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At the bottom, Mr. V.M. Mayathula as a representative of Luteran Theological College, is that the Reverend Mayathula? --- I should imagine so, yes.

Over the page representing the University of the North, the fourth delegate there M.P. Lekota? --- That is correct.

Is that Accused No.3 now before Court? --- That is correct, yes.

Then if we turn to page 5 it would appear to be of the Minutes itself, we come to the first Resolution dealing with the conduct of the president, Mr. Sono, I notice that you were the mover of that particular motion or resolution No.6 of 1972? --- Yes I was.

Now there were then further motions expanding on what you had said there moved by Mr. Moodley, Accused No.9 and Mr. Pityana? --- Yes.

And ultimately resulted in the Resolution 7 of 1972 on page 7 of your document, page 90 of Your Lordship's papers. --- Right.

In fact it was resolved and you called upon the president "to recuse himself from the chair" and point 2 "to resign as the president of SASO and member of the Executive" and finally "to leave the conference forthwith" - carried unanimously? --- Yes.

So he was rather unceremoniously dumped at that meeting right at the start, is that right? --- Not unceremoniously, I think he was given a fair chance to reply. He spoke actually most of the time.

And was it Mr. Moodley and Mr. Pityana .. (witness intervenes) --- I think you must understand that the first 50

Resolution / ...

Resolution which is the one I moved, was during a special session that we called immediately after he had finished his address, because we foresaw this untoward publicity. So we requested a special session and he granted this, so the Press remained for the session, and during that session I moved this Resolution which was merely to dissociate ourselves from what he had said. Then thereafter the session was closed, and in the morning people had had more time now to think about this, they had discussed it openly with him, in fact we discussed it with him the whole night. And one must also remember that it was also the conduct of the man to take into account. He was in no way feeling sorry about the stance he had taken, he was arrogant towards members of his Executive who were Mr. Moodley, Mr. Pityana at that time. So that by the end of the day people felt that there was no way out, he had to be expelled. If a guy says: well I am sorry, Gentlemen, it was a bit of wrong thinking on my part, I apologise, it gets accepted, but he was arrogant, after lots of debates that evening. So in the morning they got up these several motions to depose him. Now it was not significant because he had just four more days to go before his term was over, but we had to do it to indicate to our membership what discipline means, when a guy refuses to subject himself to popular will.

Did you ever have occasion to resort to similar action against any other SASO member? --- Well there was similar action against me, it was really a motion of censure which was defeated.

Did this occur at one of the GSCs? --- Correct.

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And could you perhaps outline the circumstances for us there? —— We had an open debate at I think it was the 1970 or 1971 GSC, we had an open symposium rather during which people like Adam Small spoke, and Mr. N'Damse also spoke, and it was an open day for everybody so there were Whites as well there, students and non-students from Durban.

Is Mr. N'Damse a member of the Transkei Cabinet?

--- At the time yes he was. So after that we had a cocktail and there was abit of a drift towards the cocktail by everybody, we admitted everybody who came to the cocktail, I was conference organiser. So the following day I was censured for allowing Whites into our cocktail, we had an open debate about this. In fact guys came to talk to me about it privately, so I said: no, bring it up in the conference, let us talk about it. So we talked about it, and they were defeated.

Did Mr. N'Damse ever address one of your SASO conferences? --- This is what I am referring to, yes.

How is that collaborating with the Bantustans?

--- No, I think Mr. N'Damse represented a particular type of thinking which we wanted to have aired at that conference. I think Mr. Pityana made it very clear in his vote of thanks to Mr. N'Damse that he looked with a bit of disdain at his participation within the system in the Transkei, but nevertheless we felt that he had a particular message to give to us at that time in our history, which he in fact did give.

Have you found references in the SASO and BPC documents of possible expressions by members that people

who / ...

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who work in the system especially the Bantustans, are traitors to the Black cause? --- Well, similar sayings that do not necessarily express all that in that particular way.

Have you come across the reference to them as traitors? --- This I know, I know there is that kind of thinking in some quarters, but I do not remember a particular document saying that.

If you would have a look at Resolution 8 of 1972

I see you were the mover of that Resolution - that is the next one after the expulsion of Mr. Sono, and I see that you were in fact the person who congratulated the publications director for in point 2 "the intiring work he has put into building up publications of SASO particularly the SASO Newsletter into a very respectable and authoritative organ"? --- Yes I was.

Was that a reference to Mr. Moodley? --- Strini Moodley.

Accused No.9? --- That is correct.

You were also I see on the next page in Resolution 20 ll of 1972 a seconder to a motion in which the resolution was point 3:

"To reserve the right to instruct the Press not to report on any event that happens in the context of this GSC should such an event be deemed dangerous to the interest of SASO"

--- What Resolution is that?

That would be Resolution 11 of 1972, page 8 of your papers at the bottom, I see you were the seconder?
--- Right, that is correct.

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Point 3 there -

"To reserve the right to instruct the Press not to report on any event that happens in the context of this GSC should such an event be deemed dangerous to the interest of SASO"

--- That is correct, yes.

Was that resorted to at all? --- Well, yes, I think to some extent.

Did it hark back to Mr. Sono's address? --- No, it had nothing to do with Sono's address.

Was Mr. Sono's address published in the papers?

--- Well it was published within the context of our rejecting his speech, and this was basically what we were aiming at.

So in fact the harm was not as serious as it might have been? --- No, it was not.

Now again in this particular document I have come across numerous references to a Mokoape as seconder and proposer of motions? --- Keith Mokoape.

Would that once again be Keith Mokoape? --- Yes.

Then if you look on page 11, page 94 of Your

Lordship's papers, Resolution 15 of 1972:

"GSC noting - that the BPC ad hoc committee will be tabling the draft constitution of BPC for adoption in the near future"

--- Right.

"And that there is a strong need to support the body and help direct its cause" - and then it calls in point No.2 -

"on BPC to note that for the past decade the Black 30 world / ...

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world has been at a loss as far as the political direction is concerned"

and then it calls in point 4

"on SASO members to be amongst the first people to acclaim the formation of BPC in the press and the public"

- carried unanimously? --- Yes.

Did you people know the draft Constitution of BPC before it was submitted to the inaugural convention of BPC? --- I do not think as an organisation, I think some 10 individuals probably did.

Would they include yourself? --- I am not quite sure in fact if I knew the draft Constitution of BPC at the time.

Was it not submitted to the House for consideration?
--- Which House?

The General Student Council of SASO? --- No.

Did they have an idea what BPC was going to be all about? --- Yes of course we had a delegation which had gone there, and I think they had reported at one meeting or the other, so SASO had a pretty good idea what BPC was all about.

Then on page 14 of your papers, that is 97 of Your Lordship's papers, Resolution 21 of 1972, resolved -

"To call upon the leaders of Bantustans to forthwith withdraw from this sytem effort to preserve their own dignity and to demonstrate with the struggle of the Black people"

- carried unanimously with acclaim, I gather that means exactly what is says? --- Mmmm

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And / ...

And then we come to something which is possibly close to your heart on page 16, Resolution 24 of 1972

- "That this GSC noting -

the lack of programmes and opportunities that are designed to direct and orientate Black youth towards a positive and creative contribution to self-development of the Black man -

in its Resolution -

"to mandate the permanent organiser to contact and promote the establishment of youth
clubs and/or organisations;

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to contact social workers and/or voluntary workers dealing with the youth with a view to making their contributions relevant;

to organise leadership training sessions to promote ingergroup interaction and leadership amongst the youth;

and in conjunction with teachers and relevant or interested parties to give vocational guidance to youth and make education more relevant and valuable" -

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carried unanimously. Is this the programme which was subsequently taken over by BCP? --- Well this was the programme which was done in conjunction with BCP.

Did this programme and everything which was resolved here eventually come to be under the wing of BCP? —— Well SASO had a youth programme, BCP had a youth programme, the two worked together for the major part of that programme, that was up to 1973. In 1973 SASO left it off, and in 1973 BCP also left it off.

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So / ...

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So after 1973 we have no more youth programme as such in SASO or BCP? --- Yes.

Was a decision ever taken by SASO to stand back and let BCP do the work in this sphere? --- It could have been, I do not quite remember, it could have been probably at the 1973 conference, I should imagine so. Was not SASM then in existence and was not COURT: SASM then in charge of youth? --- No, M'lord, SASM has always been there as a high school student organisation. What did happen was that in 1973 an organisation called NYO came into being, which was the National Youth Organisation, and BCP had problems relating to NYO regarding youth leadership training courses. So we decided it was a bad job and that we should just drop it, so we dropped it, by which time SASO had already dropped it, you know, leaving it to us to carry on. MR. ATTWELL: Why did you decide it was a bad job? --- I am saying that there were problems between BCP and NYO about the nature of the courses.

Who was instrumental in forming NYO? --- To a great extent I think BCP through the kind of seminars which stimulated thinking along co-ordination lines amongst youth groups that were operative.

Did SASO assist in the formation of NYO? --- In the sense that SASO was participating jointly with BCP on the youth programme, yes. In fact it was myself for BCP and Nengwenkulu for SASO, we formed together a leadership training group which went around the country conducting various courses for youth groups, and one of the themes that we frequently dealt with was

co-ordination / ...

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co-ordination of efforts amongst these groups. And I think this eventually resulted in the groups meeting and decided to form NYO as an organisation.

This would in fact have the effect of having committed members already when they got to university, would it not? --- Not all the people we spoke to were necessarily students, as I say the majority were not students. You might be mistaking NYO with SASM, SASM certainly is constituted of students who go to university, but NYO ordinarily are just folk who are working mainly as clerks and so on, you know.

Is there any age limit to people who join an organisation like NYO? --- Well there was a very vague definition I remember at one seminar we had that to be young you have got to be under 30 at least.

When was NYO formed? --- I think it was 1973, May.

Now, what was the purpose of having an organisation
like NYO when an organisation like BPC existed? --- I am

sorry you have to ask the NYO Executive that.

But now you assisted in the formation of NYO, I am 20 trying to find out what prompted you people to form or assist in the formation of an organisation like NYO for people of approximately 30 years and under, when an organisation like BPC existed which was not a purely student organisation? —— Our only interest was co-ordination of existing youth work. Now youth work was in the form of church youth groups or secular youth groups that you find in places like Soweto, all of which have got one activity or the other that they do bordering sometimes on things like Boy Scouts, outings and so on.

Now / ...

Now we felt that (1) they need to somehow codify their activities to make sure that they share notes with youth in places that are far away, and they need to meet regularly in order to feel again as one group. They need to encourage new programmes to get more and more of the guys who constitute what is generally called delinquent classes in townships, we were trying to fight against delinquency, against hooliganism, to try and introduce a little bit more interesting programmes within youth work so that more and more people can come in. Now this was the real purpose of our encouraging them to look at co-ordination as being useful. Now, I would not know what reasons they put forward when they eventually did form NYO because I was not there, and I certainly would not know why they decided not to just join BPC. I think there was much more youth work than just politics.

Have a look at the bottom then of that page,
Resolution 25 of 1972, it says "That this GSC noting -

"That Black workers are a massive force which is a great factor in the economic advancement of White South Africa"

- do you see that? --- Right.

"2. That for a long time the repressive norms and legislations have militated against effective bargaining by Black workers;

Resolves -

to mandate the permanent organiser to look into the effectiveness of establishing a Black Workers' Council, whose aims and objects shall be: and then it says under (b):

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To / ...

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"To unite and bring about solidarity of Black workers;

- (c) To conscientise them about their role and obligation towards Black development;
- (d) To run clinics for leadership in service training and imbue them with pride and self-confidence as people and about their potential as workers".

Was that in fact the aim of the Black Workers' Council?

-- Yes, well I think this was a guideline, the point about it again being that SASO sought to see this kicking looff, in other words to encourage the formation of such a Council, which would operate as an independent unit obviously to have its own goals, its own means of operation and so on, but we had to have a guideline of what our view is for this Black Workers' Council that we envisage.

Yes but "to conscientise them about their role and obligation towards Black development" would be a role and obligation as defined by SASO? --- Yes, but they would not really have the control over the Workers' Council, they 20 could very well be formed like NYO, you know we had a view about youth work, but NYO was formed and they had to define their own aims, you know most of them not necessarily in agreement with what we wanted them to do originally but we have got no control over them. Now the same thing applies with the Workers' Council, you want to promote it, when it is there, they define their own aims. But you must have a view of why you think it is necessary to have a Workers' Council, that is what we are doing here.

I quite agree. Was a Black Workers' Council ever

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effectively / ...

effectively established? --- SASO abandoned the project.

Did it leave it to anybody else to do?

--- Certainly not as far as I know, at that time that

was BAWU to operate separately and somewhat at loggerheads

to some extent with the SASO project, but I do not know

if there was a formal agreement between the two.

Do you know if the two organisations BAWU and SASO met at all concerning the Black workers' sphere?

--- Yes I think they must have.

And you said after this or at some stage SASO dropped its Black Workers project? --- Right.

Did BPC have a workers' project? --- I do not remember any such project of BPC.

I see the mover of this particular motion was a Mr. Pityana and the seconder Moodley, would that be Accused No.9? --- Correct.

And if you look again on the next page..(Court intervenes)

COURT: Before you leave this one, if you look at the paragraph starting with "realising" three lines from the top, in the third sub-paragraph -

"realising that moves towards the 'trade unionism' as presently constituted are only in the nature of producing a contented worker"

then, "therefore resolves - 5 -

"to run clinics for leadership, in service training and imbue them with pride and self-confidence as people and about their potential as workers";

Now, didn't SASO want a contented worker? --- No, not a contented / ...

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contented worker in the context in which we understood it, to mean someone who sees himself as merely an extension to a machine. In other words one who accepts completely the whole system of oppression in which he lives. You know, as far as we understand Blacks, as I said yesterday all Blacks are virtually workers, Blacks should not be contented, Blacks should not accept what is going on because it is wrong. Now, the kind of trade union movements we were referring to then were movements which were under the direction of the White taxer, movements that are played around with by taxers, like

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TUCS A

GARMENI, Mrs. Mberethe Government workers' union for instance of Mr. Rubelo (?) which we did not respect because we felt that there was no inherent Black thinking in it, there they were told what to do, they were sent all over the world to go and represent South African workers so to speak, but essentially the thinking was White thinking and Mr. Rubelo we saw as expressing White thinking. Now what we wanted was authentic Black thinking between trade union

movements.

Isn't it another way of trying to conscientise them, to create grievances and let them work for a cause and that is the only way to unite them because then they try and pull together in order to relieve the grievance as the case may be? --- I think, M'lord, it is perhaps the wrong word to use there, I do not think we create grievance, I think we recognise existing grievances, and we subject them in conscientisation to a system of analysis, such that we can come up with solutions to the problems. Now all we are saying is that within so-called orthodox 30

trade / ...

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trade union movements which is under the influence of taxers, there is in fact very little Black thinking, it is an authoritarian movement where the leadership states what should happen, it has more like a club effect, where the man at the top merely says: this is what we are doing today, and the people never think, the people do not even know really and truly their rights as workers, they are not educated to understand their participation in the whole economy of the country. Now we believe that a worker is entitled to know his role in the economy, to 10 know what happens to the kind of product he produces, to know how profits come to be made, so that he can be in a strong position to bargain with the employer with respect to the distribution of profits within an economic undertaking. This is what we understand a developed worker to be. Now in this country this seems to have even more significance, because also thrown in is the colour question. So all we are really talking about here is the kind of trade union which does proper training of workers to understand their role in society, to understand just how 20 much of a pillar they are to the whole economy of the country.

COURT ADJOURNS

COURT RESUMES:

B.S. BIKO, STILL UNDER OATH:

CROSS-EXAMINATION BY MR. ATTWELL CONTINUED: Mr. Biko, we were busy with the Resolution 25 of 1972, and His Lordship drew your attention to point 3 on page 17 of your papers, page 100 of Your Lordship's papers, that the present move towards trade unionism constituted are only in the nature

of / ...

of producing a contented worker. Now, in that context do you know whether SASO did anything about contented workers? --- Well I said they started off this project called the Black Workers' project which was generally to operate along these lines, that is to encourage the formation of the Workers' Council, and eventually decided to abandon it, I am not quite sure for what reason, I think there were areas of practicability which posed problems, in other words it became a massive undertaking which could not be sufficiently done by a student organisation.

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You say eventually they dropped it? --- Yes.

Did they go any distance with this project at all before they dropped it? --- Well I think they went some distance, they did a hell of a lot of research in the area of investigating existing labour laws, and trying to formulate out of this material which was later used by trade unions, but as far as I know this is basically what they were doing before they decided to abandon the project.

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Now I told you before the tea adjournment that there was another reference to the contented worker which I draw your attention to, I would like to draw your attention to the SASO newsletter of December 1971 - that I think was a stage when you were in SASO? --- 1971, yes.

Very actively in SASO? --- Yes.

It is a general reference, M'lord, K.2(a) and specifically on page 16 of that, page 63 of Your Lordship's papers, this is part - I have in mind the article on page 16 which is part of an article beginning two pages

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earlier / ...

earlier on page 13 called "Priorities in community development - an appeal to the Black man's compassion by Barney Pityana, secretary-general of SASO", I think a man capable of giving us an authoritative view on SASO and SASO's policy? --- Yes.

Now if you will have a look on page 16, right at the bottom left you will see "workers' scheme", will you perhaps read that to the Court?

"In every suffering community the position of the worker has been a very interesting one, not only the welfare of the worker must be protected but he himself must be increasingly stimulated to appreciate the necessity of making meaningful demands. In order to do this workers must be organised, we must never make the mistake of trying to create a grateful and contented worker".

Perhaps you could continue reading until the next

Perhaps you could continue reading until the next heading?

"We have been invited to ask students to make themselves available over the coming vacation for employment in factories, mines and other industrial concerns on the Reef, so that they can live and experience everyday life of a worker, and then assess his role in the struggle for improving their conditions. We have also set ourselves the task of investigating wage schemes benefits, etc. in some of the major overseas firms with a view to strengthen our case for disengagement, and also to establish some form of rapport with workers. The importance of such

liaison / ...

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liaison cannot be underestimated".

Are you familiar with the ideas expressed in this particular paragraph or two under workers' scheme?

--- Reasonably so, yes.

Now, you see there once again that the workers must be organised and you must never make the mistake of trying to create a grateful and contented worker, now does that tie up with SASO's views? --- I think my answer will be exactly the same as the one I gave earlier on.

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You can take it no further than that? --- Yes, I could, but this I think is sufficient for me merely to say the importance of this kind of programme is to make sure that the worker is made to understand his important role in the economy of the country. Because everybody gets profits from the efforts of workers, this is what we call exploitation.

If that was the intention why was it not stated in those specific terms in this article? --- I was not writing this.

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Will you have a look at the last paragraph which you did refer to -

"and also set ourselves the task of also
 investigating wage schemes, benefits etc. in some
 of the major overseas firms with a view to
 strengthening our case for disengagement"
- does this tie up with your foreign investment policy?

Now here it appears that SASO has gone further than merely rejecting, here you talk about "strengthening !

--- I think it does.

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our / ...

our case for disengagement"? --- Yes, I think what you see written here is Barney's response to an invitation which was extended to us, I am not sure by what group I think it was possibly the Urban Training Project, to avail our students for involvement in such work, in what they called education by employment, now the idea being that if students can get into factories they might get to appreciate the problems of the worker more in that context. Now I think he is responding to that sort of thing here when he refers to the invitation.

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That is the paragraph just preceding the final one? --- Right.

Does it necessarily have any link with the final paragraph? --- It would appear so, I think he says here "also set ourselves the task of investigating wage schemes and so on etcetera" - I think it is all part of the same sort of logic, I mean as far as I know there was no programme by SASO undertaken or planned in the direction he is speaking about here.

As far as you know? --- Certainly, yes.

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You were director of publications at this particular time this newsletter was put out? --- Yes.

GSC we were going through, we then have on page 18 of your papers, page 101 of Your Lordship's papers which is once again referring to SASO C.1, M'lord, a Resolution or Motion as it is headed, the importance of Black culture to the movement of Black Consciousness - do you see that? --- Yes.

And to the "utilitarian value of culture as a

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unifying / ...

unifying force" --- That is right.

And then it resolves -

"to mandate the Executive to appoint a cultural committee - CULCOM -

whic under point c would -

"see to the establishment of a writer's club, film, music, and art studios, theatre council to cater for poetry, music, drama, fine arts and films, and that together with SASO local committee stage and promote cultural activities"

--- That is right.

can you expand a little bit on CULCOM, whether it in fact ever operated? --- I think there was an attempt at setting it off, if I understand it correctly I think there is still an attempt in that direction, but I do not think it operates in the same sort of grandiose way as set out in this particular Resolution, the main aim of CULCOM of course as the Resolution suggests is culture, we regard culture as a very important area of operation, because it is within culture that our whole value systems 20 are contained, I think more or less like the early Afrikaner nationalism tended to concentrate on culture, this is the same sort of thing, any nationalism does regard culture as the most important.

Once again if I may turn to page 31 of that document page 114 of Your Lordship's papers, Resolution 45 of 1972 at the bottom of the page: "this GSC noting -

1. that the Black People's Convention is holding its inaugural conference in Maritzburg this weekend;

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- 2. aware of the full importance of this conference and of the duty SASO has towards BPC; THEREFORE Resolves:
- (i) to elect a delegation of 3 members to represent SASO at the BPC conference;
- (ii) encourages all students to attend the conference;
- (iii) urges the delegates and students to put forward the SASO viewpoint at this conference and to offer themselves in their personal capacities for

the mover yourself and seconder Tiro, is that the man who was subsequently assassinated as you put it? --- That is correct.

whatever service BPC may call them to:

Now, was a SASO delegation appointed to attend this conference? --- Yes, it was.

Who was that SASO delegation? --- I cannot specifically remember, I know that Pityana was there, I know that Moodley was there, and I know that I was there, now whether or not we constituted the delegation I cannot quite remember now. There were some SASO people sent there 20 certainly.

But you cannot recall offhand whether you people comprised the delegation? --- I know that Moodley and Barney were certainly on the delegation but I am not quite sure if I was on the delegation, but I certainly went to the conference all the same.

But the other two you mentioned were on the delegation? --- I think so, yes.

What viewpoint of SASO were they to push at this meeting? --- I think it is mainly to assist in the

formation / ...

formation of BPC, I think I have said earlier on in my evidence SASO saw herself as having brought out to the country an important philosophy, a useful philosophy and a meaningful one. Now, here BPC was being formed, all we wanted to do was to make sure that the students' contribution is not lost right at the early stages of that movement at the formative conference so to speak. So they went there to propound as far as I could read the situation, the whole idea of Black Consciousness and to attempt to see it incorporated in the basic premises of BPC.

Thank you, that is all on that particular document that I would like to draw your attention to, Mr. Biko. One last question about SASO at this particular stage, I notice in the documents that you were at one stage the head of the funds commission or finance commission of SASO? --- Yes, I think that probably got changed later on to planning commission.

I think it is in SASO A.1, have you got that?

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Yes, if you look on page 3 of the document, you will see under "Commission sittings" "Finance" and your name as chairman of that commission? --- That is correct.

What commission was that? --- Well, just what it says here, finance.

Was it finance of SASO? --- Yes.

So you have a knowledge of SASO's source of income, and what it did with its money? --- Yes, I would have a fair knowledge.

SASO's funds and source of income? --- Yes?

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What / ...

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