

(TRANSVAALSE PROVINSIALE AFDELING)

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PRETORIA

1987-10-05

DIE STAAT teen:

PATRICK MABUYA BALEKA EN 21

ANDER

VOOR:

SY EDELE REGTER VAN DIJKHORST EN

ASSESSOR : MNR. W.F. KRUGEL

NAMENS DIE STAAT:

ADV. P.B. JACOBS

ADV. P. FICK

ADV. W. HANEKOM

298

NAMENS DIE VERDEDIGING:

ADV. A. CHASKALSON

ADV. G. BIZOS

ADV. K. TIP

ADV. Z.M. YACOOB

ADV. G.J. MARCUS

TOLK:

MNR. B.S.N. SKOSANA

KLAGTE:

(SIEN AKTE VAN BESKULDIGING)

PLEIT:

AL DIE BESKULDIGDES: ONSKULDIG

KONTRAKTEURS:

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COURT RESUMES ON 5 OCTOBER 1987.

MOSIUOA GERARD PATRICK LEKOTA, still under oath

MNR. FICK : My Lord, accused no. 9 is absent today. The Court granted leave last week. He went to the doctor.

FURTHER CROSS-EXAMINATION BY MR FICK : Mr Lekota, will you please turn to EXHIBIT V12. It is a transcript of the meeting of Huhudi Youth Organisation held on 1 July 1984. Will you please turn to approximately the middle of the book, page number 1, the translation. I put it to you that the speaker, Mr Oupa Tekere Monareng, the SOYCO president, popularised(10) ... (Court intervenes)

COURT : Let us get a couple of facts straight first. Were you at this meeting? -- I was at this meeting.

Was the chairman Hofman Galeng? -- That is correct.

And did Oupa Tekere Monareng speak? -- He spoke.

And Jomo Khasu? -- I think Jomo acted as an interpreter.

And Aubrey Mokoena, did he speak? -- Aubrey Mokoena spoke.

And a certain Tshidiso? -- Yes.

MR FICK : I put it to you Oupa Tekere Monareng popularised(20) the Rivonia trialists? -- He may have mentioned them, but I do - I think he might have mentioned them in the context of his discussion. I cannot remember what he said specifically.

I put it to you that he further popularised the ANC Youth League and the role the ANC Youth League played ... -- I am sorry.

From page 3 you will find that? -- I do not think he popularised it. He mentioned it here as I see from page 1, in the sense that he was saying that as far as serving the sentence was concerned, he felt that they should have been(30) released/...

released, because under normal circumstances the amount of time they had served would entitle them to reprieve, I think. I do not think it was the intention to popularise that.

Will you turn to page number 2, the very last sentence there "We should also remember that the history of these comrades is great." -- Yes, it says so.

And then at page 3 ... -- There in the same page, just about in the middle he does say that people - he says "International the people should also serve 20 years of their life to serve a life sentence." I think that is the context (10) in which he mentioned this, that he was raising this issue.

ASSESSOR (MR KRUGEL) : Do you know whether that is correct? -- I have heard it said variously. I do not know how correct it is. I suppose it differs from government to government. Every government will decide exactly how much 20 years life sentence would amount or at what stage would it give reprieve to people, but I have heard people say that under normal circumstances people are reprieved either after 15 or 20 years.

MR FICK : From page 3 Mr Monareng referred to Mandela and Sisulu and he popularised them and the ANC Youth League, (20) I put it to you as the persons who influenced the ANC? -- I do not think the intention was to popularise them. He seems to have mentioned them in the historical context in this page.

On page 3 the last sentence "When the ANC Youth League was formed" then you turn the page "Mandela, Sisulu were young people who were prepared to change the strategy of the ANC. That is why in 1949 these young people, belonging to the Youth league, they have drafted the program of action. That is why in 1960/61/62" I am now on page 5 "people were (30) talking/...

talking about the defiance campaign." -- I think there is also a bit of confusion there. First of all, he is trying to pursue the history and the impact the ANC Youth League had on the ANC and then he comes to talk about the defiance campaign in 1960 to 1962 which is evidently wrong. I think he is trying to talk about the early fifties when the program of action of 1949 was amended and there was defiance of unjust laws, but it seems to me as an attempt to deal with history. Indeed lower down in the same page, page 5 he talks about 1953 and Bantu Education. (10)

I put it to you from page 10 up to page 14 Mr Monareng popularised the Freedom Charter and the history of the Freedom Charter. Then on page 13 he said the following in regard to the - whilst discussing the history of the Freedom Charter, in the middle of the page "Oupa. Even if we realise today that freedom is what we are prepared to die for, we are actually going to die for ideas but our fellow comrades and countrymen" and then on page 14 "That is why it is important that all the youth, students to workers, should always think not only think but to put all the ideas into practice." (20)

I put it to you Mr Monareng on page 13 incited the people to violence in the struggle? -- No, I deny that. I think he mentioned the Freedom Charter in the context of the history that he was tackling, but where he does say that we are prepared to die for freedom, I think all he tries to communicate was that we are prepared to sacrifice everything for the idea of our freedom. I do not think it is a call to violence.

Will you turn to page 30. That is part of the speech of Mr Tshidiso. Mr Tshidiso, is he a member of any organisation you are aware of? -- Both he and Monareng are (30)
members/...

members of SOYCO.

Was Mr Tshidiso on the executive of SOYCO? -- I do not know if he was.

I put it to you that also Mr Tshidiso referred to the history of the Freedom Charter and on page 30 he called on the youth in the middle of the page approximately "Our youth must make it clear and for ever that they are prepared to follow in the footsteps of those who have gone before them." -- Yes.

I put it to you Mr Tshidiso in his speech called on (10) the people, the youth in particular, to follow in the footsteps of the ANC Youth League inter alia? -- Well, he only says who have gone before them. There are much more than just members of the ANC who have gone before them. He says we must continue to build a cultural life, that will be the one on which South Africa of the future will be based.

Will you turn to page 36 to the middle of the page, the following is stated "Ek vra die jeug vir een lied. Miskien het hulle dit al gehoor. Miskien hoor julle dit hier" and then a song followed, the first one inaudible, (20) the second one "Tambo laat ons vry met Bazooka, mortier en AK. Laat ons vry, Tambo." I put it to you the audience are conscientised with this song to identify with the ANC, the armed struggle? -- No, I disagree. These songs - I have talked at length about these songs already last week. It is just like the others they sing. There is another one they sing about Theresa, whom they say they are going to build a house for in the moon. It is not taken literally. It is just all these kinds of songs which these people sing. These young people compose all kinds of songs. (30)

I/...

I put it to you that the ANC armed wing are using the Bazooka, the mortar and the AK in the armed struggle? -- Well, I have read something about the AK's in the newspapers. I do not know what weapons they use other than that.

COURT : These speakers, is there anyone of these speakers, apart from the chairman, that was a local man or were they all from Johannesburg? -- Jomo is a local man there.

He was the interpreter, you say? -- Yes. I think at some point he also did address the meeting, but I cannot remember. I do not know whether it is reflected on the transcript (10) here. Yes, he did also address the meeting at some stage. I can only refresh my mind if I go through this transcript and see who spoke.

On the front page, you will see the names of the speakers, Galeng, Monareng, Khasu, Mokoena, Lekota and Tshidiso. -- That is correct. Jomo did also address the meeting briefly at some point, but largely he was making known some steps that had been taken in connection with I think local matters by the civics and so on. On the whole it would be correct that the others, other than Galeng, were people from outside. (20)

MR FICK : Will you turn to page 39 please. It is part of the speech of Aubrey Mokoena which starts on page 36, the third paragraph the second line "Nou wil ek n voorbeeld maak. What is the struggle? Dit is n oorlog wat soos n resies lyk." Then the last paragraph on the same page the last five lines "Nelson Mandela-hulle het die aflosstok. Hulle het die aflosstok die hele tyd soos julle my verduideliking gehoor het. Hulle hardloop nog steeds. Hulle hardloop nie vir hulle self om name bekend te maak of beroemd te maak nie. Hulle hardloop vir ons almal." Then on page 40 the second paragraph (30)

"En/...

"En moet weet dat elke een wat gearresteer is, hardloop vir eie self nie. Dit is hoekom ons sê almal moet onder hierdie waarhede kom van die Freedom Charter. Hulle moet onder hierdie sambreel kom van die UDF, want ons hardloop nie vir onself nie. Ons hardloop nie namens onself nie. Ons wil nie n persoon wat hardloop en sê dit is hy nie, net hy alleen nie. Ons moet almal een wees, eendrag, want as ons een is is ons sterk, een wees." I put it to you from page 39 and page 40 it is clear that Mr Mokoena, Aubrey Mokoena stated that the struggle is a war and that Nelson Mandela and the (10) others with him in prison are fighting the same struggle as the UDF? -- No, I think his meaning - I do not agree with counsel. His meaning is that every generation of our people will always produce men and women who will devote their lives to the struggle for freedom. He is not suggesting that those will do so in our time are doing so on the instruction of the African National Congress. In their day people like Z.K. Matthews, Professor Z.K. Matthews, Chief Albert Luthuli and others they did stand up and voice the protest of African people at the kind of policies the government was pursuing. (20) In our day, independent of them, we also make our contribution in objecting to the new constitution and others legislation which we feel does not satisfy the interests of our people. He means only that. He means it only in that sense. In particular because, if we look at page 42 he does make the point that - that will be in the middle of page 42, the paragraph that begins with "Toe die boere moeilikheid met ANC kry, was dit nie hulle skuld nie. Hulle weet hoekom. Ons is nie ANC of kommuniste nie en ook ons het nie met ANC enige moeilikheid nie. Ons ken nie kommunisme nie. Wat ons wel (30) ken/...

ken is apartheid. In kort, Nelson Mandela behoort vrygelaat te word." What he is really saying is that we are not the ANC, we have nothing to do with the ANC. It would be a misinterpretation to say that when he says that our generation must make its contribution, he is saying so that it is because they are pursuing or they are told by the ANC to do so.

Will you turn to page 49 please. That is part of your speech. The very first line on page 49 the following is stated you asked the audience "Sal P.W. Botha môre regeer?"(10) and the answer of the audience "Nee." The third last paragraph "Wat teen die mense baklei, veg met apartheid. Wat teen ons is, is bereid om vir apartheid dood te gaan, soos Mangope, is die vyande van die mense. (Die vyande van die mense sal nie van kleur sien nie. U sal nie vir hulle kan skei nie. Van hulle woon in mooi huise en ry in mooi karre soos Mangope, hulle is die groot vyande van Suid-Afrika. P.W. Botha, hy is n groot tsotsi. Ons vra nie om die boerse regering oor te neem nie. Ons vra net n kansie. Ons wil net hê hierdie regering moet verdwyn. Ons wil n regering(20) van die mense hê. Hierdie tsotsi's moet saamgebring word en gevra word wat is dit wat julle met die mense doen."

From this, I put it to you, it is clear that you in UDF are not serious with the call for a national convention called by the government? -- No, we are quite serious. The statement makes it actually quite clear, that ours is not a struggle against some people. It is a struggle against apartheid and that what we want is a government in which all the people must participate.

What did you mean with the last paragraph - or let me(30)

read/...

read the second last paragraph as well "P.W. Botha hy is n groot tsotsi." -- Yes, I explained this the other day.

The last sentence on that page "Hierdie tsotsi's moet saamgebring word en gevra word wat is dit wat julle met die mense doen." What did you refer to there? -- The point is - first of all, let me deal with the question of the tsotsi. I explained here that this was in the context of the dishonesty with which the government has treated generations of our people and at the time at which I was speaking, when our people were refusing to and in fact had not voted or at (10) least a very small percentage of them had voted for those structures, the government has fought the BLA's as if they enjoyed the confidence of our people, where we had stated clearly that we did not approve of them. That is dishonest and it is in that context that I am saying that now, P.W. Botha is a tsotsi, on that basis that he is dishonest, because he is holding forward structures which are unacceptable to us and which we have made clear are unacceptable to us. It is only in that context.

You were not referring to the people's tribunal? -- (20) No. There is no question of tribunal here.

This explanation you gave to the Court, you did not give it to the audience, I put it to you? -- Well, if you say a man is a tsotsi, people understand what you mean. He is dishonest. That is all it means. Only just last week here, or the week before last, I was talking about some of these people who go into these structures of the government pretending and claiming to be working for the welfare of the people. I gave the example of the Transkei. About how I have gone through there and I have seen little children, (30)

African/...

African children, without school, anything and poverty all round. I am hardly out of the witness-box, it has just been revealed now that there are millions of moneys which had been stolen by these people who have been claiming to be leaders of our people, who have been claiming to be concerned about the welfare of our people. It is things like those. In the townships here - we have had evidence in this case also about how a lot of these people who go into these structures only go in there to enrich themselves. They are never interested in the welfare and they do not work for the welfare (10) of our communities. Our criticisms to those structures are like that, because people who go there, do not go with the motive to help our people. They are looking for their own - to fill their pockets.

Will you turn to page 51. After you referred to 16 December and the day of Umkhonto we Sizwe in paragraph 5 you also stated "Hierdie oorlog moet van nuut begin en toe het die derde deel van die wêreld ingekom." Why did you refer to the war that must start from the beginning? -- No, but this is in the context of this history that I had been (20) dealing with and I am saying there how these people came to take the decision that they took and what they said when they took those decisions.

But the fifth paragraph is not a quotation from Nelson Mandela, those were your own words? -- Yes, but you see, if you are dealing with history, I am analysing history here.

I put it to you that you incited the people to partake in the violent struggle against the government? -- No, I deny that.

Will you now turn to page 52 the last paragraph (30)

page/...

page 52 "That is the reality of the situation." "In 1966 toe Botha Mandela-hulle tronk toe stuur en die ander, het hy gesê die boom van terrorisme is met sy wortels alles uitgehaal, dit is dood. Toe het hy iets belangriks vergeet. Die boom van die vryheidstryd is nie tamaties nie, dit is nie appels nie, dit is soos n turksvyboom. Waar jy dit weggooi, groei daar n nuwe plant." -- Again that is just a metaphorical expression. All that I am saying is that when the generation stood up and protested against apartheid and the government locked them up, it is true, Mr Vorster did say that and (10) the government thought that it would silence the protest of our people by merely locking them up in the prisons, but the generations that would follow like our generation, has also stood up in its own right to say that it does not approve of apartheid and that will happen, even with this generation, it will pass into history, if apartheid remains another generation will arise. In its own right it will also say apartheid is wrong, because it is wrong.

Will you turn to page 53 the top, where is reference to 1966, "die boom van terrorisme", you further said "Ons(20) is vandag hier ..." -- Hierdie boom van terrorisme. Please quote me correctly. I have said there the tree of freedom. "Die boom van die vryheidstryd." The other words are not my words. Those are the words of the government.

You referred to that on page 53. You said "Ons is vandag hier en die saad van vryheid groei in ons. Ons wag net vir reën in somer en dan sien jy hoe groei die saad. Die boom van die vryheid kan jy nie kry nie, want dit is van bloed gemaak en bloed is sterk. We are saying they have paid the price." I put it to you, you have referred to (30)

this/...

this to indicate to the audience that the struggle you are fighting is the same struggle as that of the ANC in 1966? -- It is not the struggle of the ANC. I am not saying that at all, but the struggle that we are waging today is against the same policies, whether it is Bantu Education, whether it is the passes, whether it is lack of housing, it is the same struggle that our forefathers fought against and that was my meaning and that is not the African National Congress, there are so many other people who have also fought against that struggle, who are not members of the African National (10) Congress. The fact that the ANC was part of our history at that point in time is just coincidental.

I put it to you that is what the audience understood that the UDF and the ANC are fighting the same struggle. If you look at the song they sang "Struggle says Tambo, ye, ye, ye. On the field of Angola, yes." -- The audience did not understand that. In any event, the audience was told at least on two occasions, that we are not the African National Congress. First before I spoke and after I spoke Hofman Galeng repeated that. Two times in this meeting (20) here they were told clearly that we are not the African National Congress.

Will you turn to page 53 then the fifth paragraph, the middle of the page "Ons lees in die koerante dat daar n belangrike organisasie, die UDF, wat met apartheid veg. Ons is van voornemens om mense mooi te laat verstaan ons het tans organisasies gestig, komitees en Huhudi Civic Association, hostelkomitees, rentkomitees." Is that correct? Did UDF launch the Huhudi Civic Association? -- No, no, the UDF did not. Our people did, not the UDF. In fact as (30)

far as I know the Huhudi Civic Association was there even before the UDF was launched, but the context in which I am talking here about, is that our people have said associations, committees, rent committees, around the country. I am not talking specifically about one. I am talking about around the country people have set up various organisations.

Will you turn to page 54 the last paragraph. There it is stated "Julle weet almal die bestaan van HUCA het gekom as gevolg van die verskuiwing en die opgaan van huurgeld. Die UDF kan ons ook help. Mense, Botha maak 'n groot geraas (10) soos 'n maer hond. Julle lees in die koerante dat UDF kom uit die ANC. Ons het geen verband met die ANC nie. Ons weet niks van politiek nie. Wat ons nie wil hê nie, is die apartheid wat ons met ons oë sien." I put it to you that was said because Hofman Galeng was under the impression that there were police informers in the meeting? -- No, no, no. He has stated the position of the organisation as he understands it. In any event, Aubrey had stated that fact before I spoke. After I spoke he commented about the fact that the UDF has been accused of various things and so on and then (20) he makes it clear that we are not the African National Congress. It is proper that he must do so, so that there must be nobody who must leave there with a wrong idea of a misconception. Counsel says we instigated people to violence and that is that. At page 55 Galeng actually says that "Ons het Kameraad Terror gehoor praat. Hy vloek niemand en hy het niemand met die vinger gewys nie. Hy het gepraat terwyl almal hoor en luister." The thing is, before I started speaking here, he said that we want to hear whether Terror is going to tell us to go and burn people or to go and burn buildings. He (30) says/...

says. I think I must just refer to that quickly. It is at page 44. There he says the following "Ek sal kortliks kameraad Jomo roep om n paar boodskappe te maak in n kort tyd. Ek vra dat hy dit gou doen want baie van ons het nog nooit kameraad Terror gehoor praat nie. Ek is ook dankbaar dat hy hierheen gekom het vandag, die laaste tyd en nou nog." Then he says "P.W. Botha huil dag en nag dat hy sy mond wil toemaak. Nou voor hulle dit doen wat ons weet hulle gaan doen, laat ons hom hoor praat. Laat ons hoor hoe praat die man. As hulle hom in die huis inperk en sê hy moenie gesien (20) word nie, moet ons weet vloek hy of sê hy daardie mense moet petrol aan die brand gesteek word. Ek wil hê jy moet met jou eie ore hoor. Ek praat die hele waarheid." So, that is what he said. At the beginning of the meeting he says we must try and find this out. When I had finished speaking, he commenced on the same thing and that is the understanding that the meeting has and he himself says "Ons het kameraad Terror gehoor praat. Hy vloek niemand en hy het niemand met die vinger gewys nie." That is how he understood my speech and everybody who was there understood the speech. (20) Nobody contested - I did not say we must go and take up violence and so on and the chairman commenced on the matter in that light.

Will you turn to page 54 the middle of the page, the fourth paragraph. There Hofman Galeng is referring to the informers "Okay, okay, alright, alright, alright. Nee, kameraad, ons het gehoor. Dan sal ons nie meer hoor nie. Kameraad, ons bedank u baie. Die boere sê hulle het twee terroriste gestuur om ons te kom bang maak. Hulle is hier tussen ons soos ek nou praat. Dan skrik julle ook, want (30) julle/...

julle is bang." I put it to you it was the impression that there were informers in this meeting and he later on said the UDF and the ANC have nothing to do with each other? -- Sorry, what is put now?

I put it to you, the last paragraph on page 55 ...-- The one you read.

Yes. I put it to you Mr Galeng said that because he was under the impression that there were police informers at this meeting? -- No, no, that is not the position. There is no basis for that. If he felt that there was anything(10) that was not going to be said, that should not be said here because there are police informers, he would have told the meeting in advance "Look, do not say what you want to say Here are police informers here." He did not do that. I was the last speaker. The proceedings were over. There was nothing to hide there.

Will you now turn to EXHIBIT V13, transcript of the RMC meeting held at Regina Mundi Soweto on 8 July 1984. Were you present at this meeting? -- No, no, I was not here. I was not at this meeting. (20)

Will you please turn to page 3, part of the speech of Mewa Ramgobin, line eleven from the top. It is stated "We are going to have the courage to repeatedly say that it was conditions in South Africa perpetrated by the government of the land that cause people to take up arms. Actually, one can go a step further and ask whether it was or should not be the South African government who should have been tried for treason and for sabotage. Applause by audience." From this I put it to you Mewa Ramgobin incited the people against the government? -- No, I deny that. (30)

Mewa Ramgobin tried to justify the armed actions of the ANC? -- He did not try to justify the actions of the ANC. It has generally been considered, even by the government, as I have pointed out in my evidence-in-chief. Even people like Minister Chris Heunis has considered that the conditions that existed in the sixties when Mandela and his colleagues took the decision to set up the armed wing of the ANC, were understandable. The word he used is "begryplik". What Mewa is not saying here is that it is correct to use violence and so on. He is dealing with history here, if we look (10) at a couple of lines above that. It is clear that he is dealing with the historical background of that and then he draws a conclusion on this. The fact is, I was just explaining to the Court even last week myself about the fact that the frustrations of apartheid and the suffering that our people have experienced under apartheid and so many of the other outflows of the policies of apartheid, are responsible for producing sections - amongst our people sections of people who have finally felt that the only path for them is to use violence. It is true that there are those of us who will (20) remain stubbornly committed to violent paths, but as I have said last week, people do not react in the same way to think, because their dispositions are not the same and even the timing - we reached maturity in our time in the eighties. People who were there in the sixties also had peculiar conditions that they were confronted with.

The same page from line 20 page 3 "We believe and unashamedly believe that it is the South African government who is guilty of sabotage, that the South African government is guilty of terrorism and that the South African government (30)

(loud/...

(loud applause by audience) when leaders of the calibre of Mandela, Tambo, Mbeki, Sisulu and Kathrada and Goldberg and Braam Fisher can give up their all and give up the want of the families and give up the security of the jobs and their professions." Mr Braam Fisher was the leader of the South African Communist Party. Is that correct? -- I do not know if he was the leader of the communist party. I know that he was arrested.

Do you really want this Court to believe that you, a man who makes a study of history, was unaware of the fact that (10) Braam Fisher was the leader of the South African Communist Party? -- I do not know that he was the leader of the communist party. I know that he was a member of the South African - of the Congress of Democrats and that he was arrested and sentenced to life. I do not know about his connections with the communist party. Whilst we are at that, we may be taken to task for people talking like this about Mandela, Tambo and so on. Apart from the point that I have already made about the conditions that existed at the time when these things happen, just only last week I was reading here in (20) the newspapers about how Minister Pik Botha wrote a letter to Mr George Schultz about the fact that the government is prepared to release Mandela and the others and start a process of negotiation, even if they do not renounce violence. That was just being said by the government, because the government wants to start a process of negotiation. This is a point we made a long time ago that if channels of negotiations were open, the whole question of violence would fall apart, but if the foreign minister of our country writes to the foreign minister of the United States, only last (30) week/...

week I was reading about it that he says so that the government is prepared to involve them in the process of negotiation. What is wrong if the UDF says release those people and negotiate with them? I do not see what is wrong.

COURT : The Congress of Democrats, what was that? -- That was as I understand it an organisation of White people in South Africa who, amongst other things, first were opposed to apartheid but also subscribed and supported the demands set out in the Freedom Charter.

MR FICK : I put it to you that Mr Ramgobin referred also (10) to Braam Fisher to indicate to the people that even the South African Communist Party is part of the same struggle of the UDF? -- No, I deny that. I think the context in which Mewa refers to all these people, if we take a man like Mandela. Mandela was a lawyer, as far as I know, Oliver Tambo was also a lawyer, Govan Mbeki is at least, carries a degree in economics, Walter Sisulu was an estate agent in Johannesburg, Kathrada as far as I know was involved in business and so on, I am not sure what Mr Goldberg's position was, Braam Fisher is not only the grandchild of one of (20) the presidents of the Orange Free State, he himself was an outstanding Queen's Counsel, both here and in Britain? -- These are respected valuable human beings in any society. If apartheid can force people of this kind of standing to abandon things and to do the kind of things which they have done, resort to armed violence and so on, there must be something very seriously wrong with apartheid and I think what Mewa is saying here is that here are men of calibre, the words he uses are "leaders of the calibre of these men." We have given up to correct the wrongs in our society. (30)

Or/...

Or at least they have been pushed to these extremes by apartheid and those of us who know what apartheid implies, in practice, in life, what it has meant for us. Today it is very difficult to find an African person who has not been in jail and therefore does not carry a criminal record, because of the pass laws alone. I myself have got a record on that. A lot of our people have been piled because of the laws like this, they have been piled like this. Everybody has been a prisoner as a result of the pass laws. Laws which, as far as we are concerned, were unnecessary and only applying to(10) us, not to our White compatriots, not to anybody else. If you walk in the street and you do not have a pass, you go to jail. Other people walk around here without passes and documents, but they do not go to jail for that. It selected us. It is this kind of thing which has pushed other people to take this kind of path and we in the UDF are pleading in 1987 - continued to plead let the government release the leaders, let us have a negotiable settlement. Let us have peace in our country on a basis of equality. Forget about the past and make a new beginning. That is what we are (20) asking for.

Will you now turn to EXHIBIT V14, a transcript of the meeting held on 18 July 1984, Transvaal Indian Congress mass meeting. Did you attend the meeting? -- Yes, I was at this meeting.

Did you speak at this meeting? -- That is correct.

Dr. Jassat, did he speak? -- He was the chairman.

Is he the president of the TIC? -- He is the president of the Transvaal Indian Congress.

Cassim Saloojee, did he speak at the meeting? -- That(30)

is/...

is correct.

Is he a leader of the TIC and the UDF? -- He is the leader of the Transvaal Indian Congress. He is a patron I think of the UDF Transvaal.

Mrs Esakjee, do you know her? -- Mr I think. Mr Esakjee. Not Mrs? -- No, I think it is Mr Esakjee.

Who is Mr Esakjee? -- He is one of the leaders of the Transvaal Indian Congress.

David Webster, did he speak at the meeting? -- Yes, he spoke. (10)

He is one of the leaders of which organisation? -- As far as I remember he is a member of the Detainees Parents Support Committee.

DPSC? -- Yes.

Did David Montsisi speak at the meeting?

COURT : Can that be Daniël Montsisi? -- It is Dan Montsisi.

MR FICK : He spoke at the meeting. Is that correct? -- He did, yes.

Fatima Meer? -- She did.

She is a member of which organisation? -- Professor (20) Meer is a member of the Natal Indian Congress.

COURT : And one of the leaders? -- No, she was not serving in the executive, but she is one of the senior members of the Natal Indian Congress.

MR FICK : Andrew Mogotsi we know. Did he recite a poem at the meeting? -- Something like that.

He is a member of AYCO, Alexandra Youth Congress. Is that correct? -- I do not. He used to stay in Alex. I do not know if he held membership to AYCO. I do not think so though. (30)

Dr Ram Saloojee, did he speak? -- I cannot remember him speaking there. He may have. I cannot remember.

He is a leader of both the TIC and the UDF? -- He is a leader of the TIC and the UDF, yes.

Then Mr Roy Padayachee, did he speak? -- That is correct.

Is he a leader of TIC or NIC? -- He is just a member of the Natal Indian Congress.

You spoke you said? -- Yes.

And accused no. 19, did he speak? -- He did not deliver a speech. I cannot remember if he did say anything. He (10) might have. May be he led the singing. I cannot remember what he did there. The singing of the national anthem.

And Mr N.G. Patel, did he speak? -- I cannot remember.

Do you know Mr N.G. Patel? -- I think I should know him, but I cannot recollect his face now.

Will you turn to page 1(c). Turn to page 55, at the back of the page following page 55 is the translation of the songs sung at this meeting. -- Yes.

I put it to you at this meeting Oliver Tambo was popularised in the songs as is evident from page 1(c)? -- (20) My previous answer in relation to these songs I think suffice really. I cannot say anything more.

As well as Mr Kathrada, Mr Mandela and Mr Sisulu, they were also popularised in the same songs? -- Their names may have been shouted there, but I do not agree that it was for the purpose of popularising them as such.

Just for clarity sake, will you turn to page 16, the second line. There is a reference to Mrs Esakjee and it is stated there "While she is coming up here." Do you still say that it is not Mrs Esakjee but Mr Esakjee? -- May be (30)

I should just say that I cannot remember very well the details of this meeting. I may be wrong any way.

Will you please then turn to page 17(a). I put it to you there the chanter said the following "We, Mandela's soldiers" and the audience responded to that "Mandela". I put it to you this song was sung to conscientise the masses about the nature of the struggle that the UDF and the ANC are in the same struggle fighting a violent struggle against the government? -- No, I do not agree with you. The first time I heard this song it used to sing about Chief Luthuli. (10) Just as it is. So, may be they have just substituted Nelson's name there.

Page 18(a) and page 18(b) also again popularisation - popularising Oliver Tambo at this meeting? -- I agree that they sang about this and chanted about this and so on but I do not agree that that was the intention.

Will you now turn to page 31, that is the poem of Andrew Mogotsi. -- Yes.

On that page it is stated next to the number 416 by Mr Jassat that Mr Mogotsi is a member of AYCO, Alexandra (20) Youth Congress? -- That may be so.

I put it to you from the poem of Andrew Mogotsi, it is made clear that the ANC is part of a violent revolution against the government. Next to the number - it is part of the last paragraph - 025. It is stated "It is now time to eat Bazooka and shit bullets for there shall be time to vomit fire." -- I do not want to pretend that I can say what this whole thing is about. It is supposed to be a poem. I do not know how much of a poem it is.

Will you turn to page 32 then, still part of the same (30)

poem/...

poem, the third line from the top, it is stated by Mr Mogotsi "There is a revolution." Then he refers to Mozambique, Matola, Lesotho, Maseru, Swaziland, rockets, bullets, innocent soles and on the same page, page 32 the last seven lines, it is stated "We shall live tomorrow and forever. Black, green and gold colour fly high. The youth on the march. Hoist them high and how high to reach the firmaments of love, peace, freedom and justice for all." Will you then turn to page 33 the last eight lines "Children, who because of oppression glue themselves to the flag black, green and gold like (10) an infant on its mother's breast." Then page 34 lines 4 and 5 "There is a bomb blast in Pretoria. There is a bomb blast in Bloemfontein. There is another bomb blast in Belfast." I put it to you, this poem popularised the armed struggle, it popularised the ANC and no one at this meeting repudiated Mr Mogotsi? -- No, I do not agree. I think even - I do not know if the chairman could make much sense out of this, but I disagree with the proposition of counsel. He does say of course that hope is love, hope is peace, hope is freedom, hope is justice. (20)

Yes, but he is obviously referring to the so-called justice, love and peace after the revolution? -- Well, he does not say so. I do not want to pretend that I really know and then I can interpret this. It is supposed to be a poem, but as I say, the sentences which come quite clear and repeatedly across to me are those about hope is love, hope is peace, hope is freedom, hope is justice and they are also repeated at page 33.

Will you turn to page 48. That is part of your speech which starts on page 36. Is that correct? -- Yes. (30)

The/...

The fourth line from the top, there you said the following "The truth must be spoken at some point or the other. The price may have to be paid for the truth must be spoken. Any man, including Mandela, Sisulu, Kathrada and others, any organisation including the African National Congress that is today committed to the struggle against apartheid is a matter of pride to this country." You yourself popularised the armed struggle, I put it to you? -- No, I did not.

Yes, you referred to the African National Congress, (10) that is today committed to the struggle. You did not refer to the non-violent part? -- No, no, let us read and understand the sentence as is here. I say here any man, including those, any organisation, including the ANC, that is today committed to the struggle against apartheid is a matter of price to this country. Not committed to armed struggle, committed to the struggle against apartheid. I have said that right here in the court that the question of violence, the struggle against apartheid is the right struggle, because apartheid is an unjust system and it is unacceptable. (20) There are all kinds of organisations which are opposed to it. We may disagree on the question of methods, but on the question that apartheid must be opposed and it must be fought and be gotten rid of, on that question there is no doubt about the fact that we have all agreed it must go and that is what I am talking about. I am addressing myself to that point. It will be seen for instance if you look just a line below that. It is something to be cherished that even amongst the Afrikaners men such as Beyers Naudé have been born, people like Helen Joseph among White people. Those people are (30) the/...

the price of our country. I have mentioned Mandela, Sisulu, Kathrada. I mentioned Dr Beyers Naudé, I mentioned Mrs Helen Joseph. There are two categories of people. Some of them have not been involved with armed organisations, others have. It is clear that what I am abstracting is the element of opposing apartheid. That is what I am talking to. It cannot be denied that the difference that we have with other organisations may be the methods, but on the question that apartheid must go, we agree, it must go and that is the point that I am making here. (10)

On the same page line 22 "This is a simple and straight forward thing, the time has come when we must make the point that we are no longer prepared to be ashamed to associate ourselves with the symbol freedom of our people. I think the time has come when we must go down with the leaders of our people. Those men today after 20, 25, 22 years of prison life continue to hold the flag of freedom high, refusing to let." You were referring to Mr Mandela, Sisulu, Kathrada and the other Rivonia trialists? -- That is correct and indeed you know, unless we say it very loudly and clearly (20) to the government that those are the leaders of our people that must be released and the government must negotiate with them, the government will then continue to say that the Steve Kgame are our leaders. You see? It will stick to those. The point that I am making here is that it is important that at this point in time we must say to the government those are the leaders of our people and those are the people that we are asking it to release so that you can negotiate a settlement with.

Will you turn to page 50.

(30)

WITNESS STANDS DOWN.

COURT ADJOURNS.COURT RESUMES.MOSIUOA GERARD PATRICK LEKOTA, still under oath

FURTHER CROSS-EXAMINATION BY MR FICK : Mr Lekota, we were busy with V14 page 50 the second paragraph "Are you turning your back on Luthuli? Are you turning your back on Kathrada, Mandela, Sisulu and Golberg? Are you joining the Nats against our people? I have made my choice. The price may be heavy. Our people in Parys have made their choice. Our people in Crossroads have made their choice. Our people in Cradock have made their choice. Our people made their (10) choice in 1946 around the Indian ghetto act. Our people made their choice around the defiance campaign. Our people in the United Democratic Front have made their choice." Then the last six lines on the same page "I am asking you, let us march together under the banner of the United Democratic Front. Let us march together on the footsteps of our forefathers. Let us say no to the Nats. Let us once and for all call the blood of White superiority. Let us carry the battle for the final elimination of White domination in the African continent to the end on 22 August in this respect" (20) and then applause. I put it to you that you actually on page 50 called on the audience to side with the struggle of Mandela, Kathrada, Sisulu and Goldberg. What do you say to that? -- More than that. I said more than that. I called on them to support the struggle that has been waged under Luthuli, under these leaders. I referred to the struggle of the people in 1946 around the Indian ghetto acts in Natal. All the struggles that I have mentioned are areas where our people have variously expressed their opposition to apartheid. I did not select the ANC. Look at a number of (30) examples/...

examples that I referred to there and I made it quite clear, they must say no to apartheid. In keeping with the spirit of our people at these various places and at these various different periods of our history and finally I said to them on 22 August and that was the day of the elections, they must refuse to vote for a constitution that carries forward apartheid and therefore that carries forward those policies which keep our people and perpetuate their unfree status. That is what I am saying there.

You referred to "Our people in Parys have made their(10) choice. Our people in Crossroads have made their choice. Our people in Cradock have made their choice." To what were you referring there? -- All of those areas, where they have expressed opposition or refused to co-operate with the structures of apartheid or policies which they found unacceptable, that is what - just look at all that and look at the common factor and the common factor in these instances will be the fact that our people refused to support apartheid or they expressed opposition to apartheid. That is a common factor that throughout all of those examples. (20)

Is it not another common factor the factor of violence? -- No, it is not. When did Luthuli ever take up violence? That has never happened.

I am talking about Parys, Cradock and Crossroads? -- No, no, I did not only talk about those. I spoke here about one, two, three, four, five, six - do not make your own set. I made the set at the meeting. The people heard me talk about all these and the common factor amongst all of these, that is what tells us what the position is, not a choice of your own that you make there to suit your purposes. (30)

I put it to you that you referred to Parys, Cradock and Crossroads? -- Yes, because even in those places people have said no to apartheid.

I put it to you that you referred to these places because at these places there were violence? -- No.

MR BIZOS : In relation to Cradock the admission specifically says that it started in September on page 8 of AAS 3. The meeting of course was in July.

MR FICK : I put it to you you referred on page 50 the last paragraph and called on the people "Let us carry the battle(10) for the final elimination of White domination in the African continent to the end", that was a reference to violence. That is why you called it a battle? -- No, that sentence ends "on 22 August". That sentence does not end there where the fullstop is. That sentence says - it actually reads "Let us carry the battle for the final elimination of White domination in the African continent to the end on 22 August in this respect." There is no fullstop there. I know what I said. I said on 22 August - I said to those people there on 22 August they must not vote and in refusing to vote, (20) they would be carrying forward the struggle against apartheid. That is my meaning here.

Will you now turn to EXHIBIT V15 this is a transcript of the UDF Youth Rally Patidar Hall Lenasia on 28 July 1984. Were you at this meeting? -- No, I was not there.

There was a UDF Youth Rally in Lenasia on 28 July 1984. Can you confirm that or do you not know? -- Yes, I do recall a meeting, I am not sure of the date, but I do recall there was a youth meeting some time in 1984 there.

(Deacon Mathe, do you know whether he is a member of(30)

Alexandra/...

Alexandra Youth Congress? -- No, I do not know about that.

Do you know Deacon Mathe? -- Yes, I know him.

Is he a member of any organisation you are aware of? --
As far as I know he stays here in Pretoria. I think he is
a member of one of these organisations here.

Mafison Morobe we know is the co-ordinator of the MSC
campaign inter alia? -- At some point he may have done that
for the Transvaal, I think yes.

George Matime, do you know him? -- I do not know that
man. (10)

And then of course we have Andrew Mogotsi again. Cedric
Kekane, do you know him? -- I do not know this man.

Jessica Shermann, do you know her? -- Yes, I do know
her.

Is she a member of any affiliated organisation of UDF?
-- I think she is a member of the Johannesburg Democratic
Action Committee, but I am not sure. I think so.

JODAC. Can we turn to page 3. Pages 3 and 4 and the
first page of page 5. It is part of (songs and slogans shouted
at this meeting. From page 3 the first song "Tambo hold (20)
my hand." Slogan "Oliver Tambo" and the words "shoot with
the Bazooka, these Mandela soldiers, shoot with the canons,
soldiers", I put it to you this song was sung to popularise
the ANC's armed struggle? -- No, I disagree. The reply which
I had already given in relation to these songs holds.

And on page 4 the audience made it clear that "We are
not Mandela's soldiers" and again "shoot with the Bazooka,
soldiers" and they also sang "Oliver Tambo is our father"
and "Joe Slovo is our father" and on page 4 the last four
lines they popularised the soldiers of Umkhonto we Sizwe. (30)

They/...

-- They sang about them.

I put it to you that they sang about the Umkhonto soldiers to make it clear that the UDF is part of the ANC's armed struggle? -- No, that is incorrect.

Then on page 5 the last four lines there is again a song "You must please lead us, Tambo. We will come back with socialism." -- Yes.

The song continues on page 6. There it is said or stated "Shoot with the Bazooka soldiers, salute the soldiers" and the last three lines "You Umkhonto Hayi, hayi." I put (10) it to you also this song is sung to popularise the ANC in the armed struggle as well as the ideology of socialism. -- No, I think I might just say to the Court that a lot of these songs one will find and many others talking about subjects which had nothing to do with the reality of life. Just this morning I was making for instance an example of this other song they sing about building a house for somebody in the moon and they sing about this. For instance here one will find these little kids here singing about for instance socialism. If one was going to ask them "What do you mean by (20) socialism?" they will just know that there is something like socialism. Some of them may not even know how to write the name, I mean the word socialism. It is just a lot of young people playing around and so on. Where they get the things I do not know. Some of them eavesdrops when elders are talking at home and they repeat those things. I cannot really explain that.

But I put it to you these young people are not so very young normally. "In many instances they are above the age of 21? -- No, I would say that majority of them would be under (30)

20.

Will you please turn to page 17. That is part of the speech by George Matime, The speech starts at page 12. Then on page 17 the first paragraph the last six lines of the first paragraph "Relevant to such aggression in 1960 the banning of the ANC was shown by the Coloured people's response. We said we want our movement to be alive. We have no other movement but oh, that the ANC, in that the nature of our response we shall show by the people when it meant that the people are ANC and ANC is people." I put it to you that (10) Mr George Matime popularised the ANC and conscientised the audience to accept the ANC as part of the people? -- I think counsel must read these things in context. He is dealing, as I see it, with the historical fact at the time in 1960 this happened and then people said we have no other movement, that the nature of our response was - this sentence is not quite clear, but it does say that people said that. The ANC is the people and the people is the ANC. He goes on below that. He deals with the question "In 1983 SAAWU in East London." I think the same thing happened to it. It was banned (20) there. Then he goes further down and then he deals with COSAS and AZASO. So, what I understand from this is that he was dealing with various historical points, when the government banned these organisations or took actions at those organisations, what the people said at those points in time. he is not saying that the people must join the ANC. He in fact says that in 1960 - he is talking about a historical fact.

Turn to page 18. There is a song "We Tambo, hold my hand. You Tambo, we want Mandela." I put it to you the (30) audience/...

audience sang the song to identify with the ANC and the struggle waged by the ANC? -- No, no, I disagree. I think I have already given my explanations in this regard.

Then on page 21 you will find again Andrew Mogotse, Jingles, and his poem. The same poem as the one we had before and I put it to you that on this meeting he recited the poem to conscientise the audience to accept that the ANC and the UDF are fighting the same violent struggle? -- No, no, he never spoke on behalf of the UDF. I do not see anywhere where it says that the UDF and the ANC are the same thing. I disagree. (10) Again even in this context this whole thing about "poets breaching freedom and justice, hope is love, hope is peace, hope is freedom, it just recurs and recurs there.

On page 22 he refers from the fourth line to the flag in black, green and gold and the bomb blast in Pretoria, in Bloemfontein and in Belfast. -- I cannot pretend to interpret everything of what he says here, but again even on page 22 this whole thing about hope is love, hope is peace, recurs there again.

On page 22 the speech of Cedric Kekane, he appeared (20) in a green uniform and he started his speech with "Revolutionary greetings", that is the second last paragraph. He gives a clenched fist salute with the right-hand and the thumb extended. -- This phrase revolutionary greetings is a thing that one just finds all over the place. I do not know if there is any meaning, even the people who so many times use it, I do not think, if one were to say "Just tell us exactly what is meant by this", because as I - some of these things becomes slogans or they become part of political rhetoric. People will find it there and they just start wielding it. (30)

The/...

The problem is that whilst the issue may be raised in a situation like in court, people want to say what is the meaning of this, people ordinarily are so familiar with this kind of language, they do not go into the actual - that they say this is the meaning of that. It is almost taken like common phalanx, so to say. Those words are just used around and you will find that this young man who are using it here he is still just going back to other meetings or things like that and he himself might not even be able to explain what he means by this. May be he has read some books that talks(10) about revolutionary greetings and then he just talks about that. Whilst we may be worried about the fact that a language like this will incite people and so on, the effect is actually different. My own experience is that when - as early as when I was in SASO those years were people using languages like this and it never made the impression on me that I must go and use violence. I have never to this day taken the position that I must use violence.

The clenched fist with the right-hand and the thumb extended, do you know anything about the history of that (20) sign? -- The most I can tell the Court is that it is being used from about the turn of the century together with the call Mayibuye i Afrika. I cannot tell the court anything more about that.

Can you tell the Court whether the ANC has accepted this as its salute? -- I do not know if the ANC had accepted it as its salute. I do know that it was used extensively before the banning of the African National Congress. From the pictures that I have seen of meetings, for instance some of them held in the forties and fifties, one often (30) sees/...

sees some elderly people standing there with that sign, holding it like that and so on.

Was that not the sign given by Nelson Mandela after his sentence? -- Well, I was not there. I do not know what sign he gave and I have never heard that he gave that sign.

On page 22 the last paragraph "Revolutionary greetings to you comrades and compatriots. Our rally today has come at a time when the history of our struggle is putting us at the stage where we are forced to move from the posture of the defensive onto the offensive." And then on page 23 (10) the same speech the last paragraph - sorry, the second last paragraph the last sentence "We are putting clearly to this enemy that we are not negotiating any form of settlement within apartheid - the apartheid system. We are not negotiating for any special deal, nor are we impressed by any form of resolve. Comrades and compatriots, we are telling this enemy now that we are determined as never before to work towards the destruction of this apartheid based constitution and instal the people's power where the people shall form their own government based on their own will. (20) After the total destruction of this apartheid based constitution and its government, we shall instal our own government where the people shall govern and we are there to say that and here as we are gathered here to fight for our own liberation and to work towards the total seizure of power." That I put to you is not what you have stated, namely that you are working towards the national convention? -- To start with, as I have said, I do not know this young man who is speaking here. Secondly, he is not speaking on behalf of the UDF. This certainly is in conflict, this thing that (30)

we are not negotiating any form of settlement, that is absolutely in conflict with the policy of the UDF. He has never said that he is speaking on behalf of the UDF, but I just want to state quite clearly that it is in conflict with the policy of the UDF. If I were to interpret this, in the context of our organisations, the question of the installation of a government based on the will of the people would be the outcome of a national convention in our understanding in the UDF. So, if anything is suggested that that is to come in any other way other than a negotiated peaceful (10) settlement, that I reject.

I put it to you that this gentleman Cedric Kekane was in the executive of SAYO, the Saulsville/Atteridgeville Youth Organisation, an affiliate of UDF? -- I cannot contest that. I do not know this young man. But even if he could have been a member of that organisation, he was not speaking here on behalf of the UDF. This is certainly not the policy of the UDF.

Up to the time of your arrest, it is correct that SAYO was still an affiliate of UDF? -- As far as I know, (20) yes.

Can we continue. On page 24 the tenth line from the top approximately "The present condition and development of (this stage of our revolution dictate upon the entire democratic and patriotic forces of our country to adapt our strategies and tactics to the prevailing material conditions presented by the enemy." I put it to you from this and the previous part read it is clear that this man was talking about a violent revolution? -- It does not follow. There is nothing there that suggests that. (30)

Let/...

Let us continue then. "To move from our own struggle, moving from the defensive onto the offensive, young as we are, militant as we are, committed as we are, dedicated as we are and determined as we are, we shall through our organised militancy and organised resistance consolidate all the victories thusfar scored by our struggling people (inaudible) sustained unity of the masses under the banner of the popular United Democratic Front and the proud tradition of combat and resistance of the oppressed." I put it to you he is conscientising the masses to accept that the (10) part of the UDF's policy is to overthrow the government through militant actions and combat? -- No, once he suggests that under the banner of the United Democratic Front, the immediately that would be non-violent.. UDF is not a violent organisation. The position of the UDF is clear. If his suggestion is violence as counsel is putting it to me, that has never been accepted by the UDF and in fact it would be rejected if he came here and said anything like that. We would just throw him out.

Then from there on "We, the youth, we, the young people (20) of our land, Black and White, shall organise to take an unequivocal liberation all code of national responsibility to fight and win the struggle under the banner of our popular vanguard struggles led by our own people through decades of process of bitter struggle against chance of perpetual slavery." I put it to you he is also referring to the struggle of the ANC over the last decades? -- No, I disagree with that.

Will you then turn to page 25 the second paragraph. It is still part of the same speech "Well, in that posture, (30) comrades/...

~~comrades, comrade Nelson Mandela, comrade Oliver Tambo,~~
~~comrade Goldberg, comrade (inaudible) and other have also to~~
~~appoint themselves and to take off from where these old warriors~~
~~and generals have left off. We have learnt from the history~~
~~of our revolution and from the experiences and history of~~
~~our liberated countries -- of other liberation countries in~~
the world that the time comes in the life of every nation
when there ~~remains only two choices, submit or fight.~~ That
~~time has now come to South Africa. We shall not submit and~~
~~we have no choice but to hit back by all means in defence (10)~~
~~of our people, our future and our freedom.~~ We shall under
no circumstances allow the ~~enemy~~ to implement its apartheid
based constitution as it pleases. As for the puppet purpor-
ting to divide the people and serve on the racist parliament
and all resistant puppet bodies they undoubtedly shall face
the wroth of the people. ~~Comrades, compatriots, we must be~~
~~indomitable and uncontrollable, unwilling, adamant and~~
~~stubborn to the racist~~ rule (inaudible) Applause. Comrades
(inaudible) we must disobey in whatever other turning as
into tools of our own oppression. We must escalate all (20)
possible resistance. We must refute and refuse to believe
any propaganda offensive the enemy. Including any attempt
to win our hearts and minds. ~~We must refuse to be conscrip-~~
~~ted, persuaded or recruited to serve in the middle of the~~
~~racist army of doom by the enemy.~~ Oh sorry, we must resist,
we must fight for our own liberation and we must destroy
the whole system of oppression and exploitation starting
with the so-called new constitution itself. We must begin
to use our accumulative strength to destroy organs of this
government. We have undermine and weaken its control over (30)

us. We should direct or collected might to render the enemy unworkable. We must create conditions in which the country must become increasingly ungovernable. Compatriots, as we are looking forward in this struggle as our offensive in the forthcoming battlefield." ~~That is a clear reference to a violent revolution?~~-- If by refusing to become tools of oppression he means political refusal to support structures of oppression, that I would understand and accept, but I do not know whether this young man knows what he is talking about. I must simply dissociate my organisation (10) entirely from a speech of this nature. For instance, there he talks about ungovernable, that has never been the position of the UDF and I must make it quite clear that it is unacceptable to the UDF.

Page 26 the last nine lines still part of this man's speech "This youth decided out of their own experiences of pain, torture and suffering to render the enemy's instruments highly workable, they made it impossible for the urban Bantu Council to cease to exist. Comrades and compatriots at this final point I shall refer to the situation at the (20) small township in Pretoria, that is in Atteridgeville where at this stage ~~the spirit of revolution is hovering amongst~~ ~~young people,~~ when their fellow student Emma Sethebe was ~~brutally murdered right next to them.~~ These students shall never forget this and hence we are gathered here today pledging ourselves to wage in the struggle, intensify the struggle against the enemy." Then at page 27 the third last paragraph the last three lines "I shall pledge to you here, the youth of my country, to try by all means to participate in this war (inaudible) I am saying that (30) through/...

through this apartheid controlled media our people are getting wrong information. I shall urge you comrades and feed the people with true information." Then something about youth congresses and inaudible "and Alexandra Youth Congress and our structure must make it our duty to (inaudible) and to act as competent young revolutionaries and wage the revolutionary struggle (inaudible)". ~~From this man's speech it is clear that the youth is engaged in a violent revolution against the government and they are incited to partake in a war against the government?~~ -- That is not in keeping with (10) the policy of the UDF and I disagree with this.

Mr Mafison Morobe was on this meeting. He did not report to any UDF executive meeting about the speech of this man, Cedric Kekane as far as you are aware? -- I do not know of any report made.

~~Nobody on behalf of the UDF repudiated the speech of Cedric Kekane at any later stage as far as you are aware? -- I must say this much, first of all, I do not know if Murphy was serving in any executive structure of the UDF at this point in time, but I am not aware of anybody here that~~ (20) would have been an official of the UDF, but it is true that we did not get any report of that speech.

I put it to you that neither Mr Cedric Kekane, nor SAYO were expelled from the UDF because this is in actual fact in accordance with UDF's policy? -- No, this man here, I do not see anywhere where he pretends to be speaking on behalf of the UDF or some organisation. I do not know in what capacity he spoke here, but he was certainly not speaking on behalf of the UDF here.

Can we now turn to EXHIBIT V16, a transcript of the (30)

UDF do not vote rally Lyric Bioscope Hall, Kimberley. -- Yes.

COURT : Could we just before we leave this document get some clarity. Was there a UDF Youth Rally in Patidar Hall in Lenasia? -- I know that there was a youth rally there. Who organised the youth rally, I cannot really tell the Court.

In Patidar Hall in Lenasia? -- I do not know in which hall it was, but there was a youth rally that I know was there in 1984.

Was it in July 1984? -- Approximately, yes.

~~Who do not know who organised it?~~ -- I do not know (10) who was responsible for organising it.

Did at that time the UDF organise youth rallies? -- No, in fact at that time we were busy with the anti-election campaigns. So, what we were busy with, was meetings - mass meetings which were concerned with the communities, particularly those who were going to vote. That was our main concern. It will be seen - if this date is correct it was the 26th.

It was the 28th. -- For instance I was at this meeting here in Kimberley and then were other meetings elsewhere (20) that were being run, anti-election meetings. For instance, the following day we had another rally at Boshoff and so on. We had meetings all over the country. Those we were running were these ones concerning the anti-election.

MR FICK : Will you please turn to page 7 of EXHIBIT V15, that is the one that we were busy with. Deacon Mathe introduced Comrade Morobe and he introduced him as "~~Comrade Mafison-Morobe who is from the UDF executive committee and~~ co-ordinator of" and then something inaudible. I am reading from the tenth line from the top. Then we have Mafison (30)

Morobe's/...

Morobe's own words "Thank you, comrades. Well, perhaps a little bit of clarification on some points. ~~(I am not actually from the executive committee from the UDF but I am the co-ordinator of the one-million signature campaign of the UDF in the Transvaal and to that extent I am responsible to the executive council and also to the general council and not to the executive.)~~" -- Yes, I think that that actually clarifies the picture. He was not in the executive and as a million signature co-ordinator he would have been employed by the Transvaal and I do not think he was there in his capacity (10) as co-ordinator of the million signature campaign.

ASSESSOR (MR KRUGEL) : What was Mr Cachalia's status at this point in time again? -- This is a young fellow. He was just a student. Is this Firoz?

Firoz Cachalia. -- I think he was just a student.

But he is styled here as chairman? -- I do not know of he was - this is not Mr Cachalia the one who is the treasurer. This is a different one. This is a younger fellow, much younger.

MR FICK : I put it to you that one would have expected (20) Mr Morobe to report the speech of Mr Cedric Kekane to the general council or the regional executive committee of UDF if it is correct what you say, namely that Mr Kekane was not - the statement was not in accordance with UDF's policy? -- It was not, but I do not know who Murphy was representing there. If he was sent there by the UDF, then he would have to report to the UDF. That is if he was sent there by UDF Transvaal. Then he would have to report to them.

Can we turn to EXHIBIT V16 then. The Do not vote Rally, Lyric Bioscope Hall, Kimberley on 28 July 1984. I see this (30)

is/...

is a meeting which had been held on the same day as the meeting in V15 and you were present at the meeting in Kimberley in V16. Is that correct? -- Yes.

Joel Khasu did he speak at this meeting? -- He made some remarks as reflected here.

He is in the leadership of UDF Eastern Cape? -- That is correct.

Reverend Peter Melvin Witbooi, did he speak? -- I cannot recall this man specifically, but he must have spoken there.

Is he from which organisation? -- I do not know. (10)
It looks like he was just a church priest. He was asked to come and open the meeting.

Augustina Sisulu, did she speak? -- That is correct.

And of course, she is of the executive of the UDF.

Gordon Africa, did he speak? -- Yes.

From which organisation is Mr Gordon Africa? -- It is one of the local Kimberley organisations, but I cannot remember.

Is he a member of one of the local affiliates of UDF?
-- I do not know whether his organisation was affiliated (20) or not, but in any case he belonged there to the local organisation. I do not even know specifically which organisation he belonged to.

And did an unknown Moslim imam speak at the meeting?
-- He did.

Then of course we know Professor Ismael Mohammed is in the executive of the UDF and did he speak at the meeting?
-- Of the UDF Transvaal. He spoke.

You spoke? -- Yes.

And Mewa Ramgobin, did he speak? -- That is correct. (30)

He/...

He is also of the UDF executive? -- That is so.

Will you please turn to page 5, this is part of the speech of Albertina Sisulu. The very last two words on page 4, let us start there "Are they" and then we go to page 5 "going to fight for their fathers and mothers of this country? Whom are they going to fight? Because now it means that if they are going to be called up as soldiers, they are now going to fight a war. Which war? The war of the oppressed people of this country, because the struggle continues and we shall not stop until we get our freedom. (10) We shall not stop fighting until we get our birth right. That is a right to us. Now it means our children are going to fight us. They are going to fight their brothers. Are they aware of that? I want to warn them that this government is trying to be clever to let our people fight us so that it must go on with its dirty work, the apartheid work." ~~I put it to you that Mrs Sisulu propagated that a war is being fought against the government?~~ -- No, no, this is used in an idiomatic expression. As you can see there, for instance if people protest in the townships and the soldiers come (20) out there, that is the kind of thing she is talking about.

~~I put it to you that the UDF is against conscription, because it is in actual fact supporting the armed struggle of the ANC and for that purpose it endeavours to weaken the South African Defence Force?~~ -- No, that is not so. As far as we are concerned, the problems of our country can be solved peacefully and there is no need to resort to the army instead of calling a convention and discussing the issue of drawing up a new constitution.

Will you turn to page 7 the second paragraph, still (30)
part/...

part of the speech of Albertina Sisulu. "And now it is our UDF. The government is busy with the UDF. Why is the government busy with the UDF? Because the UDF is uniting the people and the government knows that unity is strength. ~~If we are united we can topple this government tomorrow,~~ but if we are divided then the struggle will carry on for years." ~~I put it to you this is a reference to a violent overthrow of the government?~~-- No, that is not so. In fact, she does explain that each time an organisation has been said by our people that say no to apartheid, it has been labelled(10) something or the other and it is being suppressed. She deals with the ANC there and she says that now is the UDF - even with the UDF the same tactic, and I spoke about this earlier on also, I told the Court that each time we speak out boldly and we say that we do not want this or some other thing, the immediate reaction is that "Van waar af is hierdie Bantoe?" He must be an agitator and that is that. It is not accepted that we can see that this thing is not acceptable to us. It is not accepted that way. Now, the UDF says it must be told by the ANC or it must be told by a mosque(20) or it must be told by somebody. That is the same thing that Professor Z.K. Matthews spoke about many years ago in the fifties. White people are so used to pushing Black people around. If a Black man says no, then he must have been told by somebody to say no, because now he is refusing to be at the back - this is the attitude. That is what she is talking about here.

Can we turn to page 8 the second paragraph, still part of the speech of Mrs Albertina Sisulu "The government must know that we will not rest and our leaders are not going (30)

to/...

to rest until it ~~arrests Botha and its regime.~~" I put it to you this is not in accordance with your evidence that the government is going to call a national convention? -- No, this is an English word. To arrest is to stop. The quotation here is to stop. Arrest, stop, arrest a movement. To stop it. The word arrest means that here. So, what she means is we are not going to rest until we stop Botha and his regime. Unless we stop them, but the word she uses is arrest. If you look in the dictionary you will see what it means. (10)

Professor Ismael Mohammed - his speech starts on page 16, but you must turn to page 20, please, the second and third paragraph "That is a defined mood to say that we are no longer prepared to be trodden down. We are no longer going to be denied by your brutal weapons to achieve our freedom. The mood that I had expressed in the burial of Clifford Brown is in fact the same mood as we have seen here in Atteridgeville, in Soweto and elsewhere. We know our people our growing more and more restless. They are growing tired of a situation that we live under and you must not (20) for a moment hesitate because there are a few seats which are vacant here. That we are gathered here in some numbers that throughout our country at a place our people are gathered. Sometimes they gather in homes, sometimes they gather in churches, sometimes they gather in mosques and the temples or they gather on the factory shop floor, but all the time there is a rise, a heaving and swelling like the mighty sea and all it is expressing the anger of our people, that circles of the heaving and swelling and spreading of the evermore widely is involving all the oppressed and (30) democrats/...

democrats in our country. As I have said in the schools, in the colleges, in the universities, on the factory shop floor and in so many other places, for those who want to see, for those who are not going to be pretend that our country is not in turmoil, there are mistakingly signs of those waves of anger and determination. You know, like the mighty sea it is going to roll more and more in unity and it is going to break into a raging storm to smash racialism and oppression and it is going to spread. It is going to smash those things on the rugs of our united people." I put (10) it to you that Professor Mohammed here incited the people to act in unity and to overthrow the government? -- I spoke about the metaphorical usage of language which should not be taken just literally. If we look at page 20 - I am sorry page 19, at the base of page 19, Professor Mohammed refers to the burial of Clifford Brown and he says that people did not see him as a terrorist and they came from far to bury him, because they saw him as their son. He said that mood of defiance, the defiance he is talking about here is that mood. It is not a question of violence. People are told (20) this man is a terrorist and so on. He says they did not see him as a terrorist and they went to bury him, because they saw him as their son. He says that is the mood he is talking about and there is a lot of metaphor that he uses. I do not want to repeat the things I have already said in this regard before, but it is quite evident that this is a vivid dramatic flowing sometimes rhythmic language and he likens these things to waves of the sea, the mighty sea to the heaving and swelling of waves and so on, but this is just a metaphoric expression. One cannot just take it (30) literally/...

literally. You just miss the meaning altogether.

Will you turn to page 23 the last paragraph the last five lines, still part of the speech of Professor Mohammed. "They know that we have learnt of course the lessons of Angola and of Mozambique and of Zimbabwe and of all the other people who were oppressed and in bondage like ourselves. We have learnt from them that the united people, like the rulers who pretend to be so powerful, are not so powerful and they are not as weak as they pretend we are." In all three these countries, Angola, Mozambique and Zimbabwe (10) violent revolutions were fought and I put it to you that Professor Mohammed refers to these countries to incite the people to engage the State in a violent struggle? -- It is correct that armed struggles were fought in these countries, but the lesson that Professor Mohammed refers to, is clearly stated. He says we have learnt from them that a united people. He is not saying that we have learnt from them that an armed people. He tells us what lesson we have learnt from them, unity, that if we act as a united people, we can gain our freedom. That is the lesson which he extracts (20) from those struggles, not violence.

You yourself spoke at this meeting and your speech starts on page 25. -- I did.

Then on page 33 the second paragraph the last eleven lines "That if the decision of 1961 was not taken seriously by many especially by the government of the country, today they are taking it much more seriously. Today they understand quite well that the changes that happen in Southern Africa which make it necessary for them to defend the border from the Atlantic up to the Indian Ocean which confronts (30) them/...

~~them with the might of our own Umkhonto.] I put it to you~~
~~you referred to Umkhonto we Sizwe and you called it "our~~
~~own Umkhonto" to conscientise the audience to accept~~
~~Umkhonto we Sizwe as part of their struggle for liberation?~~

-- I had already dealt with this part earlier on. Just there where the paragraph begins at the top there, the same paragraph that counsel is referring to. It makes the position clear, to start with. I am not a brave man, I even made the decision to - like these people here who decided to take up arms. That is the first point and then one (10) looks at the speech, having made all the historical points that I was making, having cited the problems that confronted our country at that point in time, what do I say should be done in order to solve it and I say the following. At page 43 I asked the question "Our alternative - what alternative are we calling for? If we do not want the new constitution what do we want?" That is the question that I am addressing now and I tell them. "What do we say is necessary at this point in time. We have called for a national convention." When all those other things have been said, I now tell (20) them what does the UDF say now should be the alternative and I say we have called for a national convention. We have said that we wanted a national convention in which the people of our country can be allowed to sit together, Black and White and hammer out a constitution that will be acceptable to them. What is the meaning of a call for a national convention? What do we mean when we say we want a national convention? That national convention must be properly understood, it must mean the unconditional release of the leaders of our people from Robben Island and Pollsmore and other (30) prisons/...

prisons. That national convention must mean the unbanning of those of our leaders who are banned and restricted. That national convention should mean that the borders of our country should be opened and South Africans who have been exiled by the unacceptable apartheid policies should be allowed to march freely into our country - I was interrupted there. Our people must live in peace and draft a new constitution. That is our demand. All the other historical matters I have dealt with, people who left that meeting would have known that the UDF is calling for a national con-(10) vention in which Black and White South Africans can draft a new constitution. Anybody else who did not hear that, would not have known what I have said at that meeting.

~~Whilst we are at page 44, why have you not referred~~
~~to the other pre-conditions of minimum demands?~~ -- I told the Court that those additional points were subject to discussion and they were still going to be discussed at the regions and so on. This is the 28th. It is shortly thereafter, but I deal with those conditions that I know the national general council has accepted and those are the(20) ones that I have said that I could not back down on those, because those had been adopted already and I cannot go and preach to people things which the UDF has not adopted and I know that this is now part of policy. They remained subject to discussion.

Will you now turn to EXHIBIT V17. This is a transcript of the NIC meeting held at Ladysmith Indian Civic Centre on 1 August 1984 organised by NIC Regional Committee. You were present at this meeting. Did you speak there? -- I attended part of this meeting and I also spoke there. (30)

Did/...

Did Dr A.H. Sader speak at this meeting? -- Yes, he did. I think he presided.

Is he a member of the NIC? -- That is correct.

Executive? -- That is correct.

Then we have the second name Igbal Khan? -- I am sorry. Dr. A.H. Sader - my problem is this. I think the chairman was Igbal Khan. Dr Sader is a member of the NIC, but now the other speakers spoke before I arrived. So, I cannot say who really spoke of my own. When I arrived Mewa Ramgobin was speaking, then I spoke and then Dr Allan Boesak was (10) the last speaker.

Did you see Advocate Ebrahaim Bawa at the meeting? -- Yes, I saw him.

And Professor Fatima Meer, was she there? -- Also Professor Meer.

Did you also see accused no. 21 at the meeting? -- Accused no. 21?

Yes? -- No, he was nowhere near there. He was never there.

Can we turn to page 42 the second paragraph page 42.(20) Is that part of your speech? -- That is correct.

Your speech starts on page 33 the second paragraph "But I am talking out of reality. We are looking at reality in front of us. These men (inaudible) today these men have to defend the border from the Atlantic to the Indian Ocean. Today they are faced with the rising tide of resistance. This afternoon Welkom was on fire, schools have closed down, shops are burning, our people are saying we will not take this. This morning they announced in Middelburg that the whole Community Council resigned because the people said(30)

you/...

you are introducing things which are unacceptable to us. That is the rising tide of resistance of our people. It is that organisation that is resistance of our people which must bring them down." I put it to you you referred to Welkom where places were burning, schools were closed, shops were burning and then you cited ... (Court intervenes)

COURT : This was not metaphorically? -- No, no.

This was actual? -- This was what was actually happening as of that afternoon. They were rioting, there were bombs at various places. What I was saying to the people is that (10) because of the policies of apartheid all these things are happening.

MR FICK : I put it to you you called on the people to follow the examples set in Welkom ... (Court intervenes)

COURT : Was this now in Welkom town or in Thabong location? What was happening in Welkom? -- Rioting.

Was it in Welkom itself? -- I had read in the newspapers that there was rioting in Welkom. Precisely at what point I do not know, but I had read in the newspapers that that was the position and I had also read in the newspapers (20) about the other place where all this rioting was going on. I was in Ladysmith when I spoke here. It is not true now that I said that people must follow this example. I actually said these these things and then I said to them that we do not want this kind of stuff.

MR FICK : What did you mean with the words "It is that organisation - that is the rising tide of resistance of the people. It is that organisation that is resistance of our people which must bring them down"? -- There I am talking about the people organising themselves, to express (30) opposition/...

opposition to apartheid. Then I say here, you see, the reason I am citing these things, I am saying that these things are happening as a result of apartheid and in order that these things must not happen, this new constitution which carries forward apartheid must be stopped. I referred to the section here. At page 44. I say there again we have said in the United Democratic Front that the new constitution must be rejected. Many people are beginning to ask and in fact they have the right to do so, what alternative does the United Democratic Front offer now that it says that (10) this constitution must be rejected. What alternatives does the UDF offer? What is the alternative to the president's new constitution. We are told this is a new constitution. It has peaceful means of solving the problems. I asked the question there and then the point I make is, what is the alternatives to the president's new constitution. We are told this is a new constitution. It has peaceful means of solving the problems, but I do not know what is peaceful about a constitution which is being imposed on the people without being given the opportunity to decide whether they (20) want it or not. I say that I do not see that as peaceful and then going on in that same vein, dealing with this question of the alternative. At page 45 starting at the base of the page there I say that because this constitution is responsible for this - Oh, yes, I think I must start with the whole paragraph. The last paragraph down there "Let the world know that these men are taking on programs which are unacceptable to the people of our country, that is the nature of the contribution that can be made, because otherwise if that does not happen, the scale of dissatisfaction (30) must/...

must lead to a deepening amount of armed conflict. The country is already at war today. Durban is burning. Bloemfontein is burning, Johannesburg is burning." I was referring to this rioting that was taking place all over the place. Today we are uncertain and what I have said here is that if we are going to a building whether we will come out alive. We do not want that situation to deepen. That is specifically the point that I make. We do not want that situation to deepen. That is why we are saying this constitution must be stopped and it must be stopped now. (10)

So, our alternative is a call for national convention. That is at the top of page 46. We have confidence in the people of South Africa, Black and White. We are saying that this government must forget about this new constitution, it must call a national convention in which South Africans, all of them, including the Afrikaners and then I deal with the question that is often raised whether the Afrikaners belong here or whether the White people belong here and I made it clear that as far as we were concerned every section of the population belong here and that they must all participate (20) in this. The second paragraph of page 46 I say "Let us claim South Africa for everybody. Not for this section or that section. A national convention therefore in which all the people of South Africa will participate in which they will hammer out a constitution that will be based on their will. Therefore a constitution that will be acceptable to all of them." That is the position that I am stating to the people there. While they reject this constitution, it will carry forward these policies and we do not want these policies, because these policies are increasing dissatisfaction.

As a result of the dissatisfaction, we have the rioting. If you are going to a building, you do not know if a bomb is going to explode, because some of the people are already going round carrying weapons. We do not want that to deepen and that is why we asked the government to call a national convention which will help to bring about the constitution that will satisfy everybody. That is the message of the United Democratic Front and that is what we have said to people at various platforms. Indeed at the base of that page I actually made the point that we have confidence that it can be done and we (10) have confidence that the people of South Africa, given such an opportunity will not choose revolution. They will not choose bloodshed because we were having violence in the country. It was growing by the day. We will sit down and work out these things. How else could I state the position of my organisation that it does not want violence? How much more could I state that what it wants is a path of non-violent, but democratic constitution? That is our position.

Will you please turn to page 4 V17. That is part of the address by Iqbal Khan and on page 4 we find again the second (20) paragraph "I also wish to take this opportunity of extending a hand of friendship and a welcome to the members of the security branch" the fourth paragraph "and I need to remind you, sir, please ensure that your tape recorder is on and down to business." I put it to you that you were aware of the fact that there were members of the security police at this meeting? -- I just led evidence. You know, I got there when Mewa Ramgobin was speaking. If this thing was said at page 4, it was when Iqbal Khan was speaking there, it was before Professor Fatima Meer spoke. I did not hear a word of what she said at (30)

that/...

that meeting and then I just want to see if there were any other speakers inbetween.

While you are looking, I put it to you do you really want to tell this Court that Mr Iqbal Khan would mention that fact that the security members of the police were at this meeting to the other speakers, but to the national publicity secretary of the UDF, that he did not inform him about that fact? -- No, he did not. If ever he told the State that he told me, may be he should have come here and say that so that I can instruct Mr Bizos and he can (10) phrase some questions. He never told me anything like that and I did not need to be told anything like that, because the policy of the United Democratic Front is not a secret. It is a public matter. It is well known.

I now want to turn to EXHIBIT V18(a). That is a transcript of the UDF One Year Rally Selbourne Hall Johannesburg on 19 August 1984. Did you attend this meeting? -- No, I did not attend this meeting. As I told the Court on this day I was myself addressing a UDF rally in Durban at the University of Natal. (20)

Cassim Saloojee, we have heard about him before, he is a member of the TIC and he is also on the executive of the UDF. Is that correct? -- That is correct.

Tshepo Mbane, do you know him? -- No, I do not know that person.

Smangaliso Mkatshwa, do you know Father Smangaliso Mkatshwa? -- Yes, that correct.

Is he a member of any organisation affiliated to the UDF or on the UDF executive? -- No, as far as I know he is not. (30)

Is he not a member of any organisation affiliated to UDF either? -- No, not that I know of.

Frank Chikane we know is one of the presidents of the UDF Transvaal? -- That is correct.

Vice-president? -- Vice-president.

Mzwakhe Israel Mbuli, do you know him? -- Yes, I know him.

He is a member of SOYCO? -- I think so. I believe so. He is a poet.

Dorothy Nyembe, we know she is a patron of the UDF?(10)
-- Yes.

We had Jessica Shermann, (Albertina Sisulu we know. Laloo Chiba, is he a member of any affiliated organisation? -- Transvaal Indian Congress.

Is he on the executive of TIC? -- As far as I know.

He was elected on the executive of the UDF? -- April 1985?

Was he not? -- Not that I know of.

Aubrey Mokoena, we know he is on the executive of the RMC? -- That is correct. (20)

Ebrahim Patel, do you know him? -- Yes.

Is he a member of SARU? Do you know an organisation with the name SARU? -- Yes, he is committed to some rugby organisation.

South African Rugby Union? -- Well, I know him as a chairman of the Transvaal - one of the rugby bodies. I do not know its full name now.

Andrew Mogotsi we know and Jerry Ekandjo, he is a member of SWAPO Youth League? -- Yes.

Page 2, I put it to you that Tambo was popularised at(30)
this/...

this meeting through the shouting of slogans. You see there Tambo's name is shouted seventeen times and then later on the crowd also shouted "Viva Tambo." -- I have already commented to the Court on these songs and I do not want to repeat myself.

On page 3 in the middle of the page. You see there "Crowd of people dancing in the hall chanting and are on the stage. Chanting Tambo twenty times and singing Tambo hold my hand." Will you turn to page 4. It is part of the speech of Mr Cassim Saloojee, the fifteenth line from the top. It (10) is said "We have seen response from adults who bear the joint burdens of fighting in home making. It is they who have spearheaded the civic associations in new areas, the rent committees, the revitalised women groups, a spirit of defiance remains resolute, is alive in the land, we have shown that the people have only been in the retreat these last two decades. They were not defeated by the destruction of our organisation in 1960 and the jailing and silencing of the leaders in the years that followed the massive resistance to the manoeuvrings of apartheid was convincingly (20) shown by the massive boycott of newly style community councils." I put it to you that Mr Cassim Saloojee referred to the ANC and he popularised the ANC as our organisation? -- No, I think all he is saying is that the organisations which were leading our people at the time were banned, but that the people have not abandoned the idea of freedom.

Will you turn now to page 9. I put it to you on page 9 the second last paragraph Mandela, Kathrada, Albertina Sisulu are popularised at this meeting? -- No, I disagree.

Can you tell the Court then why did they shout then (30)

"Viva/...

"Viva Mandela, Viva. Viva Kathrada" if it is not to popularise them? -- No, it is just because they are acknowledged of the people.

WITNESS STANDS DOWN.

COURT ADJOURNS.

COURT RESUMES.

MOSIUOA GERARD PATRICK LEKOTA, still under oath

FURTHER CROSS-EXAMINATION BY MR FICK : Mr Lekota, we were busy with B18(a). Will you turn to page 14, the third paragraph from the top. There Mr Cassim Saloojee is quoted "Thank you. Songs and dances have inspired us throughout(10) the generations in our struggle and since we are celebrating the UDF anniversary. We are going to have a group who will do a gumboot dance. If they would come up, please." Then a song "Free as Tambo" was sung. I put it to you that this why songs are sung at UDF meetings as an inspiration in the struggle and they are not sung for the mere love of singing? -- No, I think the song was just sung impromptu whilst the group was coming to the stage.

The bottom of page 14 you will find also "The audience chants 'Oliver Tambo, are you scared of them? No, we are not(20) scared of them and we want them.'" That they did also to identify with the ANC and the armed struggle waged by the ANC? -- No, that is not so. In fact, this chant here is as is original from the Boy Scouts movement. Just exactly as it is. Not even a chance there. That is without the name of Oliver Tambo. Just like that.

The "zi" became "Tambo"? -- No, no, I say without the name. I say this chant is a Boy Scouts song. You find that in the camps, Boy Scout camps. Just as is like that.

Can you turn to page 24, part of the speech of (30)

Dorothy/...

Dorothy Nyembe which starts on page 23, the last six lines of the first paragraph, two-thirds down the page. "All of you Indians and Coloureds say no." I put it to you that Mrs Nyembe is referring to the anti-election campaign. She says "All of you, Indians and Coloureds, say no. Do not agree. Stay with us. Your fathers were oppressed for years behind the borders of Cape Town. Today they want to elevate you because they are in a dilemma. This man we are facing, Botha is ruthless. He is a liar and he is not a man of his words." Very loud applause by the audience. "We cannot do anything(10) to him because he is in hiding. If you could stand up and follow and support our youth as mothers. Even because of old age we cannot act, we can give them moral support because we want freedom. The women and other organisations which have been banned fought for years to free us, but this ruthless government sent them to prisons. These people were innocent. They did not kill anybody. Others are across the oceans. They cannot come back. This meeting this afternoon must call them back from exile. They must be freed in unison. Mandela and his followers on Robben Island must come back(20) home. I am referring this today to you, White, Indian, coloured and Black women. You must unite. Especially the enlightened ones because you can see that Botha's regime is leading us to a disastrous situation. If we are united we will conquer Botha, the monster. It is just a matter of time and we will kick it outside." I put it to you that this all is a call to overthrow the government? -- No. That is not the call to overthrow the government. In there it is said people must come back here and that is clearly in the context that people must set up a new constitution. It actually says there Whites, Indians, Coloureds, Blacks, (30)

everybody must be there. She actually says that the policies of Botha's regime is leading us to a disastrous situation.

Yes, but I put it to you she called on the White, the Indian, the Coloured and Black women to unite, to conquer Botha, the monster, not to go and sit around a table and discuss the future of the country. -- No, no, I say in keeping with the policy of the UDF, which I know that she understands, it meant that the people must work out an acceptable constitution in a peaceful setting.

Will you turn to page 26, still part of her speech (10) second line from the top. "Our children, the students and other organisations are busy with the campaign of fighting this corruption of the new so-called constitution. Our children are standing on their feet. They say we cannot leave our brothers to suffer and perish in an endless pit. I am standing by with youth league. I want them to show the way. Our ministers in the UDF will pray and will kick the devil in the name of God. Not by praying only, but by pushing forward with the struggle. I have seen the women in their campaign. Let us go and fetch Mandela and his (20) followers and Oliver Tambo. Let them come back home to take over. The time is now theirs." This, I put it to you, is also not in accordance with your evidence that the UDF wants a national convention. She wants Oliver Tambo and Mandela to come home to take over the government? -- No, it is in keeping with the call for the release of prisoners, the return of exiles and in an atmosphere that is one of peace and negotiated constitution worked out.

She is also popularising the youth league of the ANC I put it to you in the same passage. "I am standing by (30) with/...

with youth league. I want them to show the way? -- There was no youth league at this time that she was talking of in 1984. The youth league belongs to the fifties.

Was there no youth league of the ANC outside the country? -- Not that I know of. As far as I know the youth league ended up in 1960 at least or 1959/58.

Will you turn to page 32. That is part of the speech of Albertina Sisulu, the eighteenth line from the top, the third sentence in that paragraph approximately in the middle of the page. "I wonder if they have told the people the(10) truth that their children are going to be called up for the army to fight for the government. Whom are they going to fight?" Then the second paragraph from there on "It can have as many armies, as many as it can, but the time is up. The patience of the people has been exhausted now. (Audience clap hands) We have mothers here, Black and White, mothers who know what it means to bring a child into this world. Mothers who know the hardships they endured. (Indistinct) government are thugs, to plunge our country into a bloodbath. Audience: No." Then it continues on page 33 "Why should(20) we, if the government of this country wants peace, it must release our leaders, all our exiled leaders and our children. It must have confidence with our leaders to discuss matters that are confronting this country. We, as the people of South Africa, are not going to rest. The struggle continues until we get our freedom. UDF is here to lead you. UDF is here to unite you when the government is trying to divide you. All the affiliates of the UDF must know they have got work to do. Come together to work for the freedom of the people in this country." I put it to you that Mrs Sisulu(30)

in/...

in this passage I have read called on the audience to resist conscription and she called on the audience to unite under the banner of the UDF? -- What I understand here is that she is saying that the policies of the government will plunge the country into a bloodbath and she asks the audience whether they would like to see that happen and they say no. Then she goes on to say that in order to avoid that, if the government wants peace, it must release our leaders, all our exiled leaders and our children. It must have conference with our leaders to discuss matters that are confronting (10) this country. That is at page 33 and that is in keeping with our call for a national convention. What the president is merely saying is that the path of peace is not by setting up more armies and conscripting people into the armies. It is to release the leaders of our people and hold a meeting with them, work out the constitution and then peace will be there. That is what she is saying and that is in keeping with the policy of the UDF. She is not saying that the people must go for arms. Indeed, she does say in the second last paragraph of page 32 "I have not heard of a (20) country that has declared war with South Africa. Is there any, if you know?" "If there is any, I am sorry, to say whoever the government is going to fight in this country, is not going to sit down and wait for the government do do it" and then she goes on "Here are mothers here, Black and White, no one wants to see the children and young people going to the army and dying for nothing. The path, the solution is the release of the leaders in a conference to work out a new constitution."

I put it to you she only referred to the South African(30)

Defence/...

Defence Force - she did not in any way refer to the armed forces of the ANC, Umkhonto we Sizwe, because she wanted the audience to resist conscription by the army, but not to reject the armed forces of the ANC. -- I am sorry, I do not understand that very well?

She did not refer to the armed forces of the ANC in this passage, because she does not want the audience to reject the ANC? -- No, no, she refers to the government because as far as she is concerned and as far as we are concerned the main actor on the South African political (10) stage is the government. The people who really are in control of our situation. The policies which are responsible for what is taking place now in our country, are the policies of our government and reference is in that direction. She makes the point by the way that all of the freedom loving people in this country are oppressed. Why I say so, is because if you are free, a freedom loving person, whether you are Black or White, when something wrong is being done to some of your members, we feel it and any person, whether Black or White, in this country with a (20) sense of justice can see that what is going on is not right, what is happening to the Black people in this country, because we should be having a share in the government of our country. Generations of us are born and they go to their graves, without ever having decided on a law that governs their lives. What difference is there between us and ordinary animals in this country? Like cattle or dogs. We do not have a say in matters that govern our lives. We cannot decide for ourselves. All the time it is being decided for us by other people. That is the gravamen of (30) the/...

the complaint here.

Will you now turn to page 36, that is ~~Aubrey Mokoena~~ reading a message of support in the Release Mandela Campaign from line 5 "The UDF for the last twelve months has accumulated major gains and great victories which are indispensable to the people's struggle against all forms of exploitation and injustices. We are hereby gathered today to take stock of these victories and further sharpen our strategies in preparation to change and to engage the State. ~~At this time we are convinced that the racist government will not give in until~~ (10) ~~we mobilise all our forces to strike weakening blows to South Africa and its international allies.~~" Then the last six lines, still part of the message "That Mandela, Sisulu, Goldberg and others will be released by the people." I put it to you ~~it is the perception of the affiliates of the UDF that the government will not give in to any demands unless or until the UDF strikes weakening blows to South Africa.~~ Only then, after they have weakened the government, the government will be prepared? -- I do not know what counsel understands by weakening blows. I would understand that (20) to mean weakening political blows in the sense of refusing to support structures which carry on our oppression or our second rate citizenship status, because if once we pretend to support those structures or to support moves and policies of the government, which keep grinding us under, the government will justifiably believe that we are happy with what is going on. So, the thing is to refuse to have anything to do with those structures which are unacceptable and which do not work in our interest and then the government will realise that these people do not want this. That is all (30) that/...

that I understand by that. He said that people must be appealed to in the churches, the mosques, taxi's, trains, buses, workers, peasants, professional people, students to unite. To unite. It does not say take up arms. To unite and he rode apartheid with all its manifestations from our society and that I understand to mean in the context of the policy of the UDF to persuade and pressure the government to abandon apartheid.

Will you turn to page 39, that is part of the speech of Frank Chikane. It starts on page 38 the eighth line (10) from the top "And I want to conclude by saying that in actual fact the meeting was held by civic associations in Soweto and these, the civic associations, made a resolution and put it very clearly that in actual fact when you accept this constitution, you are declaring war against the oppressed majority. We are actually saying we are getting co-opted in the system. We are going to fight for apartheid and we are going to be trained in going to the army. (We conscripted to fight against the majority, but therefore the lines will be clearly drawn as to who is the enemy of the people and (20) who is not the enemy of the people." } Do you know of any such resolution by civic associations in Soweto? -- No, I do not know about it. I do not even know when was it taken.

I put it to you that it is the perception of affiliates in Soweto in any case that there is a war that is being waged in this country? } -- No, no, that is not the position. I think the last part of it explains what he is talking about. For he says "I want to conclude by saying according to that statement that we have faith and we believe and have confidence in the Indian and Coloured communities, that they (30) are/...

are not going to vote in these elections and that they are going to say no to apartheid, no to the whole tri-cameral system, they are going to say no to conscription, to an apartheid army, so that they can come out of the whole struggle as victors. So, they must join together with others who say no to apartheid and they will not go into that thing. That is what he is talking about.

Will you turn to page 42 at the top there, I put it to you, the first two lines, they are popularising Umkhonto we Sizwe "Viva Stab with a spear, Viva." -- May be some (10) individual may have shouted this, but it does not say Umkhonto we Sizwe, it just says Umkhonto.

On the same page ... -- Umkhonto means a spear ... (Court intervenes)

COURT : What else can it refer to than Umkhonto we Sizwe? -- I do not know what he could have referred to.

MR FICK : On the same page the second paragraph there is an unknown speaker, he said "Nisizwe. Comrades and fellow countrymen, I greet you in the name of the revolution of South Africa." This is the voice of our fellow comrade (20) Benedict Martins Dikobe." Then he quotes one of this man's poems. I put it to you from that poem it is clear that he is popularising a violent struggle? -- I do not know this poem and I cannot pretend to explain it.

But will you turn to page 43. There you will find that Andrew Mogotsi, Jingles, said the following about this man Benedict Martins Dikobe in the second paragraph, this was a poem from the book of Benedict Dikobe Martins who stays in Pietermaritzburg and he grew up in Alex. This is a man who was charged for bomb blasts and for recruiting (30)

some youth to join the ANC in Lesotho and he was sentenced to 10 years. This is the book, speaker holds up a book to the audience. Audience cheer, whistle and clap. Then start singing a song and then there is a chant SWAPO Umkhonto. I put it to you that the armed struggle of the ANC was popularised at this meeting by Jingles? -- No, as far as I am concerned he gave a background of this man here.

Then again we find the poem of Jingles, Andrew Mogotsi, to whom we have referred to before. ~~I put it to you from page 46 it is clear that Jingles is popularising the ANC, (10)~~ look at the second line from the top "Black, green and gold colours fly high. The youth on the march, hoist them high and upper high to reach the firmament." Then the second paragraph "Hoist the flag high, speak to the masses in the language of hope." -- I know a lot of other organisations which use these same colours, including the Alexandra Youth Congress and so many others. Soweto Youth Congress, Port Elizabeth Youth Congress and these colours are used all round the country by so many other people.

Then on page 46 and 48 it is clear that violence, bomb(20) blasts, Pretoria, Bloemfontein and Belfast are popularised by Jingles? -- I thought we had already travelled this ground.

And then on page 48 in the third last paragraph "Speaker A. ~~There is a new song that was released in Roodepoort by our comrades.~~ I feel happy about it. I feel happy about it. I say thanks to our comrades who released this song in Roodepoort. If you do follow, what I am saying, you will say Amandla. (Speaker smiles)". ~~I put it to you this man clearly referred to the bomb blast in Roodepoort? -- I do(30)~~

not/...

not follow this. These words in brackets could be referring to bomb blasts in Roodepoort. Was that said in the meeting?

I put it to you that this speaker referred to the bomb blasts in Roodepoort? -- So, this is not part of the transcript?

No, it is not part of the transcript. -- I do not think people would have understood that. If it is not part of it, it is not part of the tape, then it did not happen at the meeting. I do not know where this thing comes from. They do not know about this sentence.

There is an admission before Court ... -- I do not see (10) how a song can become a bomb. This man says there is a song that was released there. How does it become a bomb?

There is an admission before Court that there was a bomb blast by the ANC in Roodepoort? -- Yes, there may have been a bomb blast. We did not make any admission that the bomb, the song means a bomb. I do not know of any admission of that nature, that this new song that he is talking about refers to a bomb. I did not make any admission of that nature.

No, I did not say that you said the song refers to a (20) bomb, but I am putting it to you that this man referred to the bomb blast? -- What if there could have been a meeting there the other week and people could have sung a song there? Because this man is talking about a song. He is not saying there is a bomb blast. On what basis is it now said that it is a bomb?

[The speaker said "If you do follow what I am saying, / you say Amandla"?] -- And nobody said Amandla because - apparently nobody said Amandla because nobody understood this thing that is being talked about here. I cannot (30) understand/...

No admission
that it was
ANC
See next
page →

understand how it is said that it refers to a bomb blast if it is not said in the meeting.

I put it to you that the speaker referred to the bomb blast as a song because he was afraid to say so openly in the meeting? -- No, I deny that. He said there was a new song. If you say the bomb, I have heard about so many other bombs since 1984, why should he say that that is a new song?

K961

Just-for-record purposes, I see that My Learned Friend shook his head when I referred to the admissions. It is EXHIBIT AAS12 schedule 1 admission number 2, on 16 August (10) 1984 there was an explosion in the city centre building Roodepoort. Two SA Police District headquarters were located in the building. The explosion was caused by two limpet mines of Russian manufacture. On 28 June 1983 there was an explosion in the same building, which was also caused by two Russian manufactured limpet mines. Can we now turn to EXHIBIT V19(a). It is a transcript of the UDF people's weekend on 29 and 30 October 1983 held in Lenasia. Did you attend this UDF people's weekend? -- No, I did not.

You know Reverend Frank Chikane? Bishop Desmond Tutu (20) is a patron of the UDF? -- That is correct.

Dr Nthato Motlana is in the executive of the SCA and in the executive of the UDF Transvaal. Do you agree? -- At the time, yes.

Professor Ismail Mohammed was in the executive of the UDF Transvaal and TIC? -- No, Anti-PC. He was not in the TIC.

David Webster was a member of JODAC? -- Yes.

Was he on the executive of JODAC? -- I do not know.

Mr Mzwakhe Israel Mbuli, referred to previously, he is from SOYCO? -- Yes.

(30)

Aubrey/...

Aubrey Mokoena was referred to previously from the RMC?

-- Yes.

Will you turn to page 3 please. There we find a song, song number one "Mandela's soldiers. We will be waiting for our death." That song was sung to identify with the ANC in the armed struggle, I put it to you at this meeting? -- No, I do not agree.

On page 4 there was a banner "Long live congress" black and green with yellow background. I put it to you that refers to the ANC? -- No, no, that, as far as I am concerned, (10) refers at most to the Transvaal Indian Congress or any of the congresses.

What are the colours of the TIC?-- I do not know them in full. I think they have got black, green and something.

Not yellow? -- I am not sure about that. You see, if it was this hall in Lenasia, I have not studied this on the picture there, the walls of that hall are themselves yellow. So, if they put the TIC flag there, it might appear as if the background is part of the flag. Indeed, it actually says yellow background. You see, that hall there has got (20) yellow walls all round, all of them are yellow. So, if you put a flag there that is black and green, it may appear that the rest of the other thing is part of the flag when it is not.

The banner - on the banner there is written "Long live congress"? -- Yes, we saw that banner. Even when Professor Meer was introducing another meeting, they just said that her name is of long standing with congress. They do not mean the ANC.

On the same page I put it to you that Oliver Tambo (30)

was/...

was popularised, still page 4, approximately in the middle of the page. -- I see that his name was shouted there.

And also on page 5 again the last paragraph "We shall fight for ourselves and follow Tambo. We shall fight for and follow Tambo." That also, I put it to you, was done to put forward the message that the ANC and the UDF is fighting the same struggle? -- No, this is just a song that is usually sung around the townships of the country.

And on page 6 Tambo again is popularised in the second paragraph? -- I see his name was shouted there. (10)

And the last paragraph on page 6 there is a song ["Here is the Supreme Court on fire."] The boys hit it yesterday." I put it to you that refers to the actions of Umkhonto we Sizwe? -- That is just a song that is sung around the country also.

I put it to you it is not just sung around the country but it is sung to refer to the acts of violence committed in the country and where the Supreme Court was the target? -- Happenings in the country. It refers to some happenings there that was reported in the newspapers around the country. (20)

And page 7 the last paragraph, there is again a song "There are the rifles, come with the rifles". -- Yes, that is one of the many songs.

I put it to you that that song was sung to popularise the armed struggle? -- No, I do not agree with that.

Page 14, we find again the song "Here is smouldering with fire, boys left us yesterday. Here is the Supreme Court, smouldering with fire." [That was also sung to popularise the violent actions of Umkhonto we Sizwe?] -- (30)

No, I disagree.

Page 19, this is part of the speech of David Webster] which starts on page 18 the third paragraph from the top "We know where the terrorism exists. Tragically too the militarisation of our society means that we have to spend more and more money to defend this illegal illegitimate regime." I put it to you that the perception in UDF's affiliates is that the government is not only illegitimate, but also illegal? -- No, that is not correct. Illegitimate, yes. Illegal, no. (10)

Can we turn now to EXHIBIT V19(b). It is still the transcript of the UDF people's weekend on 29 and 30 October 1983 in Lenasia. I have referred to the speakers before, Aubrey Mokoena, Reverend Frank Chikane and Cassim Saloojee. Page 2, it is the speech of Aubrey Mokoena.] I put it to you that he is conscientising the audience to accept that they are part of a revolution against the government where he says we must pray with our eyes wide open as revolutionaries, the second, third and fourth line from the top. -- I thought I had already commented to the Court on this part. (20) It is the same thing.

ASSESSOR (MR KRUGEL) : Is it only intended for Catholic revolutionaries? -- Well, this was not a Catholic gathering.

MR FICK : Page 4. It is part of the speech of Aubrey Mokoena. Line sixteen from the top. He says "There is only one struggle, the struggle -the popular struggle for the liberation of the people." Then from line 21 on the same page "We say there is only one struggle." -- I put it to you that Mr Mokoena said that to convey the message/ to the audience that the UDF and the ANC are fighting the/(30)

same/...

~~same struggle?~~ -- On the contrary, in fact, what Aubrey was saying was that people must not set all kinds of various groupings. Here is a UDF and everybody must come under the UDF. This was really in reference to for instance these Black Consciousness organisations which set themselves up as a different grouping of organisation. It was really in that context, not to the ANC. At the centre of page 4 "We warn everybody who opens up an umbrella and says come under my umbrella today and then in a fortnight's time somebody comes and opens up his political umbrella and says (10) come under my umbrella. We say there is only one struggle." So, what he is saying there is that people must not set up bits and pieces of things there. You just come into one umbrella in the UDF and that is enough.

On page 9 I put it to you that Mandela and Mr Tambo are popularised? -- I see that people sung about them there.

Then on page 11 there starts the speech of Frank Chikane. I put it to you from the first five lines on page 11 he made it clear that it is the task of the organisations to meet, to work together and to form (20) task forces to work actively against the government. He says "We are going to leave here with a determined spirit. All those who belong to one area, different organisations and the then affiliates of the UDF must meet together, form task forces to work within the area, jointly to work against the system." -- I think it is relation to the campaign of the UDF. It is not calling for any violence. You see, this was 30 October and people had to go and organise, there was a referendum coming, there was the Black Local Authorities elections coming. So, he was referring to that. (30)

On/...

On the same page we find from line 5 "It is your assignment when you leave here to make sure that your area is covered. Do not worry about other people. Worry about where you are and if you do (something) where you are. Everybody shall have done (something) everywhere. This is a call that we are forcing you to undertake henceforth and our determination is that we bring our liberation closer." I put it to you this is not what you have told the Court about the autonomy of the organisations. Here the vice-president of the UDF makes it clear that it is (10) a call forcing the affiliates to undertake ... -- No, no, what he is saying is that people must go and organise in their areas and everyone of them has got a task to do so. It is their task to organise in their areas.

And I put it to you on page 13 Oliver Tambo again was popularised? -- I see there was singing, shouting about him or something.

As well as the UDF in the same slogan? -- That appears there, yes.

Can we now turn to EXHIBIT V20. This is the transcript (20) of the UDF rally Orient Hall Durban in opposition to Mr P.W. Botha's meeting with Indian leaders in Durban city hall. It is a meeting held on 14 November 1984. 1985 should be 1984. Were you at this meeting?

COURT : Just a moment, I thought this was 14 November 1983? -- That is correct. It is 1983.

MR FICK : I am sorry, somebody wrote 1984. -- It was 1983.

Paul David you have mentioned before this morning. -- Yes.

As well as Aubrey Mokoena? -- Yes.

(30)

Mcebisi/...

Mcebisi Xundu, is he on the executive of the UDF? --
That is correct, he was.

Dr Ram Saloojee we referred to. Professor Fatima Meer
we referred to. Then we find Billy (Patidar). Do you know
Billy? -- No, I do not know him.

Then George Sewpersadh? -- Yes, I remember him.

Is he a member of the executive of the NIC and he is
also on the executive of UDF Natal? -- NIC and I think
Natal, yes.

Mewa Ramgobin, he is a member of the executive of (10)
the UDF Natal I think and NIC? -- No, UDF national and NIC.

Then Dr Allan Boesak of course is a patron? -- That is
correct.

Were you not at this meeting? -- I did arrive here but
quite late.

Was Paul David the chairman? -- That is so.

I put it to you it is clear from page 2, the top, that
the meeting did not only popularise Allan Boesak, but also
Mandela, the ANC, Oliver Tambo and Joe Slovo. -- It appears
that those names were shouted on page 2. (20)

I put it to you from page 4, Mr Mokoena, we referred /
to the same speech before, but again at this speech Mr /
Mokoena made it clear that the UDF is engaged in a revolu-
tion? -- Where is that?

Page 4 approximately the sixth line from the top "We
again call on the people to pray with their eyes wide open
(as revolutionaries"?) -- Yes, but he did not say that the
UDF is engaged in a revolution.

I put it to you, he did it for that reason? -- No, no,
I deny that. (30)

I put it to you from page 8, still the speech of Aubrey Mokoena, the last five lines, Nelson Mandela is popularised at the meeting. The meeting is conscientised to accept that there can never be a political solution in this country without the release of Nelson Mandela. -- He says so, yes, but you see, that is in the context of the policy of the Front as far as I am concerned that the government must release our leaders and then find a solution. No other pretended model of any kind which is not democratic will resolve our problems. That is our position and our (10) position is always that it does not take us anywhere, if we are confronted with models in which we did not have a share in evolving. That if there is to be found a last resolution to the problems of our country, we must participate in the evolution of that solution. Its foundations must be democratic. If not, it will not bring us satisfaction. In fact, at all material times, it will always it will always be loaded against us in favour of other privileged sections.

Will you turn to page 12 please. The third line (20) from the top when Mokoena walks back to his seat after his speech, after his reference to revolution, they must pray like revolutionaries, we find that an unknown person shouts "Kill." The audience .. -- What is this other word supposed to be?

Kill.

COURT : I cannot make it out. -- This other word before kill, what is it? I have never heard of such a word.

MR FICK : Njwabe. -- Of all the African languages that I know and Zulu is one of those that I know quite well, (30)

there/...

there is not a word like this.

I put it to you that this person shouted this word namely "Kill" and the audience reacted to that by shouting ten times "AK 47". -- I must say that my knowledge of Zulu is quite good. There is no such word as this, to start with. I cannot say that this word "kill" was said there. We have got to know what this word was that was used here. There is no word like this.

In any case, the audience replied to the shouting of the unknown person by ten times themselves shouting (10) "AK47" and then there was chanting of "Come soldiers, come Mandela. Come soldiers" and the reaction of the chairman was not to reprimand the people for shouting about the AK47 or kill or inviting the soldiers, but all he did was to say "Power to the people. Amandla Ngawethu." -- In fact the call for Amandla Ngawethu is not in response to what was being said. It is actually intended to cut all that is going on and to take control of the meeting. It is another way of really drawing order to himself. He is not saying Amandla to what is being said about there. He is taking (20) charge of the meeting. He must have been busy with other things and to stop that thing he just shouts and then everybody responded and then the whole thing cuts off and then he takes over and proceeds with the meeting.

In general does the UDF regard Gatsha Buthelezi as part of the enemy of the people? -- In general as serving in the structures of the government, going along with the policies of the government? Yes.

Will you turn to page 29 V20. There is a song, song number 5 "The spear is available to away with the crooked.(30)

This/...

This spear. We do not want Gatsha." -- Yes, that is another one of the songs.

I put it to you this song was sung to popularise Umkhonto we Sizwe? -- No, these songs are sung in the same spirit that I explained to the Court earlier on and that is how they are understood.

Can we turn now to page 38. This is part of the speech by Mewa Ramgobin which starts on page 34, the last paragraph on page 38. "It is because of this kind of struggle that tonight here we business persons, students, workers and (10) religious leaders are gathered in solidarity to tell Mr P.W. Botha and his junior partners that we will not condone apartheid, that we will do everything within our power to destroy apartheid." I put it to you that that includes violence as one of the ways in which apartheid must be destroyed? -- No, it does not. In fact at the beginning of the page, he says clearly that he with the Natal Indian Congress should say that we will never allow ourselves the indignity and dishonour to choose short term material gain for a few in the face of mass oppression. So, he is (20) talking about the political refusal to serve in those structures and to (?) them. He deals with a number of examples there. He deals with the group areas act, the pass laws, population registration act, homelands and a host of other oppressives flowing from the statute books and that they will not support those policies. The forced removals of people of Cato Manor, Clairwood and Phoenix Chatsworth and so on. It is in that context that he says this.

Turn to page 58 ... --- I am sorry, he actually says "Our struggle for equal rights for all, whether they be (30) in/...

in Soweto or in Chatsworth, are the struggles to break apartheid and to create a non-racial democratic society for all in South Africa based on the fundamental principles of the charter. So, it is a political statement and he means it in a political sense.

Will you turn to page 58. I put it to you that at the end of this meeting Oliver Tambo was again popularised with the song "Oliver Tambo is my father. Yes, yes." -- If I recall this tape I think which we saw in Delmas, the Court may well remember that the meeting - the house was full (10) of people, but there was a small group of young fellows who were playing there and then they were doing some of these chants I think.

COURT : I have a note that this did not originate from the platform, it was part of the audience.

MR FICK : Will you now turn to EXHIBIT V23. It is a transcript of a meeting held at the Methodist Church, Second Avenue Number 12 Alexandra, Johannesburg on 19 June 1983. Were you there? -- No, I was not there and as I see it, it was in June 1983. It was before the UDF national was (20) launched.

Do you know Reverend Moleleki? -- I do not know him.

Do you know Vincent Tshabalala? -- I do not know him.

Sipho Kubheka? -- I do not know him.

And Obed Kopeng Bapela? -- Yes, I think I know this young man.

Was he on the executive of AYCO, Alexandra Youth Congress? -- I do not know what his position was, but I know he stayed in Alex.

And Frank Njie Motsai, alias Nico? -- I do not know (30) that/...

that one.

Andrew Mogotsi we had. -- I may also say that I do not know who was responsible for this meeting.

I put it to you this meeting was held by AZASO? -- As I say I do not know who organised this meeting, but looking for instance even at these names here, I cannot see anything that suggests to me that AZASO could have been involved in it.

I put it to you that COSAS was also involved in this meeting? -- I do not know. (10)

I put it to you that there were AZASO and COSAS posters? -- That may have been, but I do not know.

Will you turn to page 5, please.

COURT : On what basis are you putting this document to the witness? He was not there, he does not know most of the speakers, he cannot say who held the meeting, it was before the UDF was formed. Of what interest to us are his comments on this. None I would venture.

MR FICK : Can you tell the Court when was the UDF Transvaal formed? Was it in May 1983? -- May or June. (20)

Was COSAS an affiliate of UDF Transvaal from the beginning of the launch of UDF Transvaal? -- I do not know when they affiliated.

Turn to EXHIBIT V24. This is the Luthuli Memorial Service held on 24 July 1983 and you were present. You were a speaker? -- That is correct.

Reverend Hlongwane, did he speak at this meeting? -- I think he prayed there or something.

Is he a member of any organisation you are aware of? -- He was a member of Isolomzi which was one of our local (30) organisations/...

organisations in Claremont.

We have already referred to Reverend Xundu. -- Yes.

Archie Gumede is on the executive of the UDF. -- That is right.

Russel Maphanga, do you know him? -- Yes.

Is he on the executive of UDF? -- No.

COURT : Did he speak? -- As far as I can recall, yes.

MR FICK : Reverend Xundu and Mr Gumede also spoke at this meeting? -- Yes, I think so.

This Russel Maphanga, is he not the same man who (10) attended the national launch of UDF? -- I cannot remember that he was there.

We will come to that. Mewa Ramgobin, did he speak at this meeting? -- I think so.

Do you know a person by the name of Gladys Manzi? -- Mrs Manzi, yes.

Did she speak at the meeting? -- I think so, yes.

And Victoria Mxenge, do you know her? -- Yes.

Do you know whether she spoke at the meeting? -- I cannot remember that she spoke there. It could be. It (20) is quite some time. This was in 1983.

This meeting was not only a Luthuli Memorial Service but also to commemorate Nelson Mandela. You celebrated his birthday, Nelson Mandela's birthday? -- That is correct. I must just say as far as I can recall, this meeting was called by the Release Mandela Campaign. It was not a UDF meeting at all.

Gladys Manzi, was she a member of UDF or any affiliated organisation? -- I do not know what organisation she belonged to, but she was not in the UDF structures. (30)

I put it to you from page 4 - I think I must just indicate to you that the translations of the songs and the slogans and may be some of the speeches are at the back of the document, the last page is 52 and then we find the translations beginning at page 1. I put it to you that from page 1, page 2, and page 4 it is clear that Oliver Tambo, Umkhonto we Sizwe, the ANC itself and violence were popularised at this meeting? -- These places which are referred to, impress me as like things that happened before the meeting actually started. It appears to me that the meeting (10) actually begins at page 4 where they say we must pray.

I put it to you the ANC, Umkhonto we Sizwe, the armed struggle, Mandela, were popularised? -- That is in relation to these pages we have referred to?

Yes? -- Well, I can only that it appears that these young people were playing there and singing and so on.

Why do you say young people? -- Because it is just youth who plays around with those songs and sing around. Old man Archie Gumede and these other men do not have the energy to jump around and do those things. (20)

On page 11 during the meeting at the top, we find again the ANC are popularised "Viva ANC, Viva, Viva ANC," a number of times? -- I see there is a bit of singing there.

This I put it to you was during the meeting. It was not done by some youths? -- No, it was just done by these young people.

And I put it to you they were not stopped or reprimanded during this meeting? -- I cannot remember that they were stopped.

Then from page 11 as part of Mr Archie Gumede's speech, (30)

it/...

it is stated there, the second paragraph under the name A.J. Gumede "I want to introduce first of all to you Mr Russel Maphanga who lives at Umlazi. He served a long sentence at Robben Island and after that found himself banned and restricted more or less to the district of Umlazi." Can you tell the Court why was Mr Maphanga sentenced? -- I do not know, but it was long before I was ever there.

On page 28 and page 29, part of the speech of Mewa Ramgobin the following is said from the middle of page 28 approximately "I want to make a call for all South Africa (10) that lasted part but all this day into a day of rededication and the day of reaffirmation, they day of reaffirmation for those ideals which Nelson Mandela, Albert Luthuli, Griffiths Mxenge and all the others were authorised and if we are going use this day - this as a day of and we then say that we reaffirm our lives for achievement for those ideals for which Nelson Mandela with his friends and all those - and we are therefore reaffirmed today the ideals of which these people stood for." I put it to you that Nelson Mandela and his / co-accused were popularised at this meeting and people were (20) called upon to follow the examples set by Nelson Mandela? / -- No, it says the ideals for which they stood. That is only the question of freedom and equality of all men, no discrimination on the basis of colour. That is all he is referring to. The ideals for which they stood. Luthuli and those people.

Will you please turn to page 46 of the translation. Next to the number 147 there is a song "We agree hayi with soldiers hayi, I happen to see Gaza, this Gaza I happen to see, hayi, hayi, this is Gaza. We agreed hayi with (30) soldiers/...

soldiers." I put it to you that Umkhonto we Sizwe was popularised at this meeting? -- No, this is a complete misunderstanding. The Gasa that is referred to is the mayor of Lamontville, the one that killed Dube. I told the Court about that last week. It is in the nature of these chants. These young people play around and at the time the issue was fairly well fresh. So, they were just chanting and playing around with it.

Will you now turn to EXHIBIT V25. This is a transcript of the inauguration meeting Soweto Youth Congress, Dube (10) on 31 July 1983. Were you present at this meeting? -- I was not present at this meeting.

Khehla Mthembu ... -- And as far as I know this meeting had nothing to do with the UDF. I am sorry, what about Khehla?

Khehla Mthembu?

COURT : Where to you find Khehla Mthembu? It is Khehla Shubane? -- Yes, that is right. That is the surname that I was trying to remember last week.

Do you remember in what connection we were referring (20) to that Khehla?

MR FICK : Is he not one of the people of the media? -- We were talking about - I had asked him to prepare me a budget proposal for a newspaper, production of the paper.

I think his name also appears in one of the documents C28, C29 to C31, one of the people who had to visit certain affiliates. -- I remember specifically that the issue that we were discussing was who had prepared that budget proposal.

Khehla Shubane, is he a member of one of UDF's affiliates? -- He was a member of - as I can remember - AZASO or BSS. (30)

He/...

He was at Wits at that time. I do not know in what capacity he was here.

Oupa Monareng was the president of SOYCO. He was elected president of SOYCO?-- May be it was at this meeting or whether it was before, this was the inauguration meeting. It means he would have been elected here.

Dr Nthato Motlana we already had. -- Yes.

Archie Gumede we already had. -- Yes.

COURT : Eric Molobi, you do not want to know anything about him? (10)

MR FICK : My learned leader wrote a number of names here.

Eric Molobi, do you know him? -- Yes, I know him.

Was he a member of the UDF Executive? -- Transvaal?

Transvaal? -- Yes. When the executive was elected I understand it was elected quite late. I do not know exactly when. He did in any event become an executive member of the Transvaal.

Do you know from which organisation he is, Eric Molobi?

-- Soweto Civic Association I think. I think so.

Dan Montsisi, was he on the executive of UDF Transvaal?(20)

-- In 1983 ... (Mr Fick intervenes)

In 1985 was he elected to the executive of the UDF? -- That may be so. I would have to check that.

Do you know from which organisation Dan Montsisi is?

-- I think Soweto Youth Congress.

Mewa Ramgobin we had. Zindzi Mandela, she is the daughter of Nelson Mandela? -- That is correct.

From which organisation is Zindzi Mandela? -- I do not know what organisation she was in.

Was she not a member of COSAS? -- I do not know. Frankly(30

I do not know.

Cassim Saloojee we had. He was a member of UDF Transvaal?

-- Of the TIC.

Only TIC? -- There was no UDF national at that time.

UDF Transvaal? -- The leadership of the UDF Transvaal was elected much later. I do not know whether at this time it was already elected, but as I recall it, it was elected much later and when it was elected, I think he served in the RSC.

Oscar Mpetha we know is one of the presidents of UDF? (10)

-- Yes.

Then there is a name Zolile Ntshelwane. Do you know this person? -- I do not know this person.

Do you know a person by the name of Mkoseli Jack, do you know him? -- It is actually Mkhuseleli. Yes, I know him.

Is he on the executive of the UDF? -- No.

Or in one of the regions? -- No, he is not. He was in the youth congress of Port Elizabeth.

PEYCO, he was in the executive? -- Yes, I think so.

Port Elizabeth Youth Congress? -- Yes. (20)

Smangaliso Mkatshwa we already had. I put it to at this meeting Oliver Tambo, page 2, was popularised as well as Nelson Mandela on page 3, song 3 and then also the ANC ... -- I see that those songs were sung.

I put it to you that also the ANC was popularised at [this meeting in a song?] -- Though I was not there, I would say my attitude towards these songs and these chants would be the same as what I have told the Court before.

I put it to you from the speech which starts on page 4 to page 5, the last two lines on page 4 from [an unknown] (30) speaker/...

speaker ... (Court intervenes)

COURT : Khehla Shubane. You must get your records in order.

MR FICK : The last line "Remember the role the Youth league played" and then page 5 "The program of action which lifted our struggle to the militant plane was as a direct result of the campaign (inaudible) and so on done by the youth league. The defiance campaign which to date is not equal, was as a result of the program of action which was introduced by the youth league and citing this to show the importance youth can play in the bitter struggle, so that we (10) form these youth organisations today. I think we have to keep these in mind. I have to think back to men like Tambo, Sisulu, Mandela, Lembede and many others who were active in the youth league and see the quality of their development into the giants they are today. We hope that with the formation of the Soweto youth league, rather the youth congress as has happened in other centres." I put it to you this man Khehla Shubane called on the youth in Soweto to follow the ANC's youth league example and to become a militant force in the liberation struggle? - Yes, he does say that (20) the youth contributed a lot to the political struggle of our people and the youth league was a non-violent organisation. It is only natural that people should refer to organisations like those which have served them in their time.

On page 5 the last - the second last paragraph Kurnich Ndlovu introduced - I put it to you that Eric Molobi introduced a number of speakers and he referred to the speakers' background like in the first instance he referred to Mr Matthews and he referred to the twelve and a half years on the island for his contribution into the struggle. That (30)

is/...

is on page 6. Who is this Mr Matthews? -- He is one of the senior citizens of Soweto.

Why was he sentenced to twelve and half years' imprisonment on the island? -- When I got there, he was long gone. I cannot really say what he had done. I do not know.

Then there is also reference to Curtis Nkondo?-- Yes.

Reference was made to the fact that he served a banning order of three years? -- Yes, that is correct.

Then there is also a reference on page 6 to Dr Motlana and his activities in the ANC Youth League, the second (10) paragraph? -- Page 6 or page 7?

Page 7. -- Yes, I can see that.

And after that there is also reference to Dan Montsisi and reference to the eight years of which he served four years on the island. -- Yes. I believe he was asked to introduce these people. So, he gives their background as well, so people must know who they are.

I put it to you that reference to their background, the fact that they were on Robben Island and they were banned and they were active in the ANC youth league, was (20) all done with the purpose to convey the message to the audience that SOYCO is following in the footsteps of the ANC youth league? -- No. no. For instance Dan has never been a member of the ANC. I do not know on what basis that is now suggested. This man has given the background of these people and he would tell what this one had done and what that one had done. Dr Motlana had not been to Robben Island he mentions Soweto Civic Association in his case. He is chairman of that. That is all the credentials they have got. (30)

COURT : Were you and Mr Montsisi in the same case in court or not or were you in different cases? -- No, we were not in the same case. Our case was much earlier than his.

MR FICK : Page 8, there is a song. I put it to you this song, the first four paragraphs, was sung to indicate the connection between Umkhonto we Sizwe, the UDF, SOYCO ... -- I deny that.

I put it to you that Dr Motlana his speech starts on page 12 and then on page 13 the second paragraph he states the following "We must ask ourselves at this juncture (10) why the youth league was formed, because it bears some relevance to days' events and why today we feel the need to form a youth movement throughout the country." Then Dr Motlana deals with the history of the ANC youth league and on page 18 the first paragraph he said the following "It is not my task to go into the history of the PAC or the ANC. My mission was simply to focus on the history of the youth league which I think I did. Perhaps what I need to do at this point in time is to attempt do draw some important lessons from the youth league and show how it can be (20) applied to our situation today. We have seen how the youth leagues transformed the passive ANC into a broad and more progressive movement." Then on page 18 the third paragraph the seventh line from the top of the third paragraph "But that the youth cannot be the vanguard of the liberation movements. If the youth played the role of the vanguard, the youth will be short lift because they need the experience and guidance of the tested stalwarts of the movement. Inasmuch as the youth can decisively influence the vanguard, they must always submit to the (30) influence/...

influence and discipline of events." Then on page 19, still part of the speech of Dr Motlana, the fourth paragraph from the top or the second last one, Dr Motlana says "We need to organise the Soweto youth organisation or youth congress to make them sensitive, alive and aware of the role that other organisations in the community are playing. So, that they can play a role in the association with, together with such movements as the United Democratic Front, Anti-Community Councils Committee, Soweto Civic Association. We also see the SCA which is a community (10) organisation as a first level grassroot organisation in Soweto that has been struggling for the past two years (inaudible) but now needs the committed input of the youth. The SCA has always been seen as an adult organisation for the mothers and fathers that pay the rent, who buy the food. They cannot like the ANC of old be very effective / unless you, youth, make your input to their activities."

I put it to you that Dr Motlana referred to the ANC youth league and called on the youth to follow the example set by the ANC youth league? -- Yes, I think at page 18 as (20) correctly quoted by counsel he does say that his task was simply to focus on the history of the youth league and that much he has done, but what has he told the meeting? He has told the meeting the following, that the youth league, once it was formed, it invigorated the African National Congress. At page 18 he says that we have seen how the youth league transformed the passive ANC into a broad and more progressive movement and what he is saying is that in the context of our conditions, these youth organisations which have been formed must also join the organisations, (30)

in this case he refers to the UDF and the Soweto Civic Association and others which he says they must also invigorate as I understand it. As we know the youth league was a non-violent organisation and even the campaigns that it piloted were non-violent campaigns. I think that is all that he is putting across. There is no suggestion, as I see it, that they must resort to violence.

Will you turn to page - we are still on page 20 the last paragraph, part of the speech of Khehla Shubane.

"Chairman addresses the audience. Braam Fisher is a (10)
stalwart in our revolution whose contribution to the struggle
to this day has not been equalled, regardless of the fact
that Braam Fisher was the son of an Afrikaner aristocrat. /
His contribution to our struggle for liberation still
remains, particularly by those who see him as nothing else
but a liberal unequalled. Braam Fisher left his all and
gave his all for my liberation and yours. Those who have
seen it fit to see Braam Fisher as a liberal of themselves
I think like liberals. Another important thing, Dr Motlana
has mentioned here the fact that the youth league injected (20)
a lot of life into the ANC. The militancy that the ANC came
up with the fifties, was a direct result of the pushing up
by the youth league. The unlimited stamina and keenest /
work of men like Sisulu, O.R. Tambo, Nelson Mandela, Duma /
Nokwe, stalwarts of our revolution, made it possible for /
us to go into campaigns like the 1952 defiance campaign /
and many other campaigns have followed in the fifties. /
And it is of interest to note that the young chaps of
those days used to run around organising. All those
things are today the giants and the stalwarts for / (30)
revolution/...

revolution. Oliver, O.R. Tambo, Walter Sisulu, Nelson Mandela, Duma Nokwe, we should not forbid the contributions as well that were made by the young people of those days. Friends of the Soviet Union which then was the only workers country and coming back to the Union of South Africa, he said something extremely important about the workers of this country. That the Soviet Union is the heaven of poor people. (Audience claps hands) Archie Gumede laughs. Shakes hands with Nkondo. Nkondo raises his hand." I put it to you this is making clear that SOYCO is engaged in a revolution (10) which had been started by the ANC and he called on the youth to follow the example set by the ANC youth league? -- Yes, as I see it there the call is to take the example of the hard work that was done by these people who went before them. I would understand the talk about revolution merely as a struggle for change. If it means anything more than that, I reject that and I would dissociate my organisation from it. In any event he was not really speaking on behalf of the UDF, because this was not even the meeting of the UDF. Again, here UDF had not been set up as he had to (20) say.

That is only UDF national? -- Yes. As I see it, he was not even representing UDF Transvaal.

Will you turn to page 26 then. At this stage July 1983 Mr Archie Gumede, was he at that stage president of the UDF Natal? -- Yes, I think so. Yes.

Turn to page 26 the second paragraph, you can see what he says about the struggle. He says in paragraph 2 "Oliver Tambo, you sing about him. Oh my, I wish you would do more than singing about him. (Laughter of audience. Clapping of (30) hands/...

hands) The more and the least if you join and go and recruit others and conscientise others, you will have done something that may result in one day the voice of the African people in South Africa. In Soweto first rising with a roar which Pretoria cannot ignore and say bring our leaders back, call a national convention where our leaders are going to speak for us." I put it to you Mr Gumede not only popularised Oliver Tambo, but he refers to Oliver Tambo as a symbol of the struggle, inspiration of the struggle, calling on the people to do do more about it than sing about it. (10) They must go and recruit others? -- I think the words of the president there are clearer than I can put them. All he is saying is that organise more people so that there can be more of us who will call for a national convention and therefore there can be a resolution of the problems of our country. He is not saying go and take up arms and what not. He says to call more people so that we can - he says we can have a rising with a roar which Pretoria cannot ignore and say bring our leaders back, call a convention, a national convention, where our leaders are going to (20) speak for us. As far as I am concerned, nothing could be clearer than that about the thinking of those people who are part of the United Democratic Front.

Will you turn to page 31, in the middle of the paragraph, it is clear that Oscar Mpetha enters the hall and then at page 32 when Oscar Mpetha is helped onto the stage the audience shouts "Oliver Tambo" six times. I put it to you that was done to put forward the message that Oscar Mpetha and Tambo are fighting the same struggle? -- No, I do not think so. I do not agree. (30)

Will/... .

Will you turn to page 41 the last paragraph. Zindzi
Mandela reads a letter from COSAS national executive committee "We salute the birth of Soweto Youth Congress. At this point in time our country is in a tremendous stage of reforms, that are aimed at forestalling the entitle process of the national liberation struggle and social emancipation. The future is in the hands of the youth and the foundation laid 72 years ago also laid in 1955 at the freedom square. It is on the basis of our demands as enshrined in the Freedom Charter. That the correct definition of the class (10) and national enemy against whom the youth side by side with the workers who bear the brunt with the racist Botha and Malan regime. It is only the success of the national democratic revolution which, destroying the existing social and economic relationship will bring with it the correction of the historical injustices perpetrated against the majority and thus lay a basis for a new and deeper inter- nationalist approach. Until then the national sense of grievance is the most potent revolutionary force which must be harnessed. Long live youth congress. Yours in student (20) workers solidarity. National vice-president." I put it to you it is also made clear by COSAS at this meeting that they see the liberation struggle as a revolution against the government in which the existing social and economic order must be destroyed? -- That is what the document says. If by revolution is meant political change in the sense that I have explained to the Court earlier, the I accord to that but if it means anything else, it is in complete conflict with the UDF policy and we do not associate ourselves with that.

(30)

COURT : What do you understand by new and deeper internationalist approach? -- I cannot pretend to explain that to the Court. I simply do not know.

MR FICK : Will you turn to page 45. It is part of the speech of Oscar Mpetha the second paragraph "Comrade chair and the members of this congress, it is a great pleasure to me to get this opportunity of saying a few words. In such a congress I brought greetings from Oscar and eighteen others that the work must carry on." Can you tell the Court who are the eighteen others that are referred to? -- I (10) was not at this meeting. I do not know who he is referring to. Unless he is referring to a court case that he was in at that time. I do not know how many they were. He might refer to that.

"That the youth must show itself to be the youth. This came from the discussions that we used to have in jail, trying to find out how South Africa will be liberated. We came to the conclusion that South Africa will only be liberated when the youth and the students and the workers come together and form a strong resistance to the govern-(20) ment." -- That obviously was in prison. That was not at the meeting of the UDF.

Then the third paragraph "This is the message that I bring to you from the eighteen youth and Oscar, that they are looking forward that one day with the seventeen and eighteen they have got, they will be liberated. They are looking forward to the youth that the youth must carry on the burden and follow them because it is obvious that if / you are still afraid of being jailed, this is most important / of it that if you are still afraid of going to jail, that (30) there/...

"there will be no liberation in South Africa." I put it to you this is a clear call by Oscar Mpetha to the youth to follow illegal means to obtain their liberation? -- No, I deny that. I think all that he is saying is that people must stand up and say no to apartheid and they must not be afraid that if they say so, they will be arrested, but they must say so. No where does he say that they must use illegal means.

We will come back to this. On page 46 during the speech of Oscar Mpetha we find the song again "Tambo is (10) in the forest. Yes, what is he doing there? He is teaching soldiers." That song was sung to indicate that the meeting identifies with Oliver Tambo and the armed struggle? -- I have already given my attitude on these songs. I do not want to repeat myself.

On page 47, still part of the speech of Oscar Mpetha, the fourth paragraph Oscar Mpetha shouts "Amandla" audience "Awethu." Oscar "Amandla". Audience "Awethu." Oscar "Inkululeko" Audience (inaudible). Oscar "Viva." Audience "ANC". Then Oscar speaks in Xhosa saying "Listen to what I am going (20) to say." Oscar "Viva". Audience "ANC". Oscar "Umkhonto we Sizwe." This the president of the UDF did at this meeting to indicate that SOYCO are fighting the same struggle as the ANC and Umkhonto we Sizwe and to indicate that the struggle is in fact an armed struggle? -- I am sure he did not do this on behalf of the UDF, certainly. It just does not represent the position of the United Democratic Front. That is apart from the fact that it was before the formation of the UDF national. I have not been aware of this myself. I have never heard about this meeting and all this. (30)

Will you turn to page 49. There again the audience sang a song "Boys of Umkhonto struck yesterday. We are going, we are going." That again is a song sung to popularise the armed struggle of the ANC, I put it to you? -- No, I think I have already given an explanation in relation to the songs.

Then on page 50 the speech starts of Father Smangaliso Mkathswa. I would like to refer you to page 54 of that speech the seventh line from the top "The struggle is not a joke. It is not something you do when you happen to (10) find time. Struggle is life, is death." Then also line number sixteen in the same page "How you wage your struggle is your decision. A program's action is your own responsibility. The only contribution I can make at this stage is only to suggest the few element without which your struggle in the society will be ineffective or even possitively counter-revolutionary." Then Father Smangaliso Mkathswa refers to organisations which is one of the elements and then he also refers to Amilcar Cabral. Do you know Mr Cabral? -- No, I do not know, but I have heard this name. (20) You know, there where he talks about the struggle is life, is death, he deals with the fact that the church has to make an option for the poor, for the suffering masses, for the oppressed, the de-humanised, the workers, the rochet or the earth and those who are economically exploited. Then he suggests that they will have to be organised. If they are going to do something about these problems, they must organise themselves. He says you need organisation, but unless you are well organised, you are not going to be effective. Unless you have a democratic structure, you are (30)

not/...

not going to succeed. You are not going to succeed in the setting up of a united democratic and non-racial South Africa. So, his suggestion is that they must set up organisations which, as I understand it, they would then use to work towards their freedom.

Will you look at page 54 the last paragraph it is stated that "If you want to neutralise the delayed actions carried out by our enemies and their lackeys, you must strengthen the methods, the action and the vigilance of (the African revolution. Let us be precise, for African(10) revolution means the formation of our present life in the direction of progress. The prerequisite for this is the elimination of foreign economic domination and on which every other type of domination is dependent. Our vigilance means the vigorous selection of friends, a constant watch and struggle against enemies and the utilisation of all factors that oppose progress. There should be commitment and dedication and we have got to wage our struggle in a profession way, in a scientific way. We can no longer afford the luxury of doing things in a sort of happy-go-(20) lucky type. There should be solidarity." I put it to you also here Father Mkatshwa made it clear that the struggle is part of a revolution? -- Yes and he actually says that there is a transformation. By that he means a transformation of our present life in the direction of progress. He does not suggest that he wants violence.

ASSESSOR (MR KRUGEL) : The quotation ascribed to Amilcar Cabral, it ends at page 55, were the words an injury to one of the members of SOYCO, should be an injury to all young people in Soweto. Can this be possible? -- From my understanding

no.

COURT : Or did Cabral join SOYCO?-- As far as I know, no. He was not even a South African. I do not know how this happened this way.

MR FICK : Page 63 to page 64 I put it to you Mr Mkhuseleli Jack - it is clear that Mr Mkhuseleli Jack popularised the ANC youth league, the ANC, the leaders of the ANC, Mandela, Sisulu, Mhlaba, Gwala, Mbeki and on page 64 the last paragraph he also popularised Solomon Mahlangu and I put it to you he did all this to make it clear that SOYCO is fighting (10) the same struggle as the ANC and the ANC's armed wing Umkhonto we Sizwe? -- In relation to the African National Congress he seems to have mentioned it in a historical context that the government clamped down on the popular people's organisations. In relation to the names which counsel has just mentioned, he seemed to have mentioned that they began their political apprenticeship in the Youth League and in relation to Mahlangu he seems to be quoting something that this man said at some point.

One last question on page 64, do you regard the (20) Communist Party of South Africa as a popular people's party? -- No, not according to me. I would have no basis for saying that. Nor do I know his basis for saying that.

WITNESS STANDS DOWN.

COURT ADJOURNS TILL 6 OCTOBER 1987.

DELMAS TREASON TRIAL 1985-1989

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