

AD1719

State vs Cooper and eight others, Trial records, 1975-1976

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Archivist Notes:

Court records (Item A), Correspondence (Item X) and Documentary Exhibits (Item Z) were digitised from microfilm copies and published on the Historical Papers website in 2012.

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BACKGROUND

In 1974 SASO/BPC members were arrested for staging Viva Frelimo rallies at Curries Fountain and at Turfloop University, and charged. They were Saths Cooper, Muntu Myeza, Strini Moodley, Patrick 'Terror' Lekota, Nchaube Mokoape, Pandelani Nefolovhodwe, Nkwenkwe Nkomo, Kaborone Sedibe and Zithulele Cindi. Their trial, officially known as 'State vs Cooper and Eight Others', dragged on for 16 months, after which the accused were found guilty and sentenced to five and six-year terms on Robben Island.

Steve Biko appeared as one of the defence witnesses in the trial in May 1976, and his testimony is included in the court records. The records also include 'The Definition of Black Consciousness'.

Reference is made to collection AD2021 Security Trials.

Forms part of the archives of the South African Institute of Race Relations (SAIRR).

CLASSIFICATION

A	COURT RECORDS
B	JUDGMENT
C	RELATING DOCUMENTS
D	INDICTMENTS
E	BACKGROUND TO TURFLOOP SRC
F	PLEAS AND STATEMENTS OF ACCUSED
G	THE REQUEST FOR FURTHER AND BETTER PARTICULARS
H	ADVICE ON EVIDENCE
I	SOUTH AFRICAN STUDENTS' ORGANISATION - (SASO)
J	SOUTH AFRICAN STUDENTS' ORGANISATION - (SASO) - NEWSLETTERS
K	RESPONSE TO PARTICULARS
L	STATEMENTS OF ACCUSED
M	THEATRE COUNCIL OF NATAL - (TECON)
N	MEMORANDUM OF LAW
O	THEATRE COUNCIL OF NATAL - (TECON) - CONSTITUTION
P	THE TERRORISM ACT
Q	SOUTH AFRICAN STUDENTS' ORGANISATION INAUGURAL CONFERENCE NOTES
R	STATEMENTS OF WITNESSES
S	TURFLOOP SRC
T	SUBMISSIONS
U	JUDGMENT
V	EXPERT EVIDENCE
W	SPEECH - P.J.NEFOLOVHODWE

X CORRESPONDENCE  
Y1 STATEMENTS  
Y2 THE DEFINITION OF BLACK CONSCIOUSNESS  
Z DOCUMENTARY EXHIBITS

COLLECTION DESCRIPTION

A COURT RECORDS, VOLS.1 - 145, REELS 1-8

REEL 1

Vol1a Volume 1a, Pages 1 - 60.

(This volume includes the following witnesses:- Cooper, Myeza, Lekota, Mokoape, Nkomo, Nefolovhodwe, Sedibe, Cindi and Moodley.)

Vol1b Volume 1b, Pages 1 - 78.

(This volume includes the following witnesses:- "Pleads", Oosthuizen, Oliver, Straub, Millie, Snyman and Van Der Merwe.)

Vol2 Volume 2, Pages 79 - 155.

(This volume includes the following witnesses:- Van Der Merwe and Bawa.)

Vol3 Volume 3, Pages 156 - 252.

(This volume includes the following witnesses:- Bawa, Rossouw and Ledwaba.)

Vol4 Volume 4, Pages 253 - 345.

(This volume includes the following witnesses:- Ledwaba.)

Vol5 Volume 5, Pages 346 - 451.

(This volume includes the following witnesses:- Ledwaba and Bawa.)

Vol6 Volume 6, Pages 452 - 548.

(This volume includes the following witnesses:- Rossouw, Bawa, Seoka and Singh.)

Vol7 Volume 7, Pages 549 - 597.

(This volume includes the following witnesses:- Seoka and Singh.)

Vol8 Volume 8, Pages 598 - 687.

(This volume includes the following witnesses:- Singh.)

Vol9 Volume 9, Pages 688 - 805.

(This volume includes the following witnesses:- Singh.)

Vol10 Volume 10, Pages 806 - 924.

(This volume includes the following witnesses:- Singh.)

Vol11 Volume 11, Pages 925 - 1037.

(This volume includes the following witnesses:- Weterman and Singh.)

Vol12 Volume 12, Pages 1038 - 1109.

(This volume includes the following witnesses:- Singh, Mehta, Naude, Brandaw and Clark.)

REEL 2

Vol13 Volume 13, Pages 1110 - 1189.

(This volume includes the following witnesses:- Kilpatrick, Sibeya, Sokela, Chinnadora, Smith, Twala, Van Niekerk, Brandaw and Dhlamini.)

- Vol14      Volume 14, Pages 1190 - 1236.  
(This volume includes the following witnesses:- Freitag and De Wet.)
- Vol15      Volume 15, Pages 1237 - 1252.  
(This volume includes the following witnesses:- Freitag, De Wet, Twala and Erasmus.)
- Vol16      Volume 16, Pages 1253 - 1330.  
(This volume includes the following witnesses:- Basson and Erasmus.)
- Vol17      Volume 17, Pages 1331 - 1378.  
(This volume includes the following witnesses:- Masakale, Dutton, Wessels and Strydom.)
- Vol18      Volume 18, Pages 1379 - 1425.  
(This volume includes the following witnesses:- Strydom.)
- Vol19      Volume 19, Pages 1426 - 1517.  
(This volume includes the following witnesses:- Kekana.)
- Vol20      Volume 20, Pages 1518 - 1566.  
(This volume includes the following witnesses:- Lourens, Van Niekerk, Bekker and Cornelisen.)
- Vol21      Volume 21, Pages 1567 - 1601.  
(This volume includes the following witnesses:- Cornelisen, Du Plessis, Van Der Merwe, Potgieter, Greyling and Kleingbiel.)
- Vol22      Volume 22, Pages 1602 - 1671.  
(This volume includes the following witnesses:- "Ruling", Strydom, Langeveldt, Moonsamy and Nayager.)
- Vol23      Volume 23, Pages 1672 - 1753.  
(This volume includes the following witnesses:- Nayager, Van Niekerk, Van Der Merwe, Heystek, Nkosi, Chelopo and Du Toit.)
- Vol24      Volume 24, Pages 1754 - 1798.  
(This volume includes the following witnesses:- Du Toit and Taylor.)
- Vol25      Volume 25, Pages 1799 - 1810.  
(This volume includes the following witnesses:- Du Toit and Welman.)
- Vol26      Volume 26, Pages 1811 - 1860.  
(This volume includes the following witnesses:- Kellerman, Taylor and Du Toit.)
- Vol27      Volume 27, Pages 1861 - 1890.  
(This volume includes the following witnesses:- Du Toit.)
- Vol28      Volume 28, Pages 1891 - 1942.  
(This volume includes the following witnesses:- Du Toit and De Wet.)
- Vol29      Volume 29, Pages 1943 - 1968.  
(This volume includes the following witnesses:- De Wet, Strydom and Welman.)

- Vol30 Volume 30, Pages 1969 - 2038.  
(This volume includes the following witnesses:- Welman.)
- Vol31 Volume 31, Pages 2039 - 2089.  
(This volume includes the following witnesses:- Van Der Merwe and Jansen.)
- Vol32 Volume 32, Pages 2090 - 2118.  
(This volume includes the following witnesses:- Van Der Merwe.)
- Vol33 Volume 33, Pages 2119 - 2134.  
(This volume includes the following witnesses:- Stadler.)
- Vol34 Volume 34, Pages 2135 - 2161.  
(This volume includes the following witnesses:- Stadler.)
- Vol35 Volume 35, Pages 2162 - 2203.  
(This volume includes the following witnesses:- Stadler.)
- Vol36 Volume 36, Pages 2204 - 2259.  
(This volume includes the following witnesses:- Van Der Merwe and Stadler.)
- REEL 3
- Vol37 Volume 37, Pages 2260 - 2278.  
(This Volume includes the following witnesses:- "Discussion" and Stadler.)
- Vol38 Volume 38, Pages 2279 - 2316.  
(This volume includes the following witnesses:- Van Der Merwe, Van Niekerk and De Wet.)
- Vol39 Volume 39, Pages 2317 - 2373.  
(This volume includes the following witnesses:- Van Der Merwe and Van Staden.)
- Vol40 Volume 40, Pages 2374 - 2418.  
(This volume includes the following witnesses:- Van Der Merwe.)
- Vol41 Volume 41, Pages 2419 - 2454.  
(This volume includes the following witnesses:- Van Der Merwe.)
- Vol42 Volume 42, Pages 2455 - 2495.  
(This volume includes the following witnesses:- Van Der Merwe.)
- Vol43 Volume 43, Pages 2496 - 2513.  
(This volume includes the following witnesses:- Van Der Merwe.)
- Vol44 Volume 44, Missing.  
(This volume is not on the reel.)
- Vol45 Volume 45, Pages 2524 - 2562.  
(This volume includes the following witnesses:- "Discussion", Van Der Merwe and Du Toit.)
- Vol46 Volume 46, Pages 2563 - 2612.  
(This volume includes the following witnesses:- "Discussion" and Van Der Merwe.)

- Vol47            Volume 47, Pages 2613 - 2646.  
(This volume includes the following witnesses:- Van Der Merwe.)
- Vol48            Volume 48, Pages 2647 - 2656.  
(This volume includes the following witnesses:- Van Der Merwe.)
- Vol49            Volume 49, Pages 2657 - 2684.  
(This volume includes the following witnesses:- Van Der Merwe.)
- Vol50            Volume 50, Pages 2685 - 2718.  
(This volume includes the following witnesses:- Van Der Merwe.)
- Vol51            Volume 51, Pages 2719 - 2755.  
(This volume includes the following witnesses:- Van Der Merwe.)
- Vol52            Volume 52, Pages 2756 - 2805.  
(This volume includes the following witnesses:- Van Der Merwe.)
- Vol53            Volume 53, Pages 2806 - 2852.  
(This volume includes the following witnesses:- Van Der Merwe.)
- Vol54            Volume 54, Pages 2853 - 2903.  
(This volume includes the following witnesses:- Van Der Merwe.)
- Vol55            Volume 55, Missing.  
(This volume is not on the reel.)
- Vol56            Volume 56, Pages 3005 - 3115.  
(This volume includes the following witnesses:- Turner.)
- Vol57            Volume 57, Pages 3116 - 3241.  
(This volume includes the following witnesses:- Turner.)
- Vol58            Volume 58, Pages 3242 - 3324.  
(This volume includes the following witnesses:- Turner.)
- Vol59            Volume 59, Pages 3325 - 3367.  
(This volume includes the following witnesses:- Turner.)
- Vol60            Volume 60, Pages 3368 - 3384.  
(This volume includes the following witnesses:- Turner.)
- Vol61            Volume 61, Pages 3385 - 3443.  
(This volume includes the following witnesses:- Buthelezi.)
- Vol62            Volume 62, Pages 3444 - 3482.  
(This volume includes the following witnesses:- Buthelezi.)
- Vol63            Volume 63, Pages 3483 - 3569.  
(This volume includes the following witnesses:- Buthelezi.)
- REEL 4
- Vol64            Volume 64, Pages 3570 - 3626.  
(This volume includes the following witnesses:- Cooper.)

- Vol65            Volume 65, Pages 3627 - 3655.  
(This volume includes the following witnesses:- Cooper.)
- Vol66            Volume 66, Pages 3656 - 3731.  
(This volume includes the following witnesses:- Cooper.)
- Vol67            Volume 67, Pages 3732 - 3793.  
(This volume includes the following witnesses:- Cooper.)
- Vol68            Volume 68, Pages 3794 - 3837.  
(This volume includes the following witnesses:- Cooper.)
- Vol69            Volume 69, Pages 3838 - 3911.  
(This volume includes the following witnesses:- Cooper.)
- Vol70            Volume 70, Pages 3912 - 3958.  
(This volume includes the following witnesses:- Cooper.)
- Vol71            Volume 71, Pages 3959 - 4019.  
(This volume includes the following witnesses:- Cooper.)
- Vol72            Volume 72, Pages 4020 - 4050.  
(This volume includes the following witnesses:- Cooper.)
- Vol73            Volume 73, Pages 4051 - 4115.  
(This volume includes the following witnesses:- Cooper.)
- Vol74            Volume 74, Pages 4116 - 4224.  
(This volume includes the following witnesses:- Cooper.)
- Vol75            Volume 75, Pages 4225 - 4292.  
(This volume includes the following witnesses:- Cooper.)
- Vol76            Volume 76, Missing.  
(This volume is not on the reel.)
- Vol77            Volume 77, Pages 4317 - 4387.  
(This volume includes the following witnesses:- Cooper and Biko.)
- Vol78            Volume 78, Pages 4388 - 4431.  
(This volume includes the following witnesses:- Biko.)
- Vol79            Volume 79, Pages 4432 - 4495.  
(This volume includes the following witnesses:- Biko.)
- Vol80            Volume 80, Pages 4496 - 4547.  
(This volume includes the following witnesses:- Biko.)
- Vol81            Volume 81, Pages 4548 - 4676.  
(This volume includes the following witnesses:- Biko.)
- Vol82            Volume 82, Page 4677 - 4739.  
(This volume includes the following witnesses:- Biko.)
- Vol83            Volume 83, Pages 4740 - 4794.

(This volume includes the following witnesses:- Biko.)

- Vol84 Volume 84, Pages 4795 - 4853.  
(This volume includes the following witnesses:- Biko and Mokoape.)
- Vol85 Volume 85, Pages 4854 - 4887.  
(This volume includes the following witnesses:- Mokoape.)
- REEL 5
- Vol86 Volume 86, Pages 4888 - 4950.  
(This volume includes the following witnesses:- Mokoape.)
- Vol87 Volume 87, Pages 4951 - 4997.  
(This volume includes the following witnesses:- Mokoape.)
- Vol88 Volume 88, Pages 4998 - 5081.  
(This volume includes the following witnesses:- Mokoape.)
- Vol89 Volume 89, Pages 5082 - 5129.  
(This volume includes the following witnesses:- Mokoape.)
- Vol90 Volume 90, Pages 5130 - 5211.  
(This volume includes the following witnesses:- Mokoape.)
- Vol91 Volume 91, Pages 5212 - 5260.  
(This volume includes the following witnesses:- Mokoape and Lekota.)
- Vol92 Volume 92, Pages 5261 - 5303.  
(This volume includes the following witnesses:- Lekota.)
- Vol93 Volume 93, Pages 5304 - 5373.  
(This volume includes the following witnesses:- Lekota.)
- REEL 6
- Vol94 Volume 94, Pages 5374 - 5418.  
(This volume includes the following witnesses:- Lekota.)
- Vol95 Volume 95, Pages 5419 - 5535.  
(This volume includes the following witnesses:- Lekota.)
- Vol96 Volume 96, Pages 5536 - 5572.  
(This volume includes the following witnesses:- Lekota and Nefolovhodwe.)
- Vol97 Volume 97, Pages 5573 - 5622.  
(This volume includes the following witnesses:- Nefolovhodwe.)
- Vol98 Volume 98, Pages 5623 - 5743.  
(This volume includes the following witnesses:- Nefolovhodwe.)
- Vol99 Volume 99, Pages 5744 - 5816.  
(This volume includes the following witnesses:- Nefolovhodwe.)
- Vol100 Volume 100, Pages 5817 - 5862.  
(This volume includes the following witnesses:- Nefolovhodwe and Sedibe.)

- Vol101 Volume 101, Pages 5863 - 5970.  
(This volume includes the following witnesses:- Sedibe.)
- Vol102 Volume 102, Pages 5971 - 6057.  
(This volume includes the following witnesses:- Sedibe.)
- Vol103 Volume 103, Pages 6058 - 6105.  
(This volume includes the following witnesses:- Sedibe and Small.)
- Vol104 Volume 104, Pages 6106 - 6203.  
(This volume includes the following witnesses:- Small.)
- Vol105 Volume 105, Pages 6204 - 6302.  
(This volume includes the following witnesses:- Small and Myeza.)
- Vol106 Volume 106, Pages 6303 - 6391.  
(This volume includes the following witnesses:- Myeza.)
- Vol107 Volume 107, Pages 6392 - 6463.  
(This volume includes the following witnesses:- Myeza.)
- Vol108 Volume 108, Pages 6464 - 6556.  
(This volume includes the following witnesses:- Myeza.)
- REEL 7
- Vol109 Volume 109, Pages 6557 - 6624.  
(This volume includes the following witnesses:- Myeza.)
- Vol110 Volume 110, Pages 6625 - 6737.  
(This volume includes the following witnesses:- Myeza.)
- Vol111 Volume 111, Pages 6738 - 6836.  
(This volume includes the following witnesses:- Myeza and Nkondo.)
- Vol112 Volume 112, Pages 6837 - 6931.  
(This volume includes the following witnesses:- Nkondo.)
- Vol113 Volume 113, Pages 6932 - 7027.  
(This volume includes the following witnesses:- Nkondo.)
- Vol114 Volume 114, Pages 7028 - 7089.  
(This volume includes the following witnesses:- Nkondo and Mgigima.)
- Vol115 Volume 115, Pages 7090 - 7197.  
(This volume includes the following witnesses:- Mabasa.)
- Vol116 Volume 116, Pages 7198 - 7242.  
(This volume includes the following witnesses:- Mabasa and Moodley.)
- Vol117 Volume 117, Pages 7243 - 7277.  
(This volume includes the following witnesses:- Moodley.)
- Vol118 Volume 118, Pages 7278 - 7325.  
(This volume includes the following witnesses:- Moodley.)

- Vol119 Volume 119, Pages 7326 - 7422.  
(This volume includes the following witnesses:- Moodley.)
- Vol120 Volume 120, Pages 7423 - 7489.  
(This volume includes the following witnesses:- Moodley.)
- REEL 8
- Vol121 Volume 121, Pages 7490 - 7596.  
(This volume includes the following witnesses:- Harper and Moodley.)
- Vol122 Volume 122, Pages 7597 - 7654.  
(This volume includes the following witnesses:- Cindi.)
- Vol123 Volume 123, Pages 7655 - 7684.  
(This volume includes the following witnesses:- Cindi.)
- Vol124 Volume 124, Pages 7685 - 7738.  
(This volume includes the following witnesses:- Cindi.)
- Vol125 Volume 125, Pages 7739 - 7770.  
(This volume includes the following witnesses:- Cindi.)
- Vol126 Volume 126, Pages 7771 - 7876.  
(This volume includes the following witnesses:- Cindi.)
- Vol127 Volume 127, Pages 7877 - 7947.  
(This volume includes the following witnesses:- Cindi.)
- Vol128 Volume 128, Pages 7948 - 8008.  
(This volume includes the following witnesses:- Cindi.)
- Vol129 Volume 129, Pages 8009 - 8057.  
(This volume includes the following witnesses:- Cindi and Tshabalala.)
- Vol130 Volume 130, Pages 8058 - 8105.  
(This volume includes the following witnesses:- Gurr.)
- Vol131 Volume 131, Pages 8106 - 8135.  
(This volume includes the following witnesses:- Gurr.)
- Vol132 Volume 132, Pages 8136 - 8191.  
(This volume includes the following witnesses:- Gurr.)
- Vol133 Volume 133, Pages 8192 - 8236.  
(This volume includes the following witnesses:- Gurr.)
- Vol134 Volume 134, Pages 8237 - 8285.  
(This volume includes the following witnesses:- Gurr.)
- Vol135 Volume 135, Pages 8286 - 8329.  
(This volume includes the following witnesses:- "Discussion", "Ruling" and Chikane.)
- Vol136 Volume 136, Pages 8330 - 8372.  
(This volume includes the following witnesses:- Chikane and Nkomo.)

- Vol137 Volume 137, Pages 8373 - 8429.  
(This volume includes the following witnesses:- Soni and Nkomo.)
- Vol138 Volume 138, Pages 8430 - 8464.  
(This volume includes the following witnesses:- Nkomo.)
- Vol139 Volume 139, Pages 8465 - 8528.  
(This volume includes the following witnesses:- Guma and Nkomo.)
- Vol140 Volume 140, Pages 8529 - 8571.  
(This volume includes the following witnesses:- Nkomo.)
- Vol141 Volume 141, Pages 8572 - 8609.  
(This volume includes the following witnesses:- Nkomo.)
- Vol142 Volume 142, Pages 8610 - 8652.  
(This volume includes the following witnesses:- Nkomo.)
- Vol143 Volume 143, Pages 8653 - 8699.  
(This volume includes the following witnesses:- Nkomo.)
- Vol144 Volume 144, Pages 8700 - 8728.  
(This volume includes the following witnesses:- Nkomo.)
- Vol145 Volume 145, Pages 8729 - 8797.  
(This volume includes the following witnesses:- "Discussion" and Farisani.)

B JUDGEMENT, REEL 9  
This application concerned nine (9) persons, Sathasivan Cooper, Justice Edmund Lindane Myeza, Mosiuoa Gerard Patrick Lekota, Maitsho Nchaupe Aubrey Mokoape, Nkwenkwe Vincent Nkomo, Pandelani Jeremiah Nefolovhodwe, Gilbert Kaborane Sedibe, Absolom Zitulele Cindi and Strinivasa Rajoo Moodley - December 15, 1976

C RELATING DOCUMENTS, REEL 10

D INDICTMENTS, REEL 10  
Including application for further particulars and judgement in the application to quash the state's head of arguments.

D1 Indictment 1

D2 Indictment 2

E BACKGROUND TO TURFLOOP SRC, REEL 10

F PLEASE AND STATEMENTS OF ACCUSED, REEL 10  
This includes handwritten and typed pleas

G REQUEST FOR FURTHER PARTICULARS, REEL 10

- H ADVICE ON EVIDENCE, REEL 10
- I SOUTH AFRICAN STUDENTS' ORGANISATION (SASO), REEL 10  
This includes reports, meetings, minutes of meetings, commissions, correspondence, press releases, memorandums, proposals, newsletters, seminars, constitution and standing rules and chronology.
- J SOUTH AFRICAN STUDENTS' ORGANISATION (SASO), Newsletters, REEL 10  
Newsletters dated from August 1970 - April 1976.
- K RESPONSE TO PARTICULARS, REEL 10
- L STATEMENTS OF ACCUSED, REEL 10
- M THEATRE COUNCIL OF NATAL (TECON), REEL 10
- N MEMORANDUM OF LAW, REEL 10
- O THEATRE COUNCIL OF NATAL (TECON), Constitution, REEL 10
- P THE TERRORISM ACT, REEL 10  
This includes the Turfloop Commission of Enquiry, Black Consciousness and the Black Church notes, Suppression of Communism Act memorandum, TECON plays, Newspaper clippings on The Terrorism Act, De Rebus Procuratoriis newsletter, School of Oriental and African Studies law brochure and South African Student's Organisation constitution.
- Q CONFERENCE NOTES, South African Students' Organisation Inaugural Conference Notes - July 1969, Turfloop, REEL 10
- R STATEMENTS OF WITNESSES, September 25, 1974, REEL 10
- S TURFLOP SRC, REEL 11
- T SUBMISSIONS, Notes on the Terrorism Act, REEL 11
- U JUDGEMENT, REEL 11  
This application concerns five (5) persons, Lindiwe Mbandla, Sathasivan Cooper, Revabalan Cooper, Mosiuoa Lekota and Muntu Myeza - November 11, 1974.
- V EXPERT EVIDENCE, Newspaper and Documentary Research, REEL 11

W                    SPEECH DELIVERED, Pandelani Jeremiah Nefolovhodwe, REEL 11

X                    CORRESPONDENCE, REEL 11

X1.1                Communication between B.P.C and other black organisations - 1973.  
X1.2                Communication with sectional organisations - 1973.  
X1.3                Documents on communication with foreign based persons and/or organisations - (B.P.C).  
X1.4                Correspondence between SASO and BPC - 1973 TO 1974.  
X1.5                Multi-Racial communication.  
X1.6                Attitudes of other black organisations and persons.  
X1.7                Foreign Investment.  
X1.8                Branch Activities (BPC).

Y1                    STATEMENTS, REEL 11  
Y2                    DEFINITION OF BLACK CONSCIOUSNESS, REEL 11

Z                    DOCUMENTARY EXHIBITS, REEL 11  
Z1                    Volume 1  
Z2                    Volume 2