

COMMISSION OF INQUIRY INTO THE RIOTS AT  
SOWETO AND OTHER PLACES IN SOUTH AFRICA.

MORNING SESSION:

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COMMISSION RESUMES ON 15/3/1977 AT 10 A.M. AT PRETORIA.

AARON MONTOEDI MATLHARE (still under oath):

CROSS-EXAMINATION BY MR. BIZOS (Cont.): Yesterday whilst you were in custody of a police officer you came near to Mrs Mandela outside, do you remember that? --- Yes, I passed near her.

Yes and Mrs Mandela informs me that you said to her: "Please give N'kele my fondest regards" is that correct? --- Well I did, that is correct I did ask her that.

Yes of course it is correct and N'kele is your wife? --- (10) That is right, yes.

Yes. Now that is even taking the circumstances that you find yourself in now, a friendly act. Isn't it? --- Well she had provided us with lunch she bought lunch for us for all of us.

Well that is an even more friendly act but your act, your act in saying: "Please give N'kele my fondest regards" was a friendly act, wasn't it? --- It was, as I said I have never hated Winnie Mandela.

Yes and you would have expected Mrs Mandela when she got (20) home to walk down to your home where your wife now is to carry your message of your fondest regards, not so? --- Well, I thought she would see her on her way or perhaps yes, go down...

Yes and this was something that you wanted her to do, not so, otherwise you would not have asked her to do it. --- That was said in passing.

Yes, well sometimes things that are said or done in passing represent one's innermost feelings, don't they? --- No reply.

Don't they? --- They do.

Yes, so that you didn't yesterday at lunch time, you (30) expected Mrs Mandela to go and visit your wife at home? Not so?

--- I/..

--- I didn't expect her to visit my wife, I said should she see her.

Oh, well. Well, did you think that there was going to be an accidental meeting, did you have any reason to believe that there would be an accidental meeting?

CHAIRMAN: Well, if they live in the same street then..(both speaking simultaneously). --- As one was passing to work, when my wife is passing to work

MR. BIZOS: Yes, in any event may I suggest to you, may I suggest to you that your action yesterday, your action yesterday is (10 a clear indication that what you said to His Lordship when Mrs Mandela was not here that this was a mischievous woman who had made a lot of trouble, who had misled the young people, who was busy caucusing with young students in order to mislead them, you couldn't have believed all this when you spoke to her at lunch time yesterday? --- Well at that moment, I mean that was a different situation from the situation in which we were yesterday here.

Weren't you afraid that she was going to go- to take the opportunity of going to corrupt your wife? --- Well, I (20 wasn't afraid of that.

You weren't afraid of that. Isn't the position, that whilst in detention and whilst you made this long statement running into 96 odd paragraphs, you knew that the police were interested in Mrs Mandela, didn't you? --- I didn't know that.

You didn't know that? --- No.

Was it never indicated to you that the police had an interest in Mrs Mandela? --- No police indicated that to me.

At no stage? --- At no stage.

At no stage at all. Then..well, I haven't had the benefit (30 of seeing your whole statement and I don't want to burden either

the/..

the record or my brief by having it but from the manner in which you were led, it would appear that your allegations against Mrs Mandela came very early on in your statement. Paragraph 6, My Learned Friend Dr. Yutar, page...(intervenes).

CHAIRMAN: Well, wasn't the matter being chronological as far as was possible?

MR. BIZOS: Well, except it could be but it would show an interest in Mrs Mandela even though it was in chronological order.

CHAIRMAN: Yes, what I mean by that is that..is it necessarily that he had gone out of his way? (10)

MR. BIZOS: Well..

CHAIRMAN: To bring her in at an early stage or was it...I don't know, I haven't seen the document for obvious reasons.

MR. BIZOS: But I think there must be a fairly accurate reproduction of it in the evidence. If Your Lordship looks at 4 719, paragraph 6. You see presumably the first five paragraphs dealt with your personal background and your personal particulars, doctor? --- Yes.

Yes, and how did you come to start your story with Mrs Mandela in paragraph 6, how you came to meet Mrs Mandela? --- (20) Well, I had to start my story from the beginning how I knew her and...(intervenes).

But now who told you to write about her? --- Well, I wasn't coerced or told by anybody to write, but I was...(intervenes).

Don't digress to much. --- I was...(intervenes).

CHAIRMAN: No, that is the object of your question, isn't it? Or he can think that to be the object of your question.

MR. BIZOS: Yes, well perhaps the witness is anticipating me, My Lord.

CHAIRMAN: I'm sorry, I don't want to interfere with your.. (30) cross-examination.

MR./..

MR. BIZOS: Yes.

(To witness): Now, nobody has suggested that you were coerced in any way. But what I am asking you is: Why did you think that you had to deal with Mrs Mandela in a number of paragraphs early on in your statement? --- Well, that is the way I wrote my statement how I knew her.

Why did you think that you had to deal with your association with Mrs Mandela in the early part of your statement? --- No reply.

Would you like to say anything? --- Well, I wanted to make(10 it as chronological as possible.

As chronological as possible, but now you were detained presumably because of your membership on the Black Parents' Association, not so? --- Well, I..yes, I think so.

Well, why did you think that you had been detained? --- Well, I was told by the officer that detained me, that they are detaining me under Section 6 of the Terrorism Act.

Well, there must have been a very early indication to you what it is that you had done wrong to lead this officer to detain you under Section 6 of the Terrorism Act? --- Well, later(20 on I..on gathering my thoughts I thought perhaps it is because I was a member of the BPA.

Yes, of course. Now then: What did you think the fact that you had been a medical practitioner and attending to Mrs Mandela in 1968 and 1969 had to do with that? --- Well, I suppose because she was one of the members, Executive members of the BPA.

So were others, so were others, there was Dr Buthelezi there was Dr Motlana, there was yourself, we don't have to run through all the members. Why did you choose Mrs Mandela to start(30 your narrative with unless it was suggested to you in one way or another/..

another that the police had an interest in Mrs Mandela? Or information that you had in relation to Mrs Mandela? --- Well, I wouldn't say the police..the police didn't really tell me..(intervenes).

Didn't tell you what? --- I mean I didn't write that statement starting with Mrs Mandela according to the police instructions.

No, the question was: Why did you start your narrative with Mrs Mandela in 1968 or 1969 when you were detained in 1976? --- Well, the answer I gave here is because she was (10 also one of the members of the BPA.

But now..for what purpose were you making that statement why did you think you were making that statement? --- And I had read in the paper in the early morning that she had also been detained.

Yes. Why do you think that..why do you think you were making that statement? --- Well to show the..our relationship how we started knowing each other with Mrs Mandela.

But who told you that they were interested in your relationship with Mrs Mandela, if anybody? --- Nobody told me, I (20 don't remember anybody suggesting anything to me about Mrs Mandela.

What use did you think would have been made of the statement that you were writing out? --- Well, I wouldn't comment on that.

Why not? Why don't you want to comment on your thoughts? What use did you think was going to be made of your statement? --- I didn't know what the police intended doing with my statement.

What did you think they wanted this statement for, didn't they tell you: That we want a statement about everything that (30 you know? --- They told me that/<sup>about</sup> everything I know.

Everything/..

Everything that you know about what? --- About the riots and how they started and about the BPA.

That is what the police told you. And that is what the police asked you to write a statement about? --- That is right about the riots and..(intervenes).

And then you started your statement in paragraph 6 as to how you met Mrs. Mandela in 1968/69 is that correct? --- Yes.

In answer to a suggestion by the police that you should deal with your knowledge of the riots, is that it? --- No reply.

Is that it? --- Well, I was doing it chronologically. (10 I was..that is quite right.

Well, did the riots start in 1968/69? --- No. But I was referring to the BPA and I was starting with the formation up to the formation of BPA.

And what did you think that Joyce Sekhakane had to do with the riots? --- Well, that was just the mentioning of my knowledge and association with Mrs Winnie Mandela.

(A)

Weren't you told that you would be used as a witness? --- No, I wasn't told that.

~~Were you never told that you would give evidence?~~ --- No.(20

Never ever? --- I wasn't told that I would be used as a witness.

CHAIRMAN: That you would give evidence in..? Here?

MR. BIZOS: Well, never ever in any court or any..(intervenes).

--- Well, I was told I was to come and testify in front of the Commission.

When were you told that? --- Well, I can't remember the date, it is early last..the other month I think..

Was it before or after you made your statement? --- It was after I had made my statement. (30

Right. Whilst your statement was being taken, what purpose do/..

do you think..did you think it was going..to be made use of it?

--- Well, I was told that I was detained and I might probably be charged under that Act and I must..(intervenes).

Under what Act? --- The Terrorism Act.

For having done what? --- For having been a member of BPA and being responsible for part of the incidents that occurred during the riots.

Now, the suggestion that was put to you that being an executive member of the BPA made you liable for prosecution under the Terrorism Act is that correct? --- No reply. (10)

CHAIRMAN: Well, is that a question you are now putting to him.

MR. BIZOS: Yes.

CHAIRMAN: Because that is not what he said.

MR. BIZOS: Is that correct? --- That is what I was told by the police.

Yes. Now, didn't you when told that, fall into the trap that some weak men fall into of trying to find scapegoats in order to save your skin? --- I wouldn't say so.

You wouldn't say so. Did you think that you had been guilty of acts of terrorism? --- Well, I didn't think I was. (20)

Yes, of course not. You considered that what you had done in relation to the BPA was the duty of a leading citizen of Soweto. --- That is correct.

Yes. And you felt that this allegation that had been made against you was a false allegation? --- Well, I felt it was false.

I beg your pardon? --- That is quite right.

Quite right, yes. And were you in solitary confinement?

--- Yes.

And did you write this statement whilst you were in solitary confinement except on the occasions on which your interrogators/.. (30)

