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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

131

NAMENS DIE VERDEDIGING:

ADV. A. CHASKALSON

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KLAGTE:

(SIEN AKTE VAN BESKULDIGING)

PLEIT:

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(IN CAMERA GETUIE NR. 23)

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HOF HERVAT OP 18 AUGUSTUS 1986.

IN CAMERA GETUIE NR. 23, nog onder eed

MNR. FICK : U Edele, net voor My Geleerde Vriend aangaan, wil ek net graag twee aspekte regstel. Eerstens dokument AAF(7) en AAG(3) is reeds by u ingehandig. Die dokumente wat ons gehad het was nie volledig gewees nie. Ons het intussen vollediges van hulle gekry. Ek wil hulle met verloop van die Hof net vervang. Dan met verloop van die Hof, ek het reeds die hoofgetuienis afgesluit. Daar is net een aspek wat ek graag wil opklaar met hierdie getuie. (10)

ONDERVRAGING DEUR MNR. FICK (vervolg) : Het u geleer terwyl u opgelei is by die ANC in verband met enige tekens wat die ANC het of wat u gebruik het? h Teken met die hand? -- Ja, daar is.

Wat het u geleer, hoe lyk die teken? -- Clenched fist salute. Tydens die aflewering van toesprake daar.

HOF : Dit is nou h vuis wat heeltemal gesluit is? Die duim steek nie uit nie. Die duim word vasgedruk teen die vier voorvingers? -- Ja.

MNR. FICK : Het u geleer of dit al die jare die teken was (20) en of daar nog h ander teken was? -- Ek was geleer dat vroeër was dit hierdie teken gewees soos aangedui.

HOF : Dit is h vuis maar die duim steek reg op en die duim steek in die lug op vertikaal. Waarom was dit vroeër so? -- It is for unity, was vir my gesê, net soos hierdie clenched fist. Dit is ook vir unity.

Is die een dan vervang met die ander teken? -- Ja.

MNR. FICK : Is u geleer waarom is die een teken vervang met die ander een? -- Nee, ek het ook nie gevra nie.

Soos u geleer het in verband met die teken, is daar (30) enigiets wat saamgaan met die teken? Enige ander gebare

of iets wat geskreeu word met die teken? -- Ek was opgelei dat dit "symbolises unity, because even the socialist countries use it after delivering a speech."

MNR. FICK : Ek dink miskien het u my nie heeltemal reg verstaan nie. Behalwe die teken wat u nou van praat en waarvoor dit staan. is u geleer dat daar enige ander tekens of woorde of iets daarmee saamgaan?

HOF : Wat die Geleerde Advokaat wil weet is of die teken in doodse stilte gegee word? -- Byvoorbeeld as ons sing, byvoorbeeld "national anthem", soos Nkosi Sikilele Afrika(10) hou ons dit bo in die lug totdat ons klaar gesing het. Some times when you are to say all power to the people Amandla, then you give that sign.

Is die kreet Amandla 'n algemene kreet wat dwarsdeur Suid-Afrika by alle geleenthede gegee word of is dit 'n kreet van 'n besondere organisasie? Die Amandla Ngawethu? -- Ek was baie betrokke by die organisasie van die ANC. Ek ken dit dat dit baie gebruik word in hierdie organisasie van die ANC, want die PAC, sover ek weet, waar ek dit raakgeloop(20) het, gebruik hulle 'n oop hand, soos ek aandui.

Afgesien van die handteken en die vuisteken, die woorde Amandla Ngawethu, is dit net by die ANC of ook by die PAC of ook by ander organisasies sê maar kerklike organisasies of by Inkatha of in die algemeen in die politieke kringe? -- As far as I am concerned, I saw this while I was with the ANC and I have never been to any other organisation, Therefore I am not in a position to tell about that.

MNR. FICK : Dan net een laaste aspek. U het gepraat van die lied Nkosi Sikilele e Afrika. Wat is u geleer (30) wat is die standpunt van die ANC ten opsigte van hierdie

... / lied

lied? -- Dit is net bekend as n "national anthem" van die ANC, just like the South African government, they have their own national anthem.

... / COURT

COURT: Before the cross-examination starts I would like to put a couple of questions to this witness so that can be dealt with as well in the cross-examination. You mentioned in your evidence-in-chief that you know about and had sung freedom songs with the ANC. I have also heard from other witnesses that freedom songs were sung at certain, on certain occasions but it is not clear to me that when one witness speaks of freedom songs he uses that word in the same context as another witness. I want to refer you to a couple of songs and you must tell me whether those were songs which you were (10) taught at the ANC camps. The first is Bamtnatha bamba ka e / Island or Bamba ka e Central, or ka e Polsmoor etcetera. Have you ever heard that one before? -- No I have never heard that one before because they change these songs.

The second line of that song is Wasuka wakhala wathi / amandla, and that is sung twice. -- No I have never heard that one.

The next one is Umzina Nomthwalo Ufuna Manima. -- That one I heard.

Is that an ANC song? -- Yes we sing that one in the ANC. (20)

The third one is in English, it is Mandela says fight for / freedom, Mandela says freedom now. -- Yes that one I know..

Is that an ANC song? -- Obviously yes, it is an ANC song.

The next one is, the second verse of that song, Rolihlahla / Mandela, freedom is in your hands. -- Yes that one I know.

Is that an ANC song? -- Yes.

The next one is Siphamandla Qamata Singadinna. -- No that one I do not know.

The song which goes as follows "This is your land, This land is your land this land is my land, from the great Limpopo (3) to Robben Island. Have you ever heard that one? -- No.

Not. The next one is Vula Botha Siyaqongoza. -- Yes that one I know.

Is it an ANC song? -- Yes we used to sing that in the ANC.

The next one is Akanatyala, that is sung four times, release those detainees whose only crime is to work for the freedom of all people in our time, Mandela is our comrade, his only crime - it is very indistinct but anyway that is the type of song. -- Yes that one I once heard.

Where did you hear it? -- We used to sing that one in Angola. (10)

Then I have the national anthem as it is called, Nkosi Sikelele Afrika. That one you have dealt with, I take it you sang that in Angola? -- Yes we sang that in Angola.

Then Senzenina Amabulu Azizinya. -- Yes that one we sang.

In the camps? -- In the camps even in Lesotho.

Umanyano Bomama Notata. -- No that one I do not know.

Igama Lika Mandela or Sisulu or Dennis Goldberg, Male- bongwe. -- I know that one only when mention is made of Mandela, well people can change the names.

Yes. -- It was for instance at times it includes (20) Luthuli.

Is is a praise song? -- Yes.

Angena Majoni, amajoni wase Afrika. -- That one I know.

Also an ANC song? -- Yes.

For clarity sake I have been referring the witness to EXHIBIT AAY(11) the NUSAS Catberg song sheet. The numbers which he indicated he knew as ANC songs were numbered 2, 3, 6, 9, 11 and 12. To that can be added no. 8 which is Nkosi Sikelele Afrika. The next songs, I wonder if you have heard them. The first one is the Internationale, Arise you (30) prisoners of starvation, arise you wretched of the earth?

-- Yes/....

-- Yes that one I know.

You know it? -- Yes.

Did you sing that? -- Yes in East Germany.

Only in East Germany? -- Even with the ANC. It is very rare that it is sung, it depends on the type of an occasion that you sing that one.

Then "I hate the capitalist system, I will tell you the reason why".-- No.

Not. The song called "Union Maid. There was a union maid who never was afraid". -- No I have never heard of that(10) one.

"The rising of the sun, let him go, let him tarry"? -- No.

Not. The songs I referred to are on AAY(10) and the only song that the witness knows is the Internationale which is the first song. I am sorry it has two pages, AAY(10). On the second page there is Nkosi which the witness knows. Do you know "We Won't Take no more. When the boss comes in on Monday morning and sacks your mate without a warning"? -- No I have never heard of that.

Have you heard of "Workers of the World. Up in the (20) morning at five so that my family may survive"? -- No I have never heard of that one.

Not "Workers of the World Unite, for whom do we slave all day"? -- No.

Have you heard the song ["Mandela, Mandela prescribes / for freedom, Mandela says freedom now"? -- That one I know.

Is that an ANC song? -- Yes.

Igama Lika Mandela; you have already said that is a praise song. Umzina Lomthwalo, we have had that. Is that correct?

-- Yes that is correct.

(30)

Senzenina, / we have had that? -- Yes.

You/....

You know that? -- Yes I, do.

Mandela Wethu, Somlandela, somlandela? -- Yes I know that one but we sung it with Luthuli instead of Mandela we would say Luthuli.

Yes. Ibantu Education System malupele, malulpele, malupele, malupele, malupele tina abufundi siti? -- No that one I do not know.

Thina Sizwe e Singyama sikalele? -- That one I know.

Then Thina Silulutsha, silulutsha a sina .. -- That one I know. (10)

You sang that? -- Yes.

On Wena P.W. Botha kuthenina kunjenjenje? -- I know that one.

Hlanganani Bafundi? -- No that one I have never heard.

It goes as follows, Hlanganani Bafundi, hlanganani, four times, e kona letlangano e NUSAS, or RICOSAS or AZASO? -- No that one I do not know.

You do not know it. Angena Majone, amajone a South Afrika? -- That one I know.

Nqo Sithe Nqo, singaba Sibenzi nkobalapa balapa Afrika. (20)
-- Yes that one I know.

Vula Botha, siakonkosa? -- Yes that one I know.

When you say that one you know you say it is an ANC song, is that correct? -- Yes we sung that in the ANC.

Bamthatha, bamthatha bambeka Island? -- No that one I have never heard.

Yes, you already said that I think. Umniyano Bomamanotha-
that? -- No.

Now for clarity sake the songs that I referred to you are on AAV(9) and of the songs on that sheet you have stated (30) that no. 6, no. 10, no. 14 and no. 15 are not to your knowledge

ANC songs, the rest are. Manyanani Basebenzi? -- I have never heard that one.

It goes Manyanani Basebenzi, and then the audience says Manyanani e yona inhlango? -- No I do not know that one.

This shout or slogan Alutha Continua, where does that come from? -- I heard that one in Cuba, Alutha Continua means the struggle continues. It is a Spanish word.

Is it also used in Angola? -- Yes we use it in Angola.

In the camps? -- Yes. That is where I heard it for the first time. (10)

Mayibuye, has the word Mayibye e Afrika, got any particular meaning for you? -- Yes.

What does it mean? -- Because of the fact that we know that South Africa is no more ours, the Black people are oppressed when we say Mayibuye we mean South Africa must be returned to the owners of the country.

Who are the owners? -- As far as I am concerned the indigenous people are the South Africans, the South African Black people.

Now this slogan Mayibuye e Afrika, is it an ANC slogan?(20)
-- Yes I heard more about that in the ANC.

Do you know whether it is also a PAC slogan? -- I will not dispute that because I have never attended PAC gatherings.

Do you know a song which goes Hella Mandela, hayi, hayi?
-- No I have never heard that one.

Have you heard a song which goes "Hayi, hayi, hayi, hayi"?
-- If it is a slogan yes, I would say so. What happens is for instance people are singing, at times you find that they sort of also include a slogan in the singing process and then they will start saying hayi hayi after having called or (30)
shouted a slogan which is in background Hayi Hayi.

Is/.....

Is it to enforce a slogan? -- It builds morale to the soldiers once you use that slogan.

Hlanganani Basebenzi, do you know that one? I do not think you know it. -- No I have never heard that one.

Have you ever heard the shout or the song "Botha is a Terrorist"? -- No I have not heard that being said orally by anyone except that I saw it having, written on the walls at the places where I live.

Do you know a song or a shout "Isibham' e Angola? -- There is a song which says Isibham sifunamaneka e Angola. (10)

Pesheya Konfula? -- That one I know.

Yes "We will catch them across the river", is that right? -- That is right.

What does it mean? -- Well that means your enemy, it means if they are enemies to you you will get them across the river.

What do you mean, you will go and talk to them across the river? -- Well seeing that it is a song it may mean that we will capture them. We use it in any way, depending how do you want to use that. (20)

What do you think when you sing it? -- Well what I think is we are going to capture them.

And when you speak of the enemy whom do you refer to? -- South African government.

And their children, who are they? -- Like their families, the kids and everything.

Have you ever heard the song (Nansi i Supreme Court) Ivuthumlilo? -- No.

And Abafana Bonkonto bayishayi i zolo? -- No.

Did you have any contact with the ANC since 1982 when (30) you deserted? -- No.

Have/....

Have you ever heard the song that goes, shouts that go
 Impimpi Hayi Hayi, Impimpi Voetsek Voetsek ugathsha lona
 Voetsek? -- Yes I heard of that one.

Is that an ANC song? -- No I did not hear that one with
 the ANC but I only came to hear about it here after my return
 in the area where I live.

A song which says Sikalilelu Tambo? -- No I have never
 heard of that one.

A song which says Hambani Kobanjani, Kobanjani Sesibona
 ma bona e Gejima? -- No I do not know that one. (10)

Do you know a song called Asiwafuna amavela shona? --
 That one I know.

Now just for clarity sake the previous songs that I
 referred to, the first lot were in V(1), the second lot were
 in V(26) and this one I am referring to now is in V(3). Have
 you ever sung a song Amasotya Hayi Hayi, Oliver Tambo Hayi
 Hayi, amagwarela Hayi Hayi, not? -- No.

Abafana Bankonto Bashaye izolo? -- No.

I am now referring to V(4), Singamasosha ka Mandela? --
 Well we used to sing it as Singamasotya ka Luthuli. (20)

That was in V(4). I am now referring to V(10). Ayangena,
 Ayaphuma? -- No I do not know that one.

Ayadidizela Ayesaba Magnala? -- No.

This is in V(10). Songena Ngonyama? -- No I have never
 heard that one.

Have you ever heard a shout, it goes like this "We the
 cursed are the most, we the most are the strong"? -- No.

This was in V(10). I now refer to V(11). Sikokele
 Tambo? -- That one I know.

It is a marching song? -- We used to sing it and at (30)
 times march on that.

Sangena Epitoli? -- Yes that one I know.

What does it mean Kwakala ufazi webonu? -- Well that means the wife of a boer will cry.

Why? -- It will be bad by then.

In what sense? -- That means, that is when the revolutionary forces have come over.

Sobabama nezingani, is that the same one as we will catch them across the river? -- Yes that is the same one.

But has it got words like a bazooka in it? -- As I said earlier the words are being changed time and again. You (10) will find that they sing it in the same tune but with different words.

And the one that goes Uphu Tambo, u Tambo useshlatini bafana. -- Yes that one I know.

Sangeno Manyama? -- No that one I have not heard before.

Bambisandla Sami? -- I once heard that one.

In the ANC camp? -- Yes.

Imbilandawo gakumbilandawo? -- No that one I do not know.

Ziwelele, ziwelele kula mathafasi Angola? -- Yes that one I know. (20)

Awuse nasu isibam AZAPO? -- Yes that one I know.

From Angola? -- From Angola, yes.

Nasu isibamu uwusenasu isibamu, isibamu ZAWU? -- Yes.

That was V(11). V(15). Bamba Isandla Sami Tambo? -- Yes that one I know.

Shaya Ibhazuka? -- I remember the words in a song.

Tina Silalutsha in vala va e Afrika? -- That one I know.

It is as Xhosa song? -- Yes.

The next is V(25). Si shebasa, si shebasa azoshe asoze sibulawe? -- Yes I know that one. (30)

Tina Silalutsha dwala e Afrika, is that a different one

or the same one? -- It is the same one.

Abazondi Charter, siza bathola abazondi nkonto, siza bathola, amagami abaliwe abazondu Nkonto? -- No I have never heard of that one.

U Tambo useshalthina i wenzanina, usafundisa manjoni.
-- That one I know.

Siyaya siyaya? -- Yes that one I know, siyaya epitoli.

What does it mean if you sing Siyaya epitoli? -- Siyaya siyaya epitoli means we are going to enter Pretoria, in fact we are advancing for Pretoria. Then it changes the wording, (10) at times you find they say we are going to singongona get Bazooka, A.K. or a Makarov.

What is the purpose of marching to Pretoria? -- Since Pretoria is the capital town of South Africa and that is the stronghold of the South African government. If Pretoria can be destroyed then that will be the power over revolutionary forces.

So is the revolutionary march to Pretoria? -- That is correct.

Yes, thank you.

(20)

CROSS-EXAMINATION BY MR CHASKALSON: My Lord I had not realised we would be spending time, I should have brought to Your Lordship's attention that Accused no. 15 is not present this morning, and accused nos. 4 and 17 are still away. I believe accused no. 15 is at the doctor and is expected back at about 11h00.

COURT: Thank you, 4 and 17 and 15.

MR CHASKALSON: I think that their position is unchanged as of last week.

COURT: Thank you.

MR CHASKALSON: Now you joined the ANC in 1978? -- Yes that (30) is correct.

That/....

That was in Lesotho? -- Yes.

And you remained a member of the ANC until 1982 when you deserted and came back to South Africa? -- That is quite correct.

And on your return you handed yourself over to the police? -- That is correct.

Did the police take you into custody? -- Yes I was.

And for how long were you in custody? -- It should be about four weeks.

About four weeks. And were you ever put on trial for (10) having joined the ANC and undergone military training? -- No I was not.

Were you asked to join the police and work for them? -- Yes I was.

And did you do that? -- No I did not.

You did not. Now have you given evidence at any other trial than this trial? -- Yes quite true.

How often have you given evidence? -- I have given evidence on two occasions before this one, this is the third occasion. (20)

This is the third occasion. Could you tell us when the trial was when you first gave evidence? -- If my memory serves me well it was early last year. I am not quite certain.

And can you tell us where it was? -- Aliwal North.

Aliwal North. And do you know the name of the accused in that case? -- No I do not.

Do you know what they were charged with? -- They were being accused for something which had to do with the unrest in the region of Port Elizabeth.

And in the second case, when was that? -- It was in (30) King William's Town.

And/...

And when? -- It was after the one I have just mentioned, a month or some few months after that one.

And do you know the name of the accused in that case? -- No I do not know.

Can you tell us in the first case how many accused people there were? -- There were five.

And in the second case how many people were there? -- They were four.

Alright. Now when were you first asked to give evidence in this case, the one which is before Court here? -- About (10) two months ago.

And were you then asked to make a statement to give evidence in this case about two months ago? -- No I made a statement later on, not at that time.

So you were asked about two months ago to give evidence and then some time after that you were asked to make a statement? -- Yes that is true.

And then you must have had a consultation with counsel for the State after that? -- Yes that is true.

Right, now in your evidence-in-chief you talked about (20) progressive organisations? -- That is true.

Do you know an organisation called AZAPO? -- I only read about that and hear about it.

Would you describe AZAPO as a progressive organisation? -- No as far as I am concerned I would not say it is progressive.

Why would you say it is not a progressive organisation? -- Because from my understanding of it and my knowing it it is pro-PAC and the PAC is against the ANC. So obviously they do not agree with the Freedom Charter. That is as far as I (30) am concerned.

So as far as you are concerned you would not regard AZAPO as a progressive organisation? -- No.

You say it is opposed to the Freedom Charter? -- That is true.

ANC people will not work with AZAPO people? -- I would not be sure of that.

COURT: Where did you heard of AZAPO? Did you heard of AZAPO in the camps of the ANC or after you came back to South Africa? -- I came to know mostly about the existence of AZAPO after I have been in South Africa, that is reading from the papers, (10) the newspapers.

MR CHASKALSON: But anyway you know AZAPO to be as you have described it, I think you used the words B.C., Black Consciousness? -- Well I will tell you why, anything which has got to do with Azanian, whatever Azanian it is, I do not recognise that as a progressive organisation.

COURT: Is the recognition of the Freedom Charter a prerequisite for your calling an organisation a progressive organisation? -- That is correct.

MR CHASKALSON: So if AZAPO then is opposed to the Freedom (20) Charter as far as you are concerned it would not be a progressive organisation? -- That is correct.

Do you know whether AZAPO regards itself, or uses the word to describe itself as a progressive organisation? -- Well unfortunately I have not met with them, I had no discussions with them. Therefore I cannot dispute that.

You would not be able to deny then that AZAPO would regard itself as a progressive organisation though it is opposed to the Freedom Charter? -- NO I would not dispute that.

Because different people will use the word "progressive" (30) in different ways? -- I am not denying that. As I have already

explained/....

explained to this Court what I mean when I talk about a progressive organisation.

That is what you mean? -- Yes.

Other people may have entirely different ideas about what is progressive? -- That is possible.

For instance the Progressive Federal Party uses the word progressive in its own name. -- Yes I am not denying that.

It would not come as a surprise to you to know that the Progressive Federal Party would regard itself as a progressive organisation? -- No I would not be surprised. (10)

What about the Azanian Students Organisation? -- I do not know much about that one, it is just as good as AZAPO.

You would not know whether it is progressive or not? -- No I would not.

Well let me ask you something else now. You told us in your evidence-in-chief that you were taught at ANC camps that the government would not surrender power voluntarily? -- That is true.

And that it was necessary to use violence to overthrow the South African government? -- That is correct. (20)

And that indeed, as I understand your evidence what you say the ANC is attempting to do? -- That is true.

Did you learn in your history of the ANC that it went over to violence in 1961? -- That is true.

So for about 25 years now the ANC has been a violent revolutionary organisation? -- That is correct.

And you have also described to us the sort of training that ANC recruits receive. -- That is true.

And after they have been trained they have to be got ready to return to South Africa on missions? -- That is correct. (30)

That/....

That is dangerous work is it not? -- Well it is dangerous but well there is no other way.

Yes. And of course these, what do you called a trained person? Do you use the word "cadre" to describe a trained person or do you still use the word "recruit"? How do you describe someone who has been trained? -- A trained cadre or a train guerilla.

COURT: Just a moment, is a cadre always a trained person? -- I would not say, no.

What do you understand by a "cadre"? -- What happens (10) is we are divided there. For instance we refer to others as trained cadres and the others are referred to as cadres which have not yet received any training, untrained cadres.

But is a cadre a full member of the ANC? -- Yes as far as I am concerned outside. As far as I am concerned outside, I mean outside South Africa. That is where I first heard of this word.

And do you understand by "cadre" a member of the ANC or can it be somebody who is sympathetic but not a member of the ANC? Or can it only be people with Marxist sympathies? -- (20) I took a cadre to be a member of the ANC.

MR CHASKALSON: Well let me use the other word, "guerilla". I think it has probably got less complications. You told us that it is dangerous work for the guerillas to come back but that there is no other way. I think that is the way you put it. -- That is quite correct.

And of course if the guerillas get caught in South Africa by the South African police they may face very serious penalties? -- That is so.

Even possibly the death sentence? -- That is so. (30)

That of course is well known to everybody? -- Quite true.

And/....

And also it is very bad for the organisation for its guerillas to be caught because they might disclose information about how the organisation works? -- That is true.

And they might disclose where arms are hidden and what the plans of the ANC are and what is happening in the camps? -- That is true.

So the ANC must be as anxious as the guerillas are that the guerillas should not be caught when they come back into South Africa? -- That is correct.

So would the instructions then to the guerillas be, (10) who are returning to South Africa, to be as careful as possible? -- That is correct.

Because it is important in their interests? -- That is so.

And it is important in the interests of the organisation? -- That is correct.

So when they come back as guerillas into South Africa they must conceal from everybody the fact that they are guerillas? -- That is quite true.

They must go about their work discreetly as possible? (20) -- That is correct.

They must do their work quietly and surreptitiously? -- That is correct.

Do I understand you to use the word "guerillas" and "cadres" in the same sense? -- I say there is a trained cadre and the untrained cadre, then a guerilla.

Alright.

COURT: A guerilla is a trained cadre? -- Yes mostly we use it like that.

But you can have, can you have a trained cadre who is (30) a politically trained cadre but not necessarily a militarily trained/.....

trained cadre? -- That is correct.

So it is only the militarily trained cadre who would be a guerilla? -- That is correct.

MR CHASKALSON: But what you told us about coming back to act quietly and surreptitiously would apply to everybody who comes back for the ANC? -- Yes, everyone.

Now you also described to us the work that you did in the political department of the ANC in Lesotho. -- Yes.

And I think in your evidence-in-chief you described to us how the political department studied events in South Africa? (10) -- That is correct.

And that indeed was part of your work? -- Yes that is correct.

You would study the newspapers to see what was happening in South Africa? -- That is correct.

You would want to know how those particular events that were happening in South Africa could possibly be used to benefit the ANC? -- That is correct.

You would try and take advantage of and capitalise on developments inside of South Africa?-- That is correct. (20)

Now let me just talk about something. You talked about bus boycotts I think? -- That is correct.

Now bus boycotts I believe have been happening in South Africa for many many years, over the years there were frequently bus boycotts? -- That is quite true.

Commuters get angry about the raised fares and they decide to boycott the buses? -- That is true.

And the police try to break the boycott by arresting people and getting people to go back onto the buses? -- That is correct. (30)

Friction between the bus boycotters and the police? --

That/....

That is true.

So if you were studying what was happening in South Africa whilst you were in Lesotho and you read the reports and you read that a bus boycott had started and that there was friction between the police and the boycotters that would be news of importance to you? -- That is correct.

Because that is just the sort of situation on which the ANC could capitalise? -- Quite so.

It might get some of its guerillas to paint slogans in the area where the bus boycott is taking place? -- I would (10) not say the guerillas would go there and write the slogans because I do not even have an idea or knowledge as to who the people are who wrote the slogans there.

Alright. Anyway you would do whatever you could to capitalise on that situation? -- Quite true.

So as I understand it was really your job in the political department to study events and decide what events you should react to? -- That is correct.

And of course protests or action which seems to have grass roots support would be of particular interest to the (20) ANC? -- Yes quite true.

And because those are particularly the sort of protests which the ANC could use as a vehicle to promote its image and its ideas? -- That is true.

For instance a rent boycott which looked like being successful might be something which the ANC would want to involve itself in? -- Yes.

It might when it reads about that send in pamphlets in support of the boycott? -- That is correct.

And it might even claim credit if the rent boycott (30) proved successful? -- That is correct.

It/....

It is right then that wherever possible the ANC attempts to capitalise and claim credit for community protests? -- Not to claim the responsibility but since it represents the people it has to be on the side of the people.

So it will claim, it will give its support even though it had not initiated the protest itself? -- Obviously, yes.

Right. Now I want to talk to you now about May Day and June the 16th. May Day is a day celebrated by workers all over the world? -- yes.

You know that do you not? -- Yes I do. (10)

It is also a day on which workers in South Africa celebrate because it is a day associated with labour? -- That is correct.

It is a day on which unions call meetings in South Africa to mark the struggle of the workers for better conditions? -- That is correct.

Did you know that it was the day chosen by Chief Buthelezi to launch the Inkatha Union movement which is called UWUSA? -- Well that I did not know.

You did not know. Did you not read about it in the (20) newspapers recently? -- I do read newspapers but not every day.

But did you not read that Chief Buthelezi's UWUSA movement had called rallies around the country for May Day? -- No I did not read that.

You did not. Well in any event May Day is a day, as you say it is workers day and it has been celebrated for many many years as workers day? -- Yes I agree.

And so would it be right then to say that when, that the ANC sees itself as being on the side of the workers? -- Yes.

And so when May Day comes around the ANC wants to let (30)

the/....

the workers know that it is on its side and that it supports May Day? -- That is true.

It is a good day on which possibly paint slogans or commit acts of sabotage? -- Well it depends on those, if they want to they could do it.

You see what I want to put to you really is that May Day is not an ANC day, that May Day is a workers day which the ANC has also taken over to promote its interests with workers? -- I do not dispute that, it is a fact, I know.

Alright. Now then I want to speak to you about June 16. (10) That is the day which marks the childrens protest in Soweto of 1976? -- That is correct.

Within the Black community it is regarded as a day of mourning? -- Yes I am aware of that.

It is recognised as such by the Black Consciousness movements? -- That is correct.

It is recognised as such by the union movements? -- That is correct.

Black owned businesses close down? -- Yes.

Large numbers of people stay away from work? -- That (20) is correct.

Black students do not attend school or university? -- That is correct.

It is, as far as the Black community as a whole is concerned, a national day of mourning? -- That is correct.

Once again it is not an ANC day but it is a day which the ANC identifies because it wants to identify with the Black people in South Africa? -- That is correct.

Alright, now I want to talk to you, in your evidence you talked about slogans? -- Yes. (30)

You told us about, I think you told us that you learnt about/....

about the importance of slogans during your training in Cuba?

-- Quite so.

That was to, as I understood your evidence it was to keep ideas alive? -- That is true.

COURT: Yes, and introduce ideas was his evidence actually.

MR CHASKALSON: Yes. Well to introduce ideas and to keep ideas alive, it served both purposes? -- That is correct.

For instance I suppose when you were a child you would have seen painted on the wall signs saying "Free Mandela"?

-- That is true.

(10)

That has been painted on walls all over the country for years and years and years? -- That is correct.

And is that what you would call a "slogan"? -- Yes.

It captures people's imagination? -- Yes.

And they take up the idea themselves? -- Yes a person will want to know who Mandela is, that is true.

The whole purpose of it is to make people thinking about this issue and talking about the issue? -- That is true.

Try and get everybody saying the same thing, Free Mandela? -- That is correct.

(20)

Today the business leaders in South Africa are saying Free Mandela? -- Well maybe it will happen that way as well.

And NAFCOC, the National Association of African Chambers of Commerce, it says Free Mandela? -- Yes that I heard about.

And Mrs Suzman in the Progressive Federal Party says Free Mandela? -- Yes she does.

Even now we hear that President Mitterand of France and Mrs Thatcher of Great Britain are saying Free Mandela? -- That is true.

So really what I want to put to you is that these slogans which get put into circulation, if they are put into circulation/....

(30)

circulation by the ANC they might be taken up by people who are not members of the ANC? -- That is correct.

That is really the whole idea is it not? -- That is correct.

And they may be taken up even by people who are opposed to the ANC? -- Yes that is correct.

And would it be correct to say that what you were taught was to try to make an idea so popular that even opponents of the ANC will accept it and promote it? -- Yes that is true.

Now I want to talk to you now about the songs. His (10) Lordship drew your attention to certain songs and you said some of them you heard in ANC camps and some of them you had never heard. -- That is correct.

And I believe that some of them are songs of praise? -- That is correct.

Really very old traditional songs which words are put to which keep changing? -- That is correct.

COURT: Which are they? -- For instance this one we used to sing it as Sikokele Luthuli and some are singing it as Sikokele Mandela. (20)

Any others? -- Like this one Wesu Ngenipitholi soshanga bazooka. Other people sing it in a different way.

No, no the question is not this, the question is not whether songs of recent origin are sung with different words. The question is whether old traditional Xhosa or Zulu songs are now given new words? -- Well unfortunately then if that is the question I do not know which are those.

MR CHASKALSON: Well let me come back to that just now. But what I wanted to put to you is that these are tunes which are very well known tunes? -- Yes I am still listening. (30)

Do you agree with that that they are well known tunes?

COURT:/.....

COURT: Well known now or well known of yore?

C.408 MR CHASKALSON: They have been well known for many years.

COURT: When you were a child? -- When I was still young I heard a song where they were singing about Mandela.

No, no the question is whether the freedom songs of today have tunes, not words, tunes which you knew when you were a child? -- No I would not say because mostly the tunes that I know are those that I came to know while I was a grown up person being in the ANC, with reference to the songs that were asked from me by His Lordship here. (10)

Yes. -- I only came to know about those now after I have been a grown up person.

MR CHASKALSON: Well I am going to come back to that just now but I want to talk to you about the songs, I mean you described, you talked about Nkosi Sikelele Afrika. -- That is correct.

You said it is a, you describe it as the national anthem? -- That is correct.

You said it was an ANC song? -- It is a national anthem which is sung in the ANC which was sung by us.

So, but it is actually a very old song, Nkosi Sikelele (20) Afrika? -- Yes, obviously it is an old one.

It is, you know that is the national anthem of the Transkei? -- Well I did not hear them singing it there.

I believe that it is, it might be the national anthem, it might be sung in Zambia?

COURT: Not the national anthem I take it. Is it the national anthem? -- I cannot dispute that. In Zambia there is a song which is not very far from this one, with the one I have just referred to as a national anthem.

But with different words I take it? -- Yes, because (30) of the language which I do not understand the wording I cannot testify/....

testify about.

MR CHASKALSON: What I want to put to you really is Nkosi Sikelele is widely regarded by all Black people as the national anthem? -- I am not disputing that fact. I said we sung this one as well in the ANC, meaning Nkosi Sikelele.

Yes. Well that is what I was going to come to next. When you say a song is an ANC song you mean those are songs which you sang in ANC camps? -- That is correct.

Now I suppose during the period that you were in the camps that new recruits were joining the ANC all the time? (10) -- That is correct.

Young people were coming across the border regularly to join the ANC? -- That is correct.

Some of the young people would bring with them songs which they were singing in outh Africa at the time? -- That is true.

And then those songs would get taken up and sung in the ANC camps? -- That is correct.

Now you mentioned COSAS I think in your evidence-in-chief? -- That is correct.

COSAS was a students organisation? -- That is so. (20)

COURT: By students is meant high school scholars, is that correct? -- I did not know the difference between a child who is at a high school as a student or the university. I took it that it meant whoever is still at school and who has the better understanding to be a student.

School also including university and educational colleges? -- That is so.

MR CHASKALSON: Really, as you say it was for, really for young people? -- Well with that little knowledge I have about COSAS because I do not know their membership, whether they (30) are university students or what the position is. But I just taken/....

taken it to be for the students and that is all.

You said you have, do I understand you to say you have limited knowledge about COSAS? -- I do not have a good knowledge.

I see. But in any event if we talk about young people, the ANC would be particularly interested in young people would it not? -- That is correct.

It would need to keep recruiting young people to keep the organisation alive? -- That is correct.

And do you know that while you were still in the ANC (10) that COSAS was a lawful organisation in South Africa? -- That is correct.

Did you know that it had a very large membership? -- Yes seemingly it had a large membership.

And it was, as you told us it was active amongst the youth? -- That is so.

On the other hand the ANC was an unlawful organisation in South Africa? -- That is correct.

And you have already described to us you came into the ANC people would have to act secretly and quietly? -- That (20) is correct.

I mean you know that there are police informers and police spies all over the place? -- That is correct.

I mean nobody would stand up at a meeting and say "I am here as a representative of the ANC" and make suggestions to COSAS what they should do? -- That is correct.

So if somebody wanted to come in and start making contact with a COSAS member he would have to do it surreptitiously? -- That is correct.

And if he was trying to influence particular COSAS (30) members he would have to try and do that surreptitiously?

-- That/...

-- That is correct.

And he would try to do it in a way so that nobody other than the person whom he spoke to would know about it? -- That is correct.

And possibly in that way he might hope through that person to exercise some influence over COSAS? -- That is true.

But if he were successful the ordinary members of COSAS would not know of the ANC's involvement at all? -- That is correct.

And that would be true, would it not, of the civic (10) organisations or any other organisations that you or your colleagues tried to influence inside of South Africa? -- That is correct.

To do it properly you would have to, the so-called progressive organisations if you were seeking to influence them to do it properly it should be done in a way so that the ordinary people would not know that this was being done?-- That is correct.

Now I want to ask you some questions about these magazines and pamphlets which were shown to you when you gave your (20) evidence-in-chief. My Lord as a result of my long absence I have forgotten the time at which Your Lordship would ordinarily adjourn.

COURT ADJOURNS FOR TEA. COURT RESUMES

IN CAMERA WITNESS NO. 23: d.s.s. (Through Interpreter)

FURTHER CROSS-EXAMINATION BY MR CHASKALSON: Now I told you that I wanted to ask you some questions about the magazines and pamphlets which were shown to you when you gave evidence-in-chief. -- That is correct.

I think your evidence was that when you, when the (30) magazines were shown to you you said they were like the ones

you/....

you saw in the ANC camps? -- That is correct.

Would it be correct to say that you yourself have no knowledge as to when any of these magazines were printed? -- That is correct.

You yourself have no knowledge of who wrote the articles in these documents? -- That is correct.

In fact, you know nothing about them, other than that they look like the sort of documents you saw? -- That is correct.

You do not know whether they are genuine documents or (10) false documents from your own knowledge? -- Only from the size of it and the shape of the documents am I able to say that they are those of the ANC, but otherwise I do not know the origin of the documents.

COURT : Apart from that, there is also a name on it? -- Yes, some of them do have names on them.

MR CHASKALSON : What I am putting to you is, all that you can say is that they look like the sort of documents that you saw? -- Yes, they look like them, but I know they are similar to those of the ANC, although may be they have (20) been issued in my absence.

Just let me give you an example. If I were to go off to a printer and print one of those myself, you would not know whether I printed it or whether the ANC printed it if the copies were exactly the same? -- Well, I will know the origin is from the ANC.

Because it looks like the ANC document? -- That I used to see.

You also talked about sending pamphlets into South Africa? -- That is correct. (30)

When you print a pamphlet you will try and get them into

South Africa as many as you have printed? -- That is correct.

Sometimes it was easier to get documents in than other occasions? -- That is correct.

So, I suppose on some occasions a lot of documents got into the country and on another occasion only a few got into the country? -- That is correct.

And you cannot today say which document came in in bulk and of which only a few came in? -- That is correct.

You also told us of lectures you received from a master's professor in Germany? -- That is correct. (10)

And I think you also spoke about lectures you received in Havana?-- Yes, that is correct.

Training you received in Lesotho and in Angola and Mozambique? -- That is correct.

You really travelled around the world a great deal? -- That is correct.

And you have tried to repeat in your evidence what you remember of what was taught to you during your travels? -- That is correct.

And it was some years ago that you attended some of (20) these courses? -- That is correct.

Would it be correct to say that though you have tried to repeat what you can remember of the lectures, you cannot today be sure of exactly when or in which country particular lectures were given to you? -- No, I know exactly where I received a particular lecture.

You knew that you got lectures in Havana and in Germany and in Angola and other places. What I am suggesting to you is that after all these years you may be a bit confused as to what exactly was said at each place? -- That might (30) be possible, especially on the political side, because in

... / Germany

Germany and in Cuba it was almost the same thing, but in Cuba it was more intensive on the political side.

I am not suggesting there is anything wrong with it, but it seems to me quite natural that if you had been taught over a number of years at a number of places, that you are doing your best to repeat what you know? -- That is correct.

And that you are doing your best to repeat what you remember and that you cannot be exactly sure what was said at each lecture or in each country? -- That is correct.

I want to talk to you about this clenched first sign(10) that you described. You know that that is a sign which members of the union give to each other? -- I would not reject that, because I have never attended any meetings of the unions.

I want to put it to you that that clenched fist gesture is a gesture which is used all over the world? To show solidarity and strength? -- That is correct.

COURT : By what type of persons? -- I saw that mostly in socialist countries.

MR CHASKALSON : Of course you only travelled in socialist(20) countries? -- That is correct.

You never had the opportunity of attending meetings in Great Britain or elsewhere in the world? -- No.

Or in any of the Scandinavian countries? -- No.

Would you not even see this sort of sign being given at football matches when fans want to support their club, they put up their hands and shout for their club like that? -- Yes, I do see that.

I also want to talk to you about the singing of Nkosi Sikilele Afrika. I think you agreed to me that that (30) really is the national anthem of the Black community in South

Africa? -- That is correct.

And not a peculiarly ANC song? -- I would not reject that.

When it is sung at any time people close their fists and show solidarity with each other and sing it with their fist closed and they sing Nkosi Sikilele Afrika that way? -- That is correct.

Whether they are ANC supporters or not? -- I heard that while I was with the ANC, but I would not dispute that that is being done by any other person. (10)

I just want to ask you a few more questions about these songs. You mentioned a song called Nasu isibamu, or you were asked about a song called Nasu isibamu? -- That is true.

Did you ever attend one of the traditional circumcision schools? -- Yes.

Do you remember a song called Kula Kwedini? Is that a song which you sung at the schools there? -- Yes, of course.

And is that the same tune as Nasu isibamu? -- Yes.

That is what I meant when I said that there are some of these songs which are really old traditional songs to which (20) new words had been put? -- Yes, I do follow.

And they are tunes which lots of people know and which the take up easily? -- That is quite true.

I think you also mentioned Igama Lika Mandela Malebongwe? -- Yes, I did.

Do you know of the song that the women used to sing for years called Igama Lama Kosikai Malebongwe? -- Yes, I do.

That is another old song which women have been singing for years? -- That is true.

COURT : Does it have the same tune? -- Yes, the same (30) tune. The only difference is the words.

MR CHASKALSON : You see again, that is what I was putting to you, some of the songs are old songs to which new words have been put in? -- That is correct.

The song Siyaya, do you know it? -- Yes, I do.

You were asked about Siyaya Epitoli? -- Yes, that is correct.

Do you know that that song has been sung thirty years or more ago? -- I would not dispute that either.

COURT : Do you know it or is it just that you cannot dispute it? -- I do not know, but I cannot dispute it. (10)

MR CHASKALSON : I want to put it to you that that song has been sung long before there was - before the ANC had gone over to violence or that there was any revolutionary war at all? -- I would not dispute that.

So, when you - you see, His Lordship put it to you that it was a revolutionary song? -- That is right, the way we were singing it.

The way you understood it, personally understood it, you yourself understood it as a revolutionary song? -- That is correct. (20)

And when you gave that sort of evidence, you were giving evidence about your own personal understanding of the song? -- Quite so, because we were singing it that way.

You sing it that way in the camps? -- That is correct.

Other people may have been singing it elsewhere in a different way? -- Well, I would not dispute that.

When you talk about ANC songs, you talk about songs which are sung in the ANC camps? -- That is true.

Can they also be sung elsewhere by other people in different context? -- It might be possible. (30)

COURT : Do you know the shout Vabulala Batagnathi? -- Yes,

... / I once

I once heard about it.

Where did you hear it? -- During the time of Dingaan when he invited the Boers into the kraal and told them to leave their guns outside, while they were busy enjoying themselves in that kraal, then this shout was made. Then the Boers were attacked.

MR CHASKALSON : And you talked about Mayibuye Afrika? -- That is correct.

That is a something which is said quite commonly by people? -- I heard mostly about that in the ANC. (10)

You heard about it in the ANC camps? -- That is correct.

It is a slogan? -- That is correct.

A slogan which the ANC has tried to popularise inside of South Africa? -- That is correct.

Again like the other slogans, it is something which is hoped will catch on amongst people? -- That is correct.

That Africa should come back to the people? -- That is correct.

Would you say that that is a sentiment with which almost every Black person in South Africa would agree? -- That is (20) correct.

I want to put it to you that this expression Mayibuye e Afrika is an expression which has been around for years and years and years? -- Yes, of course.

HERONDERVRAGING DEUR MNR. FICK : U het in kruisondervraging gepraat daarvan dat die - u het die voorbeeld genoem van n busboikot. U het gesê as die ding aan die gang is, dan kapitaliseer die ANC daarop? -- That is correct.

Het u die gevalle ook gekry dat daar n huurverhoging of n verhoging van bustariewe is en dan is daar nie n (30) boikot nie en wat word dan gedoen? -- Nee, ek het nie n idee

... / nie

nie.

HOF : U moet nie die getuie vra om vir ons te spekuleer wat die ANC sal doen nie. Ek wil konkrete gevalle van die getuie hê.

MNR. FICK : Dit is waarom ek hom gevra het of hy so 'n geval gehad het. Weet u uit u opleiding uit waar kom die viering van Meidag vandaan? -- Ja, as ek nog reg onthou.

Wat het u geleer? -- As ek nie 'n fout maak nie, was dit in die tyd van die French Revolution when workers first took over powers. It was on 1 May. I do not know of what (10) year it was. Unfortunately that revolution was thrown over by the bourgeois - was taken over, because they suppressed the working class. At least it did not last for a long time.

Die gebalde vuis, die teken, u het gesê u het dit ook al gesien by sokkerwedstryde? -- Ja, die mense doen dit.

By die sokkerwedstryde het u al gesien dat hulle saam met die teken skreeu Amandla Ngawethu of Mayibuye e Afrika of iets van die geaardheid? -- Nee, nie dit nie.

ASSESSOR (MNR. KRÜGEL) : Voor u is twee van die uitgawes van die AAE reeks, die Sechaba tydskrifte. (20)

HOF : Net vir duidelikheid, mnr. die Tolk, wat is hulle presiese nommers?

TOLK : [AAE(2) en AAE(1).]

ASSESSOR (MNR. KRÜGEL) : Kan u asseblief oopmaak en kyk wat binne-in is. The very first article is titled "Editorial Unity in action." Have you got that? -- Yes, I do.

On the second page of that is a photograph of apparently Mr Mandela and one Nana Sitha? -- Yes, I do see that.

On page 3 we have an article "ANC 70th anniversary"? -- That is correct. (30)

On page 13 we have an article on "Deaths in Detention"?

... / Yes

-- Yes, that is correct,

On page 17 "Material (a) workshop?" -- That is correct.

On the next page "Pages from history John Langalibelele Dube"? -- That is correct.

On the last page , that is page 32 - 31 and 32 there is "Obituary for one Nomavaba Aselna Shangasi"? -- That is correct.

Have you seen this copy of the Sechaba before? -- I cannot be sure about that.

Can you say whether these Sechabas that you saw had (10) similar contents or contents on the same lines as the one that you are seeing now? -- Yes,

Would you like to look at the second one? That is AAE(2). On the front page - I am sorry, this may be the last page of the previous one. There is a 70 ... (Court intervenes)

COURT : Turn AAE(1) around and look at the back. There we are.

ASSESSOR (MNR. KRÜGEL) : Then the next one is AAE(2)..It also refers to the 70 Unidade em Akao Annos Daluta ANC - (20) 1912 / 1982. Have you got that?-- Yes, I have.

The first article the EDitorial is Detentions, Detentions. -- Yes, that is correct.

That is the heading. On page 3 we have got an article "Act in Unity."--That is correct.

With the caption "Below Sechaba publishes the statement by the National Executive Committee of the African National Congress on the occasion of the 70th anniversary of the foundation of the ANC, January 8, 1982." It starts off "Compatriats, allies and democratic supporters of the (30) heroic struggle of the people of South Africa comrades.

... / The

The names of the founding fathers are in the minds of many of the oppressed people of our country today as we commemorate the 70th anniversary of the foundation of the African National Congress. One of these Pixie Ka Izaka Seme had declared in 1906 ..." and then a quotation is given. -- That is correct.

Can you say whether you have seen this particular exposition of the NEC's January 8, 1982's message before? -- That is correct.

Will you glance through it, please? Page 5 for (10) instance starts with "An integral part of the changing world the ANC has influenced and has been influenced by the social economic and political transformations that have come in the course of man struggle for a better world." -- That is correct.

On page 7 in the middle of the first column "Under the leadership of the ANC and its allies as well as other patriotic revolutionary forces inside the country, organised political confrontation has grown immeasurably over the recent years. The underground forces of our movement are (20) entrenched deeper and are multiplying among the people more than at any stage since the outlawing of our organisation. The enemy is engulfed in a crisis of deep proportion and is frantically looking for new ways out of this political quagmire"? -- That is correct.

Have you studied this particular message? -- It can be that I have studied this but now I cannot remember because this, you must not forget, must have happened in 1982.

February 1982. -- That is correct. Surely I have come across it. (30)

And do you then say that this is in accordance with what

... / you

you remember from the Sechabas that you saw? -- That is correct.

Is there anything that you are not satisfied with in this particular article? -- No, there is nothing. In fact I know Sechabas and I know more about Sechabas.

I would like to take one more example please. AAM. Will you look at the main ... (Court intervenes

COURT : That document there is "Strategy and Tactics."

Is that correct? -- That is correct.

ASSESSOR (MNR. KRÜGEL) : It starts off on page 3 with that (10) caption "Strategy and tactics of the African National Congress." It starts off with "The struggle of the oppressed people of South Africa is taking place within an international context of transition to the socialist system of the breakdown of the colonial system as a result of national liberation and socialist revolutions, and the fight for social and economic progress by the people or the whole world." -- That is correct.

On page 5 in the second column we have a paragraph headed "Conditions for armed struggle". That is correct. (20)

It reads "Future historians may well be able to pause at some moments during the revolution of our struggle and examine critically both its place and emphasis, but in general without the so-called reformist activities of the previous half century the prospect of advancing into a new phase would have been extremely small. This is so because even in the typical colonial type situation armed struggle becomes feasible only if ..." and then the conditions are given. -- That is correct.

Is this familiar or unfamiliar to yourself? -- It is (30) familiar.

On page 7 second column we have "Our approach to revolutionary armed struggle." -- That is correct.

"In a way the decision taken in 1961 was historically speaking the position of the earlier armed resistance to entrenchment of the foreigner, but it is now occurring in a new situation. Not only had this situation been - to be understood that the arts and science both political and military of armed liberation struggles in the modern epoch had to be grasped and applied." -- That is correct.

Do you recognise that? -- Yes, I do. (10)

On page 10 "The enemy, his strength and weakness." -- That is correct.

"On the face of it the enemy is in stable command of the rich and very economy which even at this stage, when it is not required to extend itself can afford an enormous military budget." -- That is correct.

He has already a trained and efficient army and a police force. He can draw on fairly large manpower resources." -- That is correct.

Do you recognise that? -- Yes, I do.

On page 13 "The African masses. The main force of liberation. So much for the enemy. What of the liberation forces?" -- That is correct. (20)

Do you still recognise it? -- Yes, I do.

On the next page "the role of the Coloured and Indian people". -- That is correct.

On page 26 "The working class." "Is there a special role for the working class in our national struggle? We have already referred to the special character of the South African social and economic structure. In our country more than in any part of the oppressed world it is conceivable (30)

for liberation to have meaning without a return of the wealth of the land to the people as a whole." -- That is correct.

It is "inconceivable", ekskuus tog. The contents of this document called "Forward to Freedom", documents on the national policies of the African National Congress of South Africa", do you recognise it as the documents you had seen with the ANC? -- That is correct.

So, as far as the contents of these documents are concerned, they are familiar to you? -- Yes, they are (10) familiar. And they are from the ANC.

COURT : I want to ask you two questions about this document. The Strategy and Tactics document. From my reading I understood that this was I think adopted at Morogoro Conference? -- Morogoro Conference in Tanzania.

What is the Morogoro Conference? -- There were also some African leaders of other countries. I have just now forgotten what it was all about.

Was it an international conference or was it merely a conference of the leaders of the ANC? -- There were leaders (20) of the ANC and also leaders of the other African countries.

So-called frontline states or others. You do not know. Do not tell me something you do not know. I understood that this was in 1969? -- I am not certain of the year.

Approximately 1969? -- I am not quite sure of the year.

What I want to ask you, is it still the policy document of the ANC or is it merely a historical document that has been studied for historical purposes? With still I mean up to the stage when you left the ANC? -- That is correct.

At page 14, look at the bottom of the page, the (30) last paragraph. "But none of this detracts from the basically

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national context of our liberation drive and the last resort is only the success of the national democratic revolution, which, by destroying the existing social and economic relationships will bring with it a correction of the historical injustice perpetrated against the indigenous majority and thus lay the basis for a new and deeper internationalist approach." Could you tell me what is meant by "internationalist approach"? -- As far as I am concerned, I have not studied the document as such, but I mean, it has been explained here from the very beginning. The South African struggle is (10) not being divorced from other struggles which are taking place all over the world.

But now what type of struggles? -- There are struggles also in other parts of the world. Like in America the people are still oppressed. There is also now the change which is taking place. It is also taking place in other countries, like changing from capitalism to socialism.

So, is the internationalist approach, has it got something to do with the international socialist struggle? -- That is correct. (20)

RE-CROSS-EXAMINATION BY MR CHASKALSON : I want to put some questions to you and to ask you whether you recognise passages or not. I just want to read to you a passage. It is from AAE(13) page 2. We are marking this important occasion in the history of our protracted struggle at a time when the revolutionary ferment amongst all sections of the Black oppressed majority has reached unprecedented heights and has plunged the ruling racist clique into deeper and deeper levels of political and economic crisis." Do you remember reading that? -- It is impossible to remember. (30)

I want to read to you another quotation. It is still

AAE(13) page 11. "When talking about Nelson Mandela, you are talking about a real man, a man of the people and a great leader, not some hazy somebody who does not exist except as a myth. He has served the last twenty years in the front trenches against the enemy. He is a man like us, flesh and blood in suffering." Is that something you can remember reading or is that impossible? -- I do not remember reading it. I have never read it.

Have you never read it? -- No.

I want to read to you another passage. "Population (10) removals diminish people's resources and create much stress, inevitably leading to a high incidents of disease, starvation and a general lack of food in the resettlement camps."

COURT : What is your number?

MR CHASKALSON : AAE(14). Do you remember reading that? -- No, not at all.

You see, when you were first asked about the passages the answer you gave for the very first you were asked, was it can be that I studied this, but I cannot remember because it was in 1982, when a passage was put to you? -- That (20) is correct, I have said so.

Is that true? -- That is the truth but for this I know the strategy and tactics of the ANC. I can remember even the words in that.

I am not quarrelling with strategy and tactics. In your evidence-in-chief you said that you remembered strategy and tactics and that you had studied it. I am asking you about something different. I am talking about these passages from the Sechabas.

COURT : That was AAE(1).

(30)

MR CHASKALSON : Strategy and tactics.

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COURT : No, no, the answer was given in reply to questions on AAE(1) which is a Sechaba.

MR CHASKALSON : What I am putting to you really is this. That while you were in the camp you read a lot of Sechabas?
-- That is correct.

And that the today you cannot remember exactly what you read and what you did not read? -- Yes, of course. I cannot be particular and say this is from this one and this is from that one. No, I cannot.

If I were to read to you a passage like this for (10) instance "South Africa in order to continue their march into the interior the Boers were forced to change course to turn northwards and abandon the easterly direction they originally intended to follow. Wherever the Boers went, they met fierce opposition." Is that something which you can remember? -- Yes.

Where is that from? -- I cannot be sure from which book, but I have come across it. Especially on the wars of resistance.

Can you remember where it came in? Whether it was (20) part of an anniversary statement or whether it was an article or whether it was something else? -- No, I cannot be sure of that.

COURT : What passage did you read to the witness?

MR CHASKALSON : I read - that was actually an extract from 70th ANC anniversary out of AAE(1). You see, what I am putting to you really is this. That all that you can say is that it sounds like the sort of thing that I have heard before? -- That is correct.

You cannot say that you definitely read that parti- (30) cular article before, except for the ones you have identified,

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like strategy and tactics specifically? -- That is true.

Are you not able to say that any particular article was one that you saw in a camp in Angola apart from the one you have identified like strategy and tactics? -- I can only be sure of the identity of the document and say this is a Sechaba, which belongs to the ANC, but I cannot pin it down to a certain place and say this is the Sechaba I read while being at such and such a place, no.

You only know it is a Sechaba because it looks like a Sechaba and sounds like a Sechaba? (10)

COURT : The same can be said of my knowledge of you, Mr Chaskalson.

MR CHASKALSON : That may be so. Fortunately I am not an exhibit. I think there is just one other thing that I should put to you. You said that May day came from the French Revolution? -- I say if I am not mistaken. I am not quite sure.

Might you be wrong there? -- Yes, I might be wrong.

I want to put it to you you are quite wrong. It originated in the United States of America? -- I would not dispute (20) that, because I have just lost my fact as to what is what. Since I have been a long time away from these things, I am no more reading about them.

And I suppose that is too of other things that you have repeated to us as well? -- Well, yes.

NO FURTHER QUESTIONS.

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