

N. Nko MD

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

100

CASE NO: 18/75/254

DATE: 18TH MAY 1976

THE STATE  
VS  
S. COOPER AND EIGHT OTHERS

VOLUME 100  
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LUBBE RECORDINGS (PRETORIA)

COURT RESUMES:

PHANDELANI JEREMIAH NEFOLOVHODWE, STILL UNDER OATH:

CROSS-EXAMINATION BY MR. REES CONTINUED: Do you regard the events at Turfloop on the 25th September as a Black victory? --- I myself?

You yourself? --- I think in a sense, yes.

In what sense were they a Black victory? --- Well we had our rally, and everything was quite in order.

And you chased the police off and you called the Rector to order? --- We didn't chase the police off, we called the Rector to apply order and the police were later - agreed that they should leave the campus.

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A person called M. Mamatho, who is he? --- I am not clear about that - a person called M. Mamatho?

Yes? --- No, I don't know that person.

You see I am told that when your room was searched on the 27th September - is that when you were arrested? --- Yes.

That there were found two articles signed by this man, Mamatho, one is "Take your seat in the struggle" and the other one is "Black women of South Africa and politics"? --- Yes, that might have been the case.

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Where did you get hold of these articles? -- Well they were given to me by Mamatho.

Who is Mamatho? --- Mamatho is one - were those documents the documents that were taken from my room?

Yes? --- He is one man who works under the Venda government service. He is a clerk there.

And what did he give you these documents for? --- He wanted me to peruse them to find out whether there

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is / ...

is any mistake, he wanted to publish them. So he wanted me to go through them and advise him whether it is proper to publish that document.

And did you go through them? --- At that stage I had not gone through them.

Did you read them at all? --- At that stage as I say they were brought to my room, and at that stage I did not have time to read through them.

I see. --- But they were there in my room, Major Strydom took them. 10

You see, he expresses these sentiments in one of them..(witness intervenes) --- They were not typed documents.

Not? --- No, they were not typed documents, the ones that were taken from my room were in his handwriting, they were not typed documents.

Yes, but they have typed a copy for me? --- Unless you can show me the original, the one which was not typed, I cannot comment on a typed document, I know for certain they were not typed documents.

Well tell us what was written in ..(witness intervenes) --- I don't know, I only know they were not typed documents, they were handwritten, and they had his signature, and I was questioned about them in detention, so I referred Major Strydom to Mamatho. But I told him that: look, they were brought to my room, and I had to go and peruse them and make my comments here and there so that when I sent them to him, he must be able to know which things to change and which ones to include in his publication. So they were not typed really, that I am certain about. 20

If I should decide to prosecute Mr. Mamatho, would 30

you / ...

you give evidence against him, and tell the Court that he brought these documents to you? --- I don't about that, it depends upon the police, then you choose which one you want to bring as a witness.

But if I decide to bring you as a witness? --- We can't debate that now, I want to acquit myself here first.

Oh. --- Then we will see later..LAUGHTER.. that we will debate later. I might get confused about whether I am going to be a witness later, and I think it has got nothing to do with this case. 10

Well, we will have a look at Mr. Mamatho's sentiments, you say you don't know anything about the contents, but he is the man who gave them to you? --- That is right, that is why I say I even referred the major to him, so that he can give them what he wanted, because during that time I was a student you must mind, and I had a lot to read in my final year subjects, so whatever you bring it might stay there for about a week, depending on my programme, because they were brought and I put them in the file so that I can peruse them later, make my comments, if I see anything wrong in the documents, then send them back to him with my comments. 20

You say Major Strydom went through these with you? --- No, those documents were never shown to me, he only came to me for me to refer him to the man, but he never discussed the documents with me in detention. I think he would have said so, because he was here. I think he discussed with Mamatho later, I mean the police might have gone to Mamatho.

We will have quite a few things to say to Mr. Mamatho. Didn't Major Strydom question you at all on the 30

contents / ...



contents of those documents? --- The ones of Mamatho, no.

Because you see that man speaks about SASO's policy and BPC's policy? --- No, he did not.

You say your aim was to influence students, was it, the aim of SASO was to influence students? --- As a general proposition that is correct.

And you wanted to influence them to think positively? --- About their existentialist situation.

You use this term existential situation..(witness intervenes) --- That is the existence of Black beings, I mean you have got to take into consideration that you exist in a situation where - I am coining the two words existential situation. 10

You say racialism or racism is a bad thing? --- It is terribly bad, Mr. Rees.

And the White man is also bad? --- Well the White man is not - you can't say the White man is bad because racism is bad, racism and the White man are only brought together when a White man practises it, but racism is a concept which is bad for any human existence. 20

Would you say the White man is a violent fellow by nature? --- No, he is not a violent fellow by nature, in our documents we refer specifically to those violent acts, and we direct our attention to those ones and criticise the manner in which it was done. But we don't just generalise and say: well when I say racism I mean all Whites, it would be not really perfect.

Did you send some letters just in September to some "dear Black brothers" in which you sent them material of the past activities of SASO to read? --- No. 30

And / ...

And said they must distribute them to other people as well? --- I don't remember. I might and I might not have because during the course of organisation you might be having a SASO Constitution, one guy wants it, you can, but I don't really remember.

You sent out copies of the Constitution and said to the people if they want some for people, they must phone you and tell them they sell at 20 cents each? --- Well I might and I might not have sent those documents.

Did you tell them: "Work hard Black brothers for the total liberation of the whole part of South Africa"? --- Well I might have written that, in your letters sometimes when you write to a Black man you say: well, Black unity, work hard for your Black community, and such sentiments you can express. That is why I might have or I might not have done that. 10

Did you have in your possession quite a number of books that were written by persons like Peter Randall, and this Christian Institute, their publications? --- There in my file at Turfloop? 20

Yes? --- No, I didn't have any books of that.

Did you have any books - I am sorry I have got the wrong man's name? ---Yes, I did not have.

Now, I want to put this to you, I suggest to you that when the banning of SASO and BPC meetings was announced on the radio, that is on the 24th, you and Ramaphosa met the Executive of the SRC to discuss the issue? --- I am rejecting that. X12

Think a bit carefully? --- I am rejecting it, that is all I will say, I reject it. 30

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I suggest to you that it was then decided that the meeting of 25.9 would be held under the auspices of the SRC? --- I am rejecting that totally.

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And I want to also suggest to you that you said that while all the BPC and SASO gatherings were banned, nobody should mention the name of SASO and BPC? --- I reject that, I think that would have been led in evidence by you, that is a very important fact to prove my guilt.

You further said that White people are afraid of freedom? --- I am rejecting that, because you are bringing information which, if you got it from one guy, he would have come here to give evidence, I mean to prove that.

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You remember that all..(witness intervenes) --- I don't remember those statements.

Do you remember all of you and your companions made statements? --- When?

I got statements from many of what you call those guys? --- Yes, you could have told them: come and convict Nef here, you had ample chance of choosing among those.

Did you say they are running away from freedom in Mozambique because Mozambique now has a Black government? --- PAUSE

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What is your reply? --- I am rejecting what you are putting now, Mr. Rees.

Everything that I am going to put to you - are you going to reject everything that I am going to put to you? --- I don't know whether you will put anything which - PAUSE

Did you congratulate Samora Machel for what Frelimo had achieved? --- When?

On the 25th? --- No.

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On / ...



On the 24th? --- No.

At any time? --- No. My speech is there in the record, that is what I said.

Why did you want to know when? --- Because I might have talked about Samora Machel in one way or the other.

Well I want to know? --- That is why I want to know when, because I might have said something about Samora Machel one way or the other.

Did you say the Whites in South Africa are trembling with fear since the government of Mozambique got in the hands of Frelimo? --- That I did not say on the 25th. 10

Did you say that at any other time? --- I don't remember.

Could you have said such a thing? --- I don't think so.

Well make up your mind? --- I have made up my mind.

Well what does your mind say? --- That I did not say such things.

You said that the way to freedom is a hard one? --- I don't remember saying those things. 20

Could you have said so, is the way to freedom a hard one? --- The way to freedom is a hard one, that is right, but I don't remember me saying so. I mean you are making all the statements that a man might have said or might not have said, and it ends there.

Did you say we have tried to speak but the Whites did not want to listen? --- Well I have not said this.

Isn't that correct, didn't you try to speak and the Whites don't want to listen? --- Well I don't know. I think the White man is listening. 30

Did / ...



Did you say: they deny us freedom? --- Well that is a general statement, we are denied freedom.

And did you say: it is not necessary to resort to other means to gain our freedom? --- Well I might have said that and I might not have said that.

Did you say: I do not advocate violence? --- What I said is that we are not advocating for any means used by Frelimo, so if your informer is having a statement of that nature, that is also within what I told His Lordship.

You then pay tribute to: our heroes, Sezulu and Mandela? --- No, that I did not. 10

Is Sezulu your hero? --- No, that I did not.

Do you know of him? --- Well we regard them as our heroes, yes, but I did not say that, we do regard them as our heroes.

And just when you got to that stage there the police arrived? --- Which stage now?

When you had paid tribute? --- No, the police arrived when the woman was talking.

This woman, is it Njebe who spoke? --- It is. 20

She spoke just after you? --- If I remember correctly.

While the police were arriving? --- Well she spoke for about one minute I think and then the police arrived.

And she said: Viva Azania, viva Frelimo, viva Samora Machel? --- She might have said that. That I do not dispute.

Was there some confusion in the hall immediately after that? --- Well I told you that after that when the major came the microphone was squeaking, and the people were asking: what does the major want, and it went around, so one 30

might / ...

might call it a confusion, not a confusion actually, but talk, asking ourselves what was happening, what was happening.

COURT: When was the anthem sung? --- The anthem was sung immediately after the major had got through with his order saying: I am giving you 15 minutes, and as we went out of the hall, other students just started the anthem.

As you marched out? --- Yes, then I joined also in the anthem. They just started - I don't know who started it but I joined the anthem, but the anthem we sing only to recognise that we have come to an end.

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MR. REES: No further questions.

RE-EXAMINATION BY MR. SOGGOT: Mr. Nefolovhodwe, would you please have a look at SASO Q.1 - would you turn to page 279 on M'lord's papers, it is the SASO policy manifesto, at the very end of it before the title Black Universities, have you got that, it is paragraph (g) Dialogue? --- Yes.

Now you were asked a question yesterday about dialogue, and what you people mean by dialogue and so forth? --- Yes.

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If you have a look at paragraph (g)(iii) it says: "SASO further believes that no amount of preaching will alter South Africa from her course towards total and lasting subjugation of the Black peoples of South Africa"

--- Yes.

Yesterday when you were giving evidence before His Lordship you said that you people believe in dialogue?

--- Yes.

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I would like you please to deal with that reply in the light of (g)(iii)? --- Yes. My reply to this would be that as it says at the top "dialogue between African states and South Africa", I would talk about the attitude of the organisation first on the dialogue between South Africa as a state and the other states. We believe that charity begins at home, in fact this has been taken out of a Resolution of 1971, where that Resolution has got that statement "charity begins at home", and later this was outlined, that means we believe that no amount of preaching by even the other states can change the South African way of - its policies, and we believe charity should begin here, that the people of this country should come together and try and solve their own problems. At the same time we believe that it is also a fault on our part to go and preach to White men every day for the problems of our own community, and no amount of preaching we believe will ever change the South African policy of divided rule. So what we believe is that although we believe charity begins at home, at the same time we say that we must go to our own community and organise our own community for the benefit of our own community. That is my comment on our stance.

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And how would the process of bargaining which is referred to on the same page, under 4(c) where you say:

"To work out their direction clearly and bargain" - how does the envisaged process of bargaining as you have it there fit in with the word "dialogue"? --- The process of bargaining with the word dialogue, I have quoted several Resolutions this morning to His Lordship which show that

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dialogue / ...



dialogue has already started and bargaining has already started, that means in the meantime as we are organising our Black community to help themselves to self-reliance, we do criticise the government, we do point out to the government what is not good for us, so that in the meantime we are allaying the government of the direction in which we believe it is the logical direction. So that it is not as if we want at a later stage to say to the government: we are closing our book, and at a later stage to open the pages to the government and say: this is 10 what we believe in and we want it now. So what we are doing here is passing Resolutions, and at the same time organising ourselves for the ultimate, we are allaying the government, it must know the thinking of the Black people so that we cannot come at a stage where one does not know the other and you are now saying let us bargain. So in other words when we do this kind of community self-reliance, we are helping the Black community to help themselves and at the same time we criticise the government, we do all these things to show the direction that the Black 20 people think this way. So that in the process of doing that as I said to His Lordship, the government and the White electorate and the White community are also entering a process of realising a need for what we think is the proper and logical conclusion of the country.

His Lordship, with respect, put a question to you and the question was whether in effect - I hope I am not perverting Your Lordship's meaning - that the question to be considered is whether your conscientisation process does not by affecting the people, stop them being a peaceloving people 30

as / ...

as you describe it. Now what do you say about that, what would you say the effect of conscientisation on their specific or peaceful personality would be, and to what extent the propaganda, the political propaganda of SASO or BPC, what effect that would have on the temperament of the people, and when you give your answer please bear in mind that the question is whether you are not creating a hostile group of people? --- Yes. I think perhaps to start with one should start with the culture of the people, you start backwards. Black people by nature, that is the culture, even olden traditions, one accused even pointed out that when the White man came here probably they didn't use an angle to show them that they are giving them a piece of land, they said : you have a piece of land, and that is their cultural traditions as we trace them, they are a peaceloving people, and their culture shows clearly that they are not deterred from that attitude, irrespective of whether from time to time you find Black people might read about violent action in this very government. But you will still find that the Black community itself is persistent with its cultural beliefs, and from that point on we move to the next step that where that cultural belief had been deterred by circumstances, circumstances like oppression, and circumstances like - we used to believe that at least the White man is better off (?) from us. Now that is a cultural belief, and the genuine belief in the cultural identity had been deterred at this, and we had gone out of ourself to look as sub-human, and then what we are really doing is to make the Black people return to their original state before these disturbances

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\* Typist's note: It is extremely <sup>came / ...</sup> difficult to follow this witness.

came into play, and when they returned to their original state that would mean they still conform to their cultural beliefs. And what we are doing in fact is that there was an influence of some nature within the cultural beliefs of the Black people, and that influence of some nature we are again saying let us correct that influence. That would mean that we are bringing Black people to their thinking as Black people, and if we said in their cultural tradition Black people have never been hostile to anybody, and therefore one cannot say that when we enter into a

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psychotherapy of making ourselves men for the betterment of our own people, one cannot say that that process of making men men is a process of instilling racial hostility. I mean I can see clearly where a man who is responsible for his own community, who is conscious about the entire suffering of his community and who also is conscious about the conflict in his society, and who is so responsible to see those conflicts, to embark again or to be hostile later. And the moment you realise that there are problems and the moment you realise that there are conflicts in a society, and the moment you say: let us take steps to eradicate those conflicts, that means you are taking responsibility of yourself and of the Black community, and of all the people of that country in order to solve the problem, which problem on its own if it is left alone, it might lead to unnecessary repercussions.

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What I would put to you now is given the fact that you Black people are peaceful, and that this is your aim, you then have unity? --- Yes.

Or a collective voice? --- Yes.

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Or / ...



Or an authoritative voice. How do you perceive their achievement of freedom in these circumstances?

--- I am actually happy that you say how do we perceive, because that is the cornerstone of our ideology, the acceptance of the problem of this country, and that is the cornerstone, the perception.

Well let us hear about it? --- So what we are really doing here, we are recognising the fact that we perceive - let me put it - we perceive the fact that Whites do not want to give over power, we perceive that. 10  
And we perceive because of our experiences in the Black community, and having perceived that, we say: no, we can't go and cry to the White man, and say: White man why don't you play this cool, we say we have perceived that. After perceiving that, we say it is our responsibility first before we go and ask the White man to correct the mistake, and we go and correct the mistake ourselves with the Black community. After that we say, we still have a problem the White man doesn't want to give power, and how to go about that in a normal way, we say no, it is because you are 20  
divided, and if you unite, the White man will enter into his psychotherapy to recognise the united Black force. So the moment the White man knows that we don't like this thing, he knows that we are trying to unite in order that we can see that this is what we would like to happen, then he also recognises that fact as a truth, which I think the government has already recognised that truth. So that is where we now base our coerciveness, that is we base ourselves in groups which can solve both the problems of the community, and in groups which can talk authoritatively upon Black 30

existential / ...

existential experiences, to the powers-that-be, and in that sense now we will automatically virtually enter into a process of bargaining. We have already entered into it, because the White electorate and the White power structure recognises the fact that there are Blacks, and we say Black and White will continue to live in South Africa, because we know, that is what we perceive, there is no other answer, we will continue to live together.

Yes, thank you. Mr. Nefolovhodwe, you were cross-examined now a few minutes ago, I am not sure whether I got the question exactly, but I think the suggestion was put to you by my learned friend that after - that on Tuesday night I think it was, after the news came through over the radio of the banning, there was a meeting between SASO and the SRC, I think that was the question? --- On Tuesday night?

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Yes, that is how I understand the question, my learned friend will correct me if I got him wrong, and that you then had a meeting, you said you rejected this? --- Yes, I rejected it.

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Now the first question is on Tuesday night what report did you receive if any relating to the radio? --- Well as I said to His Lordship earlier on, you virtually stay alone when you are doing final year at the university, you have got a room of your own, they try to make you feel that you are a senior student, and if you don't have a radio of your own then actually you cannot hear anything, so I was that type of student who did not have a radio. So I did not get any information relating to the rally, and the following morning ..(Mr. Soggot intervenes)

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May / ...

May I interrupt you please?

COURT: The following morning is that the Wednesday morning?

--- Yes, the following morning, that would mean the classes started about 7 o'clock, so you rush to the dining hall first, and then you dash to classes. That is why in the circumstances I could not manage to get the news.

I think from the telephone conversation, you were asked whether you had seen the papers and you said yes, and you said it was the Rand Daily Mail that you saw?

--- Yes, you see M'lord, the papers then were reflecting on the intention of the Minister, they were not reflecting on the banning order per se. So that I might have seen. 10

MR. SOGGOT: I am still interested in Tuesday night, I know it may be a difficult question but try and answer it, what did you do Tuesday night, you rejected the suggestion that there was a SASO/SRC meeting? --- Yes.

Do you know where you were on Tuesday night or what happened? --- On Tuesday night - you are asking me where I was.

Or what happened? --- Yes, on Tuesday night before I went to my room I went via the SRC office. 20

You say if you went to your room? --- Before I went to my room.

Oh, I am sorry. --- I went via the SRC office, and I think it was round about 7.30, Ledwaba gave evidence to the effect that he found me in the office, and he was cross-examined as to what I was doing, but I just went to the SRC offices where they were handing out ..

COURT: Is that the time when they were handing out the placards..(witness intervenes) --- That is the time when 30

they / ...



they were handing out pamphlets, yes. But that was no meeting.

MR. SOGGOT: Then you say you went to your room? --- Yes.

And where did you go after that? --- I went to my room to study.

Did you emerge from your room at all before the next morning? --- Well I might have emerged or not emerged, but I went to my room to study in the hostel - I don't know whether I emerged, I might have emerged from my room and gone to some other man's room, because in one hostel you might have your friends there, that might have happened. 10

COURT: Wasn't the rally exercising your mind at that stage when you saw that the Minister thought of banning the rallies? --- When I thought that the Minister was thinking about banning the rallies?

But would you have received it on Tuesday, wouldn't you have received the papers on the following day? --- Yes there are sometimes - that is why I say I might or I might not have, there are sometimes, but papers generally they reach us a day after, all the papers, but there are people who do go to town and come with papers, but the general practice is that we get papers late every day. So that is why I put it I might or I might not have seen the papers. 20

MR. SOGGOT: What was your own personal expectation as to whether the Minister would ban the rallies or not? --- Well at that time when he said that he would ban the rallies, well he was specifically referring to the Durban rally, and I didn't know the circumstances really referring to Curries Fountain, I was in the same boot as the Minister, so I mean I wouldn't have formulated any concrete idea as to how the 30

banning / ...

banning is going to - PAUSE -

All right.

COURT: But you had your conversation between 1 and 2 with No.2 Accused, and then you were already discussing the question of the rally and going on with the rally? --- That is why I say I don't know what he is referring to because later during the day I got a telephone call where I had the impression from the telephone call, so that question really I think it was unfair because it would mean I must balance where I ever discussed some of these things. Because in the tapes later I had become aware of the circumstances, but we were talking about the newspaper which I would have seen even before the telephone call, so I was commenting on that newspaper.

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But he is talking about the evening, now the telephone call you had between 1 and 2, between half past one and quarter to two? --- That is right, so in the evening then after having that telephone call, the telephone call gives me a clear view of the ..PAUSE -

That there had been no official banning? --- That is right, so that was my mind.

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MR. SOGGOT: May we turn to SASO please, you were questioned about SASO and its relationship to BPC, and whether SASO did amongst the students what BPC does amongst the people. Now what in fact did SASO want to achieve amongst the students, and in answering that question can you perhaps compare it or contrast it with what BPC wanted to do amongst the people?

COURT: Is that politically?

MR. SOGGOT: ..INAUDIBLE.. --- The basis is that SASO is a student / ...

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student - a trade union of students, and that is what we call the basis of its operations, so it cannot go outside those bounds, and it has feelings within itself of a political nature, and in order for those feelings - for it to be able to give what it has to the Black community, or what it has to the intellectuals, it does express itself in terms of perhaps - in our documents we do express ourselves politically, but what we are doing there is just to ventilate thought processes amongst those who can clear up the political dimension. So what it really does, SASO, it is bound by its student union image and it goes along those lines. But where for instance we have got BPC now, BPC is a political movement of the people, and BPC takes the political aspects of Black people into consideration because it is a political movement. BPC might appreciate even though <sup>those</sup> processes which had been generated by SASO, it might appreciate or not even appreciate. So SASO generally does not really go deeply into organising people for political action.

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COURT: Well that was since 1969 when SASO was formed, BPC only came onto the scene in 1972? --- Yes that is why I say I think, M'lord, it was what SASO generally believes in, ventilating political processes, and within the community because SASO came into being, and SASO was making statements sometimes of a political nature, the Black community became aware of the dimension of their involvement, and later within the Black community as I got the evidence properly, within the Black community many groups met. So it would have meant that they had read about this generation of political processes.

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Well that is what happened subsequently, but I think

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the / ...



the point is now from 1969 to 1972, SASO was a Black Consciousness movement, and it wanted to inculcate Black solidarity. Now you cannot have Black solidarity only in universities because then you do not achieve your purpose, you must involve all the Black people? --- Yes.

Now what did SASO have in mind to make Black Consciousness effective, in other words to get the maximum advantage of Black solidarity? --- Yes, that is why I say, M'lord, you can actually see from His Lordship's example, that SASO had aspirations of Black solidarity, and it knew that within the Black unionism it could not go and make branches for its own political direction, but what it does because it has got that in its policy which will reflect on Black existential experiences and political aspirations, it reflects, and after reflecting, reflecting, reflecting, many other people get the idea that well, we still need a political organisation to be formed.

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So how would you then get that to the grass roots, if you sat at Turfloop reflecting Black solidarity, you won't reach the grass roots? --- This was a programme which SASO had.

What was the scheme then? --- Well SASO did not really have a scheme for reaching the Black mass, but it had what we called the psychological process of making Black people feel they are able to settle their own problems. So what it does, it takes its student members to go and solve the problem of the Black community.

Well quite, didn't you think of using your community projects in order to get the message across to the grass roots? --- That is another thing that SASO, because it is not a political organisation, that is why it does not - when it

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goes / ...

goes for community projects it does not preach its gospel, it just goes there and it does community projects. So that is the limited scope within which SASO can help the Black community.

Yes, but isn't it an opportunity lost, if that is your attitude, if you don't try and preach the Black Consciousness? --- I don't think it is an opportunity lost, because virtually there is BPC which can do that kind of thing.

Yes but that was only in 1972 when BPC came onto the scene? --- You see the difficulty that I am having, 10  
M'lord, is that even if it was in 1972 that would have meant that SASO at its initial stages, it has its own goal of a nature to reflect on the problem of the Black community. So to SASO it was not an opportunity lost, because it knew for instance that its main purpose is to the student community.

MR. SOGGOT: The student community? --- Yes.

You see, I would like you to deal with that answer in the light of one paragraph in your policy manifesto, and that is that paragraph 1 - you have probably still got 20  
the document in front of you, Q.1? --- Yes.

And it is under policy and it is (b)1? --- Where is that?

Under SASO policy manifesto, the first phrase, have you got that? --- Yes.

"SASO is a Black student organisation working for the liberation of the Black man, first from psychological oppression, by themselves, through an inferiority complex, and secondly, from the physical one accruing out of living in a white 30

racist / ...

racist society"

- now, the operative word there seems to be "working"?

--- Yes.

SASO is a Black student organisation working?

--- Yes.

And if you cut out the psychological part and come to the second part, it means working for the physical liberation of the Black man accruing out of living in a White racist society. Now, while one appreciates that this might have been your hope, the question is, how in your mind if at all, were you people working for the physical liberation of the Black man? --- Well you see, Mr. Soggot, that has been foreshadowed by our community projects. I don't think I need to repeat all this, what SASO does for their physical ..(Court intervenes)

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COURT: The upliftment you say was physical? --- Yes.

MR. SOGGOT: Just one other thing, again dealing with SASO and BPC, you I think made it clear that you were a member and supporter of BPC? --- Yes, I was once a member but now I am a supporter because at the 6th GSC, you remember at the 6th GSC there was a Resolution passed that Executive members should never have anything to do with BPC, so that was the nullification of my involvement in the other movement.

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Well you are a supporter of BPC? -- I am still a supporter.

What I want to know is, in your capacity as a SASO member, did you consider that the SASO organisation had any agreement with or responsibility ..(Mr. Rees intervenes)

MR. REES: M'lord, that question was asked twice and answered twice in evidence-in-chief.

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Court / ...



COURT: I did not follow the question, just repeat the question?

MR. SOGGOT: The question, M'lord, is as a SASO member, does he consider that the organisation has any responsibility - any agreement with or responsibility for action of the BPC.

COURT: Perhaps that question has been asked in that way before? --- Because I said before no the two organisations are separate and they do what they do without regard to the other.

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MR. SOGGOT: If you take any BPC document, you have seen a number of BPC documents here before this Court? --- Yes.

Do you consider that as a SASO person you have been responsible for that? --- I think that is also an unfair question because I was a SASO president, how could I be responsible for another document which was written by a BPC member?

Well, it is an unfair question, but that is the answer. Another point please, you - in referring to the formation schools, you were asked about the input paper? --- Yes.

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And whether this input paper expresses an official view? --- Yes.

Now what arrangements if any are made about the giving of an input paper, and will you tell His Lordship to what extent they do represent? --- Yes, input papers, M'lord, in formation schools might be from other members of the Black community, and what is done is that you just give a man the topic to come and stand there and give his impression about that topic, and then the issue is debated

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upon / ...

upon in commission. So input papers are not necessarily the official document, because they can be given by any member of the Black community.

COURT: Buthelezi for instance? --- Yes, like Buthelezi for instance.

What is the difference between a seminar and a symposium from your point of view? --- Well, from my point of view a symposium runs along the idea of speeches, speeches, speeches, and later ..(Court intervenes)

But isn't a symposium a type of conference where 10  
people make special contributions, intellectual contributions?  
--- They are both more or less of the same ..(Court intervenes)

I mean it need not conform with the policy of your movement, but now a seminar, isn't a seminar something different? --- M'lord, it is not really very different, a seminar to my point of view is where you come for discussion.

Yes, but isn't a seminar where you come and really instruct your people what should be the policies, and what should be the approach? --- Well I don't think it is really to instruct from them, you discuss the issues with them. 20

And to discuss the issues, but isn't to give them an in-depth appreciation of ..(witness intervenes) --- That is right, and in that process then you can formulate your policy.

Now I think there is some indication from the papers that you referred to a formation school also as a seminar? --- We might have, but I am not really very clear as to how it is referred to as a seminar, because in a formation school as we said there are discussions.

But in practice, don't you have sort of SASO people 30

or / ...

or people who really articulate the SASO point of view, to come and give you a talk, and then you have an in-depth discussion, so as to get the listeners to know and appreciate the subject? --- In some instances, it can all happen both ways, in some instances where you feel that this is a very important question, let us say GSC has said to establish a commission of this nature to go into this matter, then you send a man - perhaps one of the Executive members - to go and make an in-depth paper in a seminar, and in the formation school anybody can put a paper for the discussion. So in some instances you do that, but in a formation school in most cases papers are given that are coming from the Black community.

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MR. SOGGOT: Just one or two points before I sit down, I wonder if the witness can be shown SASO R.1 - let me immediately say, M'lord, I do not propose to re-enter the debate on the bullet and the ballot.

COURT: Well as I walked out a thought occurred to me, that the hypocrisy lies in the fact that we, referring to Black and White - PAUSE --- Another thing is that even if I am asked now again on this document, my attitude is as His Lordship read from what I was trying to say, I was debating and His Lordship says when he went out he was also debating the question - I was also debating the question, I don't think I would be of any assistance.

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I may be completely wrong, I haven't looked at it again but as I walked out this morning it occurred to me - PAUSE --- I don't think I would be of any assistance.

The White man makes everybody daily believe that we, namely, everybody are peaceloving creatures, while that

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is / ...



is not true as far as the Black man is concerned because he uses unpeaceful means and force to subjugate us, and then they give an illustration that force was used - the story is that it was the ballot and then the bullet and the truth is that it was the bullet and then the ballot. --- Yes.

And then it says: this hypocrisy, namely where the White man makes everybody believe that we are all peaceful and in truth and fact the White man is not peaceful, is something one should counteract? --- Well that is why, M'lord, 10 I was going along the same lines that in fact the White man is forcing us to go for the ballot by unpeaceful means, that is in fact we are saying the White man is not applying peaceful means, he wants us to go to the ballot by unpeaceful means, that is how it came to me.

So you say when we have to deal with the White man we must bear this in mind, he pretends to be peaceful, he is hypocritical, he actually is not peaceful? --- That is why, M'lord, I won't be of any assistance now.

Well, would you like to come back to the bullet and 20 the ballot?

MR. SOGGOT: M'lord, I have a view, but I am not sure whether I should express it in front of the witness.

COURT: Well we are debating it, it is either clear or it is so confusing that we cannot have regard to it.

MR. SOGGOT: M'lord, it does seem - it starts off with the phrase "all politics is power politics", and it might be that that is ..(Court intervenes)

COURT: Well that is not the hypocrisy, the hypocrisy is that there is a pretence that everything is peaceful, while in 30

truth / ...

truth and fact there is one party that is not peaceful, and they give an illustration, they want us to think that the ballot preceded the bullet instead of the other way. Now this is the hypocrisy, not the bullet and the ballot because that is not hypocrisy, this hypocrisy of democracy by Whites must be counteracted by the opposite above, namely, the opposite being that they pretend to be peaceful but they are not peaceful.

MR. SOGGOT: In other words a criticism of their hypocrisy.

COURT: Yes, it deals with the hypocrisy not with the bullet and the ballot. 10

MR. SOGGOT: No, no, that is perfectly clear, M'lord, as I understand it it starts off saying that politics is power and that democracy is the fruit of power, and that while democracy pretends that we are all peace-loving, in fact it is based on antecedent use of the bullet, and this is the hypocrisy, because violence initiated and violence remains endemic in this so-called democratic society, and this hypocrisy can be challenged by pointing to what he claims - that is the writer - can be the truth. M'lord, I merely wanted to put one point to this witness, do you remember the last paragraph under the heading "religion"? 20

--- AWAY FFROM MICROPHONE

Well, if you will bear with me for one minute?

--- Yes, yes.

You have got the phrase there "Black people therefore must learn to interpret God as a hater", have you got that?

--- Yes.

"Of people who shun their own liberation" --- Yes.

"Christ must be seen as a fighter, a revolutionist 30

who / ...

who guides human justice and not racial justice" -  
now my learned friend asked you whether you went along  
with that and you said yes? --- Yes.

Can you just tell us how you go along with the  
phrase "Black people therefore must learn to interpret  
God as a hater of people who shun their own liberation" -  
how do you understand that? --- Well I understand that if I  
don't take action in trying to solve the problem of this  
country I am punishable by God, he hates me for having -  
you see in the Bible they say you must tell your brother 10  
if he is doing wrong. So it means He is giving me a command  
that if you don't tell him, I will punish you for not  
having told him, so He definitely has got to be a hater of  
me who sits down in the difficulties and seeing the  
contradictions in society, we do not conform to God's being,  
and I sit down and say: okay, let's leave it, let it go like  
that, then I will be punishable later for not having pointed  
out the evils of the society.

You used the phrase "who do not take action", what  
sort of action are you envisaging? --- I mean to voice out 20  
what you believe is not conforming with the Gospel.

M'lord, I have no further questions.

FURTHER CROSS-EXAMINATION BY MR. REES: The activities of  
the night before the 25th, I want to suggest to you that  
it was on Ramaphosa's suggestion that a start was made to  
put up the placards between 1 o'clock and 2 o'clock that  
night because he said that is the best time? --- I don't  
know about that.

And I am suggesting to you that you were one of the  
people who assisted in putting up placards between 1 and 2 30

o'clock / ...



o'clock that night? --- I don't know about that.

You were there? --- I have never been interested in drawing placards in my entire life, I don't even know how to draw a placard.

Not drawing them, just putting them up? --- No, I have never, I did not.

Thank you, no further questions.

MR. SOGGOT: M'lord, may I apologise, I wanted to put one small point to him which I left out in my re-examination, Mr. Nefolovhodwe, this will be my last question to you, you said at one stage that if a general secretary or a president of SASO makes comments - well you made some comment in relation to this having an official effect? --- Yes.

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Can you tell us what are the circumstances where any comment made by the president or the secretary general reflect the official views of SASO and when they don't? --- Well I will give you the example of myself at Turfloop. What I said there in the rally does not necessarily mean reflecting the attitude of SASO, because I was not representing the organisation officially, and that is within those ambits of a man might go to a meeting, the secretary general might be invited to address a cultural meeting. He might have his own thoughts and he can put his thoughts through, unless that document now is accepted by the Executive as their own document, that document does not necessarily reflect the policy, until such time as that document is signed on the dotted line.

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I have no further questions.

NO FURTHER QUESTIONS

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Gilbert / ...

KABORANE GILBERT SEDIBE, declares under oath:

EXAMINATION BY MR. SOGGOT: Mr. Sedibe, can we just go through the usual pattern, if you will tell His Lordship briefly where you were born, where you grew up? --- I was born on the 23rd October 1950 at Pilgrim's Rest in the Eastern Transvaal.

And you were educated at what primary school?

--- I was educated at three primary schools, firstly at Bothashoop Primary School, later at Frankfurt Primary School, in 1963 I went to Penge mine where my father works, 10  
in 1966 I completed my Standard 6 and went to a seminary school at Lehulu, Lydenburg district, in 1969 I finished my J.C. at that very <sup>secondary</sup> seminary school and proceeded to <sup>Se to tolwane</sup> the Tutulane High School in Pietersburg where I matriculated in 1971.

There is a complaint, and that is that you are not talking loudly enough. What work did your father do?

--- My father was firstly a primary school teacher up to the end of 1949. In 1950 he was asked by Penge mine to be their clerk, he has been working with that company up 20  
to this moment.

Then in 1973 you went to Turfloop University

--- That is correct.

Now until that stage had you participated in any political activity? --- None at all.

Did you have any political views of interest or importance? --- Yes, this Your Lordship I believe is of very great importance as far as this case is concerned, because since the time when I began seeing myself, from the time I was in secondary school in Form I and all that, I began to 30

see / ...

see the problems that were really facing our community, that is the Black community, through the problems of my father in particular. Because although he was working at the mine and the mine could provide free food for him, you know they usually give rations for the people who work on mines, but it was very difficult for him to afford to pay for us when I was at secondary school. From that time really I began to see the problems of the Black community, people with whom I was at the primary school who could not even afford to go to the secondary school to get the minor education that was given. And when I went to <sup>Setotwane</sup> Tutulane in 1970 I found that the principal and mostly the staff at that school consisted of White teachers. The attitude of the White staff towards Blacks, it was really very distressing as far as I was concerned. For instance time and again we saw one of the teachers, a <sup>Mr</sup> Mrs. Victor, you find that <sup>he</sup> she would lash the girls the women at that school on their buttocks, and all that. These were the kind of things that showed me that really the White man doesn't even when it concerns the Black women see something of a person in the Black man. This is only one of the minor points that I just wanted to mention to this Court. But at that stage really there were so many things at that school happening, we were not allowed for instance to talk with the girls at that school. You know, this kind of thing, at the secondary school where we only had Black teachers teaching us they allowed us to talk with Black girls, but immediately when we went to a high school where there Whites, they told us: no, you cannot talk with women here, you can only talk with them during

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the / ...



the holidays. I found that very surprising and I tried to interpret that in the light of my experience, that this is not the sign of a White man who wants to discipline children because they are at school, it is because he saw in them a kind of non-being, people he wanted to control in the same sense - you know, he saw them as non-beings, you have got to lay certain rules for them so that they should follow a certain pattern of life. This was part of my experience at that school.

And then you came to Turfloop? --- In 1972 I went to Turfloop. 10

And what did you study? --- I started for my B.Juris.

That is in 1972? --- In 1972.

Did you join SASO or become officially a member of SASO? --- When I went to Turfloop in 1972, during the orientation programme we found and we were told that the SRC had affiliated to SASO on behalf of the student body. We were generally told about the SASO policy and all that but what we were really told was not something new to me because I had already experienced what SASO was telling me, it is only that I found an opportunity of expressing myself through a representative body. 20

You see if you will just in this context indicate to His Lordship how SASO presented itself to you, you say SASO expressed - to what extent did SASO teach you anything or change your perception and in particular alter your view of the White man or the white government? In other words what I want you to deal with though briefly, is the impact if any that SASO had on you, as I suppose a then average 30

Black / ...

Black youth? --- Well the impact really, Your Lordship, that SASO had on me was that we should not only sit and complain about Whites as being our oppressors and do nothing about it. What we should do as Black people, we should come together to try - we should come together in one organisation, which can represent our aspirations as a people and not as individuals. I mean for instance now if I were to say I want to negotiate or talk to Mr. Vorster on the feelings of the Black people he would say: who are you, who are you representing. Now to me SASO 10 was saying: here am I, I am representing your feelings, if you feel that you have got the same aspirations as we articulate, then join us, be a member of us. SASO really didn't bring any new thing to me, it was the old, the inborn attitude that I had towards the system of authority or government in this country, there was nothing new really that SASO told me that the White man is an enemy, the White man is a rapist, the White man is a killer, there was nothing new in that for instance. I just found that SASO was telling me of what I had already experienced in my daily life. 20

COURT: What did you think, why did the teacher not allow you to speak to girls at school? --Your Lordship, really that still baffles me, up to now I don't know really because they never came to assembly and told you: you see, we don't want you to talk with girls at this school because of this and this, they just say: you can't talk to girls at this school.

Well I just want to see how your mind works, what did you think, why did they do it? --- Well, Your Lordship, I believe really perhaps they were concerned about cases of 30

say / ...

say unwanted children, pregnancies and all that.

Now, don't they show concern for you by adopting that attitude rather than trying to be oppressive? --- No, it doesn't, because I had been to schools where there are Blacks in charge, and unwanted babies and pregnancies - I mean the schools to which I had been <sup>already</sup> nothing of that nature had ever happened.

Well that may be so, but now these people might think differently about these things, so you say that they did that only because you are a Black man? --- I say that 10  
was my belief that really if Black teachers had been treating me in this fashion and when I got to a White school the authorities of this school directly changed what I had been experiencing originally.

But if they had no concern for you they would say well go and have your babies and as many as you want? --- Well, Your Lordship, what I am saying is at schools where Blacks are in authority there, nothing of these unwanted babies and pregnancies come, so really I couldn't really see..(Court intervenes) 20

Well that may be so, but they probably think differently, I mean rightly or wrongly, but does that tend to show that they had some concern for you, I mean they didn't want you to find yourself in that predicament and losing your whole school career perhaps? --- Well, that may be so, but the point is they never explained to us really the reason why they didn't want us to talk to them, this is just my thinking about that situation, they never explained to us. So this is what I think it may be like that.

Well he is probably a bad teacher, but I don't see 30

how / ...



how you could attach any importance to the fact that he was a White teacher? --- Because I had come from previous schools where Blacks had, you know, allowed girls and boys to mix together.

Well there are some schools here where they have no discipline at all, I mean one does not recommend those schools? --- But they had discipline at our schools, there was discipline, and nothing as I say, nothing unwanted came from the students.

Anyway you thought that because you are a Black man therefore he did not want you to speak to Black girls? --- You see, Your Lordship, I interpreted that as a way of the system of oppression, just to show that as a White man I have got power upon you, I can do what I like to put it on you. That is how I interpreted it. 10

MR. SOGGOT: Had you been given an explanation, would that have changed your response to that treatment? --- No, as I have already said no explanation was given.

Just perhaps to give a perspective to your perception, apart from this inhibition of talk between male and female students, was there anything else in your mind which differentiated the treatment meted out by White teachers, as opposed to that meted out by Black teachers? --- As I have already pointed out it was really for the first time at that school where I saw a girl for instance beaten on the buttocks, it was for the first time, I had never experienced such a thing. 20

COURT: Well it was in the paper the other day where a White teacher did that to White girls and there was trouble of course, but you get that type of teacher? He didn't treat the / ... 30

the girls that way because they were White, because he was a White man himself? --- I am saying that I had never experienced that from Black teachers at the previous schools, but when I went to that school I found that Whites <sup>were</sup> are doing it.

MR. SOGGOT: Was there anything else which impressed you in a similar way? --- Really there was really - you see there were so inherent there, minor points, such as we couldn't have entertainment, we only for instance had a cinema show once in six months, that is once in a semester, 10 we didn't have entertainment, our Saturdays were involved in studying and all that.

You became then a member of SASO in 1972? --- That is correct.

Did you join or did you become an automatic member? --- I became an automatic member of SASO.

And would you tell us in 1973<sup>2</sup> you were there at the time of the difficulty with Tiro, is that correct? --- Yes I was there.

Now I do not propose to cover that field, you have 20 heard No.3 and No.6 give evidence relating to that, do you agree with their evidence? --- Yes, I agree with it.

Now what does transpire, you were there in 1973 and 1974 as well? --- That is correct.

So that you can fill in a gap which both Lekota and Accused no.6 were unable to? --- That is correct.

Following the expulsion of Tiro, would you briefly outline to His Lordship what was the response of the students, the response of the SRC, what happened to the SRC, and the fate of the SRC until 1974? --- Your Lordship 30

when / ...

when the SRC was suspended in 1972, there wasn't any representative body on the campus, until about March or April 1973 when the students started negotiating with the authorities for a written statement of an SRC.

Had SASO been suppressed as well or suspended?

--- SASO was also suspended.

That was in association with the Tiro episode?

--- That is right. Then in about August 1973 an SRC was elected under the presidency of Mr. Isaac Nkwe. After Nkwe became the president of the SRC they got up new programmes which the students really had not expected from them without prior consultation with the student body as such. The SRC for instance drew up a memorandum on the Africanisation of the university, the students felt that that was a very important issue that the SRC should have discussed with the students before sending that memorandum to the Rector. Besides that there were other grievances against the SRC because some students really felt that they were just concerned with wine and women so to put it, I don't know whether that was wrong or right, but those were the allegations. It would seem the people who were alleging this really had grounds for this. But subsequently the SRC, I think it was about September after the re-election, about one month after the re-election, the students decided at a mass meeting to pass a Resolution ..(Mr. Soggot intervenes)

When would this be? --- About September 1973, round about there, the students decided that the SRC was not serving them in a correct manner so they deposed it. After the deposition, I think it was on a Friday evening, the

following / ...



following day on the Saturday the then Dean of students, Professor Mohanoe, he came to the SRC and he told them that he had been told that the SRC had been deposed but they should rather not worry but still handle the affairs of the students until the following Monday, when he would go and consult with the Rector about that point.

Subsequently it would seem the university authorities agreed that the deposition of the SRC was unconstitutional because it was alleged that although when we started that meeting during which the SRC was deposed, although the meeting when it started had a quorum, when we finished there were close to about a hundred students, and on that basis the university authorities felt that that meeting was unconstitutional and they reinstated that SRC. Then they again worked as representatives of the students. 10

So that SRC remained or was reinstated in office by the administration or the authorities, despite the dissatisfaction of the student body? --- That is correct.

That brings us towards the end of 1973? --- 1973.

Now may I just interrupt you in order to get the chronology, around about the time of Tiro there were sit-ins is that correct? --- That is correct. 20

Would you in that context tell His Lordship about that sit-in and what character it had? --- Well the character Your Lordship of that sitting really was, if I may put it, it was a demonstration, people had placards; and were marching towards the administration to go and present the Resolution which was passed by the students, students were carrying placards which were condemning the university authorities for their expulsion of Tiro. The demonstration 30

I may put it was of a political nature.

And expressed against whom? --- Against the university authorities for having expelled Tiro, as really we believed for his political beliefs, the political beliefs of Black students.

Can you remember perhaps what some of the posters then said? --- Well, I cannot really remember except that they were condemning the administration of the university, for his political rights as a Black student he had the right to express our views.

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All right, I interrupted you there, we got to the end of 1973? --- Then at the beginning of 1974 we found that this SRC continued being active on the campus, but by about I think it is March, there was a petition brought to the students, this petition the mover of it was Mr. <sup>Gallens</sup> Peter Gaele, it was seconded by some other guy, I know him but I just forget his name, in which they were showing the grievances of the students against that SRC..(Mr. Soggot intervenes)

Well we have heard Accused No.6 on this subject, he knew about it firsthand, so I do not think there is a need to repeat it, do you remember SASO then, were you at that stage on the Executive at all? --- No, there was no SASO local committee at that stage.

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Except that the SASO local campus branch had been established by that time? --- It had been established at that stage.

And at that stage did you have any official position in SASO? --- No, I did not.

As far as your knowledge went and understanding went 30

was / ...

was SASO behind the <sup>Gaelle</sup> petition? --- No, I don't think that would be really..(Mr. Rees intervenes)

MR. REES: Is he being asked to express an opinion or to state a fact, M'lord.

MR. SOGGOT: M'lord, I am in fact inviting both.

MR. REES: Well then I must object to the opinion, he can give the facts as he knows them.

MR. SOGGOT: M'lord, I would submit that apart from the facts, his own state of mind as to whether there were machinations in the way of infiltration by SASO even at this early stage 10 is of relevance to the case.

COURT: The opinion is useless unless we have the facts.

MR. SOGGOT: Well, M'lord, perhaps we can ask him. --- Your Lordship I don't know really on what grounds a person would be alleging that the deposition of the SRC was SASO engineered or something like that because I know for one that the petition for the calling of this meeting was made by a man whom I don't believe was a SASO man, both of them I knew them but I don't know whether they were SASO men or not, I never discussed SASO with them, but what I know is that the 20 petition was made during the day the grievances of the students, say for instance Africanisation of the university, the problem of the SRC members <sup>choosing</sup> chasing only to be primarii on the campus..(Court intervenes)

COURT: Now, I don't follow that, what had the Africanisation of the university to do with the SRC? --- They had sent a memorandum to the Rector on the Africanisation of the university.

Oh I see, and how did you feel about it? --- Well the students really were saying that this is a very important 30

issue / ...



issue of the Africanisation which the SRC must come and discuss with the students. It was really a matter which was taken from the previous year when the SRC was deposed but it was reinstated. The SRC had never withdrawn that memorandum to come and present it to the students, so they were still bringing those grievances.

Were those the only grievances they had, that they had asked for Africanisation without consulting the students?

--- No, the other one is that ..(Court intervenes)

No, about Africanisation? --- No, Your Lordship, I cannot really remember because I wasn't very much interested in that Africanisation because I felt that perhaps the SRC had something to say really, although I didn't really know, I thought they would perhaps be expressing my feelings although I had not read it. But it was really never explained to the students what they wanted, it was on that basis that the students felt: no, you people must come and discuss it with us, you can't just take such an important issue to the Rector without consulting us. 10

MR.SOGGOT: M'lord, may the witness be shown EXHIBIT EEE - now we have heard evidence that this had been put on the notice board? --- That is correct. 20

Did you ever see this document before this trial?

--- Yes, that is correct, that is correct.

Where did you see it? --- I saw it it was pasted on the notice board of the SRC.

Well you see here that this expresses various complaints and grievances? --- That is correct.

Were there any other grievances involved which were not expressed here? --- The first one is of accommodation, 30

you / ...

you see, Your Lordship, in 1974 the university enrolled many students and then some of them really didn't have rooms in which to stay, they had to be given accommodation in the spare rooms where we used to put our luggage or our trunks, where we had gyms, they were accommodated in such rooms. Now the students felt that the SRC really should have <sup>done</sup> named something of importance in this connection, they should have talked with the Rector for <sup>why they</sup> ~~enrolled~~ enrolling so many students without seeing to it that the students will get accommodation. The SRC primarii - the 10 SRC members decided on their own to become primarii, that is all SRC members decided that they should be primariis, and the students felt that they just wanted to have money because they had a privilege over the students. You see the primariis are being paid at Turfloop, so the students felt that now you feel you are SRC members you just want to deprive other students of becoming primariis, you should give them the chance of becoming primariis. And on this inter-  
varsity, we were not sure whether there would be an inter-  
varsity held, so the students were asking the SRC about this 20  
issue.

..MR. SOGGOT AWAY FROM MICROPHONE.. SRC - Rector meetings ...AWAY FROM MICROPHONE --- You see, Your Lordship, the SRC used to go and hold meetings, we could daily see them going to the Rector, and we did not know what they were talking about, and these were the issues, you just go to talk to the Rector, you never tell us what you are talking about. Really I don't know, people were suspecting that you are just doing things without consulting us, there must be something behind it. 30

And / ...

And then (e) the SRC/student relationship?

--- Yes, here it was felt that the SRC really, it wasn't in touch with the students as such, they regarded themselves you know as an entity on its own not within the student community, that is they were acting, if I may put it, like a bourgeois class, they did not want to associate themselves with the students.

They were the elite? --- Yes.

Right, these were the complaints then which were the foundation of the petition, and we have heard the evidence, the petition was successful, did you sign it?

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--- Yes, I did sign the petition.

Well I don't think this is in dispute at all so I can put it directly to you, proper elections were held and a new SRC was voted into power? --- That is right.

And Accused No.6 was then elected the president?

--- That is right.

Now, before this happened, shortly before this, we know that there was the SASO off-campus branch revival or reinstatement or whatever it is in the church hall, is that correct? --- That is correct.

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Where Accused No.3 came along and the branch was revived. Were you there? --- Yes, I was there.

Can you just tell His Lordship this, what notice did you have of this meeting, in other words what did anyone from SASO tell you this meeting was going to be about, and what they were going to try and accomplish?

--- Firstly this meeting was advertised by the SRC under Nkwe, notices were put that the SRC was just informing the students on behalf of SASO that there would be a meeting

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outside / ...



outside campus to try to bring SASO to the students at Turfloop. Really what we were told at that meeting were the general principles of SASO and all that, nothing more than that.

The general principles of SASO? --- Of SASO.

Was anything said in that meeting where Lekota was present relating to the SRC or the situation on the campus? --- Not that I know of.

All right, the next thing we have then is that the new SRC is in power? --- That is correct. 10

And Accused No.6 was the president, what was he called? --- He was called the General, we knew him as the General later but previously we just knew him as Nef.

So it was Nef or the General? --- That is correct.

Now we know if I may jump in time that you were subsequently elected the SRC president? --- That is correct.

Later on in the year? --- Correct.

What did you become known as? --- Well generally on the campus the students, you know, since 1972 onwards they used to call me Kaunda, they said I looked like 20  
President Kaunda, and after Nef - I mean my election as the president I was also called the General by the students. In fact I did tell the students that now I am the new general of the SRC.

When did you tell them that? --- It was on the day of my election.

And that was the 13th was it? --- The 13th September.

All right, well that is going ahead in time a little bit, we have heard the evidence that after the new SRC was put in power it made efforts to have SASO brought 30

back / ...

back onto the campus? --- That is right.

And in fact SASO was brought back onto the campus - again I think this is all common cause - in June of that year? --- That is correct.

Then you people had two meetings, one was the compassion day, is that right? --- That is correct.

Did you participate in that meeting? --- No, the compassion day I remember I was very busy writing tests, you know since October - September at Turfloop you find that in the <sup>law</sup> lower departments that is where you start really writing exams, I mean tests.

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What year were you in at this stage? --- I was doing my second year, but together with a third year course.

Your second year with third year courses? --- Yes.

And how many years does your course involve?

--- Four years.

So are you saying that you did not attend the compassion day meeting? --- No, I remember really I was writing a test, I even told Ledwaba - because he was my friend I used to walk around with him that now I am not attending the compassion day because unfortunately tomorrow I will be writing a test, I was very busy that period.

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And the other meeting that SASO held did you attend that at all? --- Yes, I attended the meeting when Cyril Ramaphosa was elected the chairman of the SASO local committee. That is I attended the meeting when the SASO local committee of which Cyril Ramaphosa became the chairman was elected.

When was that? --- In August.

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And / ...

And did you have any post there? -- No, I didn't have any post.

You were just an ordinary member of SASO?

-- That is correct.

And that takes us to August? --- That is correct.

Then I think we could deal with the next SRC election, that was in? --- It was during the end of August.

Now this was I take it simply a routine election in terms of the Constitution I suppose? --- That is correct.

And you stood as a candidate? --- That is correct. 10

And you were elected - you were nominated and elected the president of the SRC? --- That is correct.

And you in other words became the incoming general or president whatever it is called? --- Yes, that is correct.

COURT ADJOURNS

/VMD.



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