contends that God is on the side of oppressed people struggling for freedom. Therefore the Gospel is a liberation of oppressed people from bondage".

Thank you, do you agree with that? Firstly, do you yourself agree with that? ---- Well one would have to get the impression of the whole context first to be able to interpret

how these particular phrases are used, I cannot simply - PAUGE 20

As they stand there, do you agree with that statement you yourself: God is the God of the oppressed people struggling for freedom? — It would depend on what is meant by oppressed people, because I have my own understanding of oppressed people, and therefore I cannot express my agreement, not after having seen in the context of the whole thing how he uses oppressed, because I have my own definition of oppressed.

Let me ask you this, do you consider the Blacks in South Africa to be oppressed? ---- Yes.

You do? ---- I do.

Now do you agree with that statement as it stands there / ...

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there, that God is the liberator of the oppressed people fighting for liberation? ---- I should qualify my statement, I believe that Black people are oppressed, and the White people in this country are oppressed as well.

- 3472 -

BUTHELEZI

By whom? ---- By what I would describe to be the South African way of life. Hife in this country places us in certain positions, not positions of choice, if you are born White you are simply placed there and if I am born Black I am simply placed there, how we relate to each other is predetermined, that is the aspect of oppression, and we 10 do not get the opportunity of relating to each other, of freely understanding one another simply because we stand so much apart, therefore Black people lose something in that they do not understand fully the White man, and the White man loses a certain dimension of his life in that this distance takes something away from his dimension of experience of life, therefore both of them are oppressed.

Does SASO view both of them as oppressed on your understanding? ---- I think SASO can express themselves as an

organisation, but I have SASC as a deliberately Black organisation, has been occupied with the Black man's experience, and therefore it is natural that when they spoke of oppression they referred to oppression as experienced by the Black man. I was trying to give my own interpretation of oppression simply to explain that I cannot answer the question as it stands there because it depends on how each word and phrase is defined.

<u>COURT:</u> I think one finds it in this article of Cohen what he means by itm page 32, second last paragraph? --- No, this is not mine.

No, no, I say Cohen, what Cohen means by liberation.

"The / ...

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---- "The significance of Black theology then is found in the conviction that the content of the Christian Gospel is liberation. This means that any talk about God that fails to take seriously the righteousness of God as revealed in the liberation of the weak and downtrodden is not Christian language. It may be religious or churchly, and thus patrictic, but such language has nothing to do with him who has called us into being and who came to us in Jesus Christ and is present as Holy Spirit with us today. To speak of the God 10 of Christianity is to speak of Him who has defined Himself according to the liberation of the oppressed. Christian theology then, pursuing its church function, is that discipline that analyses the meaning of God's liberation in the light of Jesus Christ, showing that all actions that participate in the freedom of man are indeed the actions of God. Herein lies the heart of Black theology's perspective of the theological talk".

So when he speaks here of liberation he probably means what he says there? --- Yos, as it is stated here I construe liberation as a synonym of the word with which we

are more familiar, salvation. If you could substitute salvation for liberation ...(Court intervenes) Yes but salvation relates to sin does it not, salvation from sin? ---- Again it depends on how one defines sin, because the word liberation is a modern substitute I believe of expressions like salvation, redemption, because redemption means redeening something, taking something out of bondage. You can say that you liberate that something, so liberation means the same thing as salvation, it is just that it is a much more modern word, it has a lot of imagery. 50 <u>MR. ATTUMIL</u>: So you interpret liberation in the SASO newslettor that / ... - 3474 - BUTHINNI that I gave to you there as meaning salvation? ---- I was

referring to - PAUSE -

To that essay in that book? ---- To that text, yes.

Have you in your knowledge, however brief, of 5.30 documents, found a reference to the Whites as oppressors and the Blacks as the oppressed? ---- That is correct.

And when they speak of the oppressed, is your interpretation that they are referring to the Blacks? ---- That is correct.

And used in that SASO newsletter as "God being 10 the God of the oppressed, fighting for their liberation from bondage", would you say that was a reference to the Blacks? ---- That is correct.

Have you also in your study or looking at SASO documents come across expressions like "before the Uhites came to this country we had the land and they had the Bible, now we have the Bible and they have the land"? ---- I had heard of that a long time back, I remember reading an essay by Jabawu quoting the same thing. That is one of those quotations which can not be attributed to any person, 20 quotations which have been floating around, so I wouldn't give SASO credit for that. (LAUGHTER)

I do not want to know whether you give SASO credit for it, I want to know whether you have come across that sort of idea in SASO publications? ---- I may have.

You may have? ---- I say may have because it is such a common thing that even if I read it, it may not - PAUC. -

Did you hear it perhaps at that symposium that you attended? ---- I do not remember, it might have been there, I do not remember.

What does it mean? ---- 't is simply a repetition of traditional / ...

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traditional rhetoric, this has been circulating in the Black community before the White man came we had the land, and now the White man has the land and we have the Bible, it is something which you hear people repeating over and over again. As to what it means I think it simply means that before Mhite people came here - it means what it says. (MAUGHTER) Before White people came here the Black man had the land, and the Mhite man came and made Christians out of the Black people, and when Black people reflect on this they say: now we are Christians but we have lost our land. One version of a 10 similar ..(Court intervenes)

- 3475 - BUTHELLIZI

<u>COURT:</u> I also read Mr. Bawa's expression, he said that when the White man came here the Black man had the land and the White man had the Bible under his arm, he says now the Black man sits with the Bible under his arm and the White man has the land, I think that is how he uses it in this essay. <u>MR. ATTWELL</u>: Have you also come across statements such as "Black people therefore must learn to interpret God as a hater of people who shun their own liberation"? --- I think so.

"Christ must be seen as a fighter, a revolutionist 20

who guides human justice and not racial justice"? ---- It sounds like something I have seen.

Where? ---- Somewhere in the SASO literature. In more than one article or in more than one connection? ---- That I cannot answer.

But you are able to identify it as something you have seen in SASO literature? --- I think so.

Do you viiw Christ as a revolutionary? ---- In the context of what I said this morning I have not used the word myself, but I can understand that is behind the thoughts of 30 somebody the uses that word revolutionary.

Did / ...

- 3476 - BUTHELEZI

Did Christ ever use the word revolutionary? --- Oh he might have not used the word revolution but he made statements wherein revolutionary - have brought the sword, statements like that, father against son and daughter-in-law against mother-in-law, statements like those, which were really revolutionary in the sense that they would upset that you would consider to be the social patterns of relationships.

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Would you agree with me that a large number of Blacks in South Africa are very religious people? ----- I would agree.

And that the church is to them a very important thing? ---- It has been a very important thing, but I am not sure whether it will continue, because many have become disillusioned with the church.

Because the church has done nothing about their physical liberation? ---- Because the church, again I use different words, because the church has not related the Gospel to the whole of their lives, it has only related the Gospel to life of the spirit after death. The Gospel has been presented as some insurance policy, that if you believe 20

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things will get all right when you die, but the Gospel has not come down to struggle with the Black man as he toils in his daily life, when the mother has no money to send her children to school, the Gospel as the church has tried to present it, has been very distant to that existential situation of the Black man. <u>COURT:</u> Now, Dr. Buthelezi, did you have your training in a missionary seminary or is it quite an independent seminary, the Lutheran seminary? ---- It is the Lutheran seminary.

Yes, but is it a missionary institution, or is it 3 an independent institution? --- It has a mission background, but / ... - 3477 - EUTHEDBZI

but now it is a seminary of the church.

Now I am going to ask you on Monday, you see in this one resolution they say the aspect of Christ's mission is atrociously perverted and distorted by White imperialists for their selfish and repressive aids, now being trained in a missionary seminary you probably know what the situation is. Will you be able to tell me on Monday? ----- I will try.

What they are referring to. And then the next thing is, the conspiracy between missionaries and the imperialist government as clearly indicated by Sir Philip's statements 1.0 and activities in South Africa. Now are you aware of such statements? ---- Yes it is one of those - PAUSE -

Well I do not want to put you to the trouble of finding these statements if you are not aware of them, but if you are aware of them I just want to know broadly what the statements are? ---- I will try.

<u>MR. ATTWELL</u>: Doctor, liberation in the sense of salvation, does that tie up with the idea of physical liberation as well? ---- I am a bit uneasy about the distinction between physical liberation and spiritual liberation, because - or salvation - because salvation in itself, salvation, Christ saved the whole of me, not the spiritual part of me or the physical part of me, so I find it a bit difficult.

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You see, I an trying to get to the root of this thing, according to you liberation in the sense that it was used in that document - in the interview, in fact meant salvation, is that correct? ---- Yes, that is what I construe. Now would you say salvation would cover physical liberation? --- It covers liberation - physical liberation to the extent that you see it as a life experience and not so much as a theological phenomenon, something which is out there / ... there, something that intrudes on my life, because I am a totality therefore salvation involves the whole of me and even Christ himself demonstrated in his ministry on earth, he ministered to people in all levels of experience.

- 3478 - BUTHELEZI

So would you say the term salvation is wide enough to include the physical liberation? --- I do not have the word physical liberation in my vocabulary, but in the context of how I tried to see man as a totality, I would say salvation encompasses the totality of life experience.

Have you come across the expression in SASO 10 documents that the Whites are referred to as imperialists? ----- Yes, I have.

Mhat language do you preach in when you preach in church? ---- It depends on the occasion, sometimes I preach in Zulu.

And otherwise? ---- Or in English, it depends on the audience.

Are those the two languages you use, Zulu or English? ---- Yes.

Now if we can have a look at that resolution 41 20

of 1973 to which you were referred in your evidence-in-chief, in the 4th General Students Council, Resolution 41 of 1973, it is in SASO G.1, N'Lord, on page 304 of the typed numbers, page 21 of the number given to the document, this was Christ being a revolutionary and joining the Essenes and working in collaboration with the Zealots, do you recall that evidence you gave. --- Yes.

Now when you read that here in the witness box, was that the first time you had in fact read that resolution? Was that the first time you had seen that resolution? ---- I 30 think it is among the - PAUSE -

Doctor / ...

- 3479 - BUTHELEZI

Doctor, I am asking you a plain and simple question, you had a long look at this here and you looked at it very carefully, I want to know if it was the first time you had seen it? --- No.

You had seen it before? --- Yes.

When did you see it before? ----I do not remember, I have had a collection of SASO - of these documents.

Was there nothing particularly significant about this resolution in your preparation for evidence? -----It was significant.

Did lots of your discussions turn on the interpretation which you would give to this particular resolution? ---- In which discussions?

The discussions with the Defence Counsel in the preparation before you gave evidence? ---- The discussions were merely by way of asking questions: what do you think about this, what do you think about that, and then later on we were asked if we could give evidence.

I see, you were never specifically referred to this during your discussions, in preparation for your evidence, and 20

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on this particular thing and asked for a specific meaning on this particular resolution? ---- There was specific reference among other particular documents and items in the documents. Was a lot of emphasis placed on this particular resolution for your specific evidence? ---- I would not say --I think emphasis was placed on all things that have a bearing on my duty as a witness.

So there was nothing more important about this one than other aspects of your evidence? ---- No.

The Essenes, had you come across the term Essenes 340 during your studies before you saw it in this particular document / ... - 3480 -

BUTHELEZI

document? --- Yes.

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The Zealots? --- Yes.

Had you come across them too? --- Yes.

When did you go and get that book on the political background or something of the New Testament for this case? --- It belongs to my library, I have had it for quite some time, I do not know when I bought it.

When did you take it out of your library to consult it? --- When I was preparing for coming here.

Because of this specific resolution? ---- Yes. 10 Would you say it is a well known fact, the fact you mentioned about the Essenes and the Zealets, are they well known facts to Christians? ---- Not so much to Christians -..(Mr. Attwell intervenes)

Well to anybody? ---- But to people who have taken trouble to study the background of Christianity.

But apart from someone who had gone into it in depth like you and who had got a degree in your specific sphere, would you say that that fact would be known to such a person? --- I think anyone who could get hold of a book 20

such as I referred to this morning, whether he is a

theologian by profession or simply an interested Christian could get hold of such material.

In what sense do you say the word revolutionary movement is used in this particular point 2 of that resolution? ---- Point 2 - PAUSE -

Would you read it out please? ---- "That to this end Christ joined the Essenes and Israeli revolutionary movement and worked in close collaboration with the Zealots and Israeli guerrilla warfare unit against Romans". 30

Now in what sense would you say the word revolutionary

was / ...

- 3481 - BUTHELEZI

was used there? ---- It is not immediately evidence how the word revolutionary movement is used, but against the background of this particular party in Jewish religious society, there was definitely something revolutionary about them. Their sense of community which many scholars believe to have influenced the evolution of monasticism in the church, there were revolutionary traits in their emphasis on certain religious matters, and their emphasis on Messiahnism.

Would you say that was a revolutionary idea they had in those respects? --- That is one way in which one can 30 interpret the word revolutionary, just as it stands in this text. I am saying this is one way which one can interpret it, but apart from that there is nothing that suggests for certain how the word revolutionary is to be interpreted.

Do you see any significance in the use just thereafter of the guerrilla worfare unit? ---- Except that the word guerrilla warfare is the current phrase, but the significance is in that this is a familiar expression which people can easily understand, as compared to some of the traditional Christian phrases and context, I am merely trying to reflect on this.

And you referred to this book that you have placed before the Court in connection with the Zealots, is that correct? ---- Yes.

Does it describe the Zealots as a guerrilla warfare unit? ---- No, the word guerrilla warfare is not used.

Do you know of other books that deal with the Zealots? --- There are many others.

Have you ever come across a description of the 30 Zealots as a guerrilla warfare unit? ---- No, the phrase, no. So / ... - 3482 - BUTHELEZI

So they never had such a revolutionary idea in that regard, no group? ---- No, the phrase is not - PAUSE

Is this the first time that you have ever seen the Zealots referred to as a guerrilla warfare unit? ---- In this particular document?

> In any document, ever? ---- Yes, that is correct. The first time? ---- That is correct.

COURT: Is this perhaps a convenient stage to adjourn.

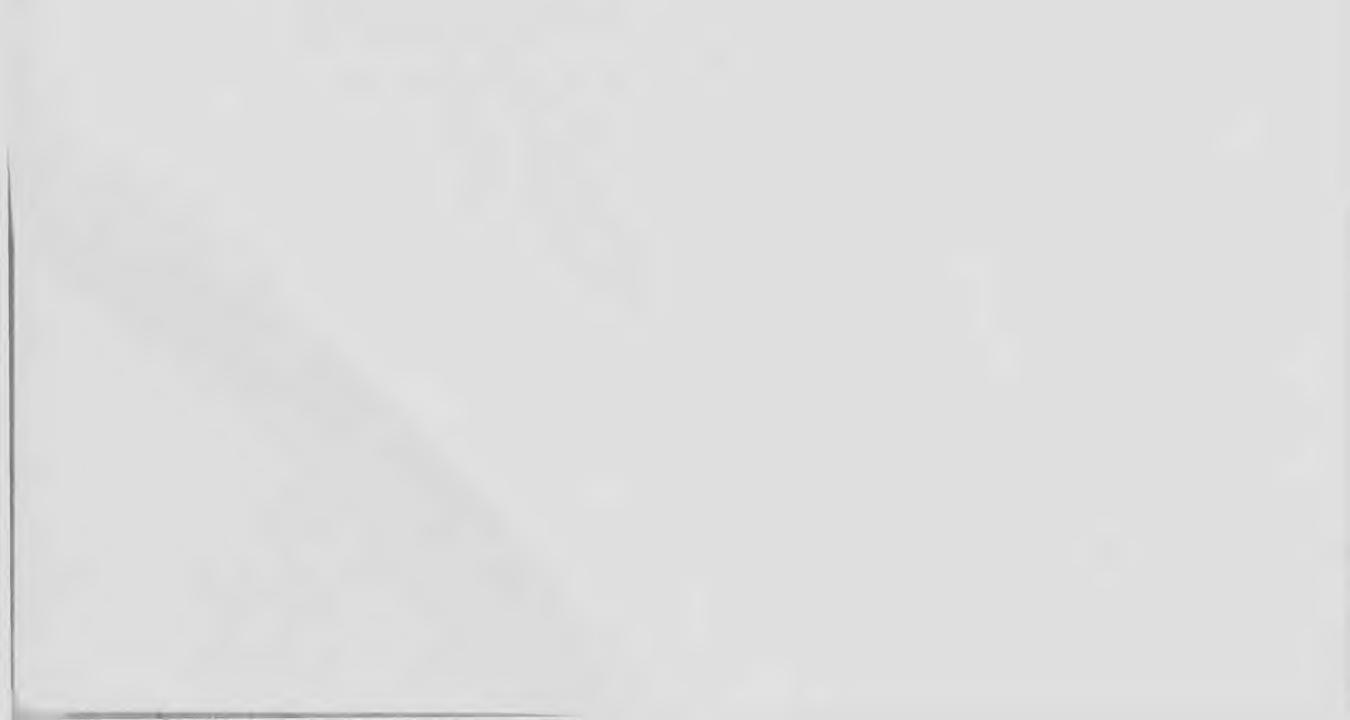
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Collection Number: AD1719

State v S Cooper and 8 others.

PUBLISHER: Publisher:- Historical Papers, University of the Witwatersrand Location:- Johannesburg ©2012

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DOCUMENT DETAILS:

Document ID:- AD1719-Vol62 Document Title:- Volume 62, Pages 3444 - 3482.