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SAAKNOMMER: CC 482/85

PRETORIA

1988-04-20

DIE STAAT teen:

PATRICK MABUYA BALEKA EN 21

ANDER

VOOR:

SY EDELE REGTER VAN DIJKHORST EN

ASSESSOR : MNR. W.F. KRUGEL

NAMENS DIE STAAT:

ADV. P.B. JACOBS

ADV. P. FICK

ADV. H. SMITH

NAMENS DIE VERDEDIGING:

ADV. A. CHASKALSON

ADV. G. BIZOS

ADV. K. TIP

ADV. Z.M. YACOOB

ADV. G.J. MARCUS

TOLK:

MNR. B.S.N. SKOSANA

KLAGTE:

(SIEN AKTE VAN BESKULDIGING)

PLEIT:

AL DIE BESKULDIGDES: ONSKULDIG

KONTRAKTEURS:

LUBBE OPNAMES

COURT RESUMES ON 20 APRIL 1988.

ABRAHAM SOKHAYA NKOMO, d.s.s.

FURTHER CROSS-EXAMINATION BY MR JACOBS : Dr Nkomo, I want to start with the education question in Atteridgeville. First on the education charter conference on 14 October 1984 at which you were there at the beginning and welcomed the guests. I just want to put to you also that from ASRO Mr Mothupi was the invited speaker on this conference. Did you know about that? -- Yes, he was present.

He was also invited to speak on that conference? -- Yes, (10) I think he did speak.

Did you receive an invitation in your official capacity as ASRO, by letter for him to be a speaker or for a speaker to be allocated for this purpose? -- The invitations were delivered separately. They were not brought to the executive committee. We were approached individually, separately, so I do not know what was written on the envelope of his invitation.

Did you know the persons who brought the invitations for him and for you? -- I know the person who brought the (20) invitation to me personally.

Was he from COSAS or AZASO? -- I indicated to the court yesterday that in fact it was Mr Kgaugelo Lekgoro who brought the invitation to me and as I have indicated before, I knew him to be a member of SAYO.

There is just one thing that I got information on in the meantime. Is it not so that this education charter campaign was advertised to start at 08h00 on 14 October 1984 and then it was altered on the posters to start at 14h00? -- Well, I would not know what happened in the organisational arrangements (30)

nor/...

nor do I remember actually seeing the posters. I do not say the posters were not there. I do not remember seeing them. So, I cannot know about the time factor.

I want to refer you to a poster. That is headed "Education charter campaign Transvaal launch". on the left-hand side there is the advertisement of a conference "Ipilegeng Centre White City Soweto 13 October 1984 08h00. Speakers: AZASO, COSAS, NEUSA and NUSAS.

COURT : Just a moment. Is that in Soweto? -- Yes.

MR JACOBS : Yes, that is in Soweto, but the other one - it (10) is in the form of an open book, on the one side there is the advertisement of the conference ... (Court intervenes)

COURT : But I understood this witness to be speaking of the Pretoria conference.

MR JACOBS : Yes and then I am going over to the right-hand side of the same poster. There it is on top "Rally Atteridgeville" and it was 08h00 and then it was changed to 14h00. 14 October 1984. Speakers: Blessing Mphila and Cedric Kekana, Reverend F. Chikane, Gabu Khumalo and Kate Phillips. They were listed as speakers and then at the bottom under this (20) "Forward to a people's education. Issued by Education Charter Campaign, Transvaal committee" and then there is written in black letters "Venue: NG Kerk next to Magatho School." Is it then correct that this conference started only at 14h00? Not the conference - yes, it is a conference.

COURT : Well, it is called a rally on the notification. The Soweto one is called the launch and the other one is called the rally. So, this is a rally it seems. Is that correct? Did you understand it to be a rally? --Yes, I understood it to be a rally where the launch would happen. (30)

MR JACOBS/...

MR JACOBS : And it only started at 14h00? -- As I indicated to the court yesterday I was fetched at the time that I indicated from the church service at the Evangelical Presbyterian Church and my recollection is that I must have been fetched as I said yesterday between 11h00 and 11h30. That is my recollection.

And I put it to you if it only started and the guests and speakers and people only arrived at 14h00, it was not possible for you to be fetched at 11h00? What do you say to that? -- I was present at the time that I have indicated(10) at this particular occasion.

Were you asked to assist in finding a solution for the education crisis in Atteridgeville? That is your evidence, Is it correct? You were a member of a committee elected?

MR YACOUB : His evidence was not at all that he was a member of any committee elected to sort out the education crisis.

MR JACOBS : Did you assist or try to assist in solving the education problems in Atteridgeville? -- I did assist.

In what capacity? -- I assisted in my capacity as chair person of ASRO. (20)

How did it happen that you became involved as chair person of ASRO to assist in this? -- I indicated to the court that the role of ASRO was limited because of the things that were being said about ASRO, so ASRO then realised when there was this death that it was important for a process of conflict resolution to begin and ASRO then activated the ministers to intervene. This resulted in this ministers fraternity which I have already mentioned to the court.

Was a mass meeting held in order to choose a committee or choose people to give attention to this? -- There was (30)

no/...

no mass meeting to choose the ministers fraternity.

Was there a group of people to try and resolve this crisis in education in Atteridgeville to get the children back to school? -- ASRO asked its members to visit the various ministers in the Atteridgeville/Saulsville complex.

Was anything done in order to get the parents together and for them and the parents trying to get the children back to school? -- The ministers fraternity took the responsibility as indicated to the court already to call meetings where the scholars, the parents and the teachers would be present (10) together.

Is that a mass meeting or mass meetings? -- There were meetings, large meetings which were held in the churches in Atteridgeville/Saulsville complex.

Was a parents committee elected in Atteridgeville/Saulsville? -- I remember the delegation that was chosen to take the petition referred to earlier requesting the re-opening of the schools together with the signatures to Dominee Greyling who was then the director general of the department of education and training. It may well be that this committee - (20) this delegation was called a committee. I do not remember that clearly.

This delegation, was it chosen on a mass meeting? -- Yes, it was chosen at a gathering in the church.

When was that? -- The precise date I cannot remember, but it happened I believe between June and August of the year 1984 I think.

Were you present at that meeting? -- Yes, I was present.

Were you a member of that delegation? -- Yes, I was a member of that delegation. (30)

Is/...

Is it correct to say that because of your special knowledge of what was happening in Atteridgeville/Saulsville you were chosen on that delegation? -- I cannot know what criteria operated in the minds of those chosen.

At that stage, did you know of the existence of a COSAS branch in Atteridgeville? -- I think we knew that there was a COSAS branch.

That delegation in order to present the complaints of the students to the department of education, did they contact or did they meet with the COSAS branch in Atteridgeville (10) to find out their complaints?

MR YACOOB : The evidence was not that that delegation was specifically to present the complaints of the scholars. The evidence was that that delegation to the director general was aimed at asking for the re-opening of the schools, and submitting a petition with six thousand two hundred supporting signatures.

MR JACOBS : But this delegation also tried to get the children back to school? -- Yes, I believe that is what they did when they went to see the director general. (20)

Except for going to the director general, did they do anything to find out what was going on in Atteridgeville in order to fully inform the director general and to get the children back to school? -- Well, let me put it this way. That this delegation received its mandate from this meeting held under the auspices of the ministers fraternity and they did not do anything outside that mandate.

You did not try to find out the complaints of the children, why they are not going to school? Why they are boycotting schools? -- Their complaints had already been (30) given/...

given to the meeting which was held under the auspices of the ministers fraternity. It was now a property of that meeting.

Who gave that information to the meeting? -- The scholars present did enumerate the problems to the meeting in the presence of the parents and the teachers and the ministers.

This delegation, did it take down the complaints of the scholars? -- They were already compiled in the petition requesting the re-opening of the schools.

When did the people sign the petition? Was that on (10) the meeting? -- The petition was signed by some of the parents at the meetings. I am under the impression others may have signed elsewhere. That is the position.

COURT : Could I get some clarity. Up to this stage I have understood the petition merely to contain a request that the schools be re-opened. Now it would appear that the petition contained more than the request for the re-opening for the schools. Did the petition set out all the grievances as well? -- That is the position.

MR JACOBS : Can you tell the court what were the minimum (20) demands of the students before they would go back to school? -- The - as I can recall - requests were that they be allowed to have SRC's on the school campuses. There was also a complaint about the matter of corporal punishment. That it be reduced, that the age limit no longer operate. There was a complaint also about unmarked scripts which I believe had happened the year before, I think somewhere in 1983.

Are you sure of that? -- Yes, it was also an complaint which was contained in the memorandum.

COURT : Were there any more complaints? -- I believe (30) there/...

there was also a complaint about so-called sexual harassment.

Were the complaints in the nature that they were pre-conditions for the children to return to school or were they merely tabulated and left at that? -- I remember that they were tabulated. I believe also that they would be redressed.

No, but the problem that the department had is that there was unrest at the schools. At a stage the schools were closed. I do not know if the schools were closed because of the boycott resulting in no children attending any more or for other reasons, but now the question is, did you set out in (10) the petition or somebody set out in the petition to get the children back at school we need the following complaints to be redressed? -- Yes, that was the position.

So, by implication if they are not redressed we will not get the children back at school? -- I do not believe that that was the wording. I remember that these were the requests and it was hoped that if these requests were redressed then the conflict would be resolved but I do not know that it was an ultimatum.

And was your idea that if they were not redressed, (20) for example if the age limit was not abolished and SRC's were not instituted that there would still be conflict and the boycotts would continue? -- Well, I believe that we said as much to the director general in motivating that attention given to the resolution of the problem.

MR JACOBS : What was said by the students when they enumerated their complaints at the meeting? -- The students or scholars indicated that their position would be alleviated if these if these requests of theirs were met.

COURT : So, their attitude was that we would not budge, -(30)

we/...



we would not discontinue or school boycotts, unless SRC's are instituted and the age limit is abolished, et cetera? -- My recollection of the meetings was that the discussion was very reasonable. I did not get the impression that it was an all or nothing approach or spirit.

Well, I understood you to say that you informed the department that unless these grievances are redressed, the trouble would continue. Now, did you suck that out of your thumb or did you get that indication from the scholars? -- What we were saying was a reflection of the deliberations (10) as they happened. The position of the parents was that not everything could be obtained at one goal. That the scholars should return to class and that negotiations would continue while these attempts are being made to redress the position. That was what happened in the deliberations which were held under the auspices of the ministers fraternity.

MR JACOBS : You said that some of the complaints must be redressed and the others will be deliberated afterwards. Did I understand you correctly? -- What I said was that the position of the parents was that the scholars should (20) return to school. They should realise that not everything could be achieved at one goal but that ongoing negotiations would happen while the scholars had returned to the class. That was the position of the parents.

COURT : Is it correct that the petition was then an effort by the parents, not a joint effort by scholars and parents? -- It was a sum total of the positions of the scholars, parents and those teachers who were present.

But the teachers and parents were represented on the delegation but not the scholars? -- No, the scholars were (30)

not/...

not present on the delegation.

The petition was drawn by the parents and teachers? --  
The scholars were also present and I believe the parents were reflecting in that memorandum what they heard to be the complaints of the scholars and what they saw as a possible solution of these problems.

ASSESSOR (MR KRUGEL) : Who drafted this memorandum? -- The officials - the people who were organising the ministers fraternal, receiving an input from the scholars.

Was it drafted there at the meeting there and then? --(10)  
I do not think it was done there and then at the meeting, because it must be remembered that the schools were closed at the time. There had to be a time interval getting these signatures, because they could not be obtained at one place. So, it was not possible for the signatures and the whole memorandum to be written at one place, but the effort reflected in that memorandum, the petition, was a sum total of the input obtained at these meetings of the ministers fraternal.

MR JACOBS : You have indicated now the parents side of this petition. What about the scholars? What did they feel must(20) be complied with? Did they have any preconditions before they would go back to school? -- The memorandum or petition was not drawn without the input of the scholars. So, it reflected - the scholars were actually present at this meeting.

COURT : Their input was these are our grievances. So, the grievances were tabulated? -- And if these problems are resolved then it will be possible for us to attend school without interruption.

MR JACOBS : And if not, they are not going back to school?(30)

What/...

-- What actually happened at that particular time is that one heard that the scholars went to school, then there would be another problem. Then they would stop - this particular problem would be resolved, then they would go back to school again. So, the position was fluid and my recollection having been present at those meetings was, as I have said to the court, it was an all or none thing with a hanging sword that do this or that. These were the sum total of the experience of those particular scholars in the particular setting and for the school to happen undisturbed without interruptions (10) then perhaps the best situation was that all of these complaints be met so that you do not have a situation where you have solved this particular problem, they go to school, then they present the particular problem, then there is another interruption. This was the position, but I cannot answer it in all or none terms.

So, the children at the meetings itself, they did not set out preconditions before they would go back to school?

-- They set out their complaints.

Please answer my question.

(20)

COURT : Did they indicate at the meetings well, we have had enough now, we want to go back to school unequivocally? Or was this back to school story merely an effort on the part of the parents? -- No, the scholars definitely informed the meeting that they wanted to go to school.

Subject to conditions? -- Well, may be we can call them conditions.

No, but let us get clarity. Did they say we have had enough now, we want to go back to school? That is the end of it, or did they say of course we want to go back to school/... (30)

school, but we want SRC's and we want the age limit lifted and we want less corporal punishment, et cetera? It is very easy to answer that question? -- They wanted very desperately to go back to school, but they were aware that the problems which arose, arose because they did not have liaison. There was not effective liaison between the scholars and the people in authority at a particular school campus.

So? -- So, the SRC would be the bridge.

So, they stood on the demand for an SRC? -- Request for an SRC.

(10)

Whether you call it a demand or a request or a precondition, the attitude was if there is no SRC, there would not be proper schooling. -- I think we can put it that way.

MR JACOBS : Is it not so that the schools in Atteridgeville already elected their own SRC's instead of prefects and they wanted them to be acknowledged by the department? Was that not the complaint? -- SRC's instead of?

They had already elected SRC's in the place of the prefect system and they wanted acknowledgement of that SRC's by the department? -- Yes, I believe there were already (20) amongst themselves people who were elected.

*for school?*  
And is it not so that the constitution of SRC's was described by the department of education? They were revolting against that? -- The position of the constitution would be an intricacy which I was not quite knowledgeable about.

But how can you present a complaint of the students if you do not know - if you are not knowledgeable about it? -- The position is that the actual mechanics of how the SRC actually operated and under what condition would be a matter obviously which would be worked out. Subsequently, (30)

once/...

once the principle had been accepted, that was not an issue at that stage, nor was it an issue when we discussed the matter with the director general.

I put it to you the issue was in Atteridgeville and they wanted recognition for their, as they called it, democratically elected SRC's which were already elected at that stage? -- Well, that is, as I already have said, an intricacy which did not arise in my presence.

Can you remember was it one of the complaints of the students or scholars to release all detained students? -- (10) I believe that is one of the problems that did arise in the deliberations which happened to the ministers fraternal itself and Mr Felstead, that was before the meetings were open to the public in general ... (Mr Jacobs intervenes)

It is an easy question. Was the complaint of the scholars and one of their objections before they would go back to school to release all detained students? -- Yes, it was a problem that arose.

And it was mentioned on the meetings? -- It did not happen at the stage at which I am talking about. It happened (20) earlier.

Was it not one of the complaints? -- It was a complaint, but it was not in this set that I am talking about which was presented to the director general.

And another demand was the scrapping of all charges against the students arrested in detention? -- Yes, it did happen, but not at the stage I am talking about. Earlier on it did happen.

Was it a demand of the students? -- One can put it that way. (30)

And/...

And it was also enumerated in the petition? -- No, this was not enumerated in the petition.

Was it one of the demands of the students in Atteridgeville that a decision of when examinations be written, should be made by the students and the parents? -- No, this did not apply in respect of the meetings which I know about and the memorandum or petition which we presented to the director general, not in the deliberations at which I was present.

Was it not a demand of the students? -- No, I am not aware of that. . (10)

Was it a demand the issuing of textbooks to all students? One of the demands? -- Yes, I am aware of that.

Was it also enumerated on this petition? -- I do not remember that being in the petition that we presented.

And I put it to you another one was the scrapping of puppet prefect system, recognition of their democratic SRC's with the students drawn constitution and with any student irrespective of age being a member? -- I do not remember anything which spoke in that vein. I remember that there was this issue of the SRC's, but I do not remember anything (20) which went along the vein that has just been mentioned now.

I would like you to have a look at this document. It was issued by COSAS branch and it was issued and distributed in Atteridgeville . Just to identify it, on the top is COSAS, Congress of South African Students. "Let us unite in action for our democratic demands." The demands are enumerated on the back of it. This was distributed in that area during that period. -- I do not remember seeing it. I am seeing it for the first time.

But you will agree it enumerated the demands of the (30) students/...

students in Atteridgeville? -- These demands or requests ...

(Mr Jacobs intervenes)

It is not a request. It is stated clearly "Let us remain firm with our demands which are ..." It is demands? -- I thought counsel was - may I get the question?

You started answering me when I said it is not requests it is demands. These were the demands in Atteridgeville at the time? -- Well, I do not know. I do not know that these were demands in Atteridgeville because as I have indicated to the court I have not seen this document before. (10)

Was this document not produced on any of the meetings?  
-- No.

If it was distributed in Atteridgeville the people and the parents must have known about this? -- I have indicated that I have never seen this document nor did I hear about it. I see it for the first time now.

I would to hand this in as an exhibit.

COURT : On what basis? It does not even in the contents thereof refer to Pretoria, to Atteridgeville? On what basis do you want to hand it in?

MNR. JACOBS : Ek sal dit dan later deur h ander getuie probeer inhandig. Did you know that it was part of the campaign against black local authorities elections in November or as you said December 1983 that school boycotts were called out and started in Atteridgeville? -- May I hear the question again? (20)  
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That it was part of the UDF campaign against the black local authority elections that the school boycotts were called out by COSAS and in Atteridgeville they started with the school boycott in solidarity with the campaign against the (30)  
election/...

election of black local authority? Are you conversant with that? -- I am not conversant with that. This is news to me.

I would like to refer you to EXHIBIT W63 in volume 11 page 6. I will just identify the document. It is a SASPU National of September 1984.

COURT : What is the admission in respect of this document?

MNR. JACOBS : Ek sal dit net moet kry.

COURT : Very well. Go ahead in the meantime.

MR JACOBS : Under the heading "Bantu education crumbling." (10)

COURT : I am sorry, I do not find this at page 6.

MR JACOBS : Page 6 "Students stay away to keep constitution out" under that heading the first two paragraphs. "Nation-wide student protests during the ethnic elections have shown more clearly that all the ballot-boxes put together that students have totally rejected the new apartheid constitution. Almost one million students from South Africa schools, universities and technicons and training colleges boycotted classes countrywide following a joint call by the Congress of South African Students (COSAS) and the Azanian Students (20) Organisation (AZASO) for a fortnight of protest against the elections."

MR YACOOB : If that is the passage my learned friend is relying on, then the proposition put certainly does not emerge from that passage. That passage ... (Court intervenes)

COURT : Well, will you just wait till he has finished and until he formulates his question again. I know you get quite a bit of exercise jumping up and down but just keep calm.

MR JACOBS : Again, in the same document page 1 column 1 (30)

the/...



the second last paragraph in column 1. It reads "Hundreds of thousands of students boycotting classes in protest against the lack of students representative councils in schools, inadequate and undemocratic education and the implementation of the new constitution" and that COSAS in Atteridgeville were part of the groups boycotting - COSAS branch in Atteridgeville took up this call of COSAS national and they boycotted and the boycotting started in Atteridgeville during the election campaign, before the election campaign in solidarity with the UDF campaign against the elections. (10)

COURT : What is your comment on that? -- I have no knowledge of that. That is news to me also.

Well, it seems that in September 1984 SASPU National wrote that hundreds of thousands of students boycotting classes in protest against the lack of students representative councils and the implementation of the new constitution and that the call had gone out from COAS and AZAPO. At the time, were you aware that a boycott was started to coincide with the elections or with the constitution? -- No.

MR JACOBS : Do you know whether there were boycotts in Atteridgeville during November/December 1983? -- I think the schools closed in November actually. However I know that there was a problem I believe that one of the schools just before the schools closed in November in Atteridgeville - this is what I know very vaguely. (20)

Were there school boycotts during the last quarter of 1983 at Atteridgeville? -- I believe from my knowledge as we were told the problems affecting all the schools in Atteridgeville only began in 1984. There was some problem at one of the schools before the schools closed in 1983. (30)

COURT/...

COURT : When you say a problem, does that mean something which led to a class boycott? -- I do not know exactly what happened at a particular school, whether there was a class boycott, but apparently there was some interruption of classes at a particular school.

MR JACOBS : Which school? -- I do not know. I think its name is - it has changed its name but it is a secondary school in Atteridgeville next to the Atteridgeville railway station. At one time it was Pelindaba, now I think it is Atteridge ... I do not know its name, but it is a school (10) next to the railway station in Atteridgeville.

On the day of the election you were riding around in Atteridgeville and Saulsville? -- That is true.

Did you not notice the children not being at school, being in the streets? -- This was in December on the 7th. The schools had closed already sometime in November.

Are you sure the schools closed in November or did the department close in November? -- Definitely the schools had closed in November.

For the school holidays? -- That is right. (20)

COURT : Do you think that the schools are kept open during the holidays, Mr Jacobs?

MR JACOBS : I asked for school holidays, not for another reason.

COURT : They have never been that keen.

MR JACOBS : Do you know what date in November? -- I do not know exactly what date, but definitely the schools were closed in December.

And is it not so also on this education question that the main complaint of the students is not - the complaints (30) mentioned/...

mentioned by you were short term complaints and short term demands. The main demand was what is called for a democratic education instead of the so-called gutter education. They want what they call people's education and not the existing bantu education. Do you know that. -- If we are talking about these meetings which were held under the auspices of the minister's fraternity, then that certainly did not enter - never entered the fray of the deliberations.

But the point is that the real demand, a long term demand, is establishment of what is called people's educa- (10) tion, scrapping of bantu education? -- I do not know. On that particular matter I cannot comment. I do not know.

In the same document that we refer to, in the same bundle there is an exhibit, I just want to refer you at this stage to EXHIBIT W68 page 2. U edele, hierdie een en die vorige een het die hof gevra wat die erkenning was. Die vorige bewysstuk was die erkenning dit was by Lord McCamel gekry, die getuie in die Vaal.

COURT : That was 63?

MNR. JACOBS : Ja en hierdie een is gekry in Grahamstad. (20) I just want to refer you to the top article "The rent struggle goes on in the townships" and that is referring to Atteridgeville/Saulsville and it is reported here that there was a decision that the residents are not going to pay rents until the rent increases are dropped. "The decision was taken at the last two meetings organised by the Atteridgeville/Saulsville Residents Organisation (ASRO)." Is that correct that it was decided not to pay rent? I remember yesterday you told the court it was the attitude of Atteridgeville/Saulsville Residents Organisation (ASRO) that rent must (30)

be/...

be paid.

COURT : What is the point you are making? I understood the witness to say that the committee of ASRO was in favour of a non-payment of the increase but not in favour of a non-payment of all rent, but that the meeting itself had decided that no rent at all would be paid. Now what is the point that you are making?

MR JACOBS : The other point I want to make, I just want to get it, is it on that same meeting? The other issues taken up on the same meeting is in the last part of this (10) article "Other residents demands are: The scrapping of the lodgers fee, the building of more houses, the reduction of rent." Is that correct? -- Yes, there were resolutions which were also accepted.

COURT : Does this report refer to the two meetings at which this matter of the rent was discussed at which you were not present? -- I believe actually it refers to those two meetings.

MR JACOBS : Did you attend any meeting that was held in Mamelodi where Mr Lekota, accused no. 20 attended? -- (20)  
A meeting in Mamelodi?

Yes? -- No, I did not attend a meeting in Mamelodi.

The funeral of Emma Sathekge, did you attend that? -- I indicated to the court yesterday that I in fact did not attend the funeral.

Where were you that day when the funeral took place?  
-- At the practice.

So, you did not go down there. Another point I just want to raise with you is the area committee of Pretoria, ASRO, who were enumerated by ASRO to attend that area (30)

committee/...

committee to attend UDF area committee meetings? -- No, I do not know who they were.

Did you not in ASRO decide which of your members must regularly attend the area committee meetings? -- Well, I heard about the area committee in Pretoria sometime in 1985 and this happens to be the time when all these petrol bombings had limited my activities, almost brought them to a standstill. So, at that time I was quite ignorant of what was happening.

One of the points why they became antagonistic to (10) you, is it not also that you accused of paying your rent while the other people were not paying rent? Was that not one of them except for your children being in another school? -- That is a complete fallacy and a fabrication.

I am not asking whether it is a fabrication or a fallacy ... -- It is not true.

But was it also one of the reasons or one of the things said against you? -- That was never said against me.

Was it not said at a meeting of your committee, ASRO committee? -- What was said in a newspaper report was that (20) some members of the executive of ASRO had paid rent. This matter was cleared up at a full meeting of ASRO and it was a malicious report part of their campaign of vilification that has been referred to in the court yesterday.

So, it was part of that campaign against you that you did not pay your rent? -- About the rent not me in particular. No names were mentioned in that regard.

Was it not so that a person in the employ of the town council brought a list of people paying the rent to ASRO committee meeting? -- This is not true and never happened. (30)

It/...

It was a newspaper report.

During the time of the campaign against the election of black local authorities did you notice while you were driving around the time from booth to booth any UDF placards or posters saying "Do not vote for apartheid"? -- I did say that on the even of the election we did require hugh posters and banners and this was the time when we did actually have UDF poster and banners. I have said this to this court. I do not know whether it was yesterday or the day before yesterday. (10)

COURT : Yes, but I understood you to say that they were not marked. They did not have the emblem on them? They did not have the UDF emblem on them? -- Yes, I did say so.

MR JACOBS : I would like to go with you to a meeting of 23 October 1983. I would like to put to you that that was a meeting organised by your committee. Is that correct? -- By the ad hoc committee then.

And I would like to put it to you that it was on this meeting on 23 October 1983 when Dr Motlana was the speaker? -- This was actually said by me in evidence before this (20) court. Dr Motlana did speak at that meeting. He was a guest speaker.

Was that the only time that he spoke on a meeting of ASRO?

COURT : We have had this, he spoke on another meeting of ASRO as well. Now why do we have to run through evidence that has already been given? The evidence about the posters was also given in chief and you took it no further at all. Do not ask the witness to repeat what he has already said, unless you want it clarified. (30)

MR JACOBS/...

MR JACOBS : I would like to put it to you that at this meeting you invited other people also to speak on the meeting? -- If I may correct it for record purposes. At that time, talking about the ad hoc committee of Atteridgeville/Saulsville, there were no other speakers from outside the Atteridgeville/Saulsville complex. That has been said before this court.

But you invited people from Atteridgeville from other organisations. For instance Deacon Mathe. Was he not a speaker? -- No, he was not a speaker at this public launch(10) of the ad hoc committee.

Mr Mothupi was a speaker on this meeting? -- Yes, I think I have said this.

And he was speaking at that stage as a member of the Saulsville Hostel Anti-community Council Committee? -- No.

He in his speech spoke against rents, councils and the black local authorities? -- Yes, he spoke definitely about the black local authorities act.

Did he express the view that it was necessary for Atteridgeville that the civic organisation be formed in (20) Atteridgeville? -- Not at this meeting.

I put it to you he did that. Reverend Mosoma, was he also a speaker at this meeting? -- Which meeting are we speaking about now? October, the 23rd?

Yes? Was he a speaker? -- I think his participation was to close the meeting.

I put it to you he was a speaker on this meeting and that he spoke against black local authorities, rent and that they were not acceptable for the people? -- No.

And he also stressed the need for a civic organisation(30)

in/...

in Atteridgeville? -- No.

At this meeting Dr Motlana spoke about the committee of ten and told the people about the committee of ten taking up the complaints of the people in Soweto? -- Dr Motlana did speak at this meeting. In the body of his speech he could have referred to the committee of ten seeing as - the committee of ten is part of the Soweto Civic Association.

And this committee of ten was launched and existed in order to take up the complaints of the people in Soweto? -- That may well have been so. (10)

And he also spoke against the black local authorities act? -- Certainly.

He spoke about UDF? -- No.

And that they affiliated to UDF? -- Pardon?

In Soweto they affiliated to the UDF? -- No. He did not speak about that.

And he also spoke and told the people in Atteridgeville at this meeting to form a civic association? -- Not at that meeting.

He also stressed that it will be a good thing after (20) they have formed the civic association to join the UDF and to affiliate to the UDF? -- No, that was never said by him.

And I put it to you that Deacon Mathe spoke as a representative of SAYO? -- He did not.

He referred again to that anti-community council committee which was formed in Atteridgeville/Saulsville and Mamelodi, in order to inform the people not to vote for the black local authorities but to ... -- No, this did not happen at this meeting.

... boycott the election? -- This did not happen at (30)

this/...



this meeting.

And Mr Moss Chikane was also present at this meeting?  
That is accused no. 21? -- I do not know that.

You could not remember and tell the court yesterday  
what Dr Motlana spoke about every - what he spoke about at  
this meeting? -- Could I hear the question again?

You could not tell the court yesterday what Dr Motlana  
spoke about. Is it correct? -- I did tell the court what  
Dr Motlana said.

You only have a very sketchy memory of what happened(10)  
there? -- I did not have a sketchy memory. I mentioned  
exactly what he said. I do not know whether I should repeat  
what I said yesterday, but I did mention what Dr Motlana  
said at that meeting and I can do so now if I am asked to  
do so.

I just want to put to you in general that on 25 March  
1984 ASRO held a mass meeting, a public meeting in Atterridge-  
ville in the Catholic church? -- ASRO was formed in February  
1984.

Can you remember the meeting in March, 25 March 1984?(20)  
The next month after ASRO was launched? -- Where was it held?

In the Roman Catholic Church Atteridgeville? -- Well,  
at the present moment I remember distinctly the meeting  
which was held at the Roman Catholic Church in Saulsville.  
Any way may be the context may remind me.

Is it not so that Father Mkhathshwa was to be a speaker  
on that meeting and he did not turn up. Can you remember  
the meeting now? -- 1984? No, I do not remember a meeting  
where Father Mkhathshwa was to be a speaker in 1984 - at that  
time of the year. He was invited to speak as I have said (30)

to/...

to this court at a subsequent meeting where he was going to share the platform with Mr Popo Molefe who I think is accused no. 19. That I remember, but not this one that you are mentioning now.

At this meeting he had to speak but he did not turn up. -- I do not know that.

And at this meeting you also invited a speaker from SAYO, that is Deacon Mathe and Mr Titus Mafolo also spoke at this meeting? -- Mr Titus Mafolo is in fact a member of the executive committee of ASRO and this was actually said(10) before this court.

So, you did invite for this meeting people from the other organisation SAYO? -- No, I denied that Mr Deacon Mathe was to speak. I was merely illustrating - indicating to the court that I know that Mr Titus Mafolo is a member of ASRO and there is no news about that.

And the purpose of this meeting was to popularise the UDF and to get the people to accept the UDF? -- Well, I do not know that.

You do not know anything about this meeting. Then (20) another meeting was held on 26 August 1984, an ASRO meeting. Can you remember that meeting? -- Where?

In the NG Kerk Atteridgeville? -- I am not sure because we indicated to the court that there was a time when there was this blanket ban on meetings and as a result of which we only had a meeting again in November 1984.

I put it to you that you are wrong in that, because you did hold a meeting on 26 August 1984 in Atteridgeville in the NG Kerk?-- Well, it is possible.

So, there was no ban? -- No, there was definitely a (30) ban/...

ban. It could have been in September but definitely there was a ban. The records can show that in fact there was a ban on meetings in Pretoria magisterial district in 1984. The exact time span I do not know but this was a fact and it did happen.

COURT ADJOURNS.

COURT RESUMES.

ABRAHAM SOKHAYA NKOMO, still under oath

FURTHER CROSS-EXAMINATION BY MR JACOBS : Dr Nkomo, the meeting of 26 August was advertised by a pamphlet issued by ASRO. I am not going to hand it in, but I will show it to you (10) and it was for 26 August for 14h00. "Speakers: Diboledi, Pharaphara, Mothupi, Dr Nkomo (that is yourself) and Reverend Motsama." Is it correct? It was advertised by a pamphlet issued by ASRO for that date 26 August 1984? -- Well, this circular does have my name, but I do not believe that I did attend this meeting.

COURT : Well, any way, the question is do you admit that there was a meeting on that day, 26 August 1984? -- I do not know what took place. It may have fallen into the period when the meetings were banned. (20)

MR JACOBS : It was advertised by a pamphlet issued by ASRO. Is it correct? -- Yes, it was advertised by ASRO.

And you were part and parcel of the committee who drew up that pamphlet and have it circulated? -- That is right.

And the purpose of this meeting was in connection with rent. Is that correct? -- That is right.

And to plan steps to be taken against rent increased? -- That is right.

And I put it to you that you attended that meeting? -- No, I believe that this meeting must have fallen during (30) the/...

the period when there was this blanket ban.

I put it to you you are wrong in that because you spoke at that meeting. Specifically you were one of the speakers and you did speak? -- No, I must deny that.

Is it not so that on this meeting it was decided, perhaps that will help you to remember, that ASRO was desirous to have a women's branch in Atteridgeville/Saulsville and they were going to do something to have a women's branch, to launch a women's branch? -- The fact that ASRO did intend actually to have a women's branch is very true, but I do (10) not know that it happened on this particular day. As I have already indicated I do not believe that I attended a meeting on this date.

COURT : Well, did they decide, was there a resolution that a women's branch would be founded? -- At one stage it did happen. I cannot remember exactly when.

MR JACOBS : I can tell you why you are now saying that you do not remember being at this meeting. It was because on this meeting it was decided to boycott the businesses of the councillors? -- Well, I do not know that. As I have (20) already indicated that I believe that this meetings falls within the period that I have already indicated.

And there was a resolution on this meeting to boycott the businesses of councillors? -- Well, I do not know that.

Was it not reported back afterwards, after the meeting to the committee? -- Well, I do not know that the meeting actually took place.

COURT : Well, was there a report at any stage to the committee of ASRO at a committee meeting that there had been a resolution at a general meeting to boycott businesses of (30)

councillors/...

councillors? -- No, that I do not remember being reported back to us at any stage.

MR JACOBS : That was what the advertisement said that they must plan what steps to take. That was one of the steps that the meeting decided on? -- No, I do not know that.

I put it to you, you and the other persons, speakers on this meeting, called the councillors puppets of the government, that they must be rejected by the people? -- As I have indicated to the court yesterday I have never personally referred to anybody by that epithet. (10)

At the meeting on 17 February 1985, that was a meeting of ASRO, did you attend that meeting? -- I did indicate yesterday to the court that I did not attend that meeting.

That is the meeting where Mr Popo Molefe was present and Mr Mkhathshwa? -- I indicated to the court yesterday that I did not attend that meeting.

Did you take part in the planning of this meeting in the committee in ASRO? -- Yes, I did say that I did attend the meetings of the executive committee.

That was not my question whether you attended meetings (20) of the executive committee. My question was did you take part in ASRO committee planning this meeting, this specific public meeting? -- Yes, I did.

Did you decide on that meeting on the speakers for the meeting? -- Yes.

On what speakers did you decide at that committee meeting? -- Mr Popo Molefe and Father Mkhathshwa.

And other speakers? -- Those are the speakers I remember. Only two speakers? -- The guest speakers?

Did you only decide on two speakers for the whole (30) meeting/...

meeting? -- That is right.

You did not decide on local speakers also to be speakers on the meeting? -- No.

Why did you decide on Mr Molefe and - okay, let us take him first. Why did you invite him to speak to the people there? -- I wanted him to be known.

Why? -- Because he articulated the position of the people.

Or did you also want him to come and tell the people about the UDF? -- Well, may be in the course of his delivery(10) he might have caused to mention the thing that was undoubted.

What was the purpose of this meeting? This mass meeting when you planned it? For what purpose did you plan this meeting? -- This meeting coincided with the problem of the rent increase and it is at this meeting I believe where we were defeated, the executive committee in our proposal about the non-payment of only the increase.

So, was the purpose also that Mr Molefe must come and tell you about the UDF's stand against black local authorities and so on? -- The black local authorities act was no longer(20) the burning issue. It was the burning issue at the time of the - prior to the elections.

I did not ask you anything about the act. I asked whether you asked Mr Molefe to come to Atteridgeville/Saulsville and tell the people about their stand against black local authorities? -- No.

Black local authorities and the act are two different things. Do you agree? -- No, he was not given any limitation.

But was that not the purpose? -- That was not the purpose. Because there were rent increases and the people must (30)

know/...

know about Mr Molefe, must know about UDF and must know about the stand of UDF? -- That was not the position.

And Mr Smangaliso Mkhathshwa, why did you invite him? For what purpose? -- Because of his stature. We wanted him to have a public image amongst the residents of the Saulsville/Atteridgeville complex.

And also because he is in the UDF? -- Well, we cannot deny that.

Was that also the purpose to popularise UDF in Saulsville/Atteridgeville? -- Well, we had already participated in (10) the million signature campaign.

That is not what I asked you. Was it to popularise UDF in Saulsville/Atteridgeville? -- Yes, it would obviously result from that.

I put it to you that Titus Mafolo and Pharaphara Mothupi were also decided by you to be speakers on this mass meeting? -- I beg your pardon?

I put it to you that you at that committee meeting also decided that Mr Titus Mafolo and Mr Pharaphara Mothupi must be speakers on that mass meeting? -- No, no decision was (20) taken about that.

COURT : Mr Jacobs, you mentioned some speakers at the previous meeting according to the pamphlet which we have not seen. What was the first name? How do you spell it?

MR JACOBS : Mr Diboledi. Just while we have this document now, who is Mr Diboledi? -- That is nothing like that. Diboledi is the Sotho for speakers.

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COURT : Mr Jacobs, after Diboledi there was a colon.

MNR. JACOBS : Ek sien dit nou eers. Did you attend a meeting on 14 March 1985 in Atteridgeville? -- No, I did say to (30)

the/...

the court even yesterday that I did not attend a public meeting.

COURT : What was the date?

MR JACOBS : 3 February 1985. Who planned or who organised this meeting? -- The executive of ASRO of which I am a member.

I just want to put it to you that you did attend that meeting and you did speak at that meeting? -- No,. I did not.

Again, when you planned this mass meeting, what was the purpose of this meeting? -- This meeting was where we hoped that our committee proposal would be carried by the mass (10) meeting.

What committee proposal? -- That we should restrict ourselves only to a non-payment of the increase and not the rent as a whole.

And to this meeting I put it to you that when you planned and organised the meeting, you also decided on the speakers to carry your message to the people on the meeting? -- I cannot remember the speakers, who the speakers were.

But did you plan and speak about the speakers, decided on it who you would invite? -- We should have. We may (20) have.

I put it to you that Mr Deacon Mathe of SAYO was one of the speakers that you decided on to invite? -- No, I do not remember that.

Do you know a Mr Modibe? -- Modibe?

Yes, because he is one of your invited speakers? -- No, I do not know him.

And Mr Madihlaba? -- No, I am sorry I have never heard of him.

He was also one of your invited speakers to that (30)

meeting/...



meeting? -- Madihlaba? No, I do not know him.

I would like to put it to you that ASRO was part of the UDF? -- ASRO I have said to the court yesterday affiliated, in fact was an affiliate of the UDF.

And I put it to you that you in ASRO adhered to the policy and the aims and objects of the UDF? -- That is true, as an affiliate.

And that your main purpose was to mobilise and organise the people to take part in the freedom struggle? -- Yes.

And in order to organise and mobilise the people it was (10) part of the policy to make use of issues like black local authorities, education, rents, evictions, conditions of streets, anything that you can find in the community that can be used for the purpose mobilising the people? -- My position on this situation of the pride of the people was that while I stood opposed to the black local authorities act and would do anything lawfully to oppose the implementation of the black local authorities act, I would not do it at the expense of the people. This is why therefore while fighting the council system, it was our obligation, my obligation (20) to see to it that the way it was implemented did not increase the disadvantage of the people. It is to that extent therefore that for instance I have fought against the increase in the rent legally, through the legal resources centre and through every lawful means that I could apply.

But my question is that it was used to mobilise and organise the people and then you used the issues like black local authorities, rents, evictions, education? Those are only a few examples. Is it correct? -- I find it difficult - to answer the question because it would seem to me that when (30) one/...

one wants to heal somebody of his pride, pneumonia which he may be suffering from, then one is said that in fact he is using the pneumonia for ulterior motive. That is the implication of that statement you are making. I am sorry.

And that is what actually happened at the meetings, house meetings and door to door meetings, placards, pamphlets in Atteridgeville that you used rent increases, evictions, conditions of streets, the black local authorities in order to mobilise the people and to organise them? -- I deny that.

And to popularise ASRO and the UDF? -- I believe that(10) we had ways of popularising ASRO such as alleviating the pride of the people who were to be removed from Buys-Mbatha. The fact that we were able to succeed legally and lawfully to reduce the rent, we could popularise ASRO that way without taking advantage of the misery of the people to actually improve our public image.

And I put it further to you that it is also the belief and policy of UDF that it is the people who must free the country against the common enemy, that is the government, to establish a government of the people? All this is part(20) of that? -- I do not know whether I am being asked the question for a comment. I am sorry, I do not quite understand.

All that took place in Atteridgeville, Saulsville and all the organisation did by ASRO was in order to get the people who must free the country to stand up against the government, the so-called common enemy in order to establish a government of the people in South Africa? -- Well, I do not know what the interpretation is. I think I am not being asked for an answer, I think I am being asked for a comment.

No, the fact is put to you. I put it to you as a (30)  
fact/...

fact that that is what happened and what is the purpose. -- Well, I really do not know how to respond to that, because I really do not know whether this is a question or a comment. Am I being asked to answer a question or to comment? If I could be given some indication, then I would know how to respond.

COURT : Do you want to comment on the statement by counsel? If you do not want to, you need not. He says that the organisation of ASRO was against the government and the intention was to establish a government of the people? -- It(10) is true that ASRO is against the policies of the present government.

MR JACOBS : And is it also true that ASRO is working towards establishing a government of the people, according to the freedom charter? -- I do not know that what we could see as something perhaps just a little more than a ratepayers association can actually be able to bring about a new government. It may be that ASRO is being thrust upon with a responsibility far greater than if ability limited such as it is to be able to achieve. (20)

Is it not so that under the UDF ASRO is doing its little part in the national freedom struggle in order to establish a government of the people? -- Well, I think we can say that it does in a limited way inform the people, because informed people would then be able to persuade with greater ability the government of the day, but it should accede to the wishes and aspirations of the people. Now, that a sinister connotation should not be given to this. Change must be perhaps understood to mean the ability of the people to persuade those in power if they are responsive to (30) the/...

the discipline and orderly persuasion of those whom they rule to respond and be receptive to the aspirations of those people. This I believe is what must be understood - change must be understood in that particular context.

Is it correct that it is your and ASRO's aim to establish a government of the people? In short, yes or no? -- No, I do not think that we have actually claimed, that we are actually of the stature that we can actually bring about a change of government. That we have not said.

Is it an aim of yours, the establishment of a govern-(10)  
ment of the people? -- We have not said so.

I beg your pardon? -- We have not said so. ASRO has not said so. Therefore I would not have a mandate to speak outside the constraints of which is purely a civic association.

I put it to you that as part of the UDF in a national effort ASRO is doing little part to establish a government of the people? -- I think I have made my remarks to the court on this particular one. I cannot elaborate more further. (20)

RE-EXAMINATION BY MR YACOOB : Doctor, you gave evidence and I want to turn to the period May to October 1983, this is the period when sectional, as you call them, meetings were held. You have given evidence that the people from SAYO helped to by distributing pamphlets on behalf of the then ad hoc committee. Do you recall that? -- That is true.

What was the method by which pamphlets were distributed? Can you recall?

MNR. JACOBS : Ek wil net sê mnr. Yacoob gaan nou op 'n nuwe veld in wat nie voortvloei uit kruisondervraging nie. (30)

COURT : This does not flow from the evidence-in-chief or the cross-examination.

MR YACOOB : It does in a sense flow. If I tell your lordship how it flows, then it may well be that I would be giving the witness a hint to answer the question. May be the witness can leave then I could tell your lordship.

COURT : Why was it not led in chief?

MR YACOOB : Because it arises out of the cross-examination.

COURT : Very well, doctor, will you just leave the room, please, stand outside the court-room. (10)

MR YACOOB : It was put under cross-examination that people from SAYO also participated in house visits. All I am trying to establish is whether one of the methods of distributing pamphlets is to take them to people's homes and deliver it there personally.

COURT : How would the witness know if he did not participate in the distribution itself?

MR YACOOB : No, but there may have been discussions at the committee meeting as to how pamphlets were to be distributed.

COURT : The moment you ask this the cross-examination is (20) re-opened on where and when and what. What does it matter in any event?

MR YACOOB : I will leave it at that.

COURT : The witness can return. The previous question you can disregard.

MR YACOOB : In your evidence in cross-examination you said Popo Molefe was present at a meeting and spoke at a meeting in Atteridgeville. Do you recall that? -- I recall that.

Were you present at this meeting? -- No, I was not present at this meeting. (30)

I have no further questions, thank you.

NO FURTHER QUESTIONS.

- - - - -

MR YACOOB : The next witness will be led by my learned friend Mr Tip, but before that accused no. 14, Mr Tlhopane advised me that when he went to the eye specialist last week, he was in fact asked to return tomorrow. He handed me a card which demonstrates that this is so. I do not know where I put it, but may I ask that he be excused tomorrow to go to the eye specialist.

COURT : Permission is granted. (10)

MR TIP : The next witness will be from Graaff-Reinet and her name is Charmaine Nobantu Sam. She will testify in Xhosa.

CHARMAINE NOBANTU SAM, d.s.s. (Through interpreter)

EXAMINATION BY MR TIP : Miss Sam, you are nineteen years old? -- That is so.

And a student in St. 9 at Ngqweba School in Graaff-Reinet?  
-- That is so.

You self live in Graaff-Reinet and have lived there since about 1972. Is that correct? -- That is so. (20)

And in 1984 were you a student at the same school? --  
Yes, that is so.

ASSESSOR (MR KRUGEL) : In standard? -- In 1984?

Yes? -- St. 8.

COURT : Have you in four years only progressed one standard?  
-- That is so.

MR TIP : My lord, some of the reasons for that will become apparent. I would like you to begin now by telling his lordship at the beginning of 1984 were there any community organisations/...

organisations in existence in Graaff-Reinet that you were aware of? -- No, there was none.

Without going into details, were there any problems experienced by people living in Graaff-Reinet? -- Yes, there were.

Perhaps we should just make this clear. What part of Graaff-Reinet did you live in? -- In the black township.

Its name being? -- Masizakhe.

COURT : Is that the only black township there is? -- That is so. (10)

Is there also a coloured township? -- Yes, there is.

What is the name? -- There are three of them, for coloureds.

MR TIP : Did you come to hear of an organisation called Graaff-Reinet Youth Congress? -- Yes, for the first time in March 1984.

And is that organisation abbreviated GRYCO? -- That is so.

Will you describe briefly to his lordship where you have heard of that organisation? -- When I heard about this organisation for the first time it was during my attending a residents meeting which was held. This meeting was in (20) fact called by GRYCO at which meeting the residents were invited to attend.

And was GRYCO introduced to the residents at that meeting? -- That is so.

COURT : Was the meeting held in the black township? -- That is so.

Is GRYCO a black organisation? -- No, it is for everybody.

MR TIP : Just another detail on that same subject. What sorts of people were welcomed to become members of GRYCO?

-- Youth and scholars. (30)

Was the purpose of GRYCO explained to the people at that meeting? -- Yes, it was.

And what do you recall about what was explained? -- What was said there is that this organisation was formed because of the involvement of the youth in the happenings of violence which took place there and which later resulted in the youth being involved in the sense that there were youth who took part in drunkenness. (The word used by the witness for my interpretation of violence, she is now putting it as follows, meaning that they were involved in some (10) criminal offences.)

Can you tell his lordship whether there was a fairly high level of unemployment amongst the youth in Graaff-Reinet at that time? -- During that period there was quite many people who were not employed.

Was it explained what sorts of activities GRYCO would try to start? -- Yes, it was said.

Would you indicate to his lordship briefly what they were? -- What was said was that because it had become apparent that the youth had taken part in some criminal activities (20) it was therefore felt that GRYCO was going to form some groups at which groups the youth shall have to take part by meeting in those groups.

COURT : Were these debating groups or table-tennis groups or drinking groups? What were they? -- This involved games and cultural activities.

MR TIP : You mentioned to his lordship that scholars were also welcome as members. Did the question of scholars and schools come into the discussion there? -- There were general discussions in general about our education and the schooling (30)



at that time, the method of teaching.

COURT : Are we now speaking about the meeting?

MR TIP : Still at the meeting, yes.

COURT : Are you discussing the meeting? -- Yes.

MR TIP : What was said about the conditions at the schools? --  
What was said about the schools was the condition of schools  
was discussed in the sense that there were structures, that  
is the building of the school and these did not have desks  
for the students, that is the scholars and for the junior  
schools there was no school building at all. They were (10)  
attending classes in church buildings.

We will leave that meeting now. Did you become a member  
of GRYCO? -- That is so.

Were you ever on the executive of GRYCO? -- No, that  
is not so.

Can you tell his lordship whether GRYCO launched any  
campaigns in Graaff-Reinet that you were aware of? -- Yes,  
there are.

Which were they? -- The one million signature campaign  
is the campaign that was there. (20)

Do you remember approximately when that was? -- During  
April 1984.

Did you personally take part in that campaign? -- Yes,  
that is so.

By doing what? -- I was one of those who were going  
around in the township within the residents for the purposes  
of carrying out the campaign.

COURT : Collected signatures? -- Yes, that is so.

MR TIP : Whilst we are at April 1984, could you tell his  
lordship at this stage at any time heard of an organisation(30)

known/...

known as GRAFCOM? -- No, there was no such an organisation.

In April 1984? -- Yes.

Are you able to tell his lordship whether such organisation - we know that such an organisation came into existence - when it came in existence? -- July 1984.

What can you say about evidence that has been led in this court that GRAFCOM had a public meeting in April 1984 at which councillors were called puppets and had been part of dummy institutions?

MNR. FICK : Die staat maak beswaar. Dit is eerstens leidend(10) en tweedens klink dit vir my dit gaan hoorsê wees wat nou kom. As my geleerde vriend net 'n basis kan lê op watter basis stel hy die vraag.

MR TIP : I thought I had laid the basis by ... (Court intervenes)

COURT : By saying it did not exist.

MR TIP : Yes, at that stage.

COURT : Yes, the question is allowed.

MR TIP : Do you know of such a public meeting? -- There was no such a meeting. (20)

And just to complete the picture and general terms, can you tell his lordship please whether you know of a branch of COSAS being formed in Graaff-Reinet? -- Yes, there was.

Do you recall when that was formed? -- June 1984.

My lord, we will detail further later about that committee. I want to go a little back in time with you now to earlier in the year of 1984. Did you know Mpumelelo Pase, also known as Spiri? -- Yes, I do.

Was he at the beginning of 1984 one of your fellow (30) students/...

students at the Ngqweba High School? -- Yes, he was.

Did he remain a student at that school? -- No.

What were the circumstances of that? -- He was expelled from school because of his having been involved in a fighting with another scholar.

On what day was he expelled? -- It was on the last day of the first quarter of that year.

In the course of March 1984? -- That is so.

Was the other student expelled? That is the other student that was involved in the fight with Pase? -- No, he was (10) not expelled.

COURT : Was he still alive? -- Yes, he was still alive.

COURT ADJOURNS.      COURT RESUMES.

K1310

CHARMAINE NOBANTU SAM, still under oath

FURTHER EXAMINATION BY MR TIP : Miss Sam, before the adjournment you told his lordship about the expulsion of Spiri Pase. After that were you present at any discussions concerning that step amongst students? -- Yes, I was.

And in essence what views were expressed by the students concerning his expulsion? -- The view of the students was (20) as a student who had done something wrong at the school, he was supposed to have been punished, yes, but the punishment which was exercised on him was rather too excessive.

After the expulsion did you return to school in the normal way in the new term? -- That is so.

And could you tell his lordship please whether the students at that school took any steps concerning Pase's expulsion? -- Yes, what happened is that the scholars approached the head of the school to try and discuss this, as a result of which the head of the school said it does not concern (30)

the/...

the scholars, that is not a matter to be discussed by the scholars.

When you say the scholars approached the principal, was that all the scholars? -- A delegation of scholars approached the principal.

And did that delegation report back to the scholars as a whole? -- This is what they did.

COURT : This Spiri, was he a student leader? -- That is not so.

What standard was he in? -- Standard 7. (10)

MR TIP : The delegation that went to the principal, can you give his lordship some idea of how many times it went to the principal? -- About four times.

After these delegations had been and reported back on thos approximately four times, did the students decide to do something further? -- Yes.

What was that? -- The boycotting of classrooms until he was re-registered and re-admitted at school.

Perhaps you should just explain when you say boycott of classrooms, what does that mean? -- That means we are (20) going to attend school, that is going to school as usual, but we are not going to go into the classrooms. We are going to remain outside on the premises without going into classes.

Did that apply to all the students at the school? -- No, that is so.

Could you just explain that, please? -- It was not all the students who agreed with the decision of boycotting the classrooms. As a result those that did not agree with that were going into classrooms and were going on with the class(30)

and/..

and those that felt they were going to take part in the boycott, were those that remained outside the classrooms.

COURT : In what proportion? -- The majority of the students were those that remained outside.

MR TIP : I want to come now to 24 April 1984, the day after the Easter weekend. Did the students who were boycotting gather as usual at the school? -- Yes, that is so.

Did they discuss what they were do on that day? Were any decisions taken? -- There were discussions amongst the scholars there and the decision taken was that the principal(10) is again to be approached.

COURT : Were you one of the boycotters? -- That is so.

MR TIP : What was the approach to the principal to be? What was the delegation to say? -- This time the approach was that a request was to be made by the delegation by the principal to call the chairman of the school committee.

Just for record, do you remember the name of that chairman? -- Mr Bensiwa.

ASSESSOR (MR KRUGEL) : Is that his surname? -- I beg your pardon, Ben is his name. Siwa is the surname. (20)

MR TIP : Did the delegation report back? -- Yes, they did come and report.

What was the report given to the students? -- The report the head of the school is not around, he has gone on holiday, the chairman is not around, he has gone on holiday. This was reported by the head of the school to the delegation.

I want you to carry on and tell his lordship what happened on that day? -- It became clear that the scholars were not satisfied with that kind of a report, because it was known to the scholars that this person, the chairman of the (30) committee/...

committee is around. As a result of which then it was decided by the scholars that the principal must be informed about what was going to happen next, namely that a scholar was going to be sent from amongst the scholars to go and call the chairman of the school committee. A scholar was then sent to go and call the chairman of the school committee. According to the report he was found but he did not come. After that the head of the school told those scholars who were sent that he as the head of the school is going to compel the scholars to get into classes. As a result of (10) what was said by the head of the school, the scholars then locked the gate and thereafter came to sit in front of the classrooms whereas prior to this having been said by the head of the school, these scholars were sitting at the back of the school.

COURT : You mean at the back of the premises? -- That is so. It was after all that, that is the locking of the gate and changing of their sitting position by the scholars that somebody was sent to go and call the chairman of the school committee and those that were sent to the principal remained (20) at the principal's office waiting for the chairman of the school committee to come. While that was happening, with this man not showing up, that is the chairman of the school committee, Mr Blackie accompanied by the police approached.

MR TIP : Could we just one of two details on record. Firstly the name of the principal, I do not think we have that yet? -- Mr Mankayi.

And you mentioned Mr Blackie, who was he? -- One of the school inspectors.

Carry on, please? Mr Blackie arrived together with (30)

the/...

the police? -- On his arrival at the school, Mr Blackie went to the headmaster's office first. On his getting there, those students who had been waiting in that office came and joined the other students who were waiting outside. Later Mr Blackie in the company of the head of the school Mr Mankayi came to the students. On their arrival where the students were, Mr Blackie announced the students that he was officially closing the school until the next week, during which we were going to receive letters, in which letters we would be invited to come to school. (10)

At that stage where were the police that you mentioned? -- The police had taken position in the immediate vicinity of the gate and some were standing around there not far from where the scholars were.

Was that inside or outside the school premises? -- Inside.

At that stage after the police had arrived, was there any chanting of slogans by the students? -- No, there was not.

Had there at any stage during the boycott been any slogans chanted? -- Yes, there was. (20)

Can you remember what was said? What was chanted? -- "Viva UDF" and GRYCO was also mentioned.

Was this something that happened frequently? -- No, not frequently.

Was the slogan "Viva GRAFCOM" ever chanted by the students? -- That is not so.

Continue please telling his lordship what happened? You got to the stage where you described how Mr Blackie and how Mr Mankayi were before the students and the announcement had been made about the school closure. What happened (30) after/...

after that? -- Mr Mankayi was interpreting what Mr Blackie was saying. After that was said, that is the announcement the students who were right in front then requested that they be given some few minutes to go and collect their belongings, namely the books and the other things which were in the classrooms at the time. I am not certain whether anything was said with reference to the request for collecting belongings. The next thing that I heard that I remember is Mr Blackie saying "Vat hulle".

ASSESSOR (MR KRUGEL) : Who made this request? -- This request(10) was made by the scholars who were standing right in front.

MR TIP : When Mr Blackie said "Vat hulle", to whom did he address that remark? -- He was addressing the police.

And what happened then? -- The police then started hitting us with the sjamboks they had with them.

Were you personally struck by a sjambok? -- No, I was not.

Before the police took this action, did they themselves make any announcement? -- No, they did not say anything.

What did you yourself do once the police took action (20) against the students? -- I ran in the direction of the administration block.

And, after that? -- I took cover in the administration block and remained there until everybody had left and the police had left. It was only then that I also left.

COURT : Administration block of the school? -- Yes.

MR TIP : On that day, 24 April 1984, how were the students dressed? -- In a school uniform.

Did you see any students wearing UDF T-shirts? -- No, there was none.

(30)

On/...



On the basis of your own observation, could you tell his lordship approximately when you first saw UDF T-shirts in Graaff-Reinet? -- It was during August 1984.

Do you have any personal knowledge of the car of Mr Blackie being burnt? -- I do not have an idea.

Or were stones thrown to the houses of Mr Mankayi and Mr Moshes? -- I do not have an idea either on that.

Did you afterwards see the burnt out wreck of Mr Blackie's car? -- Yes, I saw that.

During the week following these events on 24 April (10) did you receive notification that you should apply for re-admission? -- I received it, yes.

When were you to do that? -- 30 April.

Did you go to school yourself for that purpose? -- Yes, I did.

Were there a number of students doing the same? -- There were.

Whilst that was happening, whilst the re-admission was in process, can you tell his lordship what happened? -- While this was going on, that is the process of re-registering (20) was going on, there were quite many students standing outside there when one of the inspectors arrived approaching the school. After the inspector had entered the office of the headmaster then the police vehicles appeared on the scene. Because of what had happened during the previous week, namely the hitting of the students by the police, then there was that feeling that the students who were outside, had to run away. It was at that stage when the police set a dog on one of the students and those that were caught by the police were given a hiding. (30)

COURT : Could I just get some clarity here. Were those standing outside, outside the premises? -- No, in the premises.

Were they all there for the purpose of re-registration? -- That is so. After that it became clear that some of the students did not re-register. I was one of those who had registered and I therefore left.

Were some students not invited to re-register? That is left out of the invitation? -- No, all of us that were there had received the invitation.

MR TIP : As a matter of fact, can you tell his lordship (10) whether some students did not re-register? -- There were.

After that date, did you personally continue with your schooling? -- That is so.

I want to go on to the end of that term, that is before the June holidays, the midyear holidays. What was the position at the school? Were all students at that stage studying again? -- No, not all in the sense that only those who were able to re-register in April were attending school and those who did not register or did not have the opportunity of registering, were not re-admitted. (20)

Was there a meeting at the end of that term of any students? -- There was.

Were you present at that meeting? -- That is so.

And what was decided? -- The decision that was taken at this meeting was that those of us who were able to re-register must not forget those that did not get the opportunity of re-registering.

COURT : Yes and what about it? -- No, nothing was said as to what would happen then.

MR TIP : Was a committee of students formed? -- Yes, there (30)

was/...

was.

And at what stage did it get a name? -- During the following week after the closure of the schools.

COURT : That is in the vacation? -- That is so.

MR TIP : What name was decided on? -- COSAS.

And were you a member of the committee? -- That is so.

COURT : What were your function on the committee? -- I was the secretary.

MR TIP : The initiative for the formation of this COSAS committee, did that come from anybody outside Graaff-Reinet?(10)  
-- No, that is not so.

At the stage that you formed this committee, had there been any approaches from members of the COSAS region or of COSAS national? -- No, there was none.

And at the time that you called yourselves the COSAS committee, did any of you have literature about COSAS? -- No, there was none.

Did your committee take any steps to contact the regional office of COSAS? -- Yes, we did take steps to that.

What were they? -- A delegation of scholars was sent (20) from our scholars to go and meet those scholars who were serving in that region.

COURT : Where was that? -- This was in Port Elizabeth.

MR TIP : And did they come back with any document? --Yes, they did.

And what was that? -- A copy of the constitution.

Of COSAS? -- That is so.

COURT : Did all this happen during the vacation? -- No, that is not so.

When did this happen? -- When the schools re-opened in(30)

July/...

July.

MR TIP : Until the end of 1984 did any persons from COSAS regional or COSAS national visit your committee in Graaff-Reinet?

-- No, not even one.

Was there any communication at all that you know of between your committee and COSAS regional or COSAS national until the end of 1984? -- No, I know of none.

Did you yourself remain at school attending classes until the end of 1984? -- That is not so.

Would you explain briefly to his lordship how it (10) happened that you no longer attended school? -- What happened is, the scholars met during 1984 at which they said that they would not be able to sit for the end of the year examinations, the reason being that their school mates were not given the opportunity of re-registering and therefore would not be writing any examinations.

Was that a proposal that came from the COSAS committee or from the students? -- It came from the students.

COURT : When was this proposal made? -- In August.

And the exams were to be when? -- November. (20)

So, in August you decided not to attend the exams? -- That is so.

And did you then at the same time terminate your schooling? -- That is so.

The whole school? -- Just a few remained attending school. I think not more than ten. Otherwise the rest did not go to school.

How big is this school? -- The scholars there are about five hundred.

MR TIP : I want to go on to a meeting held on 8 August (30)

1984. A meeting called by GRAFCOM. Were you present at that meeting? -- That is so.

COURT : What does GRAFCOM stand for? -- Graaff-Reinet Community Organisation.

MR TIP : Do you remember seeing banners of any organisations there? -- Yes, I do.

Which do you recall? -- GRAFCOM and GRYCO and UDF.

Was there a COSAS banner? -- That is not so.

Could you have a look please at EXHIBIT ABA5. For record purposes it is a document which has at the top UDF songs (10) Aug 1984 - August 1984. At that meeting on 8 August 1984, did you see a document such as the one before you? -- No, I did not see it.

Did the persons running the meeting make any mention of such a document? -- That is not so.

And as far as you could tell there, was any use made by people of such a document at the meeting? -- Nothing was said about it.

At any stage throughout the whole of 1984 at meetings that you personally attended of COSAS or of GRYCO or of (20) GRAFCOM was there ever any suggestion that persons should undertake any violent action against any other body or any property? -- No, nothing of that sort ever happened.

We have had evidence in this court of items of grafitti painted in Graaff-Reinet. Your lordship will recall photographs handed in. I do not propose to show them to the witness, but I just want to ask, at any meeting at which you were present of any of these organisations, was there ever any discussion about painting grafitti? -- No, there was no such.

KRUISONDERVRAGING DEUR MNR. FICK : Juffrou, kan u vir die hof sê aan die begin van 1984 weet u of daar enige raadsvergaderings gehou was in die swartwoongebiede? Net ja of nee?

HOF : Raadsvergaderings?

MNR. FICK : Raadsvergaderings vir die gemeenskapsraad.

HOF : Dit is iets anders. Raadsvergaderings is waar die raad self vergader. U bedoel publieke vergaderings, openbare vergaderings deur raadslede belê?

MNR. FICK : Ek sal dit duidelik maak. Openbare vergaderings deur raadslede belê? -- Nee, dit is nie so nie. (10)

Sê u daar was nooit gehou nie? -- Ek sal nie kan sê nie. Ek weet nie, maar ek onthou nie dat ek dit al ooit gehoor het nie.

HOF : Was daar raadslede in die swartwoonbuurt? -- Ja, daar was.

MNR. FICK : Is u so seker oor die stigting van GRYCO in Maart 1984 as wat u is oor die stigting van GRAFCOM in Julie 1984? -- Ja, ek is seker.

Want ek wil dit aan u stel u is verkeerd? -- Ek is seker.

Ek wil aan u stel dat hierdie organisasies GRYCO en (20) GRAFCOM het in Februarie 1984 al geopereer? -- GRAFCOM het nie bestaan nie.

Ek wil aan u verder stel dat volgens GRAFCOM self het hy in Juniemaand al 'n herdenkingsdiens gereël gehad? -- GRAFCOM het nie in Juniemaand bestaan nie.

Ek wil u net verwys ns BEWYSSTUK ABA6. Dit is 'n GRAFCOM Nuus en die eerste paragraaf onder die opskrif "Geskiedenis van GRAFCOM" onder punt 2 is daar 'n subhofie "Vordering van GRAFCOM". Daar sê GRAFCOM afgesien van disko's en video-vertonings en twee konferensies het hulle ook 'n gedenkdiens (30)

op 16 Junie gehou? -- Ek het nie kennis daarvan nie.

Ek wil aan u stel die datums wat u gee vir hierdie twee organisasies om te begin GRAFCOM en GRYCO is totaal verkeerd. U is onder 'n wanindruk? -- Ek is seker daarvan dat dit die waarheid is.

HOF : Was GRAFCOM 'n samevoeging van kerkorganisasies, sport-organisasies en studente-organisasies onder die vaandel van die UDF? -- Ek het nie kennis daarvan dat GRAFCOM al ooit onder UDF was nie.

Weet u of iets gedurende Julie van 1984 bymekaar gekom(10) het of organisasies gedurende Julie 1984 bymekaar gekom het onder die vaandel van die UDF? -- Ek het nie sulke kennis nie.

MNR. FICK : Ken u 'n organisasie met die naam van Graaff-Reinet Studente-organisasie, "students organisation" GRASO? -- Ek weet daarvan, ja.

Wanneer is dit gestig? -- In 1986.

HOF : Is dit vir studente van 'n opleidingskollege of iets? -- Nee, dit is 'n organisasie van skoliere daar in die omgewing, nie van 'n opleidingskollege nie. (20)

MNR. FICK : Is u seker dat GRASO eers in 1986 ontstaan het en nie vroeër nie? -- Ek is seker, ja.

ASSESSOR (MNR. KRUGEL) : Is dit nou nadat COSAS tot niet gemaak is? -- Dit is so.

Toe is GRASO gestig? -- Dit is so.

MNR. FICK : Die bestuur van GRASO, wie was dit? Was dit dieselfde bestuur van GRYCO of COSAS wat weer die bestuur van GRASO geword het? -- Nee, dit is nie so nie. Dit is ander persone.

Die vergadering wat u beweër van GRYCO wat u in 1984 (30)

bygewoon/...

bygewoon het, is daar enige verkiesings by hierdie vergadering of nie? -- Daar was nie verkiesings gehou nie.

Dan stel ek dit aan u soveel te meer is u verkeerd as u sê dat hierdie organisasie het in Maart 1984 tot stand gekom? -- Nee, ek sê nie dat dit in Maartmaand tot stand gekom het nie. Ek sê ek het eers daarvan begin hoor in Maartmaand.

Hoe is GRYCO voorgestel aan die gemeenskap? As wat? -- Wat gesê was is dat hierdie liggaam is met die oog daarop om die skoliere en die jeugdiges van Graaff-Reinet (10) bymekaar te bring en die ander doel daarvan was vir die skoliere wat nie meer skool toe gaan nie, wie deur hierdie liggaam aangemoedig sal word om terug te gaan skool toe.

Wie was die spreker, die voorsitter van die vergadering van GRYCO? -- Weens die feit dat dit jou jare is dat dit plaasgevind het, sal ek nie so goed kan onthou nie.

HOF : Het GRYCO nie 'n vaste voorsitter gehad nie? -- Gedurende daardie tyd het ek nie geweet wie die persoon is nie.

MNR. FICK : Kom ek probeer u help. Ken u 'n persoon met die naam van Nzwandile Jonathan Peyi? -- Nee, hy begin met 'n (20) M. Nie Nzwandile nie, Mzwandile. M-z.

Ek het hom gekry as 'n N. -- Ek ken hom.

Was hy nie die president van GRYCO nie? -- Hy was.

Was hy nie op hierdie vergadering ook nie? -- Soos ek alreeds gesê het, ek sal dit nie kan onthou nie.

Kan u enigsins onthou wie enige van hierdie sprekers was op hierdie betrokke vergadering? -- Ek kan praat van 'n persoon wat ek nou net onthou, naamlik Thembekile Mbotya.

Ek wil net hoor of ek dieselfde persoon as u in gedagte het. Is sy ander naam Edwin? -- Dit is so. (30)

Terwyl/...



Terwyl ons hier op name is, kom ons probeer dit klaar maak. Die eerste persoon Jonathan Peyi wat ons van gepraat het wat die president van GRYCO is, is dit ook so dat hy was 'n lid van COSAS later? -- Ek dra nie kennis daarva nie.

En dan hierdie persoon Edwin Mbotya waarvan ons praat, hy was die sekretaris van GRYCO? -- Dit is nie so nie.

Wat was hy van GRYCO? -- Hy was 'n lid van GRYCO.

'n Gewone lid of 'n bestuurslid? -- 'n Gewone lid.

En hierdie Edwin, was hy ook 'n lid van GRAFCOM? -- Dit is nie so nie. (10)

Ontken u dit of weet u nie? -- Ek onthou nie dat ek sulke kennis gekry het nie.

Ek wil nou vir u 'n ander naam gee, Archie Ntcwayi? -- Ja, ek ken hom.

Hierdie persoon, is dit reg dat hy het ook die voorsitter van COSAS geword? -- Nee, dit is nie so nie. Die persoon was nie 'n skolier nie.

Was hy lid van GRYCO? -- Dit is so.

'n Bestuurslid? -- Dit is nie so nie.

HOF : Was u op die bestuur van GRYCO? -- Nee, dit is nie (20) so nie.

Maar ken u die bestuur? -- Ja, soos 'n lid van die liggaam ken ek van hulle.

MNR. FICK : Weet u of hierdie Archie 'n lid was van GRAFCOM? -- Ek het nie sulke kennis nie.

En 'n laaste naam wat ek vir u wil gee is Johnny Kiboni? Ken u so 'n persoon? -- Ek ken hom.

Was hy die president van GRAFCOM? -- Dit is so.

Terwyl ons nou hierdie vier name het, weet u wat het van hierdie vier persone geword in 1985? -- Ek het nie (30)

kennis/...

kennis daarvan nie.

U het vir die hof in verband met GRYCO gesê dat GRYCO is h organisasie wat voorsiening gemaak het vir skoliere en jeug. Wat bedoel u met jeug. Tot watter ouderdom is mense nog jeug? -- Daar is geen ouderdom wat bepaal is nie. Dit hang van h persoon af wie ook al dit is wat die persoon hom- of haarself beskou. Of die persoon nog hom- of haarself as jeug beskou.

HOF : Getroudes ook? -- Ja, dit is so.

MNR. FICK : In verband met die aktiwiteite van GRYCO het (10) u vir die hof gesê hulle - daar is gesê hulle sou aktief wees by spele en kulturele aktiwiteite? -- Dit is so, ja.

Kan u vir die hof h voorbeeld gee van enige kulturele aktiwiteite wat hulle toe wel in betrokke geraak het terwyl u h lid was? -- Daar was uitdagings uitgestuur van die sokkerspanne om te kom speel asook die netbal. Hulle het ook konserte gehou.

Is al kulturele aktiwiteite wat gehou was konserte? -- Daar was wel ander aktiwiteite ook gewees. Byvoorbeeld dat hulle nou reël vir h "play" in h saal vir die oumense om (20) daarna te kom kyk.

HOF : h Toneelstuk? -- h Toneelstuk, ja.

MNR. FICK : U het verder vir die hof gesê daar is ook bespreek die kwessie van skoliere? -- Dit is so.

Wat is bespreek van die skoliere by hierdie vergadering wat u sê plaasgevind het in Maart 1984 van GRYCO? -- Die algemene toestand byvoorbeeld wat betref die voorkoms van die skoolgeboue van buite en die boeke wat skaars was op skool en die feit dat daar van die skoliere die skool verlaat het omdat daar nie boeke was nie. (30)

Terwyl/...

Terwyl ons nou op hierdie onderwerp is, wat was die griewe van die studente? Was daar op enige stadium gepraat oor die griewe wat die skoliere het by die skool? -- Daar was destyds geen griewe gewees van die skoliere by die skool in daardie tyd nie.

ASSESSOR (MNR. KRUGEL) : Is dit nou op die tydstip toe die vergadering van GRYCO gehou is? -- Dit is so, ja.

Was daar toe geen grief nie? -- In daardie jaar nie.

Maar van watter jaar praat u nou? -- 1984.

MNR. FICK : Die volgende wat u in verband met GRYCO getuig(10) het was dat hulle het deelgeneem of hulle het 'n kampanje geloods in die woongebied in April 1984. Is dit reg? -- Dit is so, ja.

En dit was die "million signature" kampanje? -- Dit is so, ja.

Wanneer en waar het GRYCO besluit hulle gaan hierdie kampanje loods? -- Ek het nie 'n goeie kennis daarvan nie, want ek was nie by toe daardie besluit geneem was nie.

Hoe het dit gekom dat u deelgeneem het aan die kampanje? -- Ek was teenwoordig gewees by die vergadering waar hierdie(20) papiere uitgegee was.

HOF : Die papiere is dit die vorms waarop handtekeninge geplaas moes word? -- Dit is so.

MNR. FICK : Wie het hierdie vergadering gehou? -- GRYCO.

Was die bestuur van GRYCO daar op die vergadering? -- Dit is so, ja.

En wat het hulle aan u verduidelik hoekom moet hierdie kampanje uitgevoer word? -- Die kampanje was met die oog daarop om die mense se gevoelens bekend te maak van wat hulle siening is by die woonplekke waar hulle woon. (30)

Wat/...

Wat se gevoel? Waartoor? -- Wat betref die huise wat die mense bewoon het en die manier waarop die mense daar geleef het.

Is dit al wat aan u verduidelik was? -- Ja, dit is so, maar verder het h mens die res van dinge gehoor vanaf die ander mense.

K1311

Het daar enigiemand van UDF op hierdie vergadering gepraat? -- Niemand nie.

Is daar vir u gesê wat u vir die mense moet sê hoekom teken hulle hierdie vorms? -- Ek was nie gesê nie, maar (10) daar het geskryf gestaan op hierdie dokument.

Wat het u op daardie stadium geweet van UDF? -- Ek het nie kennis daarvan gehad nie.

Niks nie? -- Niks nie.

U het darem seker vir die bestuur gevra "Maar waarom moet ek h ding doen van h organisasie waarvan ek niks weet nie?" -- As gevolg van die feit dat ek gelees het wat daarop geskryf was, het ek dit goed gesien om deel te neem aan die uitvoering van daardie dokument.

U het seker op daardie stadium al gesien daar in die (20) woongebiede T-hempies van UDF en publikasies van UDF? -- Geskrewe goed was wel daar gewees, maar daar was nie T-hemde gewees nie.

Wat se geskrewe goed van UDF het u gesien daar in die woongebiede? -- "One million signature campaign".

Wat nog? -- Dit is al wat ek in daardie tyd gesien het.

Ek stel aan u, u getuienis dat u so kamma niks van UDF geweet het op daardie stadium nie is vals? -- Ek praat die waarheid.

Toe die skoliere so "Viva UDF" geskreeu het nou, het (30)

u seker vir hulle gevra "Wie is hierdie UDF wat julle so lekker van skreeu?" -- Ek het nie gevra nie.

Maar hoekom nie? Hulle skreeu "Viva GRYCO" en "Viva UDF", hoekom vra jy nie vir hulle "Wie is UDF wat julle so lekker van skreeu" nie? -- Dit is miskien omdat ek geen kennis gehad het oor die UDF nie. Dit is juis die punt dat ek miskien nie belang gehad het om verder daarvan te weet nie.

Die volgende wat ek vir u wil vra in verband met COSAS, u sê vir die hof toe julle besluit het om julle organisasie(10) te stig met die naam van COSAS, het julle absoluut geen kontak met COSAS gehad nie en niks van COSAS self geweet nie? --

MR TIP : That is not exactly the evidence. The evidence is that there was no person from COSAS regional or COSAS national who visited and that they did not have COSAS literature. It does not go as far as my learned friend is putting it now.

MNR. FICK : Sy het getuig sy het niks van COSAS geweet nie, maar ek sal dit duidelik maak. Hoe het julle by die besluit gekom dat julle noem julle organisasie COSAS? -- Ons het geweet van COSAS as 'n organisasie van skoliere wat namens(20) die skoliere die volgende dinge opneem met die outoriteite by die skole. Dat as daar 'n klagte is oor die onderwysers, die beskikbaarheid van boeke en nog ander dinge, dan sal COSAS dit namens die skoliere opneem. Ons het dus besluit daarop dat ons saam werk met COSAS. Dit is die rede dat ons dit COSAS genoem het.

HOF : Sou die streeks COSAS dit opneem? -- Nee, die skoliere van Graaff-Reinet sou dit self opgeneem het.

Maar nou hoeveel hoërskole was daar in die swartbuurt?

-- Net een.

(30)

Maar/...

Maar hoekom noem u die komitee COSAS? -- Ons was oortuig gewees dat dit strook met die eise van die skole en dit loop saam met COSAS wat dit opneem. Dus het ons besluit op COSAS as h naam vir die komitee.

So, het u geweet wat COSAS se standpunte en beleid was? -- Ja, as gevolg van die koerantberigte het ons daardie kennis gehad.

MNR. FICK : Wil u vir die hof sê u gaan noem uself toe COSAS sonder dat u h konstitusie in die hande kry of sonder samesprekings met hierdie streekbestuur van COSAS om te hoor (10) of hulle tevrede is? -- Ja, ons het dit gedoen. Dit is juis die rede dat ons nou afgevaardigdes gestuur het om samesprekings te gaan voer met COSAS mense.

En u as die sekretaresse van COSAS het toe seker saamgegaan? -- Dit is nie so nie.

Wie was die bestuur van COSAS wat gekies was? -- Ek was die sekretaresse. Thembekile Mbotya was die voorsitter. Omdat hierdie ding nog net begin het, was net hierdie twee gekies.

Wie was die afvaardiging wat Port Elizabeth toe gestuur (20) is? -- Dit was mense wat uitgewys was tussen die skoliere.

Wat ek nie kan verstaan nie is, hoekom stuur julle h afvaardiging Port Elizabeth toe sonder die bestuur? -- Dit was besluit deur die skoliere op hierdie persone.

HOF : Gewoonlik kies h mens darem h bietjie groter bestuur as net h voorsitter en h sekretaresse. Hoekom het julle net h voorsitter en h sekretaresse gekies? -- Dit was die begin van hierdie liggaam. Ons het nog nie h grondwet gehad nie. Ons sou eers na ons die grondwet gekry het en dit bestudeer het, die res van die mense gekies het as h bestuur. (30)

Wie/...

Wie het julle Port Elizabeth toe gestuur? -- n Skolier met die naam van David Duka, Mzwandile Miggels.

Was hulle dan later op die bestuur? -- Van die twee was net Duka op die bestuur gekies.

MNR. FICK : Ek stel aan u u getuienis oor hoe COSAS gestig is, is vals? -- Dit is die waarheid.

Net voor ek na heeltemal n ander aspek toe gaan. Ek wil net terugkom na hierdie "million signature campaign" toe. Ek wil net BEWYSSTUK AU5 aan u toon en vir u vra of dit die vorm is wat u gebruik het? -- Ek het wel so n papier (10) gesien.

HOF : Wat se papier is dit? Wat sê van die papier? -- "One million signature campaign".

Is dit die vorm wat u gebruik het? -- Dit is so.

MNR. FICK : Toe u nou op hierdie vorm sien dat hier word die mense gevra "to reject apartheid, to support the struggle and unity of our people against the evils of apartheid" en vir "the creation of a non-racial democratic South Africa", het u darem seker gaan vra vir GRYCO maar wat beteken al hierdie goed? -- Ja, ek het navraag gedoen. (20)

En u het seker ook vir GRYCO gevra "Maar hoe werk dit nou? Julle het vir my gesê GRYCO is n organisasie wat speletjies gaan reël vir die jeug en kultuuraktiwiteite, wat maak ons met sulke goed?"-- Ja, ek het dit gevra.

Wat sê hulle wat maak GRYCO met die ding? -- Omrede die lede van GRYCO mense was wat nie gewerk het nie, het GRYCO seker deel gehad daaraan om hierdie kampanje uit te voer.

Nee, wag, kyk, u is nou besig om te raai. Ek vra vir u wat het GRYCO vir u gesê, die bestuur, hoekom doen julle hierdie ding? -- Die antwoord was omrede hier melding (30)

gemaak/...

gemaak word van diskriminering van mense volgens ras en kleur, het GRYCO dit goed gesien dat die jeugdige hier 'n rol kan speel ter uitvoering van hierdie kampanje, want dit was 'n probleem vir mense gewees om in diens geneem te word as gevolg van hierdie diskriminasie.

MNR. FICK : Is dit die verduideliking wat aan u gegee is?

-- Dit is so, ja.

Hierdie kampanje, die MS kampanje, is dit nie so nie, hy is nie net in die woongebied gevoer nie, maar hy is by die skool ook gevoer? -- Die skoliere of wie ook al by die (10) skool is, is maar 'n gedeelte van die inwoners.

HOF : Het julle die skoliere toe ook gevra om te teken? -- Dit is nie so nie.

Hoekom nie? -- Dit is omdat ons hier besef het dat wat hier bevat word, het eintlik betrekking op die inwoners. Dit wil sê net die inwoners, nie die mense wat op skool is nie.

MNR. FICK : Spiri Pase, die man oor wie u getuig het, het hy deelgeneem aan hierdie kampanje? -- Ek het nie kennis daarvan nie. (20)

HOF : Hoe oud was Spiri Pase? -- Ek is nie seker van sy ouderdom nie.

Is hy so oud soos u? -- Soos ek alreeds gesê het, ek is nie seker van sy ouderdom nie.

Is hy ouer as u? -- Ek het nie soveel kennis oor hom wat sy ouderdom betref nie.

Het u hom nie geken nie? -- Ek ken hom op skool, ja.

Nou ja, weet u dan of hy ouer of jonger as u is, na skatting? -- Dit is vir my moeilik om dit te sê, want eintlik is hy 'n lang persoon. So, ek kan nie sê of hy net lank is (30)

en/...



en of hy miskien my portuur is of nie. Hy was 'n lang persoon  
gewees.

MNR. FICK : Is dit nie so nie dat Spiri Pase het hierdie  
kampanje kom uitvoer by die skool daar by julle nie? -- Ek  
het nie kennis van so iets nie.

Pase, was hy lid van enige van die organisasies daar  
in Graaff-Reinet? -- Dit is so, ja.

Watter organisasies? -- Die jeugdigdes se organisasies.

Wag nou, ons weet van twee, GRYCO en COSAS. Watter een?  
-- GRYCO. (10)

Is dit nie so dat u het daar 'n onderwyseres gehad op  
die skool, mev. Els in April 1984 nie? -- Dit is so, ja.

En sy het net daarna bedank. Is dit reg? -- Dit is so.

Nou wil ek vir u sê hoekom het sy bedank, omdat julle  
skoliere het gaan handtekeninge by die onderwysers kry en  
toe die onderwysers weier om te teken, is die onderwysers  
uitgevloek en geskel en daarom het sy bedank? -- Ek het nie  
kennis van so iets nie.

ASSESSOR (MNR. KRUGEL) : Praat u nou in verband met MSC hand-  
tekeninge? (20)

MNR. FICK : MSC handtekeninge. Dit is korrek.

HOF VERDAAG TOT 21 APRIL 1988.

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