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SAAKNOMMER: CC 482/S5

PRETORIA

1987-10-26

DIE STAAT teen:

PATRICK MABUYA BALEKA EN 21

ANDER

VOOR:

SY EDELE REGTER VAN DIJKHORST EN

ASSESSOR : MNR. W.F. KRUGEL

NAMENS DIE STAAT:

ADV. P.B. JACOBS

ADV. P. FICK

ADV. W. HANEKOM

NAMENS DIE VERDEDIGING:

ADV. A. CHASKALSON

ADV. G. BIZOS

ADV. K. TIP

ADV. Z.M. YACOOB

ADV. G.J. MARCUS

TOLK:

MNR. B.S.N. SKOSANA

KLAGTE:

(SIEN AKTE VAN BESKULDIGING)

PLEIT:

AL DIE BESKULDIGDES: ONSKULDIG

KONTRAKTEURS:

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COURT RESUMES ON 26 OCTOBER 1987.

MR BIZOS: My Lord before the proceedings commence this morning we would like to ask Your Lordship for an indulgence in relation to Mr Baleka, accused no. 1. He has during the recess he wrote a couple of papers for his Matric examination. We were not made aware of the fact before the adjournment that he had to write a paper this afternoon and some subjects thereafter. I have his timetable here. May we respectfully suggest to Your Lordship that Your Lordship grants him leave for the days on which he has to write an examination that he reports (10) in the ordinary way on the days that he does not. If Your Lordship will ...

COURT: Yes, will he notify us the day prior to his absence that he will not be here.

MR BIZOS: Yes, we will remind Your Lordship. Yes I have a copy of that.

COURT: Yes, you will remind me then. Yes permission is granted.

MR BIZOS: As Your Lordship pleases.

COURT: I will keep this in the meantime. (20)

MR BIZOS: May he be excused now My Lord?

COURT: Yes certainly.

MOSES MABOKELA CHIKANE: d.s.s.

FURTHER CROSS-EXAMINATION BY MR JACOBS: Mr Chikane what is regarded by the UDF as racist and undemocratic bodies in the existing Bantu Education, Black educational sphere? -- There are a lot of things that are regarded as being racist. Although I am not an expert I can just give those that come in mind.

No but what does UDF regard as racist and undemocratic (30)  
bodies?/....

bodies? -- Well first of all you have the separate department for, particularly for African people, you know. You have a department specially set for African people.

Yes. Is that an undemocratic and racist body? -- Of course that is based on the policies of race because if it was not race you will just have a department of education for everybody.

Now do you know of any other bodies that is regarded as racist and undemocratic in the existing Black educational sphere? -- That is the one that I can think of now. I (10) cannot think of any.

Is it correct Mr Chikane that education is of vital importance in the freedom struggle to take over power in this country? -- I do not understand what counsel means by taking over power but if counsel means that education is important for change to bring about justice based on the will of all the people of South Africa I agree.

Now the first phase in this struggle in the education sphere was to criticise and by meaning criticise is that it was done in order to politicise and mobilise the students and (20) parents and workers to unite against the educational system and the government? -- I disagree with counsel because criticisms were based on constructive issues that were experienced by our communities in relation to education. It was not meant to be the first phase simply because they wanted to have the first phase.

You say, do you agree that the UDF freedom struggle is in phases? -- In terms, maybe the problem could be but I cannot say generally the struggle is in phases.

The first phase being the mobilisation and politicisation (30

of/....

of the people and to unite them? -- I think that is a logical step that any organisation would take. It is not only relevant to the UDF. I believe even the Nationalist Party operate in that particular way.

Yes. And I put it to you that the first phase of the struggle was, and in the educational sphere was to politicise and mobilise the students and the parents and the workers to unite against the educational system and the government? -- I, that was, these issues were not taken up for convenience but they were taken up by the UDF and other organisations (10) because they were really concrete problems that are experienced by our people.

Yes, but you did not answer my question Mr Chikane. -- That is correct except that I disagree that is the first phase, as if they are taken for convenience, that is what I want to correct.

But they were taken up in order to mobilise and politicise the people that I mentioned, the teachers, workers, students, parents, to unite against the government? Yes or no, it is so easy as that? -- If counsel means by politicise and organise to make people to realise that in fact they could bring, there is a possibility that the system based on the will of all the people can be implemented in this country I agree. If he means something else I obviously disagree. (20)

Tell the Court Mr Chikane was mobilising, politicising and organising the people of utmost importance to the UDF? -- I think it is the process not only for the UDF, it is not confined to the UDF. It is every organisation does that. I agree that UDF too did that.

No but I specifically asked you about UDF now. -- UDF (30)  
like/....

like every other organisation it does politicise.

And? -- And it does mobilise. For instance we mobilised against the new constitution, yes.

And I put it to you that in the sphere of the education, of Black education, UDF and its affiliates did succeed in mobilising, politicising and organising teachers, parents and workers? -- I do not know what yardstick is counsel using to say they did succeed. But I will say there were student organisations that supported the UDF, there were teachers organisations, some of them, that supported the UDF and (10) there were others that did not support the UDF.

And is it correct, do you agree that under the leadership and the guidance of the UDF parents committees were formed which worked closely with the students and scholars? -- UDF, they were one of the participants, yes parents committees were formed to try to iron out this problem, this conflict, this crisis that existed in education.

And I put it to you Mr Chikane that because of the successes achieved in organisation, mobilising and politicising youth, parents and workers UDF decided that the time (20) had arrived to go over to the next phase of the freedom struggle, that is to replace the present system of education? -- That is incorrect. I deny that.

Will you have a look at EXHIBIT AB.28 please. -- I have got it.

This is a document issued by UDF. We have it on record already and it was found in the UDF offices in Transvaal. -- That is correct, although I saw this document as an exhibit in this court for the first time.

How is it possible that you only saw it, you were (30) interested/....

interested in education in UDF, is it not so Mr Chikane? -- My interest in education was, only came into being when there was crisis in Pretoria schools.

Were you not interested in education before that? -- Well I was generally interested but I did not see this document.

Now the first line there, and we read it:

"The time has come when democrats should begin to discuss very seriously the kind of education that is required to replace the present system."

Do you agree that there is a clear indication that education, (10) that a certain kind of education must be developed in order to replace the present system, and the system referring to the government? -- No I disagree with that. I think this makes it very, it makes it clear that they are talking about education. Most probably the author is talking about replacing this kind of separate departments of education or education that is based on race. That cannot be the government.

So do you agree then that it is part of the struggle to replace the present system of education then? -- No I do not agree. (20)

Then how do you explain this? To replace the present system? -- Sorry, are you finished?

Yes. -- I do not know the author of this document.

COURT: Well the author of the document is the UDF, according to the bottom line of that document. -- I see that but a document that has not been presented and adopted it may just be the views of this individual who may have intended to put it before the UDF.

MR JACOBS: Is that correct Mr Chikane? Is this not a document sent out by the UDF to different organisations for them to (30)

discuss/....

discuss and report back to the UDF? -- I did not know about that. As I say I am seeing this document as part of the exhibits now.

So you cannot explain then what is meant by to replace the present system of education then? -- In this context if I look at the sentence and you look at the topic, the topic is education and when they talk about the system that must be related to this topic. It cannot be related to something else that is not mentioned here.

But you cannot explain, you are evading my question (10) now. Is it possible for you to explain to the Court what is meant by to replace the present system? Is that replacing of the present system of education or not? -- In terms of this document it is to replace the system of education.

And replace it with what Mr Chikane? -- Possibly with education that is open for all.

And what is meant by that? -- It means that all South African people would have access to the same education regardless of colour.

Yes. And ... (20)

COURT: You mean in the same room or you mean the same syllabus? -- Possibly the same syllabus and when the community possibly is integrated it would be in the same rooms, depending on who stays where. But at the present moment is that we have separate education based on colour of the person.

ASSESSOR (MR KRUGEL): It is not plain what you mean Mr Chikane. Do you mean that in, well let us take for example Durban, that in Durban you will have White, Indian and Zulu children together and they will be taught in Zulu or in Afrikaans or in English? -- They can be taught with the language that is (30)

most/....

most convenient to that particular community but as long as the syllabus is one, that would be no problem. The medium could be decided by the community as such, or on the basis of the community that is living in that particular place.

COURT: But there you do not replace the system, you replace the syllabus or you amend the syllabus? -- No, at the moment for instance in Natal people are being taught about Inkatha, I do not think that White children are taught about Inkatha.

Well is that part of the syllabus, officially? -- I cannot say but I am led to believe that is part of the syllabus. (10)

Well if you are not sure do not mention anything in court. Yes what is the difference between the syllabus in the Black school and the syllabus in the White English speaking school? What is the difference in syllabus? -- They have got different departments and we are made to believe that, I have never been to the English school to study but we are made to believe, for instance my kid brother who had Matric could not get access to Wits because they said his year mark did not qualify him to study in that university although he has got a Matric exemption. (20)

But that does not say anything. In Pretoria you cannot get into the veterinary section to study veterinary science if you do not have 80 or 75%. So where does that bring us? -- He had more or less about the same year mark that one friend of ours, a White friend, they had the same aggregate but because my brother had qualified under Bantu education that was not, that could not give him a place in the Wits University.

Did Wits say because he qualified under Bantu Education he cannot come to Wits? -- They said ...

Is that what they said? -- They said in terms of Bantu (30)

Education/....



Education we expect your aggregate to be much more than what it is now. If you came from a White school you had the same aggregate you would have qualified, no problem.

Yes but now still we have not got down to the bottom of it. I was talking about the syllabus. What is different in the syllabus in the sense that the type of subjects taught is different in the English speaking White school and in the Black school in Soweto? What is the difference? -- The first difference is that we have to learn three languages, that is Afrikaans, English and Sotho or Zulu, whatever, whereas a (10) White scholar or student would only have to learn two languages and instead of this African language he can take another subject. That is one of the differences that I can remember as I am standing here.

Yes, what else? -- Again because of these experiences that I have with my brother I believe that the quality or the content of the Bantu Education it is certainly not the same as the content of the White education.

Well then it means in fact, if we take the example of your brother, that the pass mark in the Black schools is easier (20) than the pass mark in the White schools? -- Even if that is ...

According to Wits, according to Wits? -- Well I do not know what their reasons are. Even if that is the case that is what is unacceptable to us because we believe that either a person qualifies or he does not.

But then just means that the standard is not as high in the one school as in the other school? -- No then it is high...

It does not deal with the syllabus? -- Of course it does, if the standard is easier in one school and difficult in the other there must be something wrong in the syllabus, they (30)

cannot/...

cannot be the same syllabus otherwise people would have the same aggregate.

Not necessarily. The difference may come in with the marking of the papers. The one you may mark lightly and the other you may mark harsher? Both can study history and the one student may get 50% for a paper which is only worth 30% in the other type of school. That makes no difference to the syllabus. -- I am saying there is a difference. I have given the example of languages for instance to show the difference. That is one that I can remember. (10)

But I have always understood the complaint being the other way around, that too many fail that should not have failed, Blacks? -- All kinds of complaints and most probably if Mr Nkondo's commission could have compiled some data I would be in a position to give Your Lordship much more informed, from a much more informed position. Unfortunately that did not happen in the UDF.

Yes very well then.

MR JACOBS: Mr Chikane is it correct that the aim of the UDF was that women, workers, students, were to take control of (20) their education as a vital part of the wide struggle to control all aspects of their lives? -- I disagree with that.

That is what is said here in this document. You read in the first paragraph, the last line:

"The processes by which women, workers, students are to take control of their education are a vital part of the wide struggle to control all aspects of their lives."

I think in this context I understand this sentence to mean that they should be able to participate in how education is run, it is not taking control. I do not understand it to (30)

mean/....

mean that they wanted to take over the department or anything. I understand that they wanted to have structures that would be able to communicate, to make communication easier.

Do you agree there is nothing mentioned about communication here but the word is straightforward, to control all aspects of their lives? -- That is correct. In, I am reading this sentence in the context of this document and it does not say that they wanted to take control of the Department of Education either.

Are you sure of that? -- I am sure, yes. (10)

Okay we will check it. Just before we go to something else then in this document what is meant by "a vital part of the wider struggle"? You said this document only referred to education when I put it to you on the system of the government itself. What is meant by a vital part of the wider struggle? What is the wider struggle? -- Education is a process in a person's life. We get educated so that we should be able to contribute to the community and to the society at large and I believe that what is meant here is that our education should make us to make a contribution, a meaningful contribution (20) to the lives of our people.

But education is only a part of the, a vital part of the wider struggle? -- That is correct.

Which wider struggle now Mr Chikane? -- The struggle in this country is the struggle against apartheid, is the struggle for equality.

Apartheid and the government? -- Is a struggle for equality.

And the government? -- We certainly need a government but what we do not want it is the government that is based on the will of the few. (30)

Yes./....

Yes. And is it correct that part of the UDF wider struggle is a struggle to destroy apartheid and with it the government? -- No. We still need the government. If the government today, this very same government of the Nationalist Party, if it can change its policy to say now look we abandon apartheid people will accept it.

And if they do not? -- If they do not people will continue protesting against apartheid.

Only protesting Mr Chikane? -- That is correct.

What do you mean by protesting? -- We will get digna- (10)  
taries or people to march to Parliament and to say we are not happy about this law or that law.

Yes? -- We will have organisations denouncing things like Groups Areas Act, the Land Act, the Bantustans, all facets of the apartheid laws, people would protest about that.

Yes. But did that not happen over a period, over a long period also before the start of the UDF, before the UDF was launched? -- That is correct.

Without any success? -- I, there were some successes. Not major successes but there were successes. (20)

You did not succeed in dismantling and destroying apartheid? -- No we did not. This far we did not but we have got hope that we will.

And you also realise that the government will not hand over power and accede to 'your demands? -- We were not asking for the government to hand over power. All we are asking is that the government have got to abandon the policies of apartheid.

Yes. -- And inasfar as that is concerned we have won major concessions and we believe up to now the government's (30)  
attitude/....

attitude has changed. For instance the government does not want to defend apartheid any more. They, when they came up with a new constitution they said the reason why we are coming with a constitution is because we want to abandon apartheid.

Mr Chikane what do you mean by they must abandon the measures of apartheid? Let us get clarity on that? -- We want to have a right to vote, we want to be able to decide laws that govern our lives. For instance today there are Bantustans that were decided without us participating. Millions of our people are confined in those Bantutstans. We want to be party to (10) the decision making structures of this country.

And do you ... -- We want to vote for a capable Prime Minister, be he Black or, a President be he Black or White.

Mr Chikane is it correct then that you will only be satisfied when the government agrees to a one man one vote system? -- We think that in fact a one man one vote system it is the system that is being accepted internationally and we see ourselves as no except to that kind of system.

So will you answer my question then, will you only be satisfied with the system of one man one vote? -- That is (20) correct, that will satisfy us but we know that there is a process to that because of the conditions, the South African conditions that had been created by apartheid. We accept that we have got to work towards one man one vote.

That is your ultimate aim in the UDF, is it correct? -- Not only in the UDF. Many other organisations have said so. Including the opposition party in Parliament, I mean the PFP.

But that is your aim in the UDF, that is ... -- Including the UDF.

And if the government is not prepared but is only (30) prepared/....

prepared to allow you a fourth chamber will you be satisfied with that and that you can vote for your people to represent yourself in the fourth chamber? -- Somewhere last year I read in the papers that in fact the government said there is no question of a fourth chamber but if counsel wants to debate this question for the sake of debating we can continued. I know that the government came out, it was reported in the papers that the government of the day says no way, there is no question with this question of a fourth chamber. They are not planning it at all. But if they were going to propose a (10) fourth chamber we will continue protesting because that is not what we expect, we expect that all South Africans should be equal.

So then you will only be satisfied with one man and one vote and no other civil rights? -- No we know, as I said one man one vote is an ultimate goal for the South Africans but we know that there has got to be a process to get there because apartheid has hardened the conditions in the country, has hardened the attitude of people. Now you have to have a process that would be able to make people to accept or to (20) work towards that particular ultimate goal that we believe would bring an ever lasting peace in our country.

And only if the government is willing to accede to your demands then there will be peace, according to your version? -- Because we are excluded from the decision making structure our demand is to be included in that particular political, decision making political structure and we will only be satisfied if we are included in those decision making structures, that is correct.

But it is included with a very important proviso, is (30)

it/....

it not correct, you will not accept a fourth chamber, you will not become part of existing system of government? -- We think, the reason we will not accept it it is because it is based on apartheid. For instance only the last time Mr Hendrickse was refused to swim in the sea of God so it means that apartheid is still entrenched. Only the other day there was report in the papers that some people were refused to be served in the same dining hall as Whites. Now as long as that embodies apartheid obviously that is unacceptable to start with. Secondly if we have got no power like we see in this present (10) set up where major decisions are still in the hands of the White Parliament and then you are just next to Parliament there, that is unacceptable to us.

And is it then correct Mr Chikane that you will do, in UDF you will try to achieve this ultimate aim at all costs? -- That is incorrect, I do not know what the counsel means by all costs but we will continue protesting if we are not satisfied.

Yes. -- If all cost means that we will continue protesting until we are satisfied I agree. But if it means something else I certainly do not agree. (20)

Now I put it to you further that this document, AB. 28, was also guidelines to all the affiliated organisations of the process by which women, workers and students were to take control over education as a vital part of the struggle? -- I am saying I am seeing this document for the first time here and I do not know whether it was written by an individual, it was written by one of the affiliates of the UDF but certainly I, in the terms of my office we have never adopted this document as far as I can remember.

You see the next paragraph reads as follows: (30)

"The/....

"The following principles are suggested for discussion as representing what we think (and I say the we here is the UDF think) might be the basic preconditions for the transition of a South Africa where democratic education is guaranteed and the cultural heritage of all our people is respected."

-- This is what the papers says, in fact it says discussions. Maybe it was a paper that was drawn for someone else for discussion.

I put it to you .... -- Within the UDF circles. (10)

I put it to you it was sent out to all the affiliates of the UDF? -- I deny that because my organisation has never received it.

COURT: Your organisation being? -- Mamelodi Action Committee.

MR JACOBS: And I put it to you Mr Chikane what is said here is also what is understood out of this is that these guidelines were principles which UDF regarded as basic preconditions for the transition of power to the people? -- Where does counsel see that?

In that paragraph that I have read to you. -- They say (20) democratic education, democratic education.

Yes, as a basic precondition for the transition of a South Africa where democratic education is guaranteed. That means, I put it to you that means that it is in a South Africa where the people govern? -- No. I believe even this government can decide to merge all those departments and come up with one Department of Education. It does not have to be any other government. Even this government, this government can do that. It can do it today if it so wishes.

And one of the pre, one of these principles and (30)  
guidelines/....



guidelines is no. 2, examination and revision of existing forces and methods in the spreading of literacy with a view both to improving the effectivity and extending the scope. So there is a reference to the examination and revision of existing forces and methods and I put it to you as part of this control over the education is that you control the forces? -- I do not know what counsel is speaking about but I understand this to mean that possibly it is written by somebody else who understands the difference between the method that is being applied for different communities, for instance the (10) White community and African community, you know. Now he is saying even possibly the examination, now that is how I understand it in this context, that all the author is saying is that all those can be revised, you know, and that is the way the examination is being run, the method.

Yes but where they must take over the control of education, the students and the parents and the workers, the women, then they must also take control of existing forces in schools?

MR TIP: My Lord is it not fairer for this paragraph to be put clearly to the witness as it stands there, and that is that (20) everything is related specifically to the spreading of literacy and the ...

COURT: Do you mean, are you reading paragraph 2 with paragraph 1?

MR TIP: No My Lord. It is capable of being read together but paragraph 2 on its own makes it clear that forces and methods is related to the spreading of literacy and not to the curriculum or structure of formal education at large.

COURT: What is the point you are trying to make Mr Jacobs? I must have lost you some time ago? (30)

MR JACOBS: /.....

MR JACOBS: I am trying to get it out of the witness if he agrees that part of the taking control over the education system is taking control over existing forces and methods? They have to examine, for discussion they must examine and revision of existing forces and methods in the spreading of literacy.

COURT: You cannot just stop there, you must read the whole sentence.

MR JACOBS: I have read the whole paragraph My Lord.

COURT: In the spreading of literacy. (10)

MR JACOBS: Yes. I put it to you then, I will read the whole first line:

"Examination and revision of existing forces and methods in the spreading of literacy."

And that is part of the taking over of the control in education envisaged by UDF? -- That is incorrect because at the present moment you still find parts of this country's, for instance we only have about four Universities, four or five Universities, you know, for the constituency of about, to serve over 25 million people and we find that the White (20) community with about 4 or 5 million people they have more universities, you know. Now as a result it means that in the African areas education would be only accessible to the few.

Mr Chikane do you say that the reference here to the existing forces and methods is referring to universities?

COURT: Now what are we debating Mr Jacobs? This witness has already said he knows nothing about the document. You can address me later on whether he should or should not know anything about the document but on the basis that he is not (30)

the/...

the author of the document , I can read for myself what the document says, why should we debate it? If you have a very clear cut point that you can extract from the document make it but do not debate on a point which is at best vague.

MR JACOBS: I put it to you that it is part of the policy of the UDF that existing school, teacher training and university forces and the development of curricula was part of the policy of UDF, to control the curricula of the schools and universities? -- I deny that.

I put it to you further that it was part of the UDF (10) policy to destroy the existing Department of Education and to replace it with so-called alternative structures? -- I deny that. As far as I know UDF commissioned Curtis Nkondo to set up a commission to investigate grievances about this education and that commission had not reported back.

Is this document emanating from the commission? -- I do not know where this document comes from. I am seeing it for the first time.

And I put it to you point 9 of this makes it clear that what is envisaged is alternative structures in the educa- (20) tion sphere, the development of local decision making bodies which are democratically constituted by parents, teachers and students whose participation and responsibility in the creation of new structures and processes should be guaranteed. These would replace all racist and undemocratic bodies, the Department of Education as well? -- I do not see where they mention the Department of Education.

COURT: Well let me just get clarity. Was this UDF policy, paragraph 9? -- Let me just read it carefully. UDF policy was to oppose apartheid or racism wherever it existed, you know.(30)

Now/....

Now in this particular context I think this sentence does embody the sentiments of the UDF policy. I cannot say this sentence precisely is the UDF policy because the author speaks about creation of new structures which is not clearly defined in terms of this sentence. I do not know exactly what he means.

Well he wants decision making bodies at local level which deal with education, being democratically constituted by parents, teachers and students. -- That is correct. We believe that, in fact that is what is happening even in the White communities. (10)

Well can you give me an example of such a body in the White communities? -- I read in the papers, I think last year, when there was a problem of not allowing a Black student to come and play rugby in Pretoria, I read that the body that was in control of the school was in fact divided on that particular point. It was divided and then some people were saying they should open sports for everybody else. Members of that particular school committee, you know. Others were saying they should not open the schools for multi-racial sport, so to call it, you know. Now I believed that in fact that structure (20) had some kind of power, control of the school, because if it had not it would not be able to debate it in that point.

Yes it was a governing body? -- Yes that is right.

But the difference between that body and the body envisaged in paragraph 9 of this exhibit is that that body was constituted by parents and that some teachers had the, could sit on it but did not have a vote but that clearly there were not students present. -- I was made to believe that in fact they had a student body that was fighting with these parents who were saying that they must open sports for all, inasfar(30)

as/....

as the newspaper report goes, I got that kind of impression.

Yes but have you ever come across a decision making body consisting of parents, teachers and students, and I emphasise and students? -- I think in the White universities you will find that in terms of certain decisions students are involved, you know. Students are consulted.

Well I do not know about that but let us stick to schools. -- Well in terms of schools I have got no access to White schools. I do not know what is happening in their schools.

Well I know of none. Do you know of any in the Black (10) schools. -- In Black schools this was a proposal I think by this author.

So this proposal here, which according to you is in accordance with the sentiments of the UDF although not a UDF proposal, is a rather novel proposal is it not? -- Well because of the problems that we are experiencing it was an important proposal.

Bec Because what it entails is that you give the scholars a say in their own education which hitherto has not been the position? -- That is correct. We believe that that would (20) ease the situation and it would make communication easier.

MR JACOBS: And Mr Chikane can you comment on this last sentence here:

"These would replace all racist and undemocratic bodies". -- Yes. In a situation where, for instance in Mamelodi we have got one school called Technical High School, you have separate staff rooms, one for Whites and one for Blacks. It is ...

COURT: But it deals with bodies, not with amenities, bodies.

-- Alright I will try to address it in terms of bodies. Today you have a body of White schoolteachers, you have a body of (30)

Black/....

Black schoolteachers, you have one body negotiating with the government and getting concessions and the other body not getting concessions. If all those bodies could be just bodies of teachers not based on race it would be ...

Well I see it to mean local decision making bodies replacing racist and undemocratic local decision making bodies. -- I cannot think of, I do not know exactly what the author meant. I am just trying to give my own interpretation and I am giving my own understanding of what we mean by, examples of what I mean by racist bodies. Now unless counsel has got (10) an idea of what bodies are being referred to I will be able to answer much more accurately I think.

MR JACOBS: Mr Chikane this document emanated from UDF. That is why I am asking you what is the policy of the UDF? -- I never ...

This document must be according to the UDF policy? -- No. I disagree with that. This document in fact it says it was still, it was going to facilitate some kind of discussion and I am saying I am seeing it here for the first time. I do not know who wrote it. Because even here UDF is only men- (20) tioned as an address. It is not mentioned as a document, I mean an organisation that has published this document.

Mr Chikane it goes further than just the UDF being mentioned as an address. Is it not correct that it is stated here clearly:

"Would you please send any ideas on the above as well details about the methods and processes by which they were developed in your organisation to UDF."

-- That is correct.

Is it not then clear that these were all sent out to (30)

UDF,/.....

UDF affiliates, the organisations, to discuss it and bring suggestions and then send it back to UDF? -- Let us ..

On the principle of what UDF stated here? -- Let us say someone else compiled a paper. He is possibly a member of one of the UDF affiliates. He takes it to the UDF office, you know, and then he says to, "I am going to take this document to even other affiliates and please because UDF is a body made up of different organisations please let those organisations send their responses to you and then I can collect them." How does that make this a UDF document? I do not know it. (10)

Do you say that is what happened in this case? -- No. I am just putting what could be a possibility. I do not know this document.

I see the heading of this document is "Towards an Education Charter". Does the UDF support the achievement of an education charter? -- I think in the UDF, the UDF in the national launch, the resolution on education does speak of the education charter. But it did not say the UDF is going to compile a document about education charter. It was saying that organisations that are concerned with education can (20) come out with a document called education charter.

Now Mr Chikane does the UDF support the idea of achieving an education charter? -- Support yes, that is correct.

And does it assist, or did it assist any organisations towards achieving an education charter? -- No inasfar as I can remember the UDF Transvaal was approached by the student affiliated organisations to help in funding the conference that they were organising on education but the Transvaal did not have money. So it referred them to the national office and I do not know if they ever got the money. And that is how (30) far/....

far as I know about this education charter.

Is it correct Mr Chikane that EXHIBIT W.52, that is a handbook, that is the Million Signature Campaign, a Volunteer's Handbook. Do you agree that what is included in this handbook is also applicable not only to the million signature campaign but also to all other campaigns and issues of the UDF?

COURT: Well now can you say that? It deals with a guide to collecting signatures and not all campaigns dealt with collecting signatures. On what basis can you make that wide statement Mr Jacobs? (10)

MR JACOBS: On the running of campaigns, that it is also applicable to the running of, the principles set out here is also applicable to running the other campaigns of the UDF.

COURT: What principles? Be more specific than the witness can say yes or no.

MR JACOBS: One of the, let me put it like this, one of the aims in running a campaign is to mobilise and politicise and educate the masses? -- Where is counsel reading?

I am not reading, I am putting it to you. -- Can you repeat the question? I was expecting to find it here. (20)

One of the aims of running a campaign or in taking up an issue is to mobilise, politicise and educate the masses? -- Well not all campaigns.

Now which, can you tell the Court which of the UDF campaigns was not directed at mobilising, politicising and educating the masses? -- Well inasfar as I can remember, no I cannot remember any.

So were they all then directed at mobilising, politicising and organising the masses? -- Ja, the four campaigns that UDF embarked upon, yes. (30)

And/....



And I put it to you that by mobilising, politicising and educating or organising the people, the masses, this means that you have to give to the masses the UDF version of certain facts, for instance about the constitution and the Koornhof Bills? -- That is correct. We assume that other facts, the facts of for instance the government people have already got from the T.V.'s, from the newspapers, from different government media.

And I put it to you it also means that you in that way, by running the campaigns you give to the masses your UDF version of how the government constitution and Koornhof (10) Bills will affect them as communities, families and individuals? -- We give them our interpretation. As I said the other interpretation would have already been given by papers and media, by all the other media in fact. Even versions of other parties that are not necessarily part of the government, for instance of right wing parties.

And I put it to you it also means that the people in the township must be politicised about local UDF organisations in the townships and their parts in the freedom struggle? -- That is correct. (20)

And it also means that the masses must be informed how the local UDF organisations are linked to the struggle nationwide? -- That is correct. I believe any other organisation does that. If for instance PFP has got a branch in Pretoria then they should be able to explain to their membership exactly how that branch is linked to the PFP in Cape Town or how do they link with their representative in Parliament.

Now can you tell the Court how were the local UDF organisations linked to the struggle nationwide, say for instance on Black Local Authorities? -- I had already mentioned that (30)

the/....

the then Prime Minister in 1982 in an address of the Nationalist Congress he said the question of the urban Blacks would be, their aspirations would be linked with the homeland system. So we would be able to show that that does not only affect people here in Pretoria, it affects people in as far as Cape Town, because it means that whether a person is Tswana speaking but he stays in Cape Town he will be regarded as a citizen of Bophuthatswana, whether a person is Zulu speaking and he lives somewhere in the Northern Transvaal he will be linked with Kwa-Zulu, and so on. (10)

Is it correct Mr Chikane that by running a campaign organisation is important to encourage active participation of many people in the practical organisation of the campaign? -- That is correct. We believe that, especially in protest politics, that if people are in organisations they will have a much more bigger voice and possibly a voice that can appeal to the government.

And that is sort of a training of these people and the activists, is it correct? -- Can I get the question again?

It is also as part of a training system for the activists to have them participate in the campaigns? -- That is correct, in the process they learn skills. (20)

And the running of a campaign is it also important because it gives to the UDF affiliates the chance to take active part in the UDF programme? -- Can counsel repeat that question?

I said it is also important, the running of campaigns, because it gives to the UDF affiliates the chance to take active part in the UDF programme of action? -- If we run campaigns those would be the campaigns that have been agreed upon by these organisations sitting together and those (30)

organisations/....

organisations sitting together would form the UDF. So if that is what counsel means I agree.

And is it to help also, campaigns were run also to help change support for the UDF into action for the UDF? -- That is correct. The campaigns that are decided by those organisations together would be able to get individual members of those organisations to have some kind of action, not just passive support.

Now what is to be understood under "action for UDF"? -- That is the term that has been used by counsel and I tried (10) to explain that one would speak about UDF, we speak about those organisations sitting together in a structure of the UDF. UDF is not a separate entity from those organisations.

Mr Chikane let me put it to you clearly that the words that are used here, "To change support for UDF into action for UDF" is words used by the UDF. I got it from the UDF documents. That is why I ask you because you are a member of the UDF. -- That is, it may be so but what it meant I say you cannot separate UDF from those organisations because UDF is made of those organisations, those organisations are components of (20) this structure that is called UDF.

But you are not answering my question. I ask you what is meant by changing support for UDF into action for UDF? What is meant by action for UDF? -- It means that an organisation for instance that has been acting alone in a particular area now would be acting on the agreement of all the organisations that are affiliated to the UDF.

Now action in what way Mr Chikane? -- If they collect signatures in the ghetto that is action.

And in support in the Black Local Authorities campaign, (30)

what/....

what action is referred to Mr ... -- If they go and protest ...

Protest by ... -- About evictions.

If they protest, what do you mean by protest then? Can you be more elaborate, is it marches or what do you mean by protest? -- No, it could be marches, for instance it could be meeting, protest meetings that are organised by those organisations, it could be marches, it could be placard demonstration, it could be writing letters, it could be collecting of signatures of people who do not support that particular move, that is being introduced at that particular time. (10)

And it could also ... -- All that could be protest.

It could also be action taken against councillors themselves, burning their houses?-- UDF is a non-violent organisation and it has not changed its policy.

Is that a possibility that that is also what could happen in the action? -- No, yes that is the policy of the UDF. The UDF to be able to do that will have to change their policy. To be a violent organisation, but I am saying UDF is a non-violent organisation.

And another aim of running campaigns by the UDF is that (20) the organisations of the UDF must set up structures that can be a basis for the long term structures and that they must be set up? -- I do not understand the question.

One of the aims of running a campaign is for the organisations of UDF to set up structures, is it correct? -- Yes in a campaign you will need some kind of structures, for instance you will need a structure that will be able to, let us say you want to collect signatures a structure that will be able to co-ordinate members of the organisations when they collect signatures, you know. It may even be structures that will (30) produce/....

produce posters, you know. So you will need different kinds of structures, that is correct.

And in the Black Local Authorities campaign what structures were to be set up? -- When we are talking about collecting signatures in wards, you know, it meant that we should have some kind of structures to co-ordinate that kind of activity.

Which activity? -- Collecting signatures into wards showing that maybe a particular councillor has got no support.

Did you run such a campaign Mr Chikane? -- No we did not, but there was a proposal that we should run this kind of a (10) campaign.

No but I asked ... -- What I am saying is if that was to be implemented you will have to have some kind of structure that would be able to co-ordinate that particular kind of activity.

No but in the Black Local Authorities campaign what structures were set up by the organisations in the townships? -- Even before the existence of UDF in those areas where Black Local Authorities is being practised now there were civic organisations and those were the structures that I can (20) think of now.

No but Mr Chikane is it not correct that the civic associations were the affiliates of UDF who had to set up structures? -- No I do not understand, unless if counsel can refer me to a document then I can see that in context.

On page 8 of W.52. Have you got, I do not know, it is, it was marked. I do not know if yours is marked as well?

ASSESSOR (MR KRUGEL): You have got the wrong one Mr Chikane, W.52. -- W.52. I think I have got W.52.

Have you got W.52? I am sorry. I am sorry, I have (30)

got/....

got the wrong ...

MR JACOBS: The last, have you got page 8? -- That is correct.

The first column of the first part there, the last point on it:

"To set up new organisations for example Area Signature Committees, where none existed. This can be the basis for more long term structures."

-- The last point?

Yes. -- That is correct, here we are speaking about structures that collect signatures. (10)

Yes but now if this is also applicable to other campaigns in the Black Local Authority campaigns what structures were set up by the civics? -- No I do not understand the question because unless if counsel can give me precisely what he means because here I gave the example of collection of signatures and here they are speaking about collection of signatures, then you set up a structure to do so.

Can this also be applied to other campaigns? -- It depends.

Were you party to the drawing up of this document (20) Mr Chikane? -- No, but I participated in the workshop which ultimately the information collected from the workshop possibly was encapsulated in this.

Was this drawn up in the workshop? -- No, the workshop was arranged to discuss various issues before this was published.

Now what is meant then to set up, this can be the basis for more long term structures? -- Well it is that if you can be able to organise some kind of committee to co-ordinate an activity in an area it means that even in future that kind of committee or that kind of a structure and the people would (30)

know/....

know how it works and they can be able to apply it again if the need arises.

Well is it ... -- My understanding is that they do not mean ad hoc structures, they mean a structure that can be able to operate maybe for a specific period when they execute a specific programme.

Is this not referring to the alternative structures Mr Chikane? -- No I do not understand it that ...

That that will be the more long term structures to be set up in the townships? -- No, I think if that was the case (10) they would have simply said we wanted to set up alternative structures. They would not go around the long way of saying that we want to set up, you know, long term structures when they wanted alternative structures. There would be no reason for them to use different words.

Is it correct Mr Chikane that personal contact with the public and the people in the townships is regarded as important by the UDF? -- That is correct because we do not want to speak above the heads of the people, we want to communicate with them. (20)

And that is to enable UDF and the UDF affiliates to speak to the people in order to politicise them about the UDF and a specific campaign and the day to day issues? -- We speak to them because we want them to be able to understand what UDF is all about.

But what do you say to me, what I put to you, that that this is to enable the UDF activists to speak to the people in order to politicise them about the UDF and the specific campaign and the day to day issues? -- It depends on circumstances. Maybe at times those issues would be taken (30) separately, /....

separately, maybe at once.

And it is also important, this personal contact, to win over the people to support the UDF and the UDF policy even if they do not understand it and the issues involved? -- No that is incorrect. The reason why we want to speak to them, the reason why we want to speak to them it is because we want them to understand the UDF and the policies of the UDF. Otherwise we would not speak to them.

Another important factor in the personal contact is the day to day problems, is to encourage, is to, so that the (10) activist must find out from the people what troubles they had, especially they must find out from the people contacted, their interest especially as regards day to day problems like rents, transport, refuse collection, wages, working conditions, food prices, etcetera? -- I do not know what counsel means by troubles but I certainly know that UDF would want to know what the problems of the constituency that it wants to organise are. But I do not know what counsel means by what troubles. UDF was not looking for 'trouble.

You see 'on page 10 of the same document Mr Chikane (20) the guidance given by UDF, on the first column, have you got it? -- Yes I have got it.

It starts with "Once you have made contact". -- Yes I have got it.

"Once you have made contact with someone who you want to sign find out his or her interest, especially as regards to day to day problems like rents, transport, refuse collection, wages, working conditions, passes, food prices, etc. What does a person feel about these problems and what does she or he think has caused (30) them./....



them. Explain the link between these problems and why they are asking people to sign."

-- That is correct and I do not think asking these questions is looking for trouble. These are just normal issues that are taken by any other organisations that organise politically. Even social organisations, some of them are taken by different social organisations.

So is it important then for the activists of UDF in personal contact with the people is to find out what day to day issues they encounter? -- That is correct. (10)

For what purpose Mr Chikane? -- UDF is an organisation that has been served by these different organisations, the front of these organisations, that intended to address the problems of our people.

So they must find out the day to day issues so that it can be used again in politicising and mobilising the people, is it correct? -- We do not use them, it is the issues that any other organisations that want to organise politically have got to take in consideration.

Do you use, did you use them for the purpose of mobilising and organising people? -- We took up these issues to mobilise and educate people but if that is what counsel understands that is correct. And if that is what he means by use, in that particular context that I have defined. But if he means something else, if he means that we took up these issues for convenience I disagree. (20)

Now ....

COURT: We will take the adjournment now Mr Jacobs.

COURT ADJOURNS FOR TEA. COURT RESUMES.

MOSES MABOKELA CHIKANE: d.s.s. (30)

FURTHER/....

FURTHER CROSS-EXAMINATION BY MR JACOBS: Mr Chikane is it then correct that when the activist ascertained the day to day issues then it must link up, be linked up with the campaign, is it correct? -- I do not understand what counsel is saying.

The activist must go to the people themselves, personal contact, find out what day to day issues they had and then link up this day to day issues with something, is it correct? -- No that is incorrect, because we believe that all these problems that are experienced by our people are linked to the kind of political system that is applied in our country here. So (10) it is not a question of the activist linking, it is a question of that is like that.

You see in this first paragraph on page 10 that we read it says:

"Explain the link between these programmes and why we ask people to sign in this million signature campaign."

-- Yes you explain the link, you do not link them.

Now what is the link? -- Well the link is that if you have Group Areas Act for instance you will have fewer people having access to land. The majority of people not having (20) access to land, you know. And then they will have no houses. So you can see that this Act, Group Areas Act, you know, it defends or it protects the interest of the few at the expense of the majority.

Now the problems like rents to what must that be linked up? -- In White infrastructure is that every town has got some economic resources built in that structure, but in the locations you have only rent as a means of getting resources to run the township.

So is it correct then that rents must be linked up (30)

to/....

to the Black Local Authorities? -- It is linked to the Black Local Authorities. It is not, it must not be linked, it is linked.

And must the Black Local Authorities be blamed for the increases in rents? -- That is correct because when they campaign we tell them that in fact these laws have got these kind of shortcomings and then they will argue that they will be able to solve those problems. Now they must be blamed because they got into this structure knowing that those structures have got no resources. (10)

And transport? To what must transport be linked? -- I said these things are, they are not being linked by activists. I do not agree with that but they are linked by the way our government is structured. Transport, people are daily moved from certain areas. For instance people in Mamelodi before I was arrested were only given houses in Soshanguve which is about 30 kilometres away from the centre of town and then from there they had to travel from there and pay for that transport to come to work here in town. So that is a problem.

And to what is transport linked, what is the link (20) between transport and what is there a link? -- I do not understand, if you say it is linked to what.

Well explain the link between these problems and what? Transport must be, there must be a link between transport and something is it not? -- No I do not understand the question.

COURT: No, no, what counsel is doing is looking at the last sentence of the first paragraph on page 10 of EXHIBIT W.52 which says explain the link between these problems and why we are asking people to sign. So it is an instruction to the people requesting signatures to explain certain links and (30)

now/....

now he refers to the word "transport" higher up in the paragraph and says well what is the link between transport and something else? It has to be explained. - - Well we believe that people have got to be housed next to the, where they are employed and once you remove people further away from where they are employed obviously they are going to expect them to carry the transport costs. It means that you are ...

MR JACOBS: Is it not so that the link is between the transport cost and the government and that the government is responsible for the transport costs? -- If the government removes people (10) from Mamelodi for instance, which is about 14 kilometres, to 30 kilometres away of course it is responsible.

And that is what must be explained to the people? -- The people know that.

But then why give an instruction here to link the transport costs to something else? -- No here they did not write the transport costs, they just said explain the link between problems when asking people to sign.

Yes and the problems were enumerated on top? -- Examples of the problems were enumerated. (20)

Now the example used by UDF of transport to what must it be linked, to the government? -- I have already explained, yes that if the government remove people from Mamelodi which is 14 kilometres away or from Atteridgeville which is 7 kilometres away, to 30 kilometres away and expects them to pay that transport, oh yes the government would be to blame for the rising cost.

And that ... -- That people have got to incur.

... the activist must explain to the people that the government is responsible for that? -- If it removed people (30)

to/....

to that far of course it would be responsible.

Now refuse collection as a problem, to what must that be linked? -- I do not understand. I cannot take them one by one and say everything must be linked to something, you know.

Well ... -- Because here the sentence is simple, it says explain the link between the problems and why we are asking people to sign. That is what the sentence says.

Well it is problems that were identified by the UDF as examples so now I ask you from the point of UDF what is the link between refuse collection and something, to what is (10) refuse collection linked? -- I do not know. I cannot answer.

But you were part of the discussion of all the data for the compilation of this document? -- That is correct, the document does not say what counsel is saying now.

What did you envisage when you said that that is an example and it must be linked to some problem? -- This was not what is said by the document as what counsel is saying. Now I am saying as I stand here I do not know whether refuse is linked to something else. Obviously I can just guess that it is linked to, if you have refuse you will have diseases. (20) But that is my own opinion. UDF did not go around trying to link those problems as suggested by counsel now.

Mr Chikane who, you said this was discussed at the workshop. Who attended the workshop? -- Members of the affiliated organisations were asked to send representatives in that particular workshop that was organised by Million Signature Campaign Committee.

And the workshop discussed the contents of EXHIBIT W.52, you referred to it, it was discussed, all the data was discussed at the workshop. That is what you said this morning. (30)

-- I/....

-- I do not remember saying all the data. I am saying that we contributed to the data because I do not, some other issues may be possibly have been added by members of that particular committee when they compiled this.

Now what workshop did discuss the data as compiled into EXHIBIT .... -- Oh they discussed a thing like educational content ...

No what workshop, listen to the question. A workshop for which people, for the Executive of UDF, or for which people? Which people were attending the workshop and discussing (10) the data before you compiled EXHIBIT W.52? -- The workshop was organised by the Million Signature Committee.

Yes? -- And members of the affiliated organisations were expected to send people to that particular workshop. So it was a workshop of organisations that are affiliated to the UDF.

And the Executive of the UDF? -- Well some members like myself, I attended but it was not precisely organised for that.

Who conducted the workshop, is it the Education Commission? -- No, I said it was Million Signature Committee.

But were you in control of that? -- No I was not. (20)

Do I understand you correctly then that you cannot explain what, it was not discussed that the workshop, what the links were between these problems set out in this document and something else, it was not discussed? -- The paragraph is very clear, you know. It says explain the link between these problems, the problems that are experienced by those people, you know.

Now Mr Chikane I want to ask you one ... -- And why are we asking them to sign. So that they must be able to know why we expect them to sign. We wanted to, UDF saw it as (30)

its/....

its work to try to help people to solve some of these problems that exist here. In the document ...

Now Mr Chikane I want to ask you one question on this now, only one more, if you can answer it then I will leave you at that. Can you tell the Court how was it possible for activists not on your standard of training in the policies and the politics of UDF to explain the link if you cannot explain it? -- I cannot explain it in the context that counsel is trying to put it now because you take an isolated example, you would say what was it linked to. Now UDF does not discuss (10) things in that particular fashion. But here the document says "explain the link between these problems and why we ask those people to sign." That is not the ...

Yes, and I asked is ... -- And people at this particular stage all these that are given here are just examples that came somewhere when these people were compiling this document, you know. They are not the problems that were experienced in the field by activists and they are used as examples in this document.

And you cannot explain any link between refuse collec- (20) tion and any body or any government body or anybody else? -- I can explain everything as a person. For instance I have already said if you do not remove refuse obviously there will be diseases in those areas, the place would be dirty, filthy, and then you will be inviting diseases, you know.

I would like to go to EXHIBIT T.2 Mr Chikane. -- I have got it.

Have you got it, that is a secretarial report to the NEC of the UDF which was held on 21 January 1984. -- That is correct. correct. (30)

Now /....

Now did you take part in the compiling of this report Mr Chikane? -- I have seen this document. I did not take part in compiling it but I have seen it before it was read in this meeting.

COURT: You mean you saw it before it was presented to the NEC? -- That is correct.

Was this report, the contents of this . . . .

(10)

(20)

(30)

report/. . . .



report discussed at the Secretariat meeting of the UDF before this report was drawn up? -- No, this report was compiled by the Transvaal region and it was presented to the NEC, that is the National Executive Committee of the UDF.

Is this a Transvaal, I do not understand your, you said this report was drawn up by the Transvaal. Just explain it again? -- At that particular, sorry can I just, yes I saw this report. No this report was drawn by the National Secretariat, I mean the, not the secretariat, the officers of the UDF.

COURT: Now just clearly, was it drawn by the National Secretariat or by the Transvaal Secretariat? -- It was drawn by the National Secretariat. (10)

And where did you see it? -- I saw it in the office before it was presented at this NEC meeting.

MR JACOBS: Can we get clarity as well, just before this was drawn up was there a meeting of the National Secretariat where you discussed this report? -- No, no it is because maybe the office is based in the Transvaal that I think I saw this.

You did attend the Secretariat meetings of the UDF? -- That is correct. (20)

Was it not the usual way to do things, before a National Executive Meeting for the Secretariat to convene and discuss and then draw up a report? -- That is what used to happen.

So why did it not happen in this case? -- I was explaining where I saw it for the first time.

No I am not asking you about the explaining Mr Chikane. I asked you whether you attended a meeting of the Secretariat where this report was, it was discussed before it was drawn up. That was my question to you. -- Normally the National Secretariat would just give points of what can be included in (30)

the/....

the report but the report becomes the responsibility of the National Secretariat, you know, sometimes together with the publicity secretary. So the report itself is not drawn by the National Secretariat but is drawn, Secretariat, it is drawn by the National Secretary.

Yes. Now according to this document EXHIBIT P.2 UDF regarded the boycott campaign against the Black Local Authorities as a major success and victory for the UDF. Do you agree to that? -- That is correct. UDF called for a boycott and then the majority of people did not participate in (10) those elections. Therefore it was a success, the boycott call was a success.

For the UDF? -- No for, yes the UDF made that. Amongst other organisations called for a boycott.

And this, UDF claimed there is a success and a victory for the UDF although the campaign was run by by affiliated organisations at the local level? -- Those organisations took a decision sitting together as UDF. So when they went around campaigning for a boycott in their areas they did that as separate organisations but when they come together again (20) they become UDF.

So they were campaigning as UDF? -- When they were campaigning there they were campaigning as members of the UDF.

And they, and UDF consists of affiliated organisations, according to what you have said now? -- That is correct.

In other words it is a UDF campaign and it is UDF that ran the campaign? -- Any campaign that is agreed by UDF affiliates sitting together becomes a UDF campaign.

I put it to you that this boycott campaign against Black Local Authorities was part of the first phase of the (30)

struggle/....

struggle and in accordance with the first phase of the UDF policy? -- I do not agree with this sentence of phases. UDF has never planned phases as far as I can remember.

I will come back to that later on Mr Chikane. -- So I reject the notion of phases.

You said it was never in the perception of UDF that the struggle was to be in phases and it was never according to the policy of the UDF that the struggle, the freedom struggle, was to be in phases? -- There may or may not be some, there may be some document of someone else has written this word phases (10) but I am saying UDF had never had a project where they are saying now we have got phase one of the struggle and phase two of the struggle and phase four of the struggle. I do not remember that kind of a thing.

So I am just going to put it to you at this moment, I will come back later as I said, that it is UDF policy that the struggle and the campaigns were run in phases. -- I do not understand. Unless you can, if counsel can give me the context I may be able to understand.

I will make it clear to you later on. And I put it (20) to you that there was to be a second phase in this campaign on Black Local Authorities and the second phase was to be more militant? -- I disagree with that.

And the second phase was regarded in UDF as a crucial issue. -- Where is counsel reading?

No, what do you say to that? -- I do not know. People use words but words only derive meaning from a particular context. Now if you talk about those words and I cannot, you do not show me the context I may not know exactly what you are talking about. I honestly do not understand you at this particular (30)

stage./...

stage.

You can either deny or accept that it is the policy of, or confirm that it is the policy of the UDF Mr Chikane. You know the policy of the UDF, is it not so? -- I do not know it within, that it has got special attachment, it attaches special meaning to particular adjectives in a sentence. Like now counsel is asking me whether UDF policy, is UDF policy to see something as crucial. Now I am getting lost, and I have already told His Lordship that I am not an theoretician you know. (10)

And I put it to you that in this second phase it was regarded as of such importance by the UDF that UDF and its affiliates had to be on the offensive in the second phase. -- Well such words may be used somewhere else but unless if I see the context, those words in context, I do not understand what you mean now. Because offensive can mean different things. It can mean violent it can mean non-violent. It can just mean taking initiative.

Well we have, it must be more militant, it must go on the offensive and I put it to you that includes also violence? (20) -- I reject that. UDF is a non-violent organisation.

And I put it to you that to be on the offensive means firstly that UDF and the affiliates had to take the struggle forward and the masses of the people with you? -- If that offensive means taking initiative I agree. If it means something else I obviously do not agree.

And I put it to you that it also means to be on the offensive is that the UDF and affiliates had to challenge the legitimacy of Black Local Authorities and Community Councils and had to achieve their resignation as councillors? -- That (30)

may/....

may be what is written somewhere but up to the time of my arrest, in fact up to the time when I got out of office, UDF did not have a problem on the Black Local Authorities.

So this is, what I put to you is wrong? What I am putting to you is wrong then, that secondly the fact that UDF and its affiliates had to challenge the legitimacy of Black Local Authorities and Community Councils and had to achieve their resignation as councillors, so that is a wrong statement? -- It may be a statement that has been expressed somewhere else but you know there is an expression, you can write a state- (10) ment but for it to be a policy statement of the UDF that statement has got to be adopted you know and the programme has got to draw thereon. So different people, different members of the UDF expressed different things at different times, you know. But unless those positions have been accepted by the UDF and a programme of action is drawn they are just statements.

And I put it to you also that to be more on the offensive now on the second phase of the UDF's campaign and struggle means also that UDF and affiliates had to provide alterna- (20) tives to the Black Local Authorities and Community Councillors as structures of the State? -- Unless I see where counsel is reading I do not really understand. I do not understand the context of what counsel is saying now.

Okay I will try and put it otherwise. I put it to you that it is UDF policy that UDF and affiliates had to provide alternatives to the Black Local Authorities and Community Councils? -- Obviously before negotiations UDF would have come up with some kind of suggestions, you know. Maybe they would suggest this particular structure but as I say that has (30) never/....

never happened.

And I put it to you further that it is also the common understanding in UDF that the common understanding of this alternative structures had to be developed by UDF and affiliates? -- Suggestions would obviously have to come from some structures and UDF saw itself as a structure that would be able to come up with this suggestion and then from there the negotiations would be done with those in authority, namely the government, you know. I had, before we went for recess, referred for instance to T.27 to prove that in fact UDF (10) had not got to a stage where that conference which was supposed to discuss this, amongst other topics the Black Local Authorities, had not taken place.

This secretarial report to the NEC of the UDF which sat on 21 January 1984, did you attend that NEC meeting? -- That is correct.

Was this report adopted then? -- The report was presented and adopted.

Now will you have a look at page 2, paragraph 2.2. There it is stated: (20)

"Challenging legitimacy of Black Local Authorities and Community Councils BOA/CC's."

Is that correct? -- That is correct, I see it.

Now the UDF and its affiliates succeeded in calling for an effective boycott of Black Local Authorities and Community Councils. The next phase in the campaign is to challenge support and therefore the legitimacy of each councillor in each ward. Now Mr Chikane what do you say now to the, what I put to you that the next phase in the campaign, that the campaign is in phases? The first was a boycott campaign, now it is (30)

going/....

going over to the next phase. What do you say to that? -- You see the Secretariat report, or any other report, makes certain suggestions, you know. And when the report is adopted the organisation still has to work out a programme on the suggestions that are made. It does not mean that the suggestion is immediately applied thereafter, you know. Now in this particular context for instance a report mentioned that people would go around collecting signatures, you know, to challenge the legitimacy of Community councillors in wards, you know. That has never happened, although that was the suggestion that (10) was made by the Secretariat report to the NEC. But that has never been implied, applied I mean.

Do you agreed that this, you already agreed Mr Chikane that this report was adopted by the NEC? -- That is correct. By NEC.

Yes. This was not rejected, this suggestion? -- Not the ANC.

Will you look at the Court please when you answer my questions. -- Alright.

Now Mr, the question of collecting sinatures in the black townships, did the UDF later on decide on that issue altogether again to abandon it? -- It just faded out. We did not take a decision that it would, you know. (20)

Was it discussed again in the National Executive Council of the UDF? -- As far as I remember, yes in November.

So it was discussed? -- Yes the question came up again.

And when it was discussed was a decision taken? -- That is correct, I remember even before then, I think around either July NEC meeting the decision was that we will terminate collecting signatures somewhere around September. I might be wrong but I know that in some meeting there was this (30)

suggestion./.....

suggestion. But ultimately I do not remember it being discussed specifically.

And this was not rejected on this meeting of 21 January 1984 by the National Executive as not being policy of the UDF? -- No it is not outside the policy of the UDF, it does not connote violence or anything. It is just a suggestion for what can be done after the elections. It is not against the policy.

The Secretariat is putting together information relating to the number of councillors, wards and people who voted per ward in each township. Did you as a member of the Secretariat of UDF assist in compiling this information? -- No I did not. (10)

Why not? -- In fact I think it was never done. This was the intention to do that. As far as I can remember that was never done.

But Mr Chikane it is stating that the Secretariate was already busy putting together information at the time? -- This is what the sentence says but I am talking about practice.

So it is a wrong statement then by the Secretariat here? -- It may just be reflecting the intention, but I say ... (20)

No you answer me, is it a wrong statement by the Secretariat of the UDF here? -- As far as I know that is correct.

So they were misleading the National Executive Council? -- No I disagree. I am saying here the Secretariat is reporting that they are, the Secretariat is putting together information relating to number of councillors, you know, they are doing that. Maybe at that particular stage they had just phoned one councillor in Khayelitsha or somebody in Khayelitsha to find out how many councillors are there. So it will be correct that they are already doing that but I am saying (30)

this/....



this project that is suggested here either was never completed or it was never done at all. So I cannot say that they were giving or deceiving the National Executive Committee because it is possible that maybe they had already begun to do something about this.

Once this has been done affiliates will go on a signature campaign to prove that those councillors are unpopular and therefore unrepresentative of the residents. On the basis of the concrete support shown in the signature forms affiliates will call for the resignation of those serving in Black (10) Local Authorities and Community Councils. -- Yes that is the suggestion there.

Now Mr Chikane I cannot understand this, there was going on a campaign against Black Local Authorities although you said the campaign against Black Local Authorities was abandoned at the end of November after the elections. Is that, was that the truth? -- All I said is that new, the programme was still being worked out and the meeting was going to be taking place and it was postponed for several times and I gave a lot of examples. I referred to exhibits and until I got (20) out of office that had not taken place. That is what I told the Court.

Do you not agree that this proves that the campaign was going on at that stage in January 1984? -- This is a suggestion that is made by the Secretary, by the national secretary to the National Executive Council. A suggestion.

And it also points out here Mr Chikane that the challenge to the UDF and its affiliates is to provide an alternative to these structures and that was adopted by the National Executive of UDF when it adopted this report. -- That is correct. We (30) said/....

said these structures have got no resources, these structures have got no power. Obviously ultimately we had to have some kind of suggestions when we go and negotiate with those in authority. We must be able to say because this structure as it stands is not acceptable we suggest this as an alternative and together we may agree or disagree. Maybe together we might even work out a different structure thereafter.

And I put it to you you are not honest to the Court when you say that Mr Chikane because it is stated here that the challenge of UDF and its affiliates is to provide and not (10) to discuss, is to provide alternative to the government or struggle to the Black Local Authorities? -- Provide to whom?

I do not know, by UDF, that was your decision? -- Yes I am saying, I am saying we would have, formulate some kind of a structure so that when we negotiate we can provide some structure to those in authority to say as far as we are concerned BLA is unacceptable and we see this structure, we have got this recommendation to make and either we agree or disagree and then we can formulate something together.

On a crucial issue we need to develop a common under- (20) standing of this alternative. On crucial issue like this one we cannot take a defensive position. So that is also in accordance to UDF policy not to be on the defensive but to go onto the offensive? -- Offensive means to take the initiative and it does not mean anything else in the context of this document and in the context of the UDF. We speak about the offensive, we mean that we will take the initiative, you know. We would not wait for someone else to do something and then to react to that kind of thing. And if that is what counsel means I agree with you. (30)

And/...

And the people have shown that they are with us, we need to be on the offensive. We need to take the struggle forward taking with us the masses of the people who have shown rejection of the new deal. That is UDF policy? -- We need to take the masses with us. Of course for us to be able to negotiate we have to be a representative structure, we have to have support of our people and I think more or less this is what is meant by this sentence. It does not mean anything else.

Mr Chikane was it not one of the aims of the UDF when it was launched to get the support of the people in order to go (10) to the government and to tell them that you have not got the support of the people, we have got the support of the people and now we must change? -- No, the aim of the UDF was to get the people together and to say, Black and White, and to say we are not happy about the apartheid policies, you know, and since we have already spoken about rejection of apartheid yourself, you know, we agree with you on that particular point but we are not happy about the new constitution because as far as we are concerned it is still, embodies sentiments of apartheid and we are not happy with that. (20)

So when you .... -- No that was the aim. It was not to get the masses and then from there to go and threaten the government with that. It was to get the support of the people and to go to the government and say we represent so many people and we agree with you that you wanted to move away from apartheid but we do not agree with the content of your programme.

So Mr Chikane at this stage, in January 1984, according to this report if it is the truth the people have shown that they are with the UDF, so why did you not then go to the government? -- Even before this we had written letters to (30)

the/.....

the Prime Minister, the then Prime Minister, requesting for a meeting and we are awaiting reply at this particular time.

When did you write that letter to the Prime Minister Mr Chikane? -- I cannot remember the date. I am not saying I personally. I am talking about the UDF.

The UDF, you and the UDF. -- I think there was one, I am not sure of the date, I think let me not guess, I am not sure of the precise date. But I think the letters are part of the exhibits in this court now.

Mr Chikane was it not the view in the UDF Transvaal (10) where you were a member, that that was only, that there must only be the request but there must not be any meeting with the Prime Minister? -- No. I know that in some minutes someone has raised an objection to a meeting, at that particular stage, at that particular stage. It was not, he was not saying, he was not making a blanket position to say we will never.

Well Mr Chikane at that particular meeting did not the person in charge, the Chairperson, explain to him that it was no, there ...

COURT: What particular meeting are you talking of? (20)

MR JACOBS: I will have to go back to it, I just asked him...

COURT: Well I am not prepared to let this just float around in the air and when I want to look it up I do not know where to look.

MR JACOBS: I will then later, I will first get it and then I will come back to this.

COURT: Yes well you can leave it at the moment and come back to it later.

MR JACOBS: Yes. Now Mr Chikane I cannot understand then at this stage when you had the support of the people that the (30)

UDF/....

UDF had to go on the offensive and taking the masses with them, what is meant by that? -- I think that meeting was not in January. So I do not agree with counsel.

When was the meeting? -- Most probably ...

I am speaking now about this specific document now before the Court, EXHIBIT T.2 and what is stated here. -- No, no then I do not, I thought you were speaking about the meeting where people said we cannot meet the Prime Minister at that particular stage. Now if you are speaking about this can I get the question again? (10)

I said the UDF had the support of the people. What is the need of going then on the offensive and taking the masses with on the offensive? What is the meaning of that? -- It is at that particular time that now we make suggestions and then we go to the government with suggestions in our hands. As I said we take initiatives. We do not wait for the government to do something else and then we react to that, and that is what is meant by offensive, at this particular stage.

Now what suggestions did you make at this stage? -- Well the suggestion was that let them call a national convention. (20)

So did you go to the government with that at this stage... -- No, we awaited a reply from the Prime Minister. We did not come.

Now did you do anything to contact the government again or to, were you serious in contacting the government and making suggestions to them? -- That is correct, that is why we wrote the letter.

So you did not follow up on it at this stage? -- We did, I think the second letter was written requesting a reply.

When was that? -- As I say I do not remember the dates (30)  
precisely/....

precisely but I am saying the letters are part of the exhibits in this court.

And I put it to you Mr Chikane it is clear from this that the alternative structures to be set up were alternative structures to replace Black Local Authorities? -- Of course if we meet with the government possibly we would have made that kind of suggestion but again we had not formulated the structures by the time I got out of office.

No, what I am putting to you is that you in the UDF and the UDF affiliates had to set up alternative structures to (10) replace Black Local Authorities? -- I say obviously if we were going to meet the government we were unhappy with these Black Local Authorities as it stands, we possibly would have made some kind of a suggestion of an alternative to this structure as it stands. And by the time I got arrested and in fact even, by the time I got arrested yes, that meeting of the Civic had not taken place.

What meeting of the Civic are you referring to now Mr Chikane? -- There was a meeting of the Civics that was organised, suggested, at this very meeting in Pretoria here, (20) on EXHIBIT F. And then before we went for recess I pointed out several documents where that meeting was postponed and I remember the last document which was EXHIBIT T.27, proved that in fact that meeting which was supposed to discuss, amongst other things, the Black Local Authorities had not taken place in January, 21 January 1985. Now this is what I am talking about.

Let us get clarity then. This proposed meeting of the Civics what were they to discuss in regard to alternative structures to Black Local Authorities? -- No they were going (30)

to/....

to discuss a programme and ...

No Mr ... -- ... and then, I do not know, possibly they would discuss, it may include that. But as the meeting had not taken place I cannot tell you.

But Mr Chikane is it not so that the UDF must have had some plans, some guidelines what they envisage when they plan the meeting of the civics, what for the civics to, what to be discussed by the Civics? -- That is correct, in the document T.27 I think the fat document, it is the programme, the suggested programme. (10)

Was anything to be discussed on alternative structures to Black Local Authorities? -- Not as far as I can remember but there was going to be a talk on the Black Local Authorities. Now I do not know about the alternatives per se.

Is it correct that this EXHIBIT F, paragraph 5, just to round off this, was where this report T.3 was presented and it was ...

COURT: T.2 or T.3?

MR JACOBS: T.2 was presented and accepted by the NEC of UDF on 21 and 22 January? -- That is correct. And in fact (20) the decision that was taken by the meeting is reflected by this copy of the minutes. So I said these were suggestions from the Secretariat and now if we want to get the decision we look at the minutes.

And I would like to refer you there to paragraph 5.2. -- I have got it.

It was noted that consultation amongst organisations which campaign against Administration Boards, Black Local Authorities and/or CC was necessary to ensure an ongoing work on this front. -- That is correct. (30)

So/....

So a decision was taken to go on with the campaign against Black Local Authorities? -- I think consultation, that organisations must consult.

Yes. But to go on and ... -- They will consult and when they have consulted, you know, to go on a campaign. But now I am saying they have never consulted. So they could not go on the campaign.

COURT: Now T.2 is that the report referred to in paragraph 5? Officers/Secretarial report? -- That is correct. I think so. In fact this point 5.2 it says consultation is necessary. (10)

MR JACOBS: Consultation, what consultation are you referring to? Not to obscure the issue now Mr ... -- Consultation of the organisations that have campaign against the Administration Boards, the Black Local Authorities and/or Community Councillors was necessary to ensure the ongoing work in this front.

So it was consultation amongst organisations and not consultation with the government? -- No consultation amongst the organisations, before you can even think of the campaign, the ongoing campaign, consultation is necessary. Consulta- (20) tion was necessary here.

And I would like to refer you to EXHIBIT D.1 as well Mr Chikane. -- I have got D.1.

D.1 is also the minutes of a meeting held on 10 and 11 September 1983 at Phoenix Settlement, Durban? -- That is correct.

And in this page 2 ...

COURT: Was this the NEC? -- That is NEC. But I must say I did not attend this meeting, I was not part of the executive then.

MR JACOBS: What were you doing in UDF then except being a (30) member/....



member of an affiliate? -- I was representing Afrinews in the General Council of the Transvaal.

At that stage can you tell the Court were you already approached by the UDF to set up an education commission? -- No I think the, I was approached after. If my memory serves me well after I was already secretary of the Transvaal Region. I know that, I think it is AB.2, the author which is Mike Roussos, referred to since he became the secretary he is not able to carry certain responsibilities but in actual fact I was approached after I was the secretary. (10)

Will the Court bear with me a minute, I have lost my mark on this document itself, page, I will come back to this one later sir when I get my reference on the page itself. Now the workshop on Black Local Authorities was conducted by the Education Committee or the Education or Training Committee of which you were in charge? -- I was, yes the workshops were conducted by this committee.

Is it correct? -- That is correct, two workshops were conducted by that committee, the Education and Training Committee of which I was a member. (20)

ASSESSOR (MR KRUGEL): It is not quite plain. Are you also saying yes to the suggestion that you were in charge of these committees? -- Oh I was just a member of that committee. I helped to get it together, I do not know what exactly counsel meant by in charge.

MR JACOBS: Were you not the person who formed up this committee, who had to form the committee, be the leader in the committee, to be the co-ordinator in this committee? -- That is correct, at some stage I became the co-ordinator but then it changed, the co-ordinator became Mike Roussos. (30)

Yes but at first, at the start and at the time of this  
workshop/....

workshop you were still the co-ordinator of that committee?

-- No that is incorrect. At the time of the workshop, especially the Daleside Workshop, I was no longer co-ordinating, the co-ordinator was Mike Roussos.

And you were part of the decision making body that decided to hold this workshop? -- That is correct, I was a member of that committee.

Now, and that was a workshop on Black Local Authorities? -- Amongst other things that workshop was going to discuss Black Local Authorities, amongst other things because if (10) you look at the report you will find for instance skills session, you know. There were other aspects that were discussed in that workshop and amongst them there was Black Local Authorities.

What other issues were to be discussed ... -- I referred to skills session.

No skills session is all in line with the Black Local Authorities, is it not so? -- No not necessarily. Skills session is very broad, it can be just general skills on how to conduct a million signature campaign, how to conduct an (20) anti-Tricameral campaign, you know, how to conduct a campaign against Coloured Management committees.

COURT: Well was it? Was it? Did they discuss how to conduct campaigns against committees and elections and in respect of the constitution or was, were the skills discussed limited to skills in respect of a campaign against Black Local Authorities? -- Not only that, there were, as far as I remember there were speakers from the Transvaal Indian Congress which gave an input of how a political organisation worked and how does it relate to the civic organisation. So hence I say this skill(30) session/.....

session was very broad. And of course people from coloured communities were expected to be part of the workshop, people from rural areas were expected to be part of that workshop. Although they did not turn up but that was the expectation.

MR JACOBS: I put it to you Mr Chikane that what happened at this workshop was that all these people gave input papers in order to enhance skills in conducting the Black Local Authorities campaign? -- No, I agree especially in relation with the skill session. The skill session was very very broad and it did refer specifically to the Black Local Authorities, you (10) know.

You say ... -- For instance in skill session I remember they were talking about goal setting.

You remember because you were present? -- No I was not present. I remember because I read the report.

You say because they discussed goal setting as one of the skills that therefore it is not, it was not a workshop in this regard on goal setting in regard to Black Local Authorities but to something else? -- I am saying that session was very broad, it is inclusive of the Black Local Authorities. (20) What I am denying is that it was specifically organised for Black Local Authorities. So I say that is incorrect.

Mr Chikane is it not so that this was especially organised as a campaign against Black Local, as part of the campaign against Black Local Authorities according to the request by some of the people who asked you to conduct this campaign? -- That is correct. The organisations, the request was made that it should cover that particular session but it did not mean that it was only organised for Black Local Authorities. (30)

And/....

And did the UDF, either in the NEC or in the Regional, Transvaal Regional General Council or REC decide on this workshop to be held on Black Local Authorities? -- Well but what happened is that the committee reported that they are planning a workshop and I know that then the REC agreed that, and we needed funds to pay for the venues and other things and then they gave us R1 000 for that.

COURT: Who gave who? -- The REC gave the committee R1 000 to pay for the venue and to buy food.

MR JACOBS: So all the expenses were carried by the Trans- (10)  
vaal REC of the UDF? -- That is incorrect. We expected people to pay R2 as they got there but you know if you book the venue you have to pay in advance and then from there you have to buy food, especially for the first night. So when people got there they paid us back.

So Mr Chikane what was the actual cost of that workshop? -- I think the committee had worked it to be in the region of a thousand Rand, that is why we got a thousand Rand from the REC.

And is it correct that only 35 people attended that (20)  
workshop as delegates? -- Now that I do not have that record with me, I think in that region.

Well according to your report which you have read and which you have referred to several times up till now it is stated on page 1 of ...

COURT: Which report now?

MR JACOBS: U.4(b), the report on that particular workshop, that there were 35 participants at the workshop. Another 10 people came and went. 18 from Soweto, 2, from East Rand, 2 from Alexandra, 3 from Pretoria, 5 from the Vaal, 5 (30)  
educational/....

educational, from the education committee. -- I accept that. What I was putting is that when you say all the costs was carried by the UDF, I was saying people paid.

Yes. So ....

COURT: Well they did not pay you back, they ... -- No they did not pay back ...

... paid you R70 approximately. -- Alright they paid back some of the money.

Of a thousand Rand. -- Yes they paid back some of the money. But they did not pay all. (10)

MR JACOBS: The rest of the money was paid by the Transvaal Region? -- Yes because we expected more than those 70 people, you see we expected people from the coloured communities, we expected people from rural areas and we thought that even members of other affiliates would come to that particular workshop. So we did not only expect those 70 people. We expected more than that but only 70, I mean 35 people, turned up.

Now this workshop was also conducted by the Education Committee of UDF, being officials of the UDF? -- No. That is (20) not correct. I was an official of the UDF at that particular stage but other people were just members of affiliated organisations.

Were they not members of a committee of the UDF? -- They were members of a committee but they were not officials of the UDF.

Does it mean that if you are a member of a committee of the UDF you are not an official of the UDF? -- Not necessarily.

And that is a body controlled by the UDF? -- That is the structure of the ... (30)

Education/....

Education Committee. -- That is a structure of the UDF, yes.

And this body under the control of the UDF, who paid all the money, most of the money for the workshop I put it to you that in April 1984 they conducted this workshop in order to train activists from the UDF affiliates in skills in mobilising and politicising the masses in order to actively participate in destroying Black Local Authorities? -- If by destroy counsel means politically I agree. If counsel means violence I disagree, I deny that. (10)

Now the word destroy Black Local Authorities is the words used by the UDF committee in compiling this report. -- That is correct. I remember I referred to that sentence where we say we should destroy the BLA and to strengthen the civic organisations and I have explained that to say that if we meant violence you cannot talk of destroying a structure by violence and hope to be around to strengthen anything. So in that context it is clear that we were talking about destroying politically.

So Mr Chikane is it then correct that in April 1984 (20) you in the UDF were not only boycotting Black Local Authorities but now you were out to destroy Black Local Authorities, so the campaign was going on? -- At that particular stage we, after the elections we wanted to prove to these people that in fact that structure is not representative, it does not represent people and we wanted to discredit it politically.

Well why Mr Chikane because there was no campaign running, the campaign against Black Local Authorities, according to your evidence, was abandoned after the election, after the successful boycott of the election in November, end of November (30)

1983, / . . . .

1983, why holding this workshop in order to destroy Black Local Authorities if there was no campaign running? -- That is correct, the campaign ended after the election had taken place. From there, here is just a workshop and then the idea is thrown around by someone else in this workshop that let us discredit these structures politically and strengthen the affiliate organisations, that is just a suggestion.

So it is only somebody at this workshop who was throwing something around? -- I was not there, I cannot give His Lordship the precise, precisely what happened in that workshop. (10)

But you, that is what you said ... -- But it could be somebody else, it could be a commission, it could be a group that has been said, but it was some of the participants in that particular workshop.

I put it to you Mr Chikane that the UDF decided on holding this workshop, what do you say to that? -- That is correct, the decision was taken that this workshop must take place.

In order to train the people in skills, the people, the activists from the affiliates in skills in destroying (20) Black Local Authorities? -- Politically yes, those people have got, the UDF after the elections felt that those people have got to be discredited, and this is the suggestion that came in this workshop.

So ... -- But in the UDF the suggestion went just as far as we were going to run a workshop and amongst other issues we were going to include the Black Local Authorities. We did not decide the content of that particular workshop.

You are sure of that? -- We did not discuss every content, let me put it that way. (30)

I/....

I put it to you further Mr Chikane that the UDF decided on this as a part of an ongoing campaign against Black Local Authorities, now to destroy them? Not to boycott them any more but now to destroy them, whether it is political or not that is the ... -- I disagree with that. Because when we said at that particular time in April it is what has been said even during the time of the elections. We said those structures have got no power, those structures have got no money, those structures are presented as an alternative to participation in the decision making structure and even at this particular (10) stage in April the position had not changed.

Mr Chikane were you doing all this just for the fun of it?  
-- Doing what?

Campaigning, instructing people in skills in order to destroy Black Local Authorities? -- No UDF took the position to run a workshop. Some of the issues that are raised in this report are suggestions that came from the participants of that particular workshop and I am saying to counsel that the campaign of the UDF ended during the time of the boycott because we campaigned calling people to boycott the elections and after (20) that, after that all we did is that we, amongst other things we organised this workshop, after the call has been made by, or the request has been made by civic organisations to discuss the BLA and what can we do about it, you know. And I do not understand what counsel means by keeping on to say destroy, destroy. As if these words were employed by UDF even before the workshop. I reject that.

And I put it to you also Mr Chikane in W.52 it is also clearly stated that this was an ongoing campaign against Black Local Authorities and part of the struggle as a whole? On (30)

page/....



page 7 it goes on at this stage, just let us get clear when was this, do you know when it was adopted, this W.52, this handbook? -- It should be around March-April.

March-April, on page 7 ...

COURT: What ... -- 1984.

MR JACOBS: That UDF was still going on with this campaign is clear from page 7 I put it to you, have you got page 7? -- I have got page 7.

There on the left-hand column, the Koornhof Bills, the UDF rejects the Koornhof Bills. What are these Bills? They (10) are the government's plans to make life worse for Africans with three laws, and then they enumerate the laws. Then is said why the UDF rejects the Koornhof plans, we reject the plan because (1) the pass laws will be worse, migrants and country people will have to starve in the Bantustans. Sell outs will rule the townships, evictions will be worse, rents will be higher, (3) Koornhof's boys will still be in the townships to support the puppets and keep final control through the so-called Development Board. That is I put to you a clear indication that when this booklet was given out the (20) campaign against Black Local Authorities inter alia was an on-going campaign? -- I must say counsel has left two aspects of this Koornhof laws, as explained by the paragraph that was read by counsel, and those paragraphs made it quite clear what UDF meant, you know. For instance what UDF's interpretation was of the orderly movement and settlement of Black persons Bill and the second one it makes it quite clear, again the views of the UDF, in relation to the Black Local Authorities Act and because of UDF's understanding of those two bills the reason why UDF rejects are given. (30)

Yes/....

Yes. And it is part of the campaign against Black Local Authorities? -- That is correct. We were opposed to Black Local Authorities but we did not have a campaign.

No but I put it to you that it is part of a campaign against Black Local Authorities? -- But I just want to make it quite clear that we did not have an organised campaign at that particular stage, especially when that book came out. We had a campaign for boycott. After that we did not have any other campaign. But we still did not support them, the Black Local Authorities structures. (10)

Mr Chikane let us get it clear now, what do you mean by an organised, what is the difference now according to your version in court here between an organised and a not organised campaign against Black Local Authorities? -- No maybe I should define first what I mean by a campaign. If for instance UDF agree, takes a resolution that they do not support a particular structure. Let us say the new constitution, and UDF go around organisation structures, talking to people, calling public meetings, coming out with pamphlets, organising million signature campaign, we are campaigning against the new constitution with an active campaign. But after that if UDF say we still do not, even if the constitution has been put in practice it is still not acceptable to us, they are just rejecting it, they do not have an organised campaign. They do not have a campaign then as far as I am concerned. They are just maintaining the same position, the campaign has ended when they were still campaigning against those elections. (20)

Is that your answer to my question? -- That is my answer to your question.

And according to your definition now do you say that (30)

the/....

the holding of workshops in teaching activists of UDF skills in regard to Black Local Authorities is not an organised part of a campaign? -- No there was no campaign against the Black Local Authorities at that particular stage.

And issuing handbooks for UDF activists is not part of a campaign? -- I say there was no organised campaign at that particular stage.

Well you are not answering my question. I asked you the issuing of a handbook for activists to be used in campaigns and referring thereto in that handbook to Black Local Authorities is not part of a campaign, an organised campaign? -- (10)  
As far as I know ...

MR TIP: Is there a handbook for use in campaigns My Lord? And if it is the one that relates to the Million Signature Campaign then I think it should be put clearly on that basis.

MR JACOBS: Edele as ek reg onthou het beskuldigde nr 19, 20 hier in die hof, 19 in die hof getuig dat hierdie handboek wat hulle uitgegee het vir hierdie mense, en ook die ander ene wat W.53 is, is van toepassing op alle kampanjes, dit was die getuienis van beskuldigde 19 gewees. (20)

HOF: Dit mag so wees maar dit het hierdie getuie nog nie gesê nie. Hierdie opskrif van hierdie dokument is "A Volunteer's Handbook, Million Signature Campaign" en dit kan heeltemal goed wees dat hierdie getuie van die ander getuie verskil, ek weet nie. Maar u kan nie hierdie getuie kruis verhoof op die basis van een boek wat vir 'n spesifieke doel bedoel is en dan asof dit vir alle doeleindes bedoel is nie. Dat moet jy dit uit hom uit kry dit vir alle doeleindes bedoel is.

MNR JACOBS: Soos dit u behaag. Mr Chikane do you agree with (30)  
the/....

the evidence of accused no. 19 that this handbook that was issued, just to get the full wording, "A Volunteer's Handbook in the Million Signature Campaign" was also applicable and of use in all other campaigns? -- No I disagree.

MR TIP: Sorry, my recollection of the evidence is that it was to the effect that certain aspects of it might be applicable but, like discipline, but that it was never testified that this handbook would be of utility in other campaigns. Perhaps the passage ...

COURT: Well perhaps both counsel can refer me to the relevant passage. I cannot remember the exact words, the exact evidence. (10)

MNR JACOBS: Ek sal dit probeer kry in die breek tussen etenstyd Edele. -- Well I was going to say that in fact when this booklet was compiled and published the Black Local Authority campaign had already ended because it was only, it ended in November 1983, the campaign to, the boycott campaign, the boycott of Black Local Authorities, and this booklet was published only in around March-April 1984.

Mr Chikane I will check on the other issues during the (20) lunch hour and can we go to T.8.

COURT: Are you going onto a different subject?

MR JACOBS: Yes.

COURT: Yes well check it in the lunch hour. I will take the luncheon adjournment now and then we can stick to one subject at a time.

COURT ADJOURNS UNTIL 14h00.

C.979

COURT RESUMES AT 14h00.

HOF: Voordat u begin mnr Jacobs en mnr Bizos ek praat maar Afrikaans want ek het die brief ontvang van Lubbe Opnames (30)  
in /...

in Afrikaans en dit het te doen met daardie stuk van die notule wat fout was, dit is beskuldigde nr 19 se getuienis. Dit lui soos volg:

"Met betrekking tot die besprekings wat Vrydag, 9 Oktober op bladsye 17 207 - 17 209 van die rekord plaasgevind het, wil ek heel eerste om verskoning vra vir spel- en tikfoute in die rekord. Hoewel mnr. Bizos grootmoediglik sê dat "we are not blaming the typist", weet ek nie wie anders hy blameer vir die "howlers" waarvan hy praat nie.

(10)

Sou u dit goed dink, sal ek dit waardeer indien die volgende net genoem kan word aan die betrokke persone.

1. Waar normaalweg die tik van 1 x 90 kasset (gemiddeld 40 bladsye - ± vyf tot ses uur) per dag (vyf dae 'n week) van 'n tikster verwag word, word in hierdie geval 3,5 x 90 (gemiddeld 90 bladsye - ± 14 uur) per dag (soms sewe dae per week) verwag. Om vir drie of vier weke so vol te hou, is baie gevra; in hierdie geval namate die weke maande word, word die tikster progressief "suwwer".
2. Wanneer uit 'n dokument gelees word en die tikster is (20) in besit van sodanige dokument, kan maar binnensmonds, weg van die mikrofoon en teen 'n onverstaanbare spoed gelees word, solank sy die eerste en laaste woorde van die stuk duidelik hoor. Die res tik sy dan vanaf die dokument. Waar sy dit egter nie het nie, is sy verlore. Behalwe dat ure spandeer word om alles op te tel, is dit die ideale teelaarde vir "howlers".
3. Dieselfde geld vir getuies. Sou hulle stadig praat en duidelik artikuleer, is die stryd driekwart gewonne en kan "howlers" tot 'n groot mate uitgeskakel

(30)

word/...

word. Soms egter moet drie persone luister om 'n enkele woord te probeer ontsyfer - en dán gebeur dit nog dat die finale raaiskoot skeef is.

4. Wat betref "B" vir "V" en dies meer. Indien net bygevoeg kan word "V" vir "Victor" of wat ook al, sal ook daarmee nie probleme ondervind word nie.

Ek is baie jammer oor die foute wat deurgaans, maar nou is dit so dat met 'n lopende transkripsie tik- en spelfoute maklik insluip en tensy elke bladsy weer deurgelees word, (wat tydsgegewys onmoontlik is) word (10) dit nie raakgesien nie."

Nou here, wat die dame sê is heeltemal korrek. Ons moet meer ag slaan op die probleme wat ons tiksters het in hierdie saak en ons moet dus probeer om duidelik te praat en veral waar dit uit dokumente wat voorgelees word nie te aanvaar dat almal die dokumente het en dat ons dus maar vinnig deur die dokument kan hardloop. Ons moet asseblief almal daarop let.

MNR. JACOBS: Soos dit u behaag. (20)

MR BIZOS: May I just say that I was not really formalistic about it. With a very experienced typist in practice a second and third draft often has to be typed and under these circumstances I think with respect she has done particularly well. But it is inevitable that that sort of thing would creep in.

COURT: You will remember Mr Bizos and Mr Jacobs that right at the outset I raised the question of the correctness of the record and I placed an onus on the parties to inform me should the record be incorrect and my Assessor and I are troubled because if accused no.19 found howlers in his evidence (30)

it/...

it may well be that in the rest of the evidence we will find the same sort of thing and this may create grave difficulties eventually when a judgment is being given.

MR BIZOS: My Lord let me assure Your Lordship that I think where the interpreter is used the possibility of error is minimised. That is our experience of the record.

COURT: I see.

MR BIZOS: But in any event we have asked the other accused to do a similar exercise in relation to their evidence. If I am not mistaken I think Mr Lekota, accused no. 20, has al- (10) ready done it and has handed it over to the official, or to the attorneys and if and when we finish with Mr Chikane he can do the same. But we have ex abundanta asked the other accused to look through their evidence.

COURT: Well as long as, before you approach Lubbe with your version you hand your version first to Mr Jacobs and we get a common version which can be correct.

MR BIZOS: Yes, I do not think that the problem is as wide-spread as Your Lordship, because I think with the interpreter during the State case we found that there was little wrong. (20)

COURT: Well I am glad to hear that Mr Bizos. Yes thank you.

MR JACOBS: Ek mag net sê ons het al die bewysplase en ook verder geluister na die bande werklik wat mnr Bizos hulle aangeteken het. Nou daar sal, ons sal met mnr Bizos hulle gesels daaroor en daar is van hierdie klein foutjies maar daar is ook party wat nou nie foute is volgens ons hoor van die oorkonde nie en dan is daar een of twee redelike groot foute wat ook daar ingesluip het maar ons sal alles bespreek en dit dan ook tot die Hof se aandag bring. Maar ons luister nou na die band self met die oorkonde self. Dat vat (30) ongelukkig/....

ongelukkig n bietjie tyd maar soos ...

HOF: Dit kan alles verhoed word as ons duidelik in die hof praat, hard sodat n mens daar ander kant by die Regterskamers kan hoor.

MNR JACOBS: Soos dit u behaag Edele. Edele dan het ek in die tydjie wat ek gehad het, probeer om getuienis, ek kon net in die getuienis van beskuldigde 20, dit is Terror Lekota, kon ek n verwysing kry na BEWYSSTUK W.52 en dit is in Volume 293 op bladsy 16 365.

HOF: Wat sê die getuienis? (10)

MNR JACOBS: Ek sal dit net lees, die vraag was gestel:

"Was this booklet W.52 intended only for MSC or for other campaigns also?

En die antwoord is dan:

"It was specifically for the million signature campaign but evidently some of the matters picked up in here would also have applied in any other campaign subsequently, for instance the behaviour of activists when they deal with people and so on and so on would have been a thing that was not strictly only for that." (20)

COURT: Well on that basis then the objection by Mr Tip was well founded.

MR JACOBS: He only gives an example, for instance, but he said it is ...

COURT: Well he says some of the matters. Yes continue ....

MNR JACOBS: Ek sal in elk geval daardie aspek hier laat en dan ook na die ander as ek meer tyd kry om net na die ander ook te kyk. Dit is die enigste een wat ek kon opspoor op hierdie stadium.

MOSES MABOKELA CHIKANE: d.s.s. (30)

FURTHER/....



FURTHER CROSS-EXAMINATION BY MR JACOBS: Mr Chikane would you refer to EXHIBIT T.8 please. -- Okay, maybe before we get to that this morning I did not have this U.4(b) document before me, with me.

COURT: Is it now U.4(d) for Daniel? -- Let me just make sure. I have got it here as the second document of U.4(e).

U.4(e). -- That is what I am referring to. That is the report compiled by the Education Committee of the Workshop that was held in Daleside.

Yes well this is the programme. -- That second document.(10)

The second document is the programme. Your U.4(e) the second document is the programme. -- Oh, it is the third, it is the third.

The third document? -- Yes the third document. I am referring to the document headed "UDF Education Committee - Education Programme for Civics".

I think you may be right with the second document because I have a number 2 next to the (e), if one takes the programme to be part of the circular letter. Yes very well it is the second document. -- Now counsel made certain suggestions (20) that in fact certain decisions were taken at the workshop and then he inferred that because of that violence broke out in different townships. Now I want to refer to page 8 of that report, the second paragraph is written:

"Session 6"

and the sub-heading is "Where do we go from here?" I just want to refer to certain aspects of this, I do not intend to read it all in the record. The first aspect that I would like to refer to is that in block letters next to the word "Method" it is stated here that no decision can be made, in block letters,(30)

for/....

for the civic at this meeting, at least at the workshop. That is what is stated here. The second point that I want to make is that the inference made by counsel of violence it is not made in this particular paragraph under the sub-heading "Where do we go from here". Various other suggestions are made but no suggestion of violence and bearing in mind that no decision could be taken for the organisations in that particular meeting these were just suggestions, so on those basis I stand by what I said. I deny the allegations that are made by the State.

Thank you.

(10)

MR JACOBS: Mr Chikane on the same document, that is also the same as U.4(b) just for the record purposes because I have referred to U.4(b) in the other case so that we can see it is the same document.

COURT: U.4?

MR JACOBS: (b).

COURT: B for Ben?

MR JACOBS: For Ben. I am sorry, that is just for record purposes. So it was, when you referred to the second document of ...

(20)

COURT: So you are saying that the second document of U.4(e) is the same as U.4(b)?

MR JACOBS: Yes sir, it is the same report and it is only for the purpose of the record that I just want to make it clear because when we read the record one must understand that U.4(b) and the second document are identical, identical documents. -- That is correct, they are identical. And page 8 of that U.4(b) is, it contains the same point that I have raised under U.4(e).

COURT: Yes thank you.

(30)

MR JACOBS: /...

MR JACOBS: So Mr Chikane I put it to you that when this workshop was conducted by the UDF Education and Training Committee for UDF affiliates it was training them in accordance with the UDF policy? -- That is correct. They had to discuss things in accordance with the UDF policy.

And ... -- But what I am saying, the reason why I referred to this particular section, that no decision can be taken at a workshop for UDF or even for civic organisations that are participating in that particular workshop.

And I put it to you it was never suggested that the (10) workshop did take decisions for UDF but what is suggested to you is that the workshop, at the workshop the policy of the UDF was set out and suggested to affiliates. -- If that is the case then this point that I have made in page 8 that no decision can be taken for the civic organisation in that meeting has got to be taken in recognition and that is the policy of the UDF.

And I put it to you that according to this document, and I am referring to U.4(b) on page 3 it reads:

"The next tasks are to destroy the Black Local Authorities and to strengthen our civics." (20)

That was a task, and that was a task in accordance with the UDF policy conveyed to the delegates on that workshop? -- I have already explained that that could have been an utterance raised by one of the participants. I was not there, I cannot say. And it has nothing to do with what was planned there after the workshop. What was planned there after the workshop would appear under that sub-heading that I have read, "Where do we go from here". If the UDF intended to embark on violence most probably we would have found this kind of sentence in that particular section and secondly the fact that this (30) workshop/....

workshop was not a decision making structure, no workshop is a decision making structure in the UDF, this is just an utterance that could have been made by a group of participants or a participant.

And I would like to put it to you ... -- And just a suggestion.

... that on page 8, the page referred to you under the heading "Where do we go from here", it was again conveyed to the people at the workshop, the delegates from the affiliates, that where they were going to is to, from reports on the (10) one "we need to strengthen our civics", that is in accordance with the policy of the UDF? -- That is correct, civics were our affiliates.

Yes, and get more members, leadership training and skills training, work out programme of action based on issues facing us, know our limitations and do not promise the impossible, follow up the anti-CC campaign. What is the anti-CC? -- Anti-Community Council campaign.

So it is according to UDF policy in April 1984 to follow up on the anti-CC campaign, to have regular house meetings, (20) and then (2) Congress must be disciplined, we must be democratic and consistent, we must be frank, fair and responsible, we must practice what we preached. (3) the work of civics need to be co-ordinated perhaps through the UDF, perhaps through an office for civics. (4) Civics must co-ordinate with other organisations and groupings, churches, taxi associations, hotels, sporting organisations, cultural organisations, artists, etcetera. -- That is correct, that is what is reported here.

These groups should be involved in our work. (5) Open an office for advice work, so people can know where to reach (30)

us/....

us, for a regular venue for meetings, (6) is advice work, legal aid, health advice, rehabilitation for criminals. Be able to refer - it seems as if that sentence is not finished. The next one is be able to refer people to other advice centres. (7) is for propaganda, that is newsletters, (8) Start mutual benefit societies, for example stock velds. (9) educational work, investigate needs, run educational events, prepare material. (10) Cultural and recreational societies linked to the civics should be set up. (11) Projects relevant to the communities, creches, literacy programmes. (10) (12) Propaganda, UDF values ...

COURT: Propagate UDF values.

MR JACOBS: Sorry sir. (12) Propagate UDF values. (13) Politicise people, symbolise the link in our struggle for example by using different speakers like students, workers, etcetera, on platforms, expose powerlessness of local government using day to day issues. That is all where UDF is going to and that is the skills taught to these people, all that I have read now? -- No, this is a report back. Questions were put to the participants and these were the answers that (20) came from those groups.

Is it not so Mr Chikane when they have discussions before a report back they are led by the people from the, the instructors from the Education Committee and after they have discussed it, everything, and they have decided on a certain point that is a report back of what is it they were going to do and where they are going from there? -- No. What happened here is that the method is suggested. In fact if you look at page 8 immediately after session 6, "Where do we go from here", aim a general brainstorming session to get ideas on what civics (30) could/...

could do now that the campaign is over, to try and focus the ideas brought up in previous sessions, especially the session evaluating the campaign and the session linking civic struggle to other struggles. Now the second point from there they speak about the method, the method that was going to be used. At the start, can I just finish this so that it should be complete. At the start of the session it was made clear that no decision could be made for the civics at that meeting, firstly. People were divided into groups and discussed the questions. The groups reported back to the plenary, the question, we have (10) been discussing the anti-CC campaign and its link to other struggles and our role in the UDF. Keeping this in mind what do we need to do in our civics, please list all the ideas and then from there this is the list report, that is the report of that question. Now the report to the question is what has been read by counsel now.

COURT: Now if I have it correct this document, U.4(b) was a report to the Transvaal Regional Executive Council on this workshop, is that correct? -- A copy of this report was given to the Transvaal REC, I read it in the Transvaal REC. (20)

So it is tabled there? -- Yes it was.

Read out? -- Yes it was read out.

Is it then circulated? -- No it was not circulated by the Transvaal but the co-ordinator of this workshop, Mr Mike Roussos, had told me that he was going to be giving this report to participants of the workshop per request and I take it that that should have been done.

I see. So can we take it that Amanda Kwadi was a participant of the workshop? -- No from, her name does not appear there if my memory serves me well but she was active in the (30)

Soweto/....

Soweto Civic Association so she was a member of the Soweto Civic Association. I guess the copy that was sent to the Soweto Civic Association most probably would reach her as well or she would be able to have access to it.

MR JACOBS: And I. Mahomed? -- I. Mahomed it is a member of the anti-CC Committee. Now the Anti-CC Committee was a committee that was members from those, Anti-CC Committee were expected at the workshop but they did not turn up so I guess if thereafter they requested for a report most probably Mr Mike Roussos would have given them. (10)

You see because a copy of the report was found in the possession of Professor I. Mahomed as well. -- That is correct. In fact it is stated that in AB.2 they were expected to be participants of that workshop.

Do you know whether any copies of these documents going with the report did go to Mr Saloojee? And who is Mr Saloojee? -- I do not know, there are so many Saloojees in the UDF.

E.A. Saloojee, do you know him? From Johannesburg? -- E.A. I am not quite sure, I can, I do not know those initials. ASSESSOR (MR KRUGEL): Is it D for Daniel or E for Edward? (20)

MR JACOBS: E. for Edward, A Andrew, E.A. -- The initials I cannot say because I do not know exactly who is referred to there. Initials does not tell me much you know. And as far as I am concerned we have got a lot of Saloojees in the UDF.

And can you explain how copies of these documents got to him? -- Members of the TIC were participants in this workshop and members of the FRA, that is Federation of Ratepayers Association in Lenz, participated in this workshop.

MR TIP: I do not think that I heard My Learned Friend entirely but is he suggesting that a copy of the report on the (30)

conference/....

conference was found with E.A. Saloojee, there is no admission to that effect. E.A. Saloojee, but I may have misheard My Learned Friend.

MR JACOBS: I asked if he knew how some of the documents accompanying this report.

MR TIP: Yes. But you know that suggests that the report itself was found with E.A. Saloojee and that is not so.

MR JACOBS: To get clarity on this Mr Chikane....

COURT: Well what are you putting to the witness?

MR JACOBS: I am going to put to him every one of these (10) documents, where it was found.

COURT: That is not necessary. The objection is that you represent that U.4(b) was found with Mr E.A. Saloojee and there is no admission to that effect. Did you or did you not do that? If not so you say well I am sorry it was not what I intended and we go on to the next question.

MR JACOBS: I am sorry if it was understood correctly, but I said it was one of the documents accompanying the report.

COURT: Well one of the documents, which one then?

MR JACOBS: U.4(e) the first document. This letter written (20) by you.

COURT: Well is this one accompanying the report because this is an invitation to the workshop. I thought the report was on the workshop.

MR JACOBS: It was, then I will put it like this, U.4(e) was sent out to Mr Saloojee, is it correct? -- Yes the invitation was sent to a lot of organisations, especially those that have affiliated to the UDF. As I have already said that we invited and we expected many more organisations than those who participated. In fact we thought if all those who we have (30)

invited/....



invited would have attended the workshop we would have been able to cover the cost of the workshop. That is how we expected it. So it is possible that this letter found its way to E.A. Mahomed, or if it was sent to TIC, because we did not send it to individuals but we sent this invitation to organisations.

Mr Chikane can we then go to EXHIBIT T.8. Have you got it? -- I have got it.

Now this is a document found in the UDF offices, Johannesburg, and it is the minutes of a UDF Secretarial Meeting held on 7 July 1984. -- I have not seen this document before it (10) was presented as one of the exhibits.

Did you attend the National Secretariat meeting on 7 July 1984? -- That is correct.

And this is in the handwriting, is it correct, of accused no. 20?

COURT: I thought these were the notes of accused no. 19.

MR JACOBS: Or, I am sorry.

COURT: What are you putting to the witness?

MR JACOBS: Whose handwriting is it? Perhaps you can, according to your knowledge? -- I do not know. (20)

Now at this meeting you discussed different subjects, is it correct? -- Mainly of administrative nature.

And a lot of decisions were taken on this meeting? -- No the National Secretariat is not a decision making structure.

It is an administrative structure. All it does from time to time it does make a recommendation to the NEC which is a decision making structure. But it is not, this structure, the National Secretariat is not a decision making structure.

Now on this meeting did you discuss future plans of the UDF? -- I remember we discussed something to that effect. (30)

Will/....

Will you have a look at page 17 there is a heading "Future Plans". It is paragraph 29.16. -- On the second page? On page 17.

COURT: One seven?

MR JACOBS: One seven. Have you got it? -- Yes I have got it.

So you did discuss future plans of the UDF, is that correct? -- I think possibly we made a recommendation which was presented in the meeting that was held in Bloemfontein, the NEC meeting.

And on page 18 under the same heading on the Future Plans there is under paragraph 29.16.2(b) "Action". Did you discussion what action was to be taken by the UDF? -- No we most probably would discuss these things and make a recommendation but we could not take decisions. (10)

Now "Demos and Marches". I think it is "Demos and marches". -- That is correct.

"Mass meetings. Challenges to collaborators." Now what is meant by "Challenges to collaborator", what is, what was discussed under this? -- Well inasfar as I am concerned, at that particular stage we were discussing whether we should share platforms with the people who were working within the system or not and ultimately it was recommended that we should not share a platform but again that should be left to different Regions to take a final position. (20)

But what is challenges to collaborators, what is meant by that? -- We will challenge them to resign. We have already for instance mentioned one challenge this morning when we referred to collection of signatures and challenging them to resign because they represent no one.

And then you have got next "Unity - I suppose it is chain/.... (30)

chain walk and I cannot understand that word, and then "acts of consciousness and defiance". What is, what was discussed under "acts of consciousness and defiance"?

COURT: "Unity chain, walk and run" it seems.

MR JACOBS: Thank you sir. -- That is correct.

And the next is then "Acts of Conscious and Defiance".

-- Multiple questions My Lord.

Okay. What do you mean by "conscious", what action to be taken in regard to conscience? -- Nothing, in fact this as far as I can remember emanated from the Transvaal where (10) some people were saying we should look into the possibility of defying the unjust law, the apartheid laws and then ultimately this particular strategy was abandoned because it had no support. People felt that it will make us to lose support rather than to strengthen the organisation.

But at this meeting of the Secretariat it was accepted?

-- No it was not.

And not rejected. Where is it stated here that it has been rejected? -- This points, I think whoever wrote this document was noting the points as they were discussed. (20)

And I suppose he must have then noticed and noted it on this report as well that rejected by the Secretariat? -- He did not write accepted either. All he wrote is that Unity chains, walk, run, and acts of conscience and defiance, stroke defiance.

So all the others were accepted, only the last one was rejected? -- Ultimately because the decision making structure, no others were rejected as well. I remember things like unity chains did not take place because people felt they would not be able to organise them at that particular stage.

But at the time of this meeting was it rejected straight(30)

out/....

out at this meeting or not? -- At this meeting it was a recommendation, you know, it was discussed at that particular time and all these issues that were discussed, raised by Regions, were taken to the NEC for a final decision and NEC, that is the National Executive Committee, rejected some of them and accepted some.

But at the time of this meeting of the Secretariat it was accepted, conscience and defiance as well? -- I have already said National Secretariat meetings are not decision making meetings of the UDF. So whatever is discussed there, (10) whether people discuss and take it further or people discuss and know it has got no value and no influence in the UDF. It has no substance.

Now what was meant by the defiance of the laws then? What did you discuss, how, what did you envisage with defiance of the laws? -- I remember the person who was motivating for this at that particular stage the issue that was being discussed was that there was a train that was moving somewhere from the Transvaal, I do not know whether Pretoria or Johannesburg, going to Cape Town, I think it was called Blue Train (20) and it had separate coaches for Blacks, so-called Ministers in the different departments, that is delegations and what is that other group, representatives, and it had another coach for Whites you know. Now people were saying on those kind of things the UDF has got to defy those laws by getting into every coach and people must get arrested. That is how it was motivated but ultimately it was rejected.

ASSESSOR (MR KRUGEL): Did you say Blue Train? -- I think some train that was carrying dignataries from the Transvaal to ...

Is is known as the Zoo Train. -- I thought Blue. No (30)

I/....

I did not say Zoo. Blue Train, I think they said Blue Train. I might be wrong. Maybe the name of the train is not the Blue Train.

COURT: Would you get on as a Delegate or as a Representative on that train? -- I will get in as a South African and get arrested there. And show that apartheid is still alive. But ultimately ...

You would have been thrown off long before if you were not a Delegate. -- Most probably, that is why we abandoned it.

MR JACOBS: And then go to page 22. -- I have got page 22. (10)

The third line from the top there is a heading "Overall Political Line" and you did discuss an overall political line for the UDF at this meeting of the Secretariat of UDF? -- Although I do not remember specifically but that is possible.

And one of the headings under that is "National Convention", can you tell the Court what you did discuss at this meeting about the National Convention and the overall political line in this regard? -- As far as I remember in this particular meeting it was that the call that had been made in the National Launch has got to be reiterated. (20)

And did you discuss the conditions or your demands in regard to the National Convention at this meeting? -- I do not remember specifically.

Now then there is a second distinct political line as well, that is local option, what is meant by local option? -- It was that whatever UDF does it must not take blanket positions for everybody else. Local structures of the UDF can support one particular campaign or not support it. Organisations have got to be given that option to participate on things if they really showed they wanted to, and to be able (30)

to/....

to stay out of those things if they did not want to participate.

But Mr Chikane I want you to tell the Court what you in actual fact discussed at this meeting on local option, not a general statement, sweeping statement. I want specific data of what you did discuss? -- This meeting took place on 7 July 1984. I am being asked to remember the details in October 1987. Honestly I cannot remember the details.

So you cannot remember what you actually did discuss on the National Convention? -- I can remember vaguely as I look at this particular document but I cannot remember the details(10) of what was said on this particular, on every topic, as I stand here.

You see Secretariat, the next line now we see "Change" and then there is a heading of "Change":

"Secretariat address the above question, set up a committee to work out a line."

Now who were the members of the commission appointed and set up by the Secretariat on that stage? -- I do not remember any commission that was set after July 1984 but all I know is that immediately thereafter in August, a lot of people were (20) detained. It is possible that maybe this idea was never put in practice.

Is it not so that according to this minute that a commission was set up by the Secretariat? To work out a line? -- No. As I understand it here it is Secretariat addressed the above question and then "set up a commission". It means that possibly the Secretariat could have appointed a commission. It does not mean that they can appoint themselves, otherwise they would have said Secretariat becomes commission.

So can you remember Mr Chikane, from your memory then? (30)

I/....

I suppose it was an important event setting up a commission? Was a commission set up at that Secretariat meeting? -- I do not remember as I stand here.

Now Mr Chikane if you discussed at this meeting, discussed challenges to collaborators, local authority legitimacy and calling on them to resign, that is the members of the Community Councils and Black Local Authorities, you would remember that? -- Not only those, yes I would remember that.

Can you remember whether you discussed that? -- I remember that at that particular stage in fact we had raised the (10) question of the participants in the Tricameral Parliament, the Black Local Authorities had long passed in November 1983. So we were saying that we should not share a platform with them, we should challenge them to resign. I think this point is made much more clearer in the minutes of the National Executive Committee which was held in Bloemfontein.

Mr Molefe if it is, your evidence is correct to the effect that the campaign against Black Local Authorities was abandoned at the end of November after the elections in 1983 why did you still carry on to address this question of (20) collaborators and members of the Black Local Authorities be force to, or asked to resign? Why did you carry on with that campaign then? -- Of course we were not supporting those structures and we would obviously from time to time call on them, to challenge them to resign.

Yes. So it was in fact then that the campaign was going on against Black Local Authorities? -- No.

That is why you call on them to resign? -- No the campaign was to boycott the elections, that was the organised campaign, organised, and that ended in November 1983. Then from there (30)

from/....

from time to time we had challenged them to resign and we suggested other methods of trying to show that they have got no support by collecting signatures in particular wards that particular individuals were representing. That was not a campaign.

I would like you to have a look at EXHIBIT T.13. -- T.13.  
13, T for Tommy, 13. -- I have got it.

That is an exhibit found in the UDF offices, Johannesburg. This is also the report of the Secretariat of the UDF to the NGC. Now which NGC is referred to here? -- I have already (10) stated to His Lordship that I have never had the opportunity to attend a single NGC of the United Democratic Front and I would not know.

That is a National General Council? -- That is correct.

Did the National General Council of UDF meet in December 1983? -- No that was the National Conference that was held in P.E. It was not an NGC.

And at, in April was it a National General Council meeting when the new bodies were chosen for the next term in the UDF National? -- That is correct. (20)

Did you attend that NGC meeting? -- No I did not attend that one.

Well if we have a look at the first sentence in this document, this report:

"Today, almost a year after the germ of the United Democratic Front was conceived and just a few days before the beginning of the new year we are gathered here in all our hundreds as delegates from various centres of South Africa."

Now to which NGC is referred to here? -- I do not understand (30)  
because/....



because the April NGC took place almost two years after the first NGC.

COURT: Well then this can then only refer to the P.E. session?  
-- The P.E. was three months after the National Launch. The National Launch was on 20 August 1983 and then the P.E. was around 16 December 1983.

That is right, if the germ of the United Democratic Front is said to be the call by Dr Allan Boesak then it fits. -- Yes that is a great possibility.

MR JACOBS: Now I would like to put it to you that this (10)  
report refers to the NGC meeting in December 1983, it is a report for that NGC meeting? -- On the basis of what His Lordship has said that is a very good possibility.

Now did you, before this NGC meeting in December 1983 did the Secretariat of UDF come together, did it come together and discuss what was to be done at the NGC and to discuss the report to be submitted to the NGC and were you part of that? -- I do not remember.

Why did you not attend this first NGC meeting in December 1983? -- I attended the conference, the PE conference in (20)  
December 1983 and if this is what is referred to as NGC I was there but certainly it was just a conference, it was not a National General Council. Elections were not taking place for instance.

COURT: What is the difference between a conference and a General Council? -- I thought the difference is that in the NGC elections take place, constitution is discussed and amended, you know, and possibly a programme of action is presented, something like that. But in the conference it is where you merely discuss a particular issue or particular (30)  
issues./....

issues. And in a conference normally there are no official elections. That is the difference. It is a National conference but it is not the National General Council.

And what was the particular issue to be discussed in Port Elizabeth? -- It was the Million Signature campaign that was the main issue. There were other issues that were supposed to be discussed, like conscription and I think removals as well.

MR JACOBS: Now EXHIBIT T.18 is that a report of the conference then held in Port Elizabeth? Is that minutes of the meeting held, of the conference held in Port Elizabeth? -- T.18? (10)

Yes. -- From the look of things it is the report of the Natal Region that was presented to the P.E. conference, in fact here it is stated very clearly that it is a conference.

And this ...

COURT: No it was not presented to the P.E. conference. It is a report on the P.E. conference presented to the Natal ... -- To Natal, yes that is correct My Lord.

MR JACOBS: And in regard to Session 1, paragraph 4.1 on that first page there is a reference to report of National Secretary P. Molefe and it refers that a copy of this report (20) are available and I put it to you that the second document of T.18 is the report handed in by accused Popo Molefe? -- Which document is that?

Have a look, after this minutes you have got a second document, Report of the Secretariat to the UDF NGC. And that is the report referred to here in Session 1, 4.1.

COURT: Mr Jacobs where is that second document?

MR JACOBS: My T.18 the first document is a report to the Natal Region General Council of the UDF on the Port Elizabeth Conference held on 17 and 18 December 1983. That is two pages.(30)

And/....

And behind that we have got the second document ...

COURT:

Yes now what are the admissions in respect of these documents?

MR JACOBS: T.18 was found with M. Ramgobin, Durban, E. Ramgobin, Durban. That was this ...

COURT: Who Ramgobin? E. Ramgobin?

MR JACOBS: E. Ramgobin, Durban. That is in regard to all the documents in T.

COURT: In T.?

MR JACOBS: In T.18.

(10)

COURT: T.18, yes.

MR JACOBS: And just to, I just want to get this all in perspective, that is why I am just referring that it is said that this report by this national secretary Molefe is this document, that it was attached to this report and it is part of this report Mr Chikane. -- Well I do not know about that and I think if the National Secretary chose to call this conference an NGC I cannot be held responsible because I do not think that we could have held a National General Council meeting just three months after the National Conference, the launching (20) conference.

Well it could have been a mistake on his part, as his perception of what is a National General Council Meeting, could be different from yours, is that correct? -- That is correct but I think it could not have been the National General Council as I understand it because the National General Council if he refers to a year in his report and he calls this a National General Council it means that it would be a year after 20 August 1983.

But a National General ... -- Because the UDF was (30)

launched/....

launched on 20 August 1983. It should have been a year from then.

Is it possible Mr Chikane, according to the Principles of the UDF, the Working Principles, to call for a meeting of a National General Council of the UDF under special circumstances before a year is over? -- No they said, if my memory serves me well it was at least.

But was it ... -- In a year's time.

.... possible according to the Working Principles of the UDF? -- No as far as my memory serves me it is that it was (10) the NEC can call a National General Council at least once a year.

And is it correct Mr Chikane that the people who attended were the Executive members elected to the UDF as well as the delegates from all affiliated organisations who attended this conference in December? -- That is correct because they were going to discuss a campaign, a national campaign so to say.

Yes. And is it correct that certain important policy decisions were to be made on this meeting? -- Not as far as I can remember but there were a lot of debates, especially on (20) the UDF's reaction to the, on how the UDF is going to conduct itself during the Tricameral Parliament and there was a lot of division, other people saying that we should call for a boycott, others saying no we should call a referendum instead of a boycott.

But that was in regard to, to decide on that that was a policy decision and that is why this conference was convened? -- That is correct, amongst other things it was going to discuss this, the position of the UDF.

And it was the general, National General Council of the (30)

UDF/....

UDF to decide on certain policy matters? -- It was a conference where a, a national conference where delegates from organisations participated.

Yes and I just want to go ... -- To discuss specific issues.

To bring this further, the second document, the report of the Secretary, that this report attached here is identical to EXHIBIT T.13, that is the one that I have referred to you in the first instance.

ASSESSOR (MR KRUGEL): It is not identical.

MR JACOBS: Identical in content, but not in the sort of (10) typing.

ASSESSOR (MR KRUGEL): In form.

MR JACOBS: In form. -- That is correct.

And then behind this, on T.18 again, then there is a second document. It started with "The Future". -- After T.18?

COURT: What are you referring to now Mr Jacobs?

MR JACOBS: Yes I will, I see my note is not, let me just make sure sir. Let me refer to this page. After, there is another document, I put it to you what I am referring to is after this secretarial report there is a third document (20) referred to in paragraph 4.2 of the session, a paper on the referendum by E. Molobi, that is the same as T.18 the third document, the last three pages, that is the report of Molobi.

COURT: Mr Jacobs where are the last three pages? What document?

MR JACOBS: T.18 you have got ...

COURT: T.18 has got three documents.

MR JACOBS: Yes.

COURT: The first one is a report to the National Regional General Council. The second one is a report of the Secretaria(30 to/....

to the UDF NGC?

MR JACOBS: Yes, that is two page report, or printed on two pages.

COURT: That consists of three pages, four pages.

MR JACOBS: Four pages, no sir it is four pages, one, two, it is only two pages then there starts anew "The Future".

COURT: "The Future", is that not part of it?

MR JACOBS: No it is not part, that is a report referred to in paragraph 4.2, that is a paper by E. Molobi. This paper looks at the objectives of UDF, defines principles, strategies (10) and tactics and looks at some of the operational principles of the UDF. That is with the permission of the Court, can we mark the first one, the report of the National Regional T.18 document 1.

COURT: Yes. -- My impression is that from face value they look like it is just the same report.

Why do you say it is a different report Mr Jacobs?

MR JACOBS: Well I have read through it sir and according to my study that, in that report you get this reference to the objectives of the UDF, the defiance principles, strategies (20) and tactics and looks at some of the operational principles of the UDF.

COURT: Now is that part, does it not form part of EXHIBIT T.13?

MR JACOBS: The second document?

COURT: If you look at T.13 you find exactly the same thing, also "The Future". Now are you saying that T.13 is also two documents?

MR JACOBS: Which document are, T.13?

COURT: T.13 has a portion which is headed "The Future" and I have always taken that to be one document. Is that a (30)  
different/....

different paper?

MR JACOBS: I will sort this out and then come back tomorrow and ...

COURT: Well there are no page numbers on that portion. -- In fact from my reading My Lord it is the same. It starts with "As mentioned earlier" and we can check T.13 it starts with the same sentence. So it is the same.

MR JACOBS: I will come back tomorrow and I will bring everything into the court and into the clear on this. Now at this NGC meeting held during December 1983, if I remember correct(10) it was held on 17 December 1983, it started on 17 December 1983, did you discuss Black Local Authorities, the boycott of Black Local Authorities at that conference Mr Chikane? -- In this conference I think that it was a conference, not an NGC, if counsel wants to call that conference an NGC then he is free to do so but as far as I know it was a national conference. I think Black Local Authorities was on the agenda as well but I do not think it was addressed at that meeting.

What did you discuss about Black Local Authorities or did you not discuss it at all? -- As far as my memory (20) serves me we did not discuss it. A lot of time was taken by the call for a referendum or boycott.

Now this secretariat report did you assist in drawing up this report to the conference then? -- No not as far as I can remember.

Was it not part of the duties of the Secretariat? -- I do not know if I was around because at that particular stage I had just been elected into the Transvaal Secretariat and there were a few meetings that I missed because I was trying to complete the business that I had with my employers, (30)

the/....

the assignments that I had. It is possible that I could have missed this one.

When was the first National Secretariat meeting that you attended Mr Chikane? -- As I stand here I cannot remember precisely.

And you cannot even remember if you were party to the drawing up of a report for this National Convention in Port Elizabeth? -- No but I remember that some of the issues were discussed in the Transvaal and we made recommendations.

Will you have a look at EXHIBIT T.17. -- I have got it.(10)

This is a secretarial report to a General Council Meeting held on 10 December 1983.

COURT: What is the admission in respect of this document?

MR JACOBS: This was found in the SAAWU offices, Pretoria.

MR TIP: I think it was the UDF office in Johannesburg.

MR JACOBS: Ja my nota wat hier aangeteken is is verkeerd, ek is jammer, dan is dit UDF offices in Johannesburg. A secretarial report to the General Council meeting held on 10 December 1983. Which General Council is referred to here, is that the Transvaal General Council? -- On the face value(20) it looks like it refers to the Transvaal General Council.

Yes on top, right on top in the left-hand corner there stands "UDF Transvaal"? -- That is correct.

Now as part of the Secretariat of the UDF Transvaal did you assist in compiling this report Mr Chikane? -- No in fact I do not even remember reading it after, before it was presented, but I have seen it thereafter.

Did you attend a meeting of 10 December 1983 of the General Council, Transvaal? -- I cannot remember but I am sure that can be checked because we have the records. I remember(30)

at/....



at that particular stage there was one General Council that I missed, I rendered an apology. Now I do not know whether it is this one. Or not.

There on page 2 there you got reports from affiliates, is it correct? -- That is correct, point 8.

Yes.

MR TIP: My Lord just to be of assistance in relation to the minutes that the witness has referred to, N.2 are the minutes of that General Council and ...

COURT: Of this one? (10)

MR TIP: Of the General Council of 10 December 1983. And perhaps it would assist Your Lordship if I had to point out that under "Apologies" the witness' name appears.

MR JACOBS: Did you see this report afterwards Mr Chikane? -- That is correct.

And did you see the minutes of the meeting of 10 December 1983? -- That is correct.

Afterwards? -- That is correct.

Did you at any stage with the other secretaries in the Transvaal go, did you go through the reports from the affiliates and did you discuss them at all before the meeting of 10 December? -- Well I cannot remember specifically but most probably, as I say, I could have seen this report subsequently. (20)

I saw this report before it was presented as an exhibit in this court but I cannot remember whether it was before or after the meeting.

You see on page 2 of this report it is stated:

"The campaign against the Black Local Authorities elections was conducted in all areas apart from Jouberton, in Klerksdorp, apart from Wadeville (30)

in/....

in Daveyton, in Tembisa. No intensive campaign was conducted in the East Rand township. In almost all cases all affiliates conducted the campaign in their own names. The UDF Transvaal played a role of providing information, general co-ordination, assisting organisations in planning activities and producing publications." So according to this Mr Chikane the campaign against the Black Local Authorities was going on up till 10 December 1983 and the UDF was assisting the organisations in this campaign? -- No, this is not the case. What it is saying, this Secretariat (10) report most probably it was taking the activities of the UDF affiliates after the launch of the Transvaal Region in May and then it was just giving an overall assessment that campaigns were conducted before the elections of November.

Is it correct that the UDF Transvaal did assist in the organisations, affiliated organisations in the Transvaal in the running of this campaign? -- That is correct. At that particular stage I remember that we produced pamphlets calling for people not to vote, you know. And posters.

And then under this report from the affiliates: (20)

"Reports have been received from DESCOM, AYCO and Soweto Residents Committee. The Soweto Residents Committee is developing alternative proposals to the Black Local Authorities."

I put it to you that the report is that this was going on in Soweto, that the Soweto Residents Committee, an affiliate of UDF, was developing alternative proposals to the Black Local Authorities? -- I guess that is how the Soweto Residents Committee reported in this particular meeting, hence it is under "Report". But that has nothing, it is just a report (30)

that/....

that came from one of the affiliates.

But Mr Chikane you told the Court that what the affiliates were doing was actually what UDF was doing because they are the affiliates? -- No that is incorrect.

They were carrying out the policy of UDF? -- That is incorrect. I said if those issues are agreed upon by those organisations sitting together and forming UDF in a meeting of the structure of the UDF that is the case, and I remember I even gave you an example that people often report about what they are doing and I gave an example of Lord McCamel report-(10) ing in the General Council of the UDF that he has lost his job.

You see Mr ...

COURT: Is the Soweto Residents Committee something different from the Soweto Civic Association? -- That is correct.

Now where do they operate? -- They all operate in Soweto. I am not quite sure exactly where this Residents Committee operates but it is somewhere in Soweto. You know Soweto is big.

So do they have specific areas where they operate? -- It looks like this Residents Committee, my understanding was that(20) it operates in one part of Soweto and Soweto has got branches in the other parts of Soweto. That is my impression that I got but I cannot tell His Lordship exactly where.

MR JACOBS: You see, is it correct Mr Chikane that already in 1983, December, there was mention of this alternative proposal to Black Local Authorities, was already broached in 1983?

-- Not by the UDF. It is true that in 1983 on the 10th of December 1983, one affiliate of the UDF reported in a General Council that he is developing an alternative programme to, proposals to Black Local Authorities. (30)

And/....

And this was not ... -- But not UDF.

And I am sure Mr Chikane this was in accordance with UDF policy? -- It may, it may not have reflected UDF policy. It was just a report that was presented and as far as I know there had never been a report presented by this organisation that now we have produced that report, here is it.

Well Mr Chikane .... -- It is just an intention.

It is not so easy as that. Is it not so that the activities of all the affiliated organisations must be in accordance with UDF policy otherwise the UDF will ask them to (10) resign or to get out of the UDF? -- I tried to explain this point that all the activities necessarily because unless those activities are taken, are adopted by those organisations sitting together under the umbrella of the UDF, organisations maintain their own autonomy, they continue to do what they want to do.

Is it not so that as long as it is not contrary to the UDF policy they can do what they ... -- That is correct.

So this must then not be contrary to UDF policy but in line with UDF policy to work for alternative proposals to (20) Black Local Authorities? -- Of course every proposals is really accepted to the UDF, but it was never presented. Proposals, if anybody else is saying we are not happy about the Black Local Authorities and I am trying to work on something we say alright work on that particular thing and present it, let us see it. It is just a proposal. That is what it is, it is just a proposal. Unless if we can see that document compiled we will be able to get it whether it is acceptable in terms of the UDF policy or not.

Will you go to EXHIBIT T.21 please. -- I have got it. (30)

This/....

This was a secretarial report found in the possession of L. Meyer in East London. -- First I have never seen this document. I see it for the first time as part of these exhibits in this court.

What is meant by secretarial report? Is it not the National Secretarial report? -- No. Normally that is referred as Secretariat and Secretarial Report is the report of Secretaries to different, Regional Secretaries to different Regional Councils. Or to, even to the National Executive. That is a report from the Regional Secretaries are referred (10) as Secretarial report in most cases. But I must accept that from time to time we may find that other reports are referred differently.

In this there is a reference in paragraph 2 on the first page that there has been a National Secretariat meeting in Durban on 12 and 13 January 1985. The following issues were discussed. I put it to you Mr Chikane that in order to report on the National Secretariat meetings it must have been a National Secretariat report this?

COURT: Why? Why cannot an ordinary Secretary who has the (20) right to sit on the National Secretariat not report back to his own Region about what he heard there?

MR JACOBS: I will accept that. I am sorry then. But there was a reference in paragraph (d), 2(d), that you discussed Black Local Authorities. -- That is correct. I think that was on the agenda. But as I say because of the time that was consumed by this debate on the referendum some of the issues were not discussed.

And the second last paragraph, I put it to you it is still going under paragraph 2, it refers there to the Black (30) Authorities/....

Authorities will be under focus and workshops have been arranged in the Transvaal to organise united strategies on resisting them. Have you got that, the reference that I have read to you? -- Yes I have got that, but in fact this report from the look of things it is a Secretarial report to that Region and the Secretary of that particular Region is talking about what was discussed in a National Secretariat meeting that was held on 12 and 13 January 1985.

Yes and was it discussed in that, did you attend that National Secretariat meeting in Durban on 12 and 13 January (10) 1985? -- That is correct.

And did you discuss under the Black Local Authorities that it will be under focus and workshops have been arranged in the Transvaal to organise united strategies on resisting them? -- No that is, it was not in that context. At that particular stage we said the National Meeting will come together of the civic organisations has been postponed for a long time and then we need to set up a date where this issue of Black Local Authorities, together with the conference on housing has got to be planned and a date has got to be set. (20)

No but this is not referring to housing Mr Chikane, it says here specifically and the Black Local Authorities will be under focus, workshops have been arranged in the Transvaal to organise united strategies on resisting them. -- That is correct, a workshop. Most probably this person is referring to the same workshop that I am talking about and it was in January 1985. I had referred to a document T.27 which is dated 21 January which talks about this particular workshop and this particular issue of Black Local Authorities is mentioned there. Most probably this person was referring (30)

to/....

to that particular workshop.

Mr Chikane you got T.27 before you. Can you show the Court where it refers to a workshop being held in regard to Black Local Authorities and on resisting them? -- There was a circular that was written by Popo Molefe and it was dated 21 January 1985.

Well Mr Molefe I am not asking you what Popo Molefe has written. I want you to point out to the Court, you have got EXHIBIT T.27 before you, point out to the Court where it is stated here that the workshop was going to be held in order(10) to discuss strategies on resisting Black Local Authorities? -- To start with I do not have the document that I am referring to here before me.

COURT: Well it is the first document in T.27. I do not think you have it. -- Yes I do not have it. But the second document as far as I can remember ...

No but if you are referring to the first document take the first document and look at that. -- Alright. I would refer to the first paragraph, and it reads:

"As you should know the housing conference has been on(20) the agenda for now a year because of the urgency of the campaign against the new constitution this issue had been shelved from time to time. However the matter must still be pursued with all the seriousness it deserves."

Now as far as I know what I am referring is that that conference of all the civics coming together was not held up to this particular time.

MR JACOBS: There is no mention of a workshop being held in regard to Black Local Authorities? -- For that I will refer (30)

to/....

to the programme that was drawn for that. For that conference, and it will be the third document if my memory serves me well, paragraph 4.

COURT: Can I have my document back please. You have the third document in your bundle. -- Paragraph 4 on page 2 it speaks about the Black Local Authorities.

There are quite a number of pages 2. It starts with 2(a). The third document, 3? -- Is the document that is "Draft".

"Draft"? -- It is called "Draft" ja, and then content or programme of the conference on housing. (10)

Yes well that is document 2(d). You are referring to which paragraph? -- Paragraph 4 on page 2.

It is page 2(e), yes.

MR JACOBS: To which paragraph? -- Paragraph 4.

Where does it say that workshops must be held in order to organise against Black Local Authorities? -- No all I am saying is that in fact this kind of a conference was going to take the form of a workshop. Now I cannot account for how the way that has been phrased by someone else that I do not even know. (20)

What do you mean by that Mr Chikane? -- I do not know who compiled that Secretariat report and I do not know the reasons why he phrased it the way he did. But what I am trying to say here is that up to the time of when I got out of the office there had never been a decision taken by the UDF on this question of Black Local Authorities.

But you referred to paragraph 4 ... -- And paragraph 4 it is the content of the proposed programme that was to take place and until the time of my arrest that conference had not taken place. And there was no workshop to my, as far as I (30).

am/....



am concerned on this particular topic in the Transvaal.

COURT: When the question which arises is whether it was discussed. -- I cannot remember that.

C.980 MR JACOBS: Can you assist the Court, I have a difficulty in this, when this document "Content of Programme of Conference on Housing", when was this document drawn up, when was it compiled and by whom? -- I think this document was compiled by the REgion of the UDF in the Western Cape and then it was, when that conference did not take place the proposed content of that conference were included when new invitations were (10) issued on 21 January 1985.

Mr Chikane if you read the first paragraph, do you know when it was compiled, this report? -- I think it was somewhere in the middle of 1984, I cannot remember specifically because...

Middle of 1984. You see if you read the first paragraph 4, you referred to that:

"We all know about the successful boycott of the Community Council and Black Local Authorities elections in the African areas. Many of us, however, do not understand all the details of the local proposals of the President's (20) Council. These are now parts of the constitution."

Now if you have regard to that I suppose this was written only shortly after the elections in 1983? Black Local Authority elections? -- No that is incorrect because I can as well argue in the same spirit that it was written after the constitution had been implemented.

Yes. Talk, the talk and input on the implications of the decision of the government to create new local authorities. To what new local authorities are referred to here?

-- In fact I seem to remember this document appears as (30)

C.60./....

C.60. And it was written on 14 April if my memory serves me well.

How do you know it was written on 14 April? -- It is because it is, it forms part of the programme that was suggested by the Regional Secretary of the UDF Western Cape at that particular stage.

And you ... -- C.60.

It is similar to C.60? -- Yes similar to C.60.

And it was written you said on 14 April but you did not say the year. Which year? -- 1984. (10)

You see I do not see the, according to my exhibits EXHIBIT C.16 is the state of the Soweto Civic Association. Oh 60, six oh? -- Six oh. It is the second document My Lord, in fact it is dated 16 April, the first document. 1984.

Just to get it clear Mr Chikane you are referring us to C.60, that is it seems to me a letter by, C.60, that is C six oh. -- C six oh.

COURT: Yes and if you turn the page and if you turn a further page and you turn a further page you get it. And will you now get on with the cross-examination Mr Jacobs. It is (20) very nice of you to discuss matters in general with the witness but I would like to finish this case some time.

MR JACOBS: As the Court pleases. Will you have a look at EXHIBIT T.22. That is a Secretarial report from the Transvaal found in the UDF offices, Johannesburg. -- I have got it.

Mr Chikane did you assist in compiling this report? -- I read this report before it was presented.

Did you assist in compiling the report? -- No.

Mr Chikane at all the time during the whole period that you were a member of the Executive of the UDF in the capacity (30)

as/....

as a Secretary did you assist in compiling any of the reports of the UDF Secretariat, Transvaal UDF Secretariat? -- As I stand here I cannot remember any. And I have already explained to His Lordship exactly how the reports are compiled. First we had to get information from affiliates and then on the basis of that information you can compile a report. Now because I was not working in the office I had that particular disadvantage.

I do not, I am not asking you a reason why you have not. I am asking you a fact. Did you compile any report or not? (10)  
-- No I do not remember ...

Yes or no? -- I do not remember compiling any.

When was this, have you seen this report? -- That is correct.

And it was a report from the UDF Transvaal Secretariat to which body? To the UDF General Council Meeting, to the National Executive Council meeting, which body was this report represented? -- If counsel can just give me time I will look and check. If my memory serves me well this kind of report was either presented on the meeting of November 1984 or in (20) January 1985, on 9 March, I cannot remember specifically.

Now was this report meant for a National Executive Council Meeting? -- From the look of things it is a report of either a Regional General Council or a report to the NEC, on the meeting of the national nature of the UDF structure.

You said you have seen this report, and where have you seen it? -- That is correct. I have seen the report. As I stand here, especially because it does not have a date and references, it is very difficult to really remember where one saw it precisely. (30)

Did/....

Did you see it at a meeting of one of the bodies of the UDF? -- I think I read it after it was compiled.

Now that is very vague Mr Chikane. What do you mean, was it handed over to you directly and before the meeting or what do you mean by that or at some time after, a month after it, what do you mean? -- No after the Secretary, the full time Secretary had prepared a secretariat report that was going to be presented either to NEC or to RGC, what would happen is that he would give me that report to read and to amend if I want amendments, or suggestions. That would be the case. (10) So I think even this one I saw it in that particular context.

Now on page 2 of this report where is UDF going to, the last paragraph:

"Now that elections are over the question where is UDF going to must be attended to very closely. The question of political alternatives must be looked into very seriously."

Now can you tell the Court more about this, the question, after the elections the question of political alternatives that must be looked into very seriously, what political (20) alternatives are referred to here? -- Well all it meant is that maybe UDF has got to, now that the elections are over to say to something that it can do, political alternatives, that is what it means.

Yes what political alternatives must be look into, what political alternatives? -- The report does not mention that and I do not remember that question ever coming up where UDF was on political alternatives.

But was not this report discussed on the meeting where it was presented on later, later on presented Mr Chikane? -- (30)

That/....

That is correct. And when the report is presented, in fact I remember this report was presented on, in November. I think it should be J.2, this very report.

COURT: Yes it is J.2. -- It should be J.2, I remember. Now inasfar as the Transvaal was concerned that meeting of November 10/11 was regarded as a workshop, not an NEC, the reasons being that the majority of people who were elected in the National Executive were detained and we had a lot of substitute people and on that basis the Transvaal felt that it should rather be a workshop than an NEC meeting, we cannot (10) take decisions and to support this point if we check F.15 that point would be made.

MR JACOBS: Did you discuss it then later on at another meeting, did you on the next meeting after this one, the J.2 meeting on which the minutes are reflected in J.2, after that? -- I do not understand the question.

Did you discuss this question of alternative, political alternatives at a later meeting? -- No unfortunately after that in, up to March, to 9 March, that was never discussed and I got out of office at that particular time. (20)

Now in T.23. -- T.23?

Yes. This is an assessment of the United Democratic Front, Transvaal to the NEC, that is a document found in the UDF offices, Johannesburg. Now Mr Chikane can you tell the Court who compiled this report for the National Executive Committee of the UDF on behalf of the UDF, Transvaal Region? -- It should be the full time secretary of the UDF Transvaal.

And you yourself did you have anything to do with this? -- That is correct, as I said I would normally read them.

COURT: Did you read this one? -- That is correct. (30)

That/....

That is now before it was presented? -- That is before it was presented.

MR JACOBS: Also was it presented to you to read through it and to say whether you agree with it or if there was anything that you want to add, or what was the purpose of you reading it? -- The purpose would be that I should amend whatever needs to be amended or add whatever I think needs to be added.

So were you then satisfied with this report in the form that it is before the Court? -- That is correct or otherwise I would have made amendments. (10)

Now what was the purpose of an evaluation commission being set up? -- The evaluation commission was set up to try to look at the structures of the UDF and how effective can they be made and to make recommendations to the General Council, the Regional General Council of the Transvaal.

Was such a body set up? -- That is correct.

By the UDF Transvaal or by the National office? -- No by the Regional Council of the Transvaal.

Who were the members of this evaluation committee, commission? What was it, a commission or a committee? -- A (20) commission. It was Mr Masondo, that is Amos Masondo, Mr Mandla Nkonfe(?).

From which organisation is he, he is a new name? -- I think he was from the Soweto Youth Congress.

COURT: Just spell his name for us? -- It should be N-k-o-f-e, Nkofe. And then there was Ismaile Momomiat whom we often refer to as Momo, and then there was Jontes Joffe(?).

MR JACOBS: What were their duties? -- Their duties were to go around to try to speak to affiliated organisations to find out the method that was, how UDF can best be structured so (30) that/...

that every organisation can participate fully in the activities of the UDF.

Was it part of their duties to find out what campaigns were run by the affiliates? -- No, but what would happen generally is that they would go to those organisations and ask what their programmes were, how did they think they can accommodate maybe a particular suggestion that came from the UDF. But their duties were not specifically to investigate programmes of the ...

No but I asked you part, I did not say specifically. (10)  
I asked you was it not part of their duties to go to organisations and evaluate the success of their campaigns run by the organisations, what they achieved? -- No the mandate they received was just to try to see how best can they improve the communication and structure, restructuring of the UDF, Transvaal.

EXHIBIT E.25. -- I have got it.

That is the UDF, Transvaal, Secretarial report to the Annual General Meeting held on 9 March 1985. -- That is correct. (20)

Now .. -- I have seen this document before it was presented here as part of the exhibits.

COURT: When did you see it? -- I think I have seen it in that same, in this very meeting. I came when this report was being discussed from the Northern Transvaal. I hope His Lordship would remember that I said on the 8th I went to the Northern Transvaal. So when I came back I found that this report had just been presented and they were discussing it and I discovered that it has got a lot of faults in fact.

MR JACOBS: Who did you find discussing this report? -- The (30)

AGM/....

AGM of the Transvaal.

On what date did you discuss this? -- It was on 9 March 1985.

On? -- 9 March 1985.

You said and you discovered it had a lot of mistakes? -- That is correct.

What do you mean by mistakes now? -- Well first of all there were a lot of specific issues that took place that it was referring to and either the dates were incorrect, something like that you know. And again the first paragraph explains (10) why there were some mistakes with it. Maybe I should just read it:

"The task of compiling the Secretarial report which covers the first 22 months of the Transvaal Region of the United Democratic Front is mammoth. The UDF's rapid growth and its extraordinary dynamism is difficult to capture in a report of this nature. Added to this difficulty is the absence of all the records which have been confiscated by the Security Police."

Now on the basis of that I want to show several issues that (20) were wrong. For instance it refers to the launch of the Million Signature Campaign.

Which paragraph are you referring to? Just refer every time to the paragraph so that we can check it. -- I will get the paragraph.

COURT: Yes, we can do this tomorrow morning.

COURT ADJOURNS UNTIL 27 OCTOBER 1987.