

IN DIE HOOGGEREGSHOF VAN SUID-AFRIKA

(TRANSVAALSE PROVINSIALE AFDELING)

I.12. Vol. 92 Pg. 4514-4532.

SAAKNOMMER: CC 482/85

DELMAS

1986-05-22/23

DIE STAAT teen:

PATRICK MABUYA BALEKA EN 21

ANDER

VOOR:

SY EDELE REGTER VAN DIJKHORST EN

ASSESSORE: MNR. W.F. KRUGEL

PROF. W.A. JOUBERT

NAMENS DIE STAAT:

ADV. P.B. JACOBS

ADV. P. FICK

ADV. W. HANEKOM

92

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

VOLUME 92

(Bladsye 4 515 - 4 532 )

HOF HERVAT.

HOF OOP VIR PUBLIEK.

PETER JOHN d.s.s.

EXAMINATION BY MR JACOBS: Mr John, on 14 November 1984, did you attend a meeting in the Orient Hall, Durban? -- Yes, I did.

Was that a UDF rally? -- It was a UDF and NIC meeting.

Before that was that meeting advertised? -- Yes, it was.

How was it advertised? -- With placards in the streets of Durban and through the newspapers.

Did you attend this meeting? -- Yes, I did. (10)

When you arrived at the meeting, can you tell the Court what you found? -- The meeting was already in progress when I got there and there were too many people so I could not get into the hall. I had to stand outside.

Where did you stand? Near the door, looking in? -- I stood near a door looking in, yes.

What did you observe? -- There were speakers - at the beginning I could not really make out who the speakers were, and after a while I got into the hall.

What did you observe then? -- That there were lots of (20) banners around, proclaiming the UDF and the NIC.

NIC, that is .. -- Natal Indian Congress. There were speakers on the stage. I cannot tell you exactly who was on the stage when I went in.

Can you remember any other banners at the stage? -- There were NIC banners and UDF banners.

On the stage, can you remember the people who were on the stage? -- There were quite a lot of people on the stage.

Can you remember some of them? -- Yes, Paul David was the chairman, Mewa Ramgobin was there, Reverend Boesak was there, (30) Mr Archie Gumede and Professor Fatima Meer.

Did/..

Did something special happen there at the time that helped you to get into the hall? -- Mr George Sewpersadt from the NIC was carried in by the people. This caused ..

How was he carried in? -- He was carried on the shoulders of the people.

And then? -- And this caused most of the people to rush to greet him and that left a lot of seats vacant.

COURT: And you pushed into the hall? -- And that was when I got into the hall.

MR JACOBS: During the meeting, can you tell the Court were (10) any songs sung by the people? Yes, there were songs sung.

What kind of songs? -- I think it is called Nkosi Sikelele I'Africa.

Any others? -- I do not actually remember.

Slogans shouted? -- Yes, there were slogans shouted "Viva UDF, Viva ANC, Viva Mandela."

Now, at the end of the meeting, were any chances given to people to say anything or - from the audience, people from the audience to ask questions? -- After the meeting the floor was given a chance. Anybody on the floor could say what they (20) wanted to say.

Did you do or say anything? -- Yes, I did.

Yes, what? -- I told the people that I was an ex-member of the South African Security Branch and that I did not think that Amichand Rajbansi was the true leader of the Indian people ..

COURT: Just a minute, you said you were an ex-member of the Security Branch? -- Yes.

Yes, you said Amichand Rajbansi was not a true leader? -- Of the Indian people.

Yes? -- That is basically what I said. (30)

MR JACOBS: Were there any cameras in the hall? -- There were quite/..

quite a few cameras and there were somebody video taping the whole proceeding.

I am going to show a video here in court, Mr John. I want you to look at it and if you see anything that you would like to point out to the Court, identifying speakers, if you could identify yourself or any other banners or the hall itself, if you can identify it, stop the playing of it and you indicate to the Court. -- Okay.

COURT: And, Mr John, you are entitled to sit down if you feel like it. -- Okay. (10)

Watter nommer gaan dit wees, mnr. Jacobs?

MNR. JACOBS: Dit gaan V20 wees.

HOF: En die bewysstuk self?

MNR. JACOBS: Die bewysstuk sal BEWYSSTUK 20 wees. U Edele, die videokasset is in 'n koevert, ook 'n amptelike koevert verseël met 'n polisie-seël 1141 op rooi lak. Op die koevert is hier gemerk - op die een hoek staan V20 en dan is hier in skrif geskryf "Oorspronklike video gemerk: Op bokant 'UDF Rally @ Orient Hall in opposition to Rajbansi's meeting at the City Hall with P.W. Botha'" en dan kom die nommer 54, is in pen daarop aangebring (20) en op die agterkant van - dan staan hier op agterkant "UDF People's Rally, Durban, November 1983." Nadat ek die seël gebreek het haal ek 'n videokasset in 'n houer uit, dit is 'n Sony. Op die houer staan Sony Dynamicron E180 en onderaan is VHS-videokasset, "Video recording and play-back" en "Regertimen ed lacture .." O, dit is 'n ander taal. Ek kan hom nie so goed uitspreek nie. Sal ek dit maar uitspel? Ek weet nie of dit nodig is nie.

HOF: Nee wat.

MNR. JACOBS: Die Sony - op die agter, rugkant, staan daar ook weer Sony Dynamicron E180 VHS. (30)

HOF: Dit is nou op die houer alles?

MNR. JACOBS/...

MNR. JACOBS: Ja, en op die agterkant van die houer is daar ook 'n klein 54 in pen aangebring, in ink. Op die kasset self, op die rugkant daarvan, is daarso met hierdie kleefband wat druk uitbring "UDF People's Rally, Durban, November 1983" en dan op die voorkant is daar 'n etiket aan die bokant, "UDF Rally @ Orient Hall in opposition to Rajbansi's meeting at the City Hall with P.W. Botha", net onder dit die woordjie 54. Hier is van 'n ander hof 'n etiket wat hierop is, D91.

HOF: Sal u dit merk, en die houer, asseblief, as BEWYSSTUK 20.

MNR. JACOBS: Ek het op die bokant, op die etiket wat daar (10) aangebring is, het ek hom gemerk BEWYSSTUK 20 en op die houer.

HOF: Op watter masjien gaan ons dit speel?

OPERATEUR: Dit sal weer 'n JVC wees, model nr. HR/D12OES.

HOF: Die kasset word gespeel op 'n VHS-masjien, model HR/D12OES. Hy werk met die nommering soos die voriges en ons begin by nul?

OPERATEUR: Dit is reg so.

HOF: (Videoband word gespeel - stop.) Weet die getuie wat om te doen?

MNR. JACOBS: Ek het vir hom gevra hy moet dit stop as daar enigiets is - you remember you must stop if there is anything (20) that you want to indicate to the Court, that you can identify on this video? -- Yes.

COURT: Yes, go ahead. (Video tape is played - stop.) No. 22. Can you remember .. -- I cannot remember this placard.

Now what the witness cannot recall is the banner "The doors of learning and culture shall be opened" on a yellow background.

Yes, go on. (Video tape is played - stop.) No. 29. -- That is Paul David.

Paul David? -- Yes.

With his hand in the air.

(30)

MR JACOBS: What are they shouting there? -- I think something like/..

like "Chuka".

COURT: What were you saying? Shouting? -- I said something like "Chuka". I cannot ..

"Chuka". All right, go ahead. (Video tape is played - stop.)

MNR. JACOBS: Is dit die "viva" .. -- Ja, this ...

COURT: "Viva"? -- "Viva Mandela .."

"Viva Mandela, Viva ANC"? -- Yes.

No. 50.

MR BIZOS: Are we, My Lord, to disregard the comment that (10)  
there is on the upper part of the first page of the ...

COURT: I wonder where we started. I thought we did start with the "Amandla Ngawethu".

MR BIZOS: Yes.

COURT: I do not think you need disregard it. If you feel that the comment is wrong and we can quickly fix that up you must tell me. I think it would be better.

MR BIZOS: My Lord, first of all I did not see a flag. I did not see a flag in the ANC colours. I do not know if Your Lordship saw it. (20)

COURT: I may not have been looking. I was looking at the transcript at stages.

MNR. JACOBS: Kan ons dan miskien net dit terugspeel.

HOF: Begin weer voor asseblief.

MR BIZOS: My Lord, I think that the evidence has been that these colours are not unique ...

COURT: Exclusive. Inkatha followers may have been at the meeting.

MR BIZOS: Well the evidence may be that it is much wider than the Inkatha and the ANC, the Federation of South African Women .. (30)

COURT: Well, are you interested in the flag because ..

MR BIZOS/..

MR BIZOS: Well, it is one of the things that I do not want to let pass and whilst I am on my feet, it does not appear from the video who is shouting "viva".

COURT: Except that the leader, Mr David, is putting his hand up in the air and pressing it upwards at the time.

MR BIZOS: No, at a stage when she was there, but we do not see on the tape, on the screen who is shouting viva when "Viva Mandela and Viva ANC" were being shouted.

COURT: Well, replay the first part, please.

MR BIZOS: My Lord, there are problems with the one screen (10) which can ..

COURT: Well, we must first fix that up then. (The problem with the screen is sorted out.) Mr Bizos, where did you see the flag?

MR BIZOS: I did not see the flag on the screen. I see it on the transcript, on the third line from the top on the first page.

MNR. JACOBS: Mnr. Bizos, kan ek net vir mnr. Bizos daar regwys, as 'n mens daar lees ...

COURT: It is a "scarf".

MR JACOBS: It is a scarf with a flag numbers - flag colours.

COURT: It is not a flag. It is a scarf with flag colours. (20) So it is the three colours and the scarf.

MR BIZOS: Yes, My Lord. Well, I did not ...

COURT: It is not a flag. So no we start searching for a scarf.

MR BIZOS: For a scarf rather than a flag. I do not mind the scarf being there, My Lord, it is the description that I am really ...

COURT: Well, shall we delete the flag and make it the ANC colours?

MR BIZOS: Well, perhaps the colours if they are discernable.

COURT: Well, do you want to delete the ANC as well?

MR BIZOS: My Lord, with respect ...

COURT: I have your point. You say it is not necessarily an (30) ANC colour.

MR BIZOS/..

MR BIZOS: Yes.

COURT: But this is merely descriptive in the sense that it is the colour also used by the ANC and taken on that basis.

MR BIZOS: Well, I am happy to leave it at that.

COURT: Well, let us delete the word flag then. Do you want it replayed?

MR BIZOS: No, not for that purpose.

HOF: Gaan aan tot ons by nr. 50 is. We had a bit of a debate about "Viva Mandela." (Video is played to no. 50 and then continues - stop.) No. 55. I did not see who was shouting (10) Mandela or ANC.

MR BIZOS: That is so, My Lord, and then also Your Lordship remarked that - I think the witness said that Paul David was ..

COURT: Putting his fist up in the air.

MR BIZOS: Putting his fist up in the air, my instructions are from those who probably know a little better, that it was actually Dr Boesak who was doing that.

COURT: I must say it looked to me like Dr Boesak, but the witness identified him as Mr David. Eventually we will get to him. He won't disappear at this meeting very quickly. Let us just (20) go on. (Video is played - stop.) No. 59.-- That is Boesak with the glasses on.

MR JACOBS: Who is sitting next to him? -- I cannot make him out from here.

(Video is played - stop.) -- Just before the picture disappeared Fatima Meer was sitting next to Dr Boesak.

COURT: No. 66.

MR JACOBS: While we are here, there is now another person on 66, can you identify that person, do you know him? -- That is Paul David. (30)

COURT: No. 66 Paul David. Yes, go ahead. (Video is played - stop.)/..



stop.) -- No. 135.

MNR. JACOBS: Kan jy vir ons sê wie is nou die persone wat daar - wat jy kan - is Aubrey Mokoena daarso? -- Say that again.

Who are the persons sitting there? Can you identify them? -- No.

Do you know Aubrey Mokoena? -- No.

Yes, carry on. (Video is played - stop.) No. 583.

MR BIZOS: My Lord, what is said inaudible, four lines from the bottom of the page 6, is "Yes, un chant provocateur."

Perhaps it was the French that had .. (10)

COURT: Yes, this Botha strategy remains?

MR BIZOS: No, six lines - five lines.

COURT: Four lines?

MR BIZOS: Planting informers among ourselves, yes (inaudible)...

COURT: You say it must be?

MR BIZOS: "Un chant provocateur."

COURT: Could you just replay that. (Video is played to the right place - stop.) Yes, thank. It is noted.

(Video tape is played - stop.) No. 983. Yes, Mr Bizos?

MR BIZOS: It would appear that this AK47 ten times is confined to a group of four or five persons in the middle of the audience. (20)

COURT: The four or five persons are the people shouting "Hayi-hayi" that we have just seen.

MR BIZOS: If Your Lordship looks at the people around them, they are quite impassive, with respect, and the chairman was quite impassive before that. It is apparently being sung by these four or five people that we see on the screen.

COURT: Yes, I did not notice who was shouting the AK47. The four Blacks on the transcript are those we see on the picture at the moment shouting "hayi-hayi". We can play it a little bit back (30)

and have/..

and have it again and see how many of the audience participate in the AK47, please. (Video is played - stop.)

MR BIZOS: Well, perhaps we should note, My Lord, that the chairman is completely impassive to this slogan ...

COURT: He is not reacting, yes.

ASSESSOR (MR KRÜGEL): It is not only AK47. It is "mshabe AK47."

MR BIZOS: I mean that whole section.

HOF: Gaan tot by die einde van die toespraak. Gaan net 'n bietjie terug tot die einde van die vorige toespraak, net waar hy ophou praat. (Video word gespeel tot op regte plek - stop.) No, (10) it is not correct, Mr Bizos. The four Blacks in the audience stand up and start chanting and the audience reply "hayi-hayi", that is correct. There is no indication of what portion of the audience shouts AK47 and what portion shouts "mshabe."

MR BIZOS: Or the people around the people that we see shouting appear to be impassive.

COURT: At the moment, yes, the four Blacks shouting or standing up and chanting, that is correct, yes.

(Video tape is played - stop.) No. 1002.

MR BIZOS: But before this, My Lord, although we hear a portion (20) of the audience saying "hayi-hayi", no portion of the - the camera is on substantial portions of the audience and none of them appear to be saying "hayi-hayi".

COURT: What happened is that the camera moved from the four dancing youths to the front of the stage and I did not see anybody in the audience reacting to the "hayi-hayi".

MR BIZOS: To any of the sloganeering or saying "hayi-hayi."

COURT: Yes. We do not know, of course, what portion of the audience we saw, but what we saw we did not see the action.

MR BIZOS: Yes.

(30)

COURT: Yes? (Video tape is played - stop.) No. 1009.

MR JACOBS/..

MR JACOBS: Can you identify that person with his first in the air? -- That is Mr Archie Gumede. He was introduced but he did not speak at that meeting.

COURT: At what stage did you enter the hall? Before this or after this? -- Just about before the slogans were shouted in the hall, I was still at the door. I only entered after Mr Sewpersadt was carried in.

(Video is played - stop.) No. 1044.

MR JACOBS: Can you .. -- No, I cannot ...

Can you remember that person speaking? -- No. (10)

Was that before you were in the hall? -- That could have been before I came into the hall.

(Video tape is played - stop.) No. 1048. This person on the stage now, is he leading the singing now? -- I could not really say because it had no impression on me at the time when I was there. It is he had no impression, but I am sure I would have remembered the previous speaker if I was there, because he was quite fiery and I would have remembered. The one thing I was - I could see them at that time.

COURT: Well, replay it a bit. (Video is replayed, then played(20) and stop.) -- No, I was not talking about Paul David. I was talking about the speaker before him, the one with the flowery dress.

Or rather after him? -- The one before him.

Mokoena? -- Yes.

Yes? -- If he had spoken, if I was in the hall I would have remembered it, at least - where I was we could hardly hear what he was saying.

(Video tape is played - stop.) No. 1053. It is clear that the speaker is singing along with the audience and putting his(30) right fist forward.

(Video tape/..

(Video tape is played - stop.) No. 1295.

MR JACOBS: Can you identify that person? -- That is Mr R.A.M. Salooyee, but I was not in the hall at that time.

Can you tell us what band is around his arm there? -- No.

C286 (Video tape is played. Stop.) No. 1530.

MR BIZOS: It is not "Hypo" but "Hydra."

COURT: Page?

MR BIZOS: Page 19, five lines from the bottom.

COURT: Yes, to on. (Video tape is played.)

MR BIZOS: My Lord, just for the sake of completeness, I do not know whether Your Lordship's copy at page 22 has "freedom" and then "yes" is the response and "apartheid - no."

COURT: It is not on my copy.

ASSESSOR (MR KRÜGEL): Yes, "Freedom - yes", "apartheid - no."

COURT: Yes, thank you. Oh yes. (Video tape is played - stop.) No. 1736.

MNR. JACOBS: Die persoon wat daar nou opgekrom het, kan jy vir ons sê wie is hy? -- The person that came up now?

Yes. -- I do not know. Are you talking about the one in the picture? (20)

He came around the stage. -- I do not know.

(Video tape is replayed - stop.) There he is. -- Eh-eh.

MR BIZOS: We will make the admission that that is Mr Lekota.

COURT: Yes, in one of his friendly moods. (Video tape is played - stop.) No. 1751. -- At about this time when Mrs Meer was supposed to talk that I just got practically into the hall still at the door-way, but I could see her quite clearly.

You could see her? -- Yes, I was inside the door-way.

(Video tape is played - stop.) "Central part."

MR BIZOS: My Lord, "central" and not "simple". It is on page 24.

COURT/..

COURT: Line?

MR BIZOS: I would say about 12 to 15, My Lord, "on the basis that Africans had in the central Parliament" and not simple. It is line 16.

COURT: I amend it. (Video tape is played - stop.) No. 2163. Yes, Mr Bizos?

MR BIZOS: My Lord, it would appear that the meeting was interrupted and that the people on the stage are no longer formally constituted on the stage. They appear to be chatting to each other, standing, and also that this song is sung by apparently the (10) same group that we saw before, if I remember their ...

COURT: I thought we had women amongst this group here.

MR BIZOS: There are women standing next to them, but I think that the sort of ...

COURT: Well, we could replay it because he had a Zebra jersey on or a T shirt on on the previous occasion.

MR BIZOS: Yes. I think that the clothing looks the same and it looks like the same small group, My Lord, that were singing.

HOF: Speel dit oor. (Videoband word teruggespeel, weer gespeel - stop.) No, this is not the same group, Mr Bizos. None of (20) these I have seen before, especially not this woman on the right hand in the front.

MR BIZOS: Yes. Is she really participating, does Your Lordship think? I think that there is ...

COURT: I think if you just leave it in the air and say we do not know whether it is the same group or not the same group, but I do not see the man with the blue and white striped T shirt or jersey on. He is not amongst this group and this woman here was not part of the previous group that danced in the passage. So, I do not know. (30)

MR BIZOS: Well, My Lord, could we - I do see another difference, that there/..

that there is a person in some sort of khaki coloured garb, that is apparently participating here that was not there before.

COURT: I do not recall him, I cannot say.

MR BIZOS: But certainly if he was not there before, but it appears to be - if not precisely the same, a group of consisting of those that were there before with a couple extra.

COURT: Well, what you can say is that this is a group consisting of Africans whereas the majority of the audience consists of Indians, it would appear.

MR BIZOS: That is also fairly clear, yes. (10)

MNR. JACOBS: U Edele, kan ek net vra dat daar iets by genotuleer word, dat mnr. Bizos gevra het dat genotuleer word dat die mense op die verhoog nou rondstaan. Dit is net nadat daar 'n aankondiging was dat vir tien minute sou daar 'n breek wees omdat die mense buitekant luidsprekers of iets wil uitsit.

MR BIZOS: Whilst the singing was going on, that was the purpose.

MR JACOBS: Before the singing started it was mentioned.

MR BIZOS: My Lord, whilst they are talking to each other singing is going on.

COURT: Go back, please. (Video is replayed, played - stop.) (20) No. 2154. It is clear that the people are speaking to each other on the stage whilst the singing is going on.

(Video tape is played - stop.) No. 2170. This group is much bigger than the previous group that some time back danced in the passage. (Video tape is played - stop.) No. 2199.

MR JACOBS: Can you identify the person now? -- I do not know him but I know that he spoke at that meeting.

COURT: Do you identify him or don't you identify him? -- I cannot remember his name, but I knew he spoke. He was said to have been in detention. (30)

(Video tape is played. Stop.) No. 2203. -- That is the time/..

time I was talking about that George Sewpersadt was carried into the hall.

MR JACOBS: Is that person being carried in Sewpersadt? -- Yes, his name is Mr George Sewpersadt of the NIC.

COURT ADJOURNS FOR LUNCH AT NO. 2203. COURT RESUMES.

C287 MR BIZOS: My Lord, we apologise for the delay, but we are busy making copies of these tapes and there was - the way we were making them up to now disturbed the magistrate's staff so we sought the help of the technician to solve the problem.

COURT: Thank you.

(10)

PETER JOHN (Still under oath)

COURT: We were at 2203. We continue. (Video tape is played - stop.) No. 2222.

MNR. JACOBS: Kan jy net daardie man miskien - die persoon - can you ...

COURT: Your witness is English.

MR JACOBS: Yes. I just asked if he can shift this other man out of the way. The person speaking now, can you identify him? -- Yes, he is Mr George Sewpersadt.

(Video is played - stop.)

(20)

MR BIZOS: Has Your Lordship got "protest" or "progressed"? "Protest" on page 31, My Lord.

COURT: Protest. I have protest. (Video tape is played - stop.) No. 2425.

MR JACOBS: Can you identify the two persons coming on the stage now? -- I am not sure but the first one - but the one in the middle is Zac Yacoob.

(Video tape is played - stop.) No. 2451. The person who came to the front there, can you identify him? -- Yes, his name is Mewa Ramgobin.

(30)

Did he speak? -- Yes, he did speak.

(Video tape/..

(Video tape is played - stop.) No. 2915. Kan jy die persoon identifiseer wat nou ...

COURT: English.

MR JACOBS: Can you identify the person who is now speaking? --  
Dr Allan Boesak.

(Video tape is played - stop.) No. 3269.

COURT: We will continue this video tomorrow morning at 09h00.

COURT ADJOURNS UNTIL 1986-05-23. COURT RESUMES 1986-05-23.

K288 HOF: Ons is besig met band nr. 20. Ons het gekom tot by 3269.

PETER JOHN (Still under oath) (10)

FURTHER EXAMINATION BY MR JACOBS: (Video is played - stop.)  
No. 3533. Can you remember that person speaking in the audience?  
-- Yes.

Do you know who she is? -- No.

(Video tape is played - stop.) No. 3626.

MR BIZOS: My Lord, could we note that it appears that the people on the platform were moving off the platform as the singing started started, or certainly moving away from their seats.

COURT: Yes, the end of the meeting is actually where the chairman says "Thank you and God bless you" and he turns around (20) and the people on the stage are chatting to each other and this Oliver Tambo shout is from somewhere in the audience.

MR JACOBS: Mr John, you have looked at the video tape now, can you identify the hall, can you tell the Court is that the hall where the meeting was held according .. -- Yes, that is the Orient Hall in Durban.

And you have seen the people speaking on that meeting there. Is that correct? Is it the people who spoke there? -- That is right.

Do you identify this video as a video of the meeting (30) held and attended by you? -- Yes.

CROSS-EXAMINATION/..



CROSS-EXAMINATION BY MR BIZOS: Mr John, we have what records to be a transcript of this and it appears on page 29 of this transcript ..

COURT: V20.

MR BIZOS: V20, as Your Lordship pleases, that Mr Sewpersadt was carried onto the stage. Is that the stage on which you arrived inside the meeting? -- That is correct.

ASSESSOR (PROF. JOUBERT): On page 30.

MR BIZOS: Is it page 30?

ASSESSOR (PROF. JOUBERT): Yes. (10)

MR BIZOS: Thank you, My Lord. Yes, you are quite right. I do not know why I noted 29 on my notes. It is the upper half of page 30. So that for the first 29 pages of what purports to have happened at this meeting, you were not present at the meeting? -- That is correct.

COURT: At the stage you were standing outside, at the stage when you were standing sort of inside the hall and at the stage you had a seat, what exactly were these stages? -- From the beginning of the meeting - I arrived a little late - from that time until the time Fatima Meer spoke, I was outside all the time. Just as (20) Fatima Meer started speaking I entered the door-way where I could look into the hall and when Mr George Sewpersadt was carried in, that was when I found a seat in the centre of the hall.

MR BIZOS: Well that makes it clear, thank you. Would you agree that from - let us deal with the period when you were in the hall itself, that this video does not really show everything that happened in that hall. -- That is correct. I agree.

You told us that you yourself had spoken and you do not appear there. -- No.

I give it as an example, but were there other speakers. (30) as well who are not shown on the video? -- The only thing that refreshed/..

refreshed my memory, was seeing this video, but - I do not think of anybody else that spoke that I could remember of.

You cannot remember, and you cannot tell His Lordship what may have been left out of the meeting, even whilst you were inside the hall? -- There were three speakers from the floor and two of them were left out. They only showed one, the lady that spoke, but they did not show the other two.

Were there only three speakers from the floor?

COURT: Is that now including yourself or excluding yourself? -- No, excluding myself. (10)

Apart from yourself there were three others? -- Three others.

MR BIZOS: Oh, four in all? -- Four in all, yes.

You yourself are unable to tell His Lordship of the correctness of what you heard on the - heard and saw on the video independently of the video? -- Would you say that again, please?

Independently of the video you are unable to remember what was said? -- No. I can give you a theme though.

You can just give us a general idea? -- Well, in my opinion it was a meeting against the constitutional proposals and they did not want Amichand Rajbansi to go and - and Hendrickse to (20) go and say that he is the leader of the Indians and the Coloured People respectively.

And that is as far as you would be prepared to go on your independent recollection without the video? -- The reason that I went for this because at that time the constitution was the biggest speech among all peoples in our area, so we had to get - there were pamphlets from the Government out what the constitutional proposals meant and let us get out of our path to get another opinion, so that is the reason I went to that meeting.

Yes, I do not think you have to apologise to anyone. -- (30) No, I am not apologising.

But the/..

But the question really is that you have no independent recollection of what was said, except what the general theme of the meeting was. -- That is right.

Was there a small group of African singers there in the middle of the audience? -- Yes, there was.

And were they the people that really initiated the singing? -- All the singing was led by them, all these shouts of Amandla and all came from ..

From this small .. -- This, I said, was a group of about 20.

Of about twenty? -- Twenty. (10)

RE-EXAMINATION BY MR JACOBS: Mr John, can you tell the Court, did the chairman or anybody in control of the meeting try to stop the people shouting and singing? -- No.

NO FURTHER QUESTIONS

WITNESS IS EXCUSED.

MNR. JACOBS: U Edele, die volgende getuie wat ek gaan roep, het weer aan my 'n versoek gerig dat ek by die Hof aansoek doen dat die getuie kragtens artikel 153 in camera die getuienis gee. Ek vra dat die aansoek dan gehoor word in terme van artikel 65 in camera. (20)

COURT: In terms of the Internal Security Act I have to hear this application in camera and the press is requested to wait outside for another quarter of an hour when I will announce what we will do about this witness. This applies to everybody in court as well that is not directly concerned.

## **DELMAS TREASON TRIAL 1985-1989**

### **PUBLISHER:**

*Publisher:*- Historical Papers, The University of the Witwatersrand

*Location:*- Johannesburg

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### **DOCUMENT DETAILS:**

*Document ID:*- AK2117-I1-12-92

*Document Title:*- Vol 92 p 4515-4532. Witness: P. John