

I 235 Vol. 383 Pg. 22 182 - 22 224.

SAAFNOMMER: CC 482/85

PRETORIA

1988-04-19

DIE STAAT teen:

PATRICK MABUYA BALEKA EN 21

ANDER

VOOR:

SY EDELE REGTER VAN DIJKHORST EN

ASSESSOR : MNR. W.F. KRUGEL

NAMENS DIE STAAT:

ADV. P.B. JACOBS

ADV. P. FICK

ADV. H. SMITH

NAMENS DIE VERDEDIGING:

ADV. A. CHASKALSON

ADV. G. BIZOS

ADV. K. TIP

ADV. Z.M. YACOOB

ADV. G.J. MARCUS

TOLK:

MNR. B.S.N. SKOSANA

KLAGTE:

(SIEN AKTE VAN BESKULDIGING)

PLEIT:

AL DIE BESKULDIGDES: ONSKULDIG

KONTRAKTEURS:

LUBBE OPNAMES

COURT RESUMES AT 14h00 ON 19 APRIL 1988.

ABRAHAM SOKHAYA NKOMO, d.s.s.

FURTHER CROSS-EXAMINATION BY MR JACOBS : Dr Nkomo, you said you had discussions from two people from SAYO? -- That is right.

Did you discuss the new constitution and the black local authorities act with them? -- We discussed the black local authorities act. In fact the constitutional dispensation.

Did you have any discussions on what SAYO was going to do? -- No, we spoke to them as individuals. I knew that (10) they belonged to SAYO. As I have said already I met them at this health meeting.

Did they tell you their objections to the new constitution and the black local authorities act? -- They did as persons. Even perhaps SAYO had adopted that position, but I knew as I was speaking to them, that they were opposed to the new dispensation.

Did they tell you the reasons? -- Yes, they did.

What reasons did they have? -- Essentially the same reasons as I gave to the court yesterday. (20)

Did you have discussions with the people of MAYO? -- MAYO? Could I hear the full name?

That is the Mameledi Youth Organisation? -- No, I did not meet people from that organisation.

Did you have any discussions with people from COSAS? -- I did not have discussions with people from COSAS.

During that period did you have any discussions with Mr Moss Chikane, that is accused no. 21? -- Not during this period.

And Mr Deacon Mathe? -- Not during this period. (30)

Do/...

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

How long have you known him? -- I met him in this connection at the time when ASRO was formed. That is after the ad hoc.

But I asked you how long have you known him? -- I had known him before because I am the family physician. I know his mother and I know his family.

Do you know to which organisations he belong? -- I subsequently knew that he belonged to SAYO.

To? -- SAYO, the Saulsville/Atteridgeville Youth Organisation. (10)

What else? -- It is in that capacity that I knew him.

Did you know that he was also on the executive of the Transvaal UDF? -- At the time I do not remember. Now that you say it it could be true.

No, not what I am saying. Did you know? -- I did not.

Up till today? -- Until now, yes, I did not.

Do you know Mr Cedric Kekane? -- Yes, I know Mr Cedric Kekane.

Since when do you know him? -- I would spell it with (20) an "a" at the end but any way we are talking about the same person.

COURT : Kekana. -- I knew him from the time that we were in the ad hoc committee and there was this opportunity for SAYO to help us with distribution of pamphlets.

MR JACOBS : Is he also from SAYO? -- That is right.

Do you know whether he is a member of AZASO as well? -- I think it did occur, because we knew him to be at the university, I think it was Turfloop. The University of the North.

And was he a member there of AZASO as well? -- I think (30)

I did know that he was a member of AZASO.

Is it correct that you yourself did not study the contents of the respective acts themselves? The new constitution, the act itself and the black local authorities act? -- I did read the act. It was delivered to per messenger of the mayor.

When was that? -- I am sure it was early in 1983.

Which mayor sent it to you? -- The then mayor was Mr Z.Z. Mashao.

Is that the new constitution that he sent to you? -- (10)
That is true.

Why? -- I believe that he circularised most business people and professional people. I am of the memory that I believe that they wanted to establish some kind of thinktank surrounding this whole matter. Whether this subsequently happened I do not know, but this was the reason why it was circularised to professional people and business people.

And the black local authorities act? -- That is true.

What about it?-- That was also provided by the same office. (20)

Why? -- With the same view in mind of this thinktank where they would get professional people and business people to be a thinktank for them.

I put it to you that your objections to the black local authorities act correspond in toto with that of the UDF? -- That position is not true.

Well, the UDF, I put it to you, it is argued by the UDF that it is a substitute for representation in parliament. That is the UDF's objection to the act. -- It may well be so.

So, that is the same. Do you agree? -- I agree. (30)

It/...

It is also an objection of the UDF, I put it to you, that no consultation with black people? -- That also could be so.

That is the same? It is also an objection or an argument of the UDF that it will lead to disaster. Is that similar to yours? -- I believe so.

It is also an objection of the UDF that it does not provide a viable infrastructure. Is that similar to your objection? -- It is.

It is also an objection by the UDF that it can only (10) be financed by rent increases. Is that similar to yours? -- It could be so.

It is not a question of could be so. Is it similar to yours? -- It is similar.

It is also an objection that it will subsidise apartheid and allow the government to buy arms with that money? Is it similar to yours? -- It is similar.

And the last one, the councillors will not have any authority but will be under the ministers control. Is that similar to yours? -- It is similar. (20)

So, when I put it to you in the first instance that your objections were similar and identical to that of UDF, you said that is not true. Why did you say that? -- Well, I may not have understood what you were saying. My assumption was that you were suggesting that it was put to me, I think those words were used, it was put to me, my position by the UDF. This is the question that I was answering.

I did not tell you anything about by the UDF. I told you, I put it to you that it was similar or identical to that of the UDF. -- Well, then I add, that is how I understood (30)

the/...

the question.

And the same applies also to the objections to the new constitution. That is also similar or identical to that of the UDF? -- It could possibly be so.

To go a step further. You agreed that these objections can only become obvious after a proper study of the act? -- I agree.

So, the public at large is not conversant with the provisions of the act. Do you agree to that? -- The public at large, I am not qualified to make a statement about that. (10)

You said you went around in Atteridgeville and Saulsville to discuss with people and you got from them - so they would not know unless they studied the act? -- The position is that some people did know, other did not know.

Is it not correct that the purpose of your house visits and the purpose of your area meetings was to propagate against the constitution and the black local authorities act to inform the people and tell them and propagate against these acts? -- The intention was to inform to share ideas.

And also to propagate against it and to get the people (20) to reject the new constitution and the black local authorities act? -- Yes, that was so.

That was also done in order to organise and mobilise the people against these acts? -- Yes.

And it was also done to organise them to get them to organise into organisations? -- It was done to register a vote of no against the black local authorities act.

And also to get the people to organise into organisations? -- The position of the organisation, as I have said earlier on to this court was actually mooted from the floor by (30)

the/...

the people so that the original intention was to definitely organise and mobilise against the black local authorities act per se. That is why we were an ad hoc committee.

And you also stressed to the people the need for an organisation to see to their needs and in the future? -- The idea grew in my mind later on.

I put it to you, during this period you did that? -- During this period we did not have the intention of forming an organisation. We formed an ad hoc committee.

In this ad hoc committee you did go to a lot of trouble, (10) is it not so? A lot of expenses, a lot of trouble, just for this purpose?

MR YACOOB : What purpose is my learned friend talking of? The question is clear. It was put to the witness the purpose of forming an organisation. The witness denied it having occurred in this period. Then it was put "You went through a lot of trouble and expenditure for this purpose." The context, the word - what purpose my learned friend is referring to can actually be mistaken unless it is clearly stated.

COURT : Well the last part of the answer was relating to (20) an ad hoc committee. So, I took it that the question related to the ad hoc committee.

MR YACOOB : No, but for what purpose?

COURT : Of the ad hoc committee.

MR YACOOB : No, the question was the ad hoc committee went through a lot of expenditure and trouble for this purpose and my only objection is that my learned friend must state clearly the purpose to which he refers.

COURT : Please rephrase the question, Mr Jacobs.

MR JACOBS : I put it to you that you and your colleagues (30)

in/...

in the ad hoc committee went to a lot of expenses in order to mobilise and organise the people against the two acts? -- That is true.

And I put it to you in actual fact this was done with the aim to carry out the policy, aims and program of action of the UDF? -- At this stage I deny categorically as I have already said to this court before.

I put it to you that a co-ordinating committee was formed in Atteridgeville and Saulsville and Mamelodi to carry out the UDF program of action? -- May I ask at which stage (10) in history is the learned gentleman referring to?

COURT : Just refer to the gentleman as counsel. -- I am sorry.

MR JACOBS : The stage is up till and before the elections. -- Prior to the election ... (Mr Jacobs intervenes)

In 1983. -- We were only the ad hoc committee. The only other organisation that we did meet was SAYO, the Saulsville/Atteridgeville Youth Organisation, not on a co-ordinated basis but purely for the assistance in pamphleteering. They did not actually belong to ASO. They were invited in that capacity. (20)

Do you know of the existence of a co-ordinating committee existing in Atteridgeville, Saulsville and Mamelodi during that period?-- I think I did see something about it in the press.

And I put it to you the main task of this co-ordinating committee was in the short time to oppose the elections of black local authorities in November 1983? -- My knowledge of this co-ordinating committee is and was very vague. I cannot therefore know what the intentions were. They may have coincided with our intentions. I do not know this. The answer (30) is/...

is no, I did not know what they were planning.

I put it to you that this co-ordinating committee campaigned there by holding mass meetings in the area Saulsville, Atteridgeville and Mamelodi? Holding house meetings and the distribution of UDF News? -- They did not distribute any pamphlets or organised in Atteridgeville in the Atteridgeville/Saulsville complex.

Also that UDF speakers or UDF office bearers addressed the people at the different meetings held in the area during that period? -- In the era in which we were, an ad hoc (10) committee, there were no outside speakers except for Dr Motlana. He came in his capacity as chair person of the Soweto Civic Association.

And I put it to you that the members of SAYO, MAYO and COSAS were doing most of the door to door work in the communities. That is Saulsville, Atteridgeville and Mamelodi. -- To my knowledge the members of the ad hoc committee are the ones who did the house to house visitations to families.

COURT : I am sorry, I could not catch that answer. The members of the ad hoc committee did the ... -- House to (20) house meetings.

And no other people? -- This is my knowledge.

MR JACOBS : I put it to you that the people, the youth from these organisations who did the door to door work in the communities spoke about the problems experienced in the townships, need for residents to have their own organisation and the importance of not voting for councils in the November elections? -- I deny that again.

It is strange, you told the court that you went through that area during that period. You visited the houses, (30)

why/...

why did you not come across any of this then? -- I did not come across that, despite of the fact that I did personally participate in house to house visits. I did not come across that.

You see, it is strange that the people of SAYO who helped you, did not tell you about this, because this was going on? They are at present busy in the same area doing the same? -- They did not tell me that and I do not believe that that happened because I know that the house to house visitation was done in the Atteridgeville/Saulsville complex by the (10) ad hoc committee.

I put it to you further that in Atteridgeville hostel, an anti-community council committee was formed who planned and pressed the head with plans to form a community organisation, a civic organisation in Atteridgeville later in the same month in October? -- I did not know that. I do not know that.

Is one of your friends in the ad hoc committee not from the hostel if I remember your evidence this morning? -- Mr Mothupi comes from the hostel and I did put it to the (20) court that in fact he said as much at a public rally that he came from the hostel.

Yes, you knew he came from the hostel and he never mentioned this that the hostel people formed a committee there? -- No, I did not know that. He did not tell me that.

COURT : Is there only one hostel in Atteridgeville/Saulsville?

-- Yes, it is the Saulsville hostel but it serves the Atteridgeville/Saulsville complex.

MR JACOBS : He never told you about this committee existing at the hostel? --No, he did not.

(30)

Did/...

Did he not speak to you about the forming of a civic organisation and the plans of forming a civic organisation in the area Saulsville/Atteridgeville? -- On the contrary the idea of the civic association was only mooted after the success of the anti-election campaign, after the results of the election had actually been announced and there had been a resounding no to the extent of 87%. This was only when in Atteridgeville for the first time the idea of a civic association was ever mentioned by anybody in my presence.

So, it is strange that you did not know anything about (10) this going on in your area? Can you explain that to the court? -- I find it strange and I do not believe it happened.

I would like to refer you in this regard to an exhibit before the court, EXHIBIT W23 volume 4. It is a SASPU National dated October 1983 on page 5. You see the heading there "Mass work for Pretoria UDF." It is reported here "A co-ordinating committee has been formed in Pretoria to put the program of action of the United Democratic Front into effect in the region. Many progressive organisations in the area already affiliated to the committee. The South African Allied (20) Workers Union, the Motor Assembly and Component Workers Union and the General Workers Union of South Africa had been consulted. The main task of the committee in the short term is to oppose the elections which will take place under the black local authorities act in November. The campaign will run through mass meetings, house to house work, the distribution of UDF News and inviting UDF office bearers to speak to the communities. Youth organisations, the Saulsville/Atteridgeville Youth Organisation (SAYO), the Mamelodi Youth Organisation (MAYO) and the Congress of South African (30) Students/...

Students (COSAS) are doing most of the door to door work in the community. This aspect of the campaign began before the UDF program of action was formulated. The youth go to every house in Mamelodi, Atteridgeville and Saulsville talking about the problems experienced in the townships, the need for residents to have their own organisations and the importance of not voting for the community councils in November. In Atteridgeville the migrant workers in the hostel have formed themselves into a hostel anti-community council committee despite some of them being victimised and threatened (10) with eviction. They are pressing ahead with plans to form one community organisation with the Atteridgeville residents later this month." Then it goes on about "mass meetings, plans." Do you agree then that you do not know anything about this? -- I have not until this moment heard about the existence of this committee in the Saulsville/Atteridgeville complex. With regard to the matter of the door to door campaigning by the youth, I do not know what the position was in Mamelodi, but in respect of Atteridgeville I will say that I do not know that it happened and in fact I am inclined to believe that (20) it did not happen.

I put it to you that you are wrong in your evidence and that what is referred to here and that co-ordinating committee is in actual fact what you call the ad hoc committee? -- The ad hoc committee and this committee that I hear about are completely different organisations.

I put it to you it is impossible for such extensive work being carried out in Mamelodi, Atteridgeville and Saulsville for you or your committee if you are correct not knowing about it? -- I say again to the court that this campaigning did (30)

not/...

not happen in Atteridgeville.

In your evidence-in-chief you said you told the people why this new constitution and the black local authorities were not acceptable. What did you tell the people? -- The position of the black local authorities act was that in the first place the act itself came into being without consultation. It was an imposition from above. This was a cornerstone of my objection to the black local authorities act and its implication. Also, the black local authorities act purported to give powers to the councillors, the would-be (10) councillors. It is my view that these powers were limited. They were limited by the fact that the minister still retained the authority to appoint and dissolve them if he chose. Also ... (Mr Jacobs intervenes)

Did you tell them that in that regard the councillors will only be puppets of the government? -- Personally I have not used the word "puppets".

The other members of your committee? -- Not that I recall, except that at meetings from the floor there were references to councillors in that vein. (20)

Only from the floor? -- Yes.

Never from the people that were asked to speak at such meetings from the platform? -- No.

Carry on. What else did you tell the people? -- In addition the local authorities would be subservient to the administrative boards which boards represented the minister of co-operation and development. Then - I do not know if I should continue.

COURT : Yes, go ahead. -- In addition there was the matter of the economic self-sustenance. Now, prior to this new (30) dispensation/...

dispensation funding for the town councils could be channelled via the administrative boards to the respective community councils and their predecessors, but now under this new measure the funding would not have to be raised by the town councils themselves seeing that now they had self contained personality.

MR JACOBS : In this regard did you tell them that now they will bring a further burden upon the people, they will have to pay more rent and more taxes? -- Yes, I did, because this meant that the only source of revenue would be residences (10) and I counterposed this against the fact that in the towns such as, we knew them, Pretoria for instance, the greater Johannesburg, Port Elizabeth may be, the revenue accrued not only from the residences but also from the industrial and commercial infrastructure and so then the residents paid a small measure of the rate whereas a large measure of the rate was contributed by the industries and commercial and shopping complexes. Now, in respect of Atteridgeville and the other town councils which would then be brought into being by the black local authorities act, the only source (20) of revenue would now be the rates from the residences themselves alone and in addition whereas the liquor outlets had also been a source of revenue in the previous dispensation under this new dispensation it amounted to the fact that these liquor outlets were for sale or were to be put up for sale and now this would now actually limit the source of revenue only to the actual houses.

When did it come about that the liquor outlets will be up for sale? -- This happened and was a condition of the coming into being of the town council. (30)

Was/...

Was that in the act? -- This was to be a result of that.

Was that enclosed in the act? Was it an article or a phrase in the act? -- I am rather vague on that, but I do know that it was extant in the media and in fact is a fact right now where I reside that the liquor outlets have been sold.

But I am not asking you afterwards. At this time when you were speaking to the people that was not a fact. Is it correct? That was pure propaganda? -- We knew that this was going to happen because there was a lot of publicity and (10) feature articles in almost all the media that one can actually recollect on this very matter.

Did you also tell them when you discussed this financial aspect that their taxes and fees that they pay will be used to subsidise the government as well? -- I do not recollect that being discussed.

Did you not tell them that the money will be used to buy arms to use against them? -- I am under the impression that we are speaking about the black local authorities act?

Yes, but the taxes - part of the taxes which you said (20) will only come from the people themselves in the same vein and in the same context, did you also tell them that some of that money will be used by the government to subsidise buying of arms? -- I did not say that.

What else did you tell them? -- I believe this is the context, the general gist of what was said.-

What did you tell them about the constitution? -- The constitution as I have outlined before the court before yesterday, what I did say personally was that ... (Court intervenes)

COURT : Do you want all that repeated, Mr Jacobs? We have had this argument since this case began. I think we all know what the arguments are by this time.

MR JACOBS : You also said in your evidence-in-chief that you consulted different people forming an ad hoc committee. -- That is true.

You only referred to four people. Were there any other people that you consulted with? -- Yes, I did say if the court allowed me I could give further names which I can do so now. There were other people that I did visit. (10)

The young people that you referred to. I am interested in that. Were they of the other organisations? -- The young people that I referred to specifically belonged to SAYO, Saulsville/Atteridgeville Youth Organisation.

Whom did you consult from SAYO? -- From SAYO I did meet Messrs Kgaugelo Lekgoro and Masuku.

Why did you consult them? -- As I have indicated to this court before I had met these particular gentlemen at the health meeting which was held under the auspices of the society for creative community. (20)

When was that? -- We spoke about the society for creative community yesterday.

No, when was that meeting? -- It was in May.

May? -- 1983.

So, already in May 1983 you consulted with the people from SAYO about the forming of an ad hoc committee? -- No. At that point I met them and they had participated in the meeting of the society for creative community on the matter of health, but of course in their contribution they did mention what was extant and prevalent at the time. The (30)

black local authorities act and how it would possibly also impinge on the area of health. So, that is how I came to know that as individual.

When did you discuss it with them? -- Having known them subsequently when the time came when we were concerned about the distribution of pamphlets, I mentioned it to a meeting of the ad hoc committee that in fact I knew these people from SAYO ... (Mr Jacobs intervenes)

You are running away now. That was forming an ad hoc committee. I am asking you when did you consult with people(10) of SAYO to form an ad hoc committee. That must have been before the forming of the ad hoc committee. You could not have mentioned it on the meeting of the ad hoc committee. -- No, the formation of the ad hoc committee was not discussed with SAYO as an organisation. The formation of the ad hoc committee did not have anything to do with the people who were not householders, people who paid rent. As I have already indicated we merely shared ideas with these people and they were my contact with SAYO but the actual formation of the ad hoc committee was not discussed at organisational(20) level. That is between organisations.

Then I will ask you the question again. With which young people did you discuss or did you consult, you used the word you consulted on the forming of an ad hoc committee, you consulted certain young people? I am asking you which young people did you consult with?

MR YACOOB : I cannot find a note where he said that he consulted various young people on the formation of an ad hoc committee.

ASSESSOR (MR KRUGEL) : About three minutes ago. (30)

COURT : Yes, the question is allowed.

MR JACOBS : Can you answer me then? -- The individuals who came from SAYO whose names I have mentioned were invited to participate in the distribution of pamphlets and this obviously gave rise to the actual position that there was this ad hoc committee already in nucleus and which was subsequently going to go public and that at that point we would need younger people who would find a home in SAYO to assist in the distribution of pamphlets.

Is your evidence then today that you never consulted (10) any young people before the forming of the ad hoc committee?

-- No.

Did you consult with anybody about the forming of an ad hoc committee? -- I discussed the ad hoc committee with Reverend Mosoma and subsequently with the other people whom I have enumerated yesterday. I indicated the conditions under which I met them. Then I subsequently also met heads of families in a family setting and we were now actually trying to get people to being members - to hear our point of view on the matter of our position with regards whether (20) we vote or we do not vote.

I do not know why you are always running away and going to the vote and not vote. I am not interested at the moment in voting or not voting. I am interested in finding out with whom you consulted in order to form an ad hoc committee? -- I consulted with the Reverend Mosoma, with Mr Mothupi, with Mr John Legong, with Mr Titus Mafolo.

Why did you not consult with all the other organisations existing in Atteridgeville/Saulsville? -- The position was that I at that particular time met people and exchanged (30) ideas/...

ideas on this matter. It did not occur to me that we were now to form a confederation of organisations.

I am not asking you to form a confederation, but why did you not consult with them? -- Well, it did not occur to me.

Was it not important to work together with all other organisations operating in Atteridgeville/Saulsville on this matter? -- No, it did not occur to me to go about it in that way.

So, you only consulted with the four people you mentioned now? -- No, I did meet several families. (10)

To consult them about the forming of an ad hoc committee? -- Yes.

Why? -- Well, it was being formed and we needed people. We had to organise and mobilise.

Can you mention some of the other families? -- Families that come to mind is for instance the family of D.F. Mthimkulu, the family of Essa Maimela.

Were they also asked to form part of this ad hoc committee? -- Yes.

Did you launch this ad hoc committee at a public meeting? -- Yes, we did on the date which we mentioned before, 23 October 1983. (20)

Not before that? -- No, we launched it publicly on 23 October 1983.

But before it worked in the whole area as an ad hoc committee without it being elected by the people? -- Initially, yes, we did go to the different sections. So, we had sectional meetings of the different sections of Atteridgeville.

But those sectional meetings were in order to get the people not to accept the black local authorities act and (30)

the/...

the new constitution. Was it not? -- That is right.

And you acted as the members of the ad hoc committee arranging those meetings and conducting those meetings? -- Yes, we did that under the banner of the ad hoc committee.

So, you did not approach the people at the sectional meetings in order to get their sanction to form such an organisation as the ad hoc committee? -- I do not know whether this is different concepts, but I believe yesterday we did show that at the different sections we were asked actually to go on from section to section and in fact were (10) encouraged to do so at the time when resolutions were actually taken.

You see, I cannot understand why you asked them to go from section to section whilst you were doing it on your own already? -- I think there is some contradiction somewhere.

COURT : What are you after.

MR JACOBS : I cannot understand why they asked permission from the people in the section to go the next section and hold a meeting there, if they are doing it on their own from the start. (20)

COURT : But is that the evidence that permission was asked from one section to go to another section?

MR JACOBS : That is what he just said a few seconds ago, if I understood his evidence correctly.

MR YACOOB : No, he did not say that. What he said was that at the meeting the people themselves said that they must carry on going from section to section. They must go to other sections, but not that any permission was asked by the people convening these sectional meetings.

MR . JACOBS : Ek het nou nie n nota voor my wat ek (30)
neergeskryf/...

neergeskryf het nie. Ek het dit duidelik verstaan. Dadelik het ek hom daarop gevra dat dit so gesê was "they got permission from the section."

COURT : I do not know whether you are not at cross purposes. Try again.

MR JACOBS : What do you say now? Did you get permission from one section to go on to the next section and hold a meeting in another section or not? -- No, we did not need permission. We did not ask for permission.

Did you get permission from any section for anything?(10)
-- No.

No permission given to you for anything? -- No, no permission.

When did you decide that the ad hoc committee must now be a fully fledged civic organisation and who decided that?
-- This came from a mandate in other words the people present at the report back meeting.

On which date? -- In January, after the elections there was a report back meeting. At this report back meeting the mandate was given to the ad hoc committee to proceed with (20) now actually launching a civic association which was subsequently called ASRO.

Who proposed a motion to that effect? -- It came from the floor. I cannot remember who actually proposed the motion.

That was a public meeting? -- Yes, at the report back meeting which was held in January.

But it was a public meeting? -- That is right.

There were a lot of people present at the meeting? -- Yes, one of the people in the audience ... (Mr Jacobs (30)

intervenes/...

intervenes)

There were a lot of people at the meeting? -- Yes, there were many people.

So, why was it not elected on that meeting itself? -- No, it was then necessary for a constitution to be drafted and the usual mechanics of forming an organisation, draft a constitution, give the organisation its prospective name, that kind of thing. Then bring it back to the people for acceptance.

Was a constitution drafted? -- It was drafted and (10) presented at the next meeting in February.

By whom was it drafted and when? -- It was a combined effort of the ad hoc committee, this nucleus which I have mentioned.

At that stage when the constitution was drafted, did you have a name for this organisation? -- Well, we did not have a name. We only have a name now and we were actually called upon to prepare this constitution.

So, at the next meeting when ASRO was elected, then you had a name for this organisation? -- Yes, we presented the (20) name which we in the process of drafting the constitution gave to - you mean, it was adopted, accepted the name which was on the constitution.

When was ASRO launched? -- ASRO was launched on this date, this next date in February 1984.

On what date? -- I said earlier that I thought it was in the first week of February 1984.

And on that meeting was it decided to affiliate with the UDF? -- Yes, it was at that meeting that there was a resolution which was .. (Mr Jacobs intervenes) (30)

Yes/...

Yes, but there must have been a motion before that - before the resolution was adopted. Who proposed a motion that you must affiliate ... -- It was done by a man whose name I remember to be Shongwe. This was the man who moved the motion.

And did you affiliate to the UDF? -- Yes, we did.

When was that? -- At the very next meeting of the executive we then made the formal application, wrote a letter of application.

How long after this meeting where - this mass meeting (10) did you meet? A day, two days, three days after that? -- I think within a week.

Who were your delegates to attend UDF national council meetings? -- We empowered the secretary who was then Mr Khumalo to be responsible for this duty of attending the meetings or nominating someone in whom he had confidence - two other people in whom he had confidence to attend the meetings.

Did the representatives of ASRO attend general council meetings of UDF Transvaal? -- Yes, they did attend it. (20)

Since what date? -- Well, I cannot remember specifically the first meeting after our affiliation, when it was, but I think the first meeting which happened of the UDF general council, regional general council, we were represented.

Who represented you? -- I do not remember clearly. As I said already we empowered the secretary to make certain that we were represented, either by himself or people nominated by him.

Yes, but somebody must have reported back to you what happened on that meeting of the UDF, what you were to do? (30)

Yes/...

-- Yes, we received a report back.

Who reported back? -- Possibly, I think it was the secretary.

You are very vague now. On other things you can remember but now you cannot remember. -- Well, that is the position.

How many representatives did you have? Only one? Two? -- No, we had two or at the most three representatives at any of the meetings.

You cannot give the court the name of one single one (10) except that you gave the secretary certain authority to arrange? -- I know that at one time we were represented by Mr Khumalo himself. At another time we were represented by Mr Titus Mafolo and I think there may have been a Mr Motswane.

This Mr Motswane, is he a member of the executive of your organisation? -- No, he is a member of ASRO, but not an executive member.

Did you receive any report back? -- Yes, reports were brought to the secretary by whoever happened to have represented us at the meetings. (20)

Is that how you came about to carry out the million signature campaign of the UDF? -- Yes, the secretary brought us the forms for the million signature campaign.

Did he tell you what the UDF required from you in that regard? -- Yes, he did.

Were you prepared to carry out the UDF instructions on that? -- Yes, we were quite prepared to do so.

Did he report or the persons representing you on the UDF's campaign against black local authorities? -- No, we did not hear any report about the UDF's campaign per se (30)

on the black local authorities act.

Never? -- No. It could have happened may be before we affiliated. I do not know. My recollection is that we did not receive a report of the UDF campaign on the black local authorities act.

Not by your representative that they discussed it on the general council and what was decided on it? -- No.

On education? -- No.

Any report back on conscription? -- No.

Am I then correct to understand that the only report(10) back you received is the one on the million signature campaign? -- Well, we also did say even before this court that we were invited to a meeting on the eve of the peace meeting at Hofmeyer High School. This I remember and I have said it before this court.

There was a UDF area committee operating in Atteridgeville in Pretoria, for the whole of Pretoria. -- Yes, I think this is true.

Who were the members on that area committee? -- Well, I do not know who the members were because I think when it(20) became functional it happened at this time when I was having these problems which made it necessary for me not to attend their meetings regularly.

When was that? --When did you start operating in ASRO? -- I began at the very inception of ASRO to participate in ASRO.

And when did you stop participating in the activities of ASRO? --

MR YACOOB : The witness has not yet said that he stopped participating in the activities of ASRO at any stage. (30)

COURT : Well, if that is so, he can say he has not yet stopped. What is your objection?

MR YACOOB : As your lordship pleases.

COURT : Have you stopped? -- The position is - it is difficult to answer the question, because ever since the state of emergency ASRO has not really been operating. It is difficult to answer the question just categorically like that.

MR JACOBS : Did you stop attending any ASRO meetings, committee meetings? -- Yes, there was a time when there were these death threats which I have mentioned to the court. (10)

Then I will again ask you when did you stop attending ASRO meetings? -- I did not attend meetings regularly from a particular time and I think this was about the beginning of 19 - the first quarter of 1984, as I have already indicated actually when there were certain documents produced before this court whose enumeration I forget, but I think there was a meeting of 17 February where I was not present at the public rally, but I had attended the executive meeting prior to that and also the meeting which I think was held in March. So, that at that time I did attend some executive meetings. I did not attend others. Mostly I did not attend public rallies at all. (20)

Let us get it clear. Did you stop - I will ask the question again - attending ASRO committee meetings at any stage? -- No, I have not said I stopped. I said I ceased to be regular. May be we can put it that way.

After March - let us take that as a date that you referred to - did you attend ASRO committee meetings?

COURT : 1984?

MR JACOBS : 1984? -- After?

(30)

After/...

After March 1984? -- No, I think I did attend executive meetings. I have said already that before the court.

It does not help me to tell the court that I think I did. Did you or did you not? -- I did.

I beg your pardon? -- I did attend executive meetings.

When was that? -- Well, I do not know the dates, but I know that I continued to attend executive meetings even at the time when I was not attending public meetings.

So, you attended committee meetings, but you did not attend public meetings after March 1984? -- Yes. (10)

No public meeting at all? -- There were meetings where there was this inescapable compulsion for instance I have referred to what happened after the death of Emma Sathekge, that now there was a death. I had to now help the community to resolve conflict.

Did you only attend one public meeting after the death or did you attend more than one? -- Then I did attend a meeting of the - the two meetings of the ministers fraternal organised by the ministers fraternal,

After March did you regularly attend the meetings of (20) ASRO committee? -- I attended most.

Is that once in a week, once in a month or what is the position? -- Well, I would say may be twice a month.

You attended meetings twice a month? -- Yes.

Is that till when? -- No, I cannot remember clearly unless I am reminded in terms of - in the context of a certain situation. You know, we are dealing with something like four years and unless I am reminded that this happened, then I would possibly remember clearly. I cannot put a definite date and say ... (Mr Jacobs intervenes) (30)

Can you give us the year? Did you attend it until the end of 1985, 1986, when? -- Well, I believe that what happened was, at the time when there were these bombings, certainly my movements were restricted.

COURT : So, at the time of the bombings, that was in May 1984? -- 1985.

You did not attend executive meetings any more? -- No, I did not.

MR JACOBS : Ordinary public meetings, mass meetings for the people in connection with rent or any other issue you did(10) not attend other meetings, except the three mentioned by you after March 1984? Is that correct? -- No, I did attend some public meetings.

Except for the three mentioned, which other public meetings did you attend? -- Well, I remember attending the meeting in November.

Of which year? -- 1984. I think it was the 5th.

What meeting was that in November 1984? -- The meeting which was held - we have produced I think AW7 or AW6, it was referred to earlier on. This was a meeting which actually(20) celebrated the victory with regard to the rents and the prospective proposed removal of the people around Buys-Mbatha Square.

And the next meeting was then in 1985. Is that correct, after that, when you started forming the ASRO? -- No, ASRO was formed in 1984 in February.

That is why I cannot understand because you said that you attended the November 1984 meeting. Was ASRO not formed after that?

MR YACOOB : I am sorry, but February 1984 is certainly (30) before/...

before November 1984 as I understand it.

COURT : Do you agree or disagree, Mr Jacobs?

MNR. JACOBS : Nee, ek stem saam maar ek het hom n vraag gevra.

COURT : Surely, I do not think the witness has ever told us that at the end of 1984 ASRO had not yet been formed. Please do not mix up the matter.

MR JACOBS : Can you tell the court did you attend meetings held by any of the other organisations, either COSAS, SAYO or MAYO? --No, I did not. (10)

That is public meetings? -- No, I did not.

Is there any stage when you remember combined meetings by your organisation and the other meetings? -- Yes, I think much., much later, I do not know whether it was in 1985 or 1986 there was certainly a general council in Atteridgeville/ Saulsville complex.

COURT : There was a general council? -- That is right.

MR JACOBS : What general council do you refer to? -- Well, this general council comprised ASRO and SAYO and NUSA, which is the - it is a educational body any way. I am quite vague (20) on that, their local chapter there and the women's organisation.

When was that? -- I believe that this must have happened some time in late 1985 or early 1986 when there was this general council.

So, you stopped in March 1984 attending public meetings and then you started again, you attended one in November 1984. Is that correct? -- Yes.

Did you not attend an education charter conference that was held at the NG Church in Atteridgeville on 14 October (30)

1984? -- Yes, I did. In fact I made the opening remarks.

That was a public meeting? -- It was not organised by ASRO.

I never asked you who organised it. I asked you whether you attended public meeting organised by any other organisation or ASRO? --I have got extreme difficulty. If I were to mention - I thought that we were talking about ASRO. I have made a very serious mistake if I have misunderstood, because I have attended several meetings. I have attended meetings of the church. I have attended meetings of the (10) Pretoria Council of Churches. I have attended meetings of professional people of the South African Medical Discussion Group. I do not know. I must be given a limit of framework within which we are discussing. Otherwise then I would be completely staggered.

Who organised this education charter conference? -- I do not remember clearly who - it could have been NUSA the local chapter of NUSA. I was merely asked as the chair person of ASRO to open the meeting and to welcome the people who were there for coming from outside Atteridgeville. (20)

Was it not organised by COSAS in Atteridgeville? -- No, I do not have any knowledge of that. It may have been so, but the person who actually came to call me to pass the invitation to me to act in the capacity which I did, was not a person from ASRO, I mean from COSAS.

This education charter conference that was held in Atteridgeville, did anybody from the UDF attend that conference? -- Yes, I think there was.

Who? -- If I remember correctly Reverend Frank Chikane was present. (30)

Who/...

Who else? -- Well, I do not know. I do not remember the people. I do remember that Reverend Frank Chikane was there. I must say that there were very many people, but the person that I remember was Reverend Frank Chikane.

Is it not so that Amanda Kwadi was also there? -- I do not know. She could have been there. There were very many people.

Deacon Mathe from the UDF was also there?-- He could possibly have been there.

Were you not present? -- I was there. (10)

Can you not remember these people? If I remember correctly, you said you welcomed them? -- I did welcome the people.

What was the purpose of this meeting? -- The purpose of this meeting was to launch the education charter.

Were there a lot of other organisations present at that meeting, organisations from different places over the Transvaal? -- I believe so. As I have said, there were very many people. I cannot know which organisations were represented there. I think a whole host of them were represented there. (20)

Were any pamphlets distributed at this meeting? -- I think pamphlets were distributed. I do not have any personal recollection of them. All I remember in terms of documentation was the letter which invited me to be present.

Oh, you received a letter to be present, not that somebody spoke to you? -- Yes, he produced a letter and actually mentioned that in fact I was being called to speak at this rally.

Why were you personally invited? For what purpose? -- I was chosen to speak there because they wanted a community (30) organisation/...

organisation in Atteridgeville as the hosting township to welcome the people, there were going to be many of them, who came from outside Atteridgeville.

Which organisation brought you the letter? -- The letter was handed to me by Mr Kgaugelo Lekgoro.

Was he from COSAS?-- No, as far as I know he belonged at that time to SAYO. He had long left school.

Was there a letterhead on the letter? -- I cannot remember clearly now.

Can you remember that except for Reverend Frank Chikane(10) whether there was a person from NUSAS named Kate Phillips who spoke at that meeting, a white woman? -- The position is that I came to the meeting, opened it and went away. Actually I was at that very moment, when I came to the meeting, coming from a church service at the Evangelical Presbyterian Church. So, I was actually fetched from there. I opened the meeting and went back. So, I cannot say that this lady spoke or did not speak.

So, now you left the meeting. You just welcomed the people and then you left the meeting. --This is true. (20)

What time did you arrive at the meeting? -- I think the church service must have started about 10h00. I think I interrupted my participation in this church service to go there. So, I think possibly I must have been fetched at 11h00 - any time between 11h00 and 11h30.

That is altogether wrong and incorrect, because the meeting started, if I am not wrong, at 13h00. -- Well, the position is that on that very day at the Evangelical Presbyterian Church there was gathered there the congregation for the purpose of thanking for starting a fund for buying sewing(30) machines/...

machines. I was at the Evangelical, I am a catechism in Methodist, but I was at this Evangelical Presbyterian Church for that purpose invited and so as I say, I was fetched during a church service and to my recollection, all church services that I know of will begin either at 10h00 or at 11h00.

Yours obviously started at 10h00 because you left there as you said first 11h00? -- That is right.

So, in actual fact, the church was out at that stage. Is that not so? -- No, it was not the position. There was the normal church service and then it continued now into (10) the celebration at the Evangelical Presbyterian Church in Saulsville.

Until what time? -- I do not know because I then left for this other meeting.

I put it to you that you are wrong, that you attended this meeting and you remained at the meeting until the end of the meeting? -- Well, I was not there at the end of the meeting, because I had left.

When did you welcome the speakers of the people from other places? At what stage was it? Right at the begin-(20) ning of the meeting, after the prayers or when? -- At the beginning. When I came in it was already in process. I think somebody must have opened it with a prayer or something, but it was in process. So then I came and made these remarks.

Were you handed a list of people or organisations attending that conference?-- Yes, I was handed a list.

And you cannot tell the court from where the people - from what organisations they were? -- No, I cannot remember, because I came in, the list was in front of me, I spoke. I did not have the time, actually I was seeing it for the(30) first/...

first time. Obviously I cannot remember the details.

Were any of the ASRO people at any stage invited by the other organisations in Atteridgeville, Saulsville or Mamelodi to speak at their meetings, that is either by COSAS or the other organisations? -- I think it could have happened from time to time.

Is it not so that they sent a letter to you to ask you to supply speakers for their meetings? -- Well, I do not remember very distinctly but I know I think there were invitations from time to time. (10)

Did you invite speakers from other organisations or decide at committee meetings to invite people from other organisations in Atteridgeville, Saulsville and Mamelodi to speak at public meetings organised by you? -- No.

Never? -- We did not. We did invite Sheena Duncan to speak at a seminar.

Is she from Atteridgeville, Saulsville or Mamelodi? -- I do not know. She is from outside Pretoria.

Listen to my question. I asked you whether from the organisations in Atteridgeville, Saulsville or Mamelodi did(20) you invite speakers from organisations in those areas to speak at your public meetings? -- I have got problems now. I do not think I understand.

I cannot understand what your problem is. -- I do not understand whether you are saying that ASRO asked people from SAYO and other organisations to come and speak at ASRO meetings or whether you are saying that these organisations collective called somebody from outside. I do not understand, because you have mentioned all these organisations including MAYO. I do not know which is the object of the sentence (30)

and/...

and which is the subject of the sentence.

I asked you whether you asked any members of MAYO, SAYO or COSAS to speak at your public meetings organised by ASRO? -- No, we did not.

Never? -- No.

And you are sure of that? -- Yes.

Did UDF speakers attend any meetings in Atteridgeville or Saulsville as speakers? -- Yes.

That is speakers at meetings organised by which organisation? -- ASRO. (10)

Who from UDF spoke at ASRO meetings? -- At an ASRO meeting?

Yes? -- I think Mr Popo Molefe did speak at an ASRO meeting. I think it must have been in 1984, February, somewhere there.

COURT : Accused no. 19. -- Yes.

MR JACOBS : Who else? -- I think Father Mkhathshwa also spoke at the same meeting.

Is his name Smangaliso? -- That is right.

He is from UDF. Where is he staying? Can you tell (20) the court? -- He stays at Soshanguve.

That is near you? Not far from Atteridgeville/Saulsville or is it? -- It is quite a long distance.

COURT : What is far and what is near?

MR JACOBS : Soshanguve from ... (Court intervenes)

COURT : What do you mean by far and what do you mean by near? In relation to Cape Town it is near. In relation to Pretoria North it is far.

MR JACOBS : Is it in the next district, magisterial district of Pretoria or where? -- Soshanguve I believe falls under (30)

the/...

the Pretoria magisterial district but then I do not want to put my head on the block. I cannot be sure, because that is why we called Sheena Duncan in the first place to discuss the section 10 rights.

What is he doing there? -- He is a priest, a Catholic priest.

You have mentioned two persons now? -- Yes, these are the people I remember who spoke at meetings of ASRO which I know about.

Can you remember - did you attend any of the other (10) organisations, that is either MAYO or COSAS meetings in that area? --Myself?

Yes? -- No,. I did not.

Can you tell the court whether any UDF personalities addressed meetings of other organisations there? -- Well, I think the question will have to be rephrased because it implies that I am a UDF personality, whether any other UDF personalities, after asking about me.

Do you know whether Mr Terror Lekota addressed the meeting in Atteridgeville/Saulsville? -- I want to say that(20) I think the question must be rephrased.

COURT : That is a simple question. Do you know whether Mr Lekota addressed a meeting in Atteridgeville or Saulsville? -- I do not remember that.

MR JACOBS : Do you know whether Mr Moss Chikane did address any public meetings in Atteridgeville or Saulsville? -- Yes, he was the master of ceremonies at the funeral.

Except for the funeral, did he address any meetings there? -- No, I do not remember.

On 19 June 1983 there was a public meeting in the (30)

Roman/...

Roman Catholic Church in Atteridgeville. Did you attend that meeting? -- No, I do not remember that meeting. Who called the meeting if I may ask?

SAYO meeting.

COURT : 19 June 1983?

MR JACOBS : That was the meeting where the Atteridgeville/Saulsville Youth Organisation was launched. Did you attend that meeting? -- No, I did not. I did not know about that meeting.

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On 3 March 1984 SAYO again held a meeting at Atteridgeville (10) in the Roman Catholic Church. Do you know anything about that meeting? -- No, I do not know anything about SAYO meetings.

Did you never attend any SAYO meetings? -- No.

Not at all? -- No.

Were you not interested? -- I believe that SAYO is a youth organisation and I am a married man with a family. So, I do not belong to that age group at SAYO meetings.

Can you remember that you attended on 24 September 1984 a joint meeting in the offices of the Eye, that is a community (20) publication on the corners of Struben and Prinsloo Streets in Pretoria? --

COURT : A joint meeting of what?

MR JACOBS : Of SAYO people, SAAWU people, COSAS people.

I will give you the names. The people from COSAS were Vivian Boya, Kenny Mabe and Harvey Maseko. They attended that meeting with you and also from your organisation you attended that meeting. From SAYO Kgaugelo Lekgoro, Deacon Mathe and the person from SAAWU I cannot tell you what his name was. -- Outside Atteridgeville/Saulsville complex? (30)

Yes/...

Yes at the offices of the Eye. -- I have got some problems there, but can you perhaps something to refresh my memory, in connection with what this was?

You met with these people from these different organisations in the offices of the Eye and with the people of the Eye. Perhaps I can refer you to something that you discussed there inter alia a march to be organised in Atteridgeville/Saulsville? -- A March? No, I do not remember that.

Did you attend a meeting in the offices of the Eye at all? (10)

COURT : Ever? -- Yes, well, I remember attending a meeting at the offices of the Eye but this meeting certainly had nothing to do with a march and I cannot remember the day, but this meeting was called specifically because there had been some suggestion of a stay-away and we did not want the stay-away to happen. So, we do not know who the person was who convened that meeting - mentioned this thing of the stay-away, but it became necessary urgently for people to come together and try and urge the people that a stay-away could not happen. That is the only context in which I remember (20) being at the offices of the Eye.

MR JACOBS : Who were the other organisations with you at that meeting? -- At the meeting which I am referring to?

Yes, about the stay-away? -- I think SAYO must have been present. I think there were people representing some organisations in Mamelodi. I do not know exactly which organisations were in existence in Mamelodi at the time. As I said I cannot remember the date but certainly there was this mooted stay-away which we actually managed to actually prevent but I cannot remember at which stage this was. (30)

Is it correct that COSAS was present at that meeting?

-- Possibly.

And SAAWU? -- Yes, they were there.

And can you remember who were the people representing SAYO at that meeting? -- No, I cannot remember.

I put it to you, the purpose of that meeting, this meeting took place on 24 September 1984, was to plan for the people living in Atteridgeville and Saulsville to be part and to get them to be part in action? -- No, I do not remember a meeting where that was the subject of discussion. The (10) meeting which I remember where I was present at the offices of the Eye was a meeting where I represented ASRO together with Mr Titus Mafolo and Reverend Mosoma and the subject in question was in fact this stay-away and we from ASRO did not want this to happen because it was in fact going to be restricted only to Atteridgeville .

I put it to you again, you are wrong on that. The stay-away was part of a march and it was decided on that meeting that there was to be a march on 1 October 1984? -- This one I do not know and I do not remember. (20)

What is more you yourself said that, first before the march, there must be a mass meeting to find out if the people are willing to go on a march on that day, on 1 October 1984? -- I deny that categorically. That is the first time I hear this.

And it was also decided on that meeting that there must be reference to the rent and that it must also be asked on that purpose of the march that the councillors must resign. That must be asked on the march at the meeting. -- No. The rent effort as I remember it in Atteridgeville has always (30) been/...

been a project of ASRO. I do not remember and I deny that it was ever discussed with anybody outside the Atteridgeville/Saulsville complex.

Was it at any stage from its inception up until 1985, June 1985 part of the policy of ASRO to ask for a resignation of the councillors? -- The position of ASRO as a matter of policy was that we sympathised with the call for the councillors to resign. We sympathised with that.

Did you publicise any documents or any publications to ask councillors to resign? ASRO publications or documents? -- I cannot remember publications, but I do remember the media asking us and we made that kind of call in the media.

Did you make such a call in the media for councillors to resign? -- Yes.

In any pamphlets did you ASRO people ask for councillors to resign? -- No, I am not very clear. I cannot remember whether we did actually do that.

On your public meetings attended by you, did people from ASRO ask the councillors to resign? -- Yes. (20)

Because they were puppets? -- That word was not used by us.

So, it was part of the policy of ASRO to get the councillors to resign? -- Yes, we can say that.

Why? What will happen after the councillors resigned? -- We wanted to show the inefficiency of the councillors and the council system to the people and to the councillors themselves and we meant that this must be done in persuasion, such as the call that you refer to appealing to their reason, showing that in fact the council system is working at the disadvantage/...

disadvantage of the people. Now, when the councillors have resigned, you not necessarily have a state of disorder, because there have been administrations hitherto without the involvement of the councillors. So, that it is not axiomatic that once the councillors resigned, you will have a state of chaos or disorder.

What did you want to put in the place of the councillors?
-- Well, the people would then have to be called and consulted and we would then work out what could replace the councillors.

Was it part of your policy that so-called democratic (10) organisations of people take over the duties of the councillors? -- I do not know exactly what the question actually is.

Was it part of your policy that so-called democratic people's organisations take over the duties and the place of the black local authorities? -- I have difficulty in answering the question, because I do not know whether it is talking about the dispensation after everybody has been consulted or whether it means that the councillors would resign today and tomorrow people from progressive organisations would then walk into the offices and just run them without (20) anybody's consent. So, I do not know - I am asking, I am pleading that the question be made more clear to me.

Well, you worked and you decided and you propagated against the councillors in your organisation. So, you must have discussed it between you, when the councillors resigned what organisation must take their place? -- No, we did not do that.

Did any of the councillors in Atteridgeville and Saulsville resign? -- Yes, a few councillors did resign.

That is in the period 1984 to 1985 June? -- I am not (30)

sure/...

sure of the time span, but the councillors did resign. Some councillors, not all of them.

Is it correct that councillors' properties were attacked during this period? -- Yes, we heard about this. It was extant in the media.

And they were destroyed, burnt? -- I cannot remember any councillor's house that was destroyed but I know that some attacks I believe did happen at the homes of councillors.

As a doctor you had to go through the area quite often I suppose? -- Yes. (10)

Did you find or see any of the properties of councillors destroyed or damaged? -- I did not see property of any councillor destroyed.

Damaged? -- Yes, I have seen that damaged.

What property did you see damaged? -- Mr Mashal's(?) house is not very far from my Atteridgeville surgery. So, I know - I heard that some damage had happened there. I do not know, I did not stop there and go in and see how much damage had happened.

What damaged property did you see from the councillors?(20)
-- Well, let us say that I heard. I did not actually ...
(Mr Jacobs intervenes)

But I specifically asked you whether you saw as a doctor going through the area any damaged property of councillors and you said yes? -- No, I must answer the question specifically. I know that Mr Mashal's house was attacked, but I do not know the extent of the damage, but certainly, if a house is destroyed then you will see nothing in the place where there was a house before. So, that I remember very clearly, there was no house that was destroyed, but I have heard reports that some houses(30)

were/...

were attacked, damaged perhaps.

I will ask you again. Did you see any damaged houses or property of any of the councillors? -- No.

Did you see damaged schools in Atteridgeville/Saulsville? -- I have seen windows broken of some schools.

When? During what period was that? -- I cannot remember very clearly whether it was in 1984/85, but certainly as one drove around, you did see broken windows. This was very obvious.

At the end of 1984, the beginning of 1985, can you (10) be more specific? -- No, I cannot.

Did you see property of any policeman damaged in Atteridgeville, Saulsville during the period 1984, the last quarter in 1984, the first half of 1985? -- I knew about some houses which had actually come under attack. I knew about them. I heard about them. I did not see them.

Do you know about property of the council itself, the black local authorities being damaged? -- The superintendent's office?

Offices, beerhalls or any property of the council (20) itself? -- No, I will have to be reminded. I am not sure.

Any shops of councillors being damaged or burnt? -- Again I must say no, I just heard.

You heard that shops were burnt? -- Some shops, not every shop.

During this period of unrest from say the end of 1984 say from September 1984 to the beginning of 1985, March/April 1985 over that period, have you seen obstructions in the roads at the times of violence and disorder, during the period of the violence and the disorder? -- Well, I have not seen (30)

any/...

any obstructions. I am not quite sure whether I am quite clear about the violence and the disorder.

I did not ask you whether you saw the violence itself or did you see any violence yourself? -- No, I did not see obstructions, I did not see violence.

During that period, did you see any obstructions, roads being closed off with stones in the road or anything like that? -- I did not personally see that.

MR YACOOB : The question has been answered. The witness said he saw no violence. Then he is asked during that (10) period did you see any obstructions and in the context of the answer no, the reference to the period is certainly confusing to me.

COURT : Well, it is clear to me. The question is allowed.

MR JACOBS : Except for this person Emma - I do not know what her surname is, I cannot remember ... -- Sathekge.

Sathekge, were any other people killed in riots or in any unrest? -- Again I have got a bit of a problem, because if I say yes, it means that I say that Emma Sathekge was killed in the riots. I do not know that Emma Sathekge was killed (20) in the riots. So, were there people who were killed in the riots, if that is the question, I do not know. I can remember that people were killed in police action.

COURT ADJOURNS TILL 20 APRIL 1988.

DELMAS TREASON TRIAL 1985-1989

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