

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 MONTIEDI 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 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... (20)

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 expected Mrs Mandela to go and visit your wife at home? Not so? (30)

--- 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.

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)



interrogators came to visit you? --- Well, I wrote it..whilst I was in solitary confinement and also when I was being interrogated.

When you were being interrogated. Now during the course of your interrogation did the police show a particular interest in Mrs Mandela and Dr Motlana? --- Well, I didn't notice that.

I beg your pardon? --- I didn't notice that.

You didn't notice that. Do you remember that when Dr Motlana came to your surgery he had to stop your..the woman that was helping you out, your domestic servant from giving you a pethidine injection? --- No, that is incorrect. (10

Are you sure that it is incorrect? --- I am very definite about that.

Had you had any pethidine injections before your detention? --- No.

Are you sure? --- I am very sure about that.

Well, but we do know that you were taking other drugs and you were drinking, correct? --- Well, that was confirmed yesterday in fact.

Yes. Now perhaps you being a doctor can tell us how it felt having been on drugs, drinking, all of a sudden being removed from this and being in solitary confinement? --- Well, if I may explain I hadn't been drinking for quite a long time.

CHAIRMAN: Before your detention? --- For over three years I have not been drinking. I started drinking..

No, I think this question relates to your detention, shortly after you had had this drinking bout, am I correct?

MR. BIZOS: That is so.

(To witness): You see, you had been drinking and you were taking drugs and you were then detained. Now..(intervenes). (30

CHAIRMAN: Well, perhaps you could just for my benefit: How long/..

I was asked about my relationship with Mrs Mandela. (10)

Yes. Was that before you started writing out your statement? --- That was before and during.

Before and during. And when..as you were writing out bit by bit, did not your interrogators interrogate you on it? --- On what?

On what you had written out? --- Well, the interrogation came after my statement had been completed.

Yes. And did they show particular interest in Mrs Mandela and Dr Motlana at that stage? --- I wouldn't say so. (10)

Were you asked questions about them at that stage after you had written out your statement? --- Well I was asked questions about Mrs Mandela.

Yes. Did you realise that your interrogators believed that the unfortunate events of the 16th of June were not spontaneous events but that they were the work of agitators?

CHAIRMAN: Well, I must now tell you that I have had numerous questions put or I have put it to witnesses to what they mean by spontaneous and I would prefer it if you could use another word because the word spontaneous..(intervenes). (20)

MR. BIZOS: I'm sorry M'Lord, I didn't know. I didn't know of this...(intervenes).

CHAIRMAN: No, no, because the word "spontaneous" normally means "unplanned", something that happens unexpectedly.

MR. BIZOS: Yes, obviously the march was planned, yes I realise the semantic difficulty. I am indebted to Your Lordship.

CHAIRMAN: I'm sorry to interrupt you.

MR. BIZOS: No, I accept that My Lord.

(To witness): Now, did it become apparent to you that your interrogators believed that the events that commenced on the 16th of June, was the direct result of work of a small group of agitators/.. (30)

agitators? --- Well, I would say it became apparent to me that they thought that this was a planned thing.

Planned by a small group of agitators. --- And students.

Yes, well..yes and students who were also the agitators. A small group of agitators. --- Well, they didn't actually mention the word "agitators" to me.

Yes. No, but you could gauge from their questions that this was their belief that there was a small group of people responsible for the overall planning, pre-planning of these events. Correct?

--- That is correct. (10)

Now did you agree with them? --- Well, I agreed with them in respect of the students that..with respect that the students had said that they were planning to sympathise with their younger colleagues who were affected by this, this is the high school students.

Did you agree with your interrogators that the unfortunate events of the 16th of June, were preplanned? --- Yes, I did agree.

You did agree with them. Was that your view before your detention? --- That was my view before the detention, because (20) if I may explain of the incident I saw at Naledi High School.

Was it your view that the unfortunate events of the 16th of June were caused by..were preplanned and caused by the work of a small group of agitators, was that your view before your detention? --- Before..(intervenes).

CHAIRMAN: Well, I think "agitators" is a word that he objected to.

MR. BIZOS: Yes, well by a small group of planners, if you like.

--- Well, students mainly students that was..as I say it appeared in the papers that they were planning to do something. (30)

Just try and come to terms with the question properly please/..

please. Was it your view before your detention that a small group of people were responsible for the preplanning that led to the events of the 16th of June? --- Yes.

Did you know who that small group of persons was? --- Well, I didn't know but I..from newspaper reports it was purported to be students' movement.

The student movement. So it was your view before your detention that insofar as the preplanning of the events of the 16th was done by anyone, it was done by a group of students, correct? --- With the assistance of some other people. (10)

The assistance of some other people. Was that your view before your detention? --- That was my view in fact.

It was your view before your detention? --- That's right.

And which were the people that you believed to be responsible before your detention? --- Well, my view sir was that I usually saw, when I went to work and during the afternoon I had to come always back in the afternoon I saw students hanging around Mrs Mandela's house.

Did you believe before your detention that Mrs Mandela had influenced these students in order to do the sort of thing that led to the events of the 16th? --- Not influenced but I thought perhaps she gave them..the word I used: some motivation. (20)

When did you use that word. --- In my statement.

I am not talking about your statement, I am talking about your view before your detention. --- I never mentioned it to anybody before my detention.

You never mentioned it to anybody. No. Did you agree, did you agree that if..well, do you agree that if there was any preplanning for the sort of confrontation that there was on the 16th, the people responsible for such preplanning should have been exposed? Correct? --- Correct. (30)

If/..

Now if you believed what you now say you believed before the 16th did you do anything to expose the people responsible for this preplanning? --- No, I didn't deem it my duty to expose them.

You did not deem it your duty, you remember how you described yourself yesterday as a peaceloving, apolitical man, do you remember that? --- Yes.

Now, but you see it goes a little further, doesn't it? That if you in fact believed this before your detention, the last thing in the world that you would have wanted to do is to (10 sit on the same committee with the person that was so responsible in your view. --- Well, as I said in my statement..(intervenes).

Please may I..I am sorry to interrupt you. --- Yes.

I am sorry to interrupt you. Try to give your evidence without reference to your statement unless I ask you about it. You know what I mean, but let us continue now, I don't want to..

--- Yes. Well, I mainly was in the BPA in fact I was to be in the BPA for the sake of the planning of the mass funeral.

But now the planning of the mass funeral..(intervenes). --- And I thought that my association with anybody wouldn't necessarily<sup>(20)</sup> affect my thoughts.

Wasn't the planning of the mass funeral in itself a political act? --- Well, I wouldn't say it was a political act.

Well, wasn't it in order to show the collected grief of the people? --- Well, it..(intervenes).

Wasn't it to show a solidarity? --- It was to help the bereaved people.

By having a mass funeral? --- To help them bury those children. (30

Yes. I am sorry that I became waylaid, I want the answer to/..

to the previous question. Do you remember what it was?  
Were you prepared to work on the same committee with a person  
that you believed was responsible for the preplanning of these  
events? --- Yes, I was prepared.

Why? --- As I said for the sake of the people helping  
in the funeral.

No, you are not coming to terms with the question. The  
question is that you believed that Mrs Mandela was responsible  
for this preplanning on the evidence that you saw some young  
people hanging around her house. If that was a belief honestly (10  
held, how come a peaceloving, apolitical man like you, agrees  
to serve on the same committee as her? --- Well, I agreed  
to serve on the same committee as her.

Why, if you believed that she was responsible for this  
preplanning of the unfortunate events of the 16th? --- Well,  
my joining..I mean agreeing was in the helping of the people  
with the burials.

Try and come to terms with the question.

CHAIRMAN: I think the question was somewhat different, wasn't  
it? (20

MR. BIZOS: Yes, do you want me to repeat the question again?

--- Yes.

How come that a peaceloving, apolitical man like you, came  
to serve voluntarily on a body with a person whom you believed  
to be responsible for the preplanning of the unfortunate events  
of the 16th of June.

CHAIRMAN: I think that question he has answered in his way,  
hasn't he? Hasn't he said that he was prepared to work on that  
committee because it was for the benefit of the bereaved people.

MR. BIZOS: Yes. M'Lord, that has been his answer but may I (30  
just take it further with..(intervenes).

CHAIRMAN/..

CHAIRMAN: Yes, I think it is his answer perhaps that you could take further.

MR. BIZOS: But doctor, why should you be prepared to work with Mrs Mandela if your belief was that she was not there for that purpose, if you are telling us the truth, she was responsible for the preplanning. --- Well, she also wanted to help in the burial of the children.

Now..(intervenes). --- That were killed in the unfortunate event.

Now you see, you have already told us that you didn't tell (10 anybody about this belief, you didn't dissociate yourself from Mrs Mandela in any way until you came to make your statement, correct? -- Well, that is quite right, I didn't tell anybody.

Yes, now you know if you believed what you now say you believed, I am putting to you, you would have dissociated yourself completely from Mrs Mandela before your detention and not for the first time whilst you were in solitary confinement and questioned by interrogators? Have you any answer? --- I have no answer to that.

Now, you knew Dr Manas Buthelezi, the chairman, didn't (20 you? --- Yes.

Did you consider him as an upright, peaceloving man, a man that you could trust implicitly? --- Well, I had great respect..

I beg your pardon? --- I had great respect for him.

Yes and no reservations about him whatsoever. --- Not at all.

Yes and he was your chairman. --- Yes.

Now, if you had these feelings about this matter, why didn't you go to Dr Buthelezi and say now look, I have information that there is caucusing going on, there are young people hanging (30 around Mrs Mandela's house and I place a very sinister inference

on/..

on this. --- I didn't deem it necessary to go to him and tell him that.

Why not, did you require solitary confinement and the presence of interrogators in order to say it? --- Well, not necessarily.

Well, can you furnish any other explanation as to why you didn't go to Dr Buthelezi and disclose this information to him? --- I have got no other explanation.

The one occasion when there were young people in the vicinity of Mrs Mandela's house was when they were supposed to gather at your house, wasn't it? --- That is correct. (10

Can you remember more or less when that was? --- That was on a Saturday before..(intervenes).

Before the 16th? --- Yes, before the 16th.

Before the 16th. And do you remember that Aubrey Mokoena and you had arranged for these young people to come to distribute pamphlets that you had prepared, correct? --- That is correct.

And that you were not at home when they arrived, according to the report that you received subsequently, correct? --- That is correct. (20

And that the person that Mr Mokoena describes as your housekeeper is in fact your mother, is it not? --- No, I had my housekeeper.

Your housekeeper, very well. Be that as it may. And did the person in control of the house take exception to the presence of these young people at your home and chased them away? --- She telephoned me first at my surgery.

Yes? --- And told me that they were making a nuisance of themselves in the yard. (30

Yes, and? --- And I came, I drove down from my surgery and/..



and told them to move away and wait for Aubrey. In fact I said they must wait for Aubrey at the church, rather than at my house.

So you do you agree that these young people were chased away from you..or were asked to leave your house?

CHAIRMAN: Yes, but I couldn't quite understand. Did you ask them to leave, or did she ask them to leave? --- I asked them to leave. I drove down and asked them to leave.

I don't know whether that was what you understood?

MR. BIZOS: Yes. I didn't understand it..I understood it the way(10 Your Lordship understood it but I don't think we should take up more time in relation to that detail.

(To witness): Now, Aubrey Mokoena was close to you, wasn't he? --- Well, he was close to me wife because they were in the same..let us say Executive in the church.

In the church. Well, you know we don't all have to be good friends of our wives' friends but was not Mokoena a good friend of yours as well? --- Well, he was a friend of the family, yes.

Was Mokoena one of the persons that you asked to leave? (20

--- No, he wasn't there.

He was not there, they were waiting for Mokoena. --- That is right.

So there was this gathering, they went away from your house and they gathered at Mrs Mandela's house? --- Well, I don't know where they went to because I just chased them away and..

You chased them away? --- I told them to leave and then I drove off.

And did they come back later? --- No, they didn't..I don't know because they didn't come back later to my house, other-(30 wise my maid would have phoned me.

Now/..

Now I want you to please tell us: On how many occasions do you say that you saw young people in the vicinity of Mrs Mandela's house? --- Well, it is on several occasions.

How many occasions, doctor? --- I wouldn't really count but it is quite several..(intervenes).

How many more or less? --- It is about may be five or six times or so.

Fine. When was the first time? --- The first time was before June the 16th.

When before June? --- I would say roughly in the first (10 week of June or so.

In the first week of June was the first time. Whom did you see then? --- Well, I didn't know these students.

Right. How do you know that they were students if you didn't know them? --- Well, we had agreed with Aubrey that as Aubrey had said that he would get students to distribute these pamphlets and I knew that they were students.

Oh, I see. So you do agree that any young people that you may seen at Mrs Mandela's house before June 16th were people who were there in connection with Aubrey's business of (20 distributing pamphlets. --- Not on all occasions.

Well, on how many of the occasions do you know that young people were in that vicinity for the purposes of assisting Aubrey Mokoena to distribute pamphlets? --- On one occasion.

On one occasion. Was this during the day or during the evening? --- It was during the day.

It was during the day. Does Mrs Mandela work during the day? --- Well I don't know whether she works on Saturday.

She is not at home. --- On Saturdays I don't know.

No, we are not talking about Saturdays. Generally speaking(30 does Mrs Mandela work during the day? --- Yes, she does work.

Yes/..

Yes. Was this a week day or a non-..or a weekend that you saw her? --- A weekend.

What day, Saturday or Sunday? --- Saturday, Your Lordship.

And were they there with Aubrey Mokoena? --- Aubrey Mokoena was not there when I chased them away.

Now, how old was this young person that stayed in Mrs Mandela's house at that time, more or less? --- I would say I don't know, I would say she was 18 or so.

18, Yes. Do you know whether she had any attractions for young people of similar age? --- Well, it is possible that she had attractions for..(intervenes). (10)

Yes. Now you told us about the one occasion on a Saturday when you saw students. When else did you see young people in the vicinity of Mrs Mandela's house? --- Well, I saw them regularly.

On how many other occasions? --- On about five occasions I saw them and the last occasion I saw them was on the 5th of August when in fact I gave one a lift.

You are going a little too fast for mee, let us get before (20) the 16th of June. You gave us one occasion before the 16th of June. Give us another occasion if you can prior to the 16th of June? --- Well, I cannot exactly say.

You cannot say. Right. Can you tell us what day of the week it was? --- Well, it was during the week and..weekend also.

Can you give us any detail whatsoever by which we can possibly identify the occasion when you saw young people in the vicinity of Mrs Mandela's house? --- Well, I cannot.

You cannot. And is it possible that this sinister inference that you drew whilst in detention that there was caucusing/.. (30)

caucusing at Mrs Mandela's house. was a mistake on your part as a result of seeing people there once who were Mokoena's people to distribute pamphlets and some other loose (inaudible). Possible?

--- Well, it is possible.

It is possible, yes. And is it possible that the interest of your interrogators in Mrs Mandela made you whilst in detention for the first time place a sinister connotation on what had been completely innocent to you before your detention? Possible, doctor? --- Well, I would say..(intervenes).

The question was rather long would you like me to simplify (10) it? --- It is possible. I understand your question.

Do you understand the question and you say that it is possible. Yes. And insofar as you suggested in your statement that you saw Tsitsi Mashinini and the other student leaders in the vicinity of Mrs Mandela's home prior to the 16th, we have already shown that that was a completely wrong impression because you didn't know Mashinini until much later, not so? --- Well, yes.

Yes, of course. And insofar as you made an attempt in your statement to connect Tsitsi Mashinini with Mrs Mandela prior to (20) the 16th, that was wrong? Not so? --- No reply.

Not so? --- Well, there was a connection between them.

Well, how do you know that Tsitsi Mashinini was at the Mandela home before the 16th? --- No reply.

You don't know, do you? --- No, I don't know.

Say it loudly please? --- I don't know.

Yes. Now then: You were ready to mention the meeting of the 5th of August, is that correct? In relation to this.

--- I would say yes, sir.

You would say yes. --- I was..I gave Tsitsi Mashinini a (30) lift when he was coming out of Mrs Mandela's house.

When/..

When was that? --- On the 5th of August.

On the 5th of August. --- He was with another student.

When had you met him? When had you met Tsitsi Mashinini.

--- Well, as I say I met him although not formally introduced to him.

When? --- During the formation of BPA on the..(intervenes).

But you didn't know that his name was Mashinini. When had you met Mashinini for the first time, that this is Mashinini and you knew him to be Mashinini? --- That was on the..after the 16th. (10

When did you meet him for the first time and when did you know now that this is Tsitsi Mashinini? --- When the..on the day of the formation of BPA in Central Western Jabavu.

The 21st of June? --- I say on the 24th of..

On the 24th of June. --- Yes.

Well, don't let us quarrel about the date. You say on the date of the formation. Was he introduced by name and did you then become aware that this was Tsitsi Mashinini? --- Yes, he was..Aubrey Mokoena introduced everybody that was present and which organisation they represented. (20

Including Tsitsi Mashinini by name? --- No reply.

Including Tsitsi Mashinini by name? --- Yes, he did introduce everybody.

Have you forgotten the evidence that you gave yesterday?

--- That he introduced everybody who had..and what organisation they had represented.

Have you forgotten the evidence that you gave yesterday? That already in August you had mistaken as another, you had

mistaken another bearded student for Tsitsi Mashinini, have you forgotten that? --- That was on August the 4th, that's right. (30

I beg your pardon? --- That's right.

Yes/..

Yes. And don't you remember that in that context you said that you had not met Mashinini before and that is why you had made that mistake in relation to the August meeting, you recall, I don't want to go over it again because you know we haven't..(intervenes). --- I recall.

CHAIRMAN: ...But he hasn't said now that he had met him, he said Mokoena introduced everybody at the meeting.

MR. BIZOS: Do you say that Mashinini had been introduced? --- Everybody was introduced.

That Mashinini had been introduced? --- He had been as (10 far as I remember.

As far as you remember now.

CHAIRMAN: And what do you mean by introduced. --- What I mean by that is that this is so-and-so from such-and-such an organisation this is so-and-so from such-and-such an organisation, etc.

Is he introducing the particular person to the meeting or to another individual? --- To the meeting.

To the meeting. (Mr. Bizos and Chairman speaking simultaneously). And you say that he was mentioned by name at the formation of BPA? --- Yes. (20

Well, you know if my memory serves me correctly, the evidence of Dr Buthelezi is to the contrary effect that they only really became aware of the identity of the student leadership later if that evidence is there, do you say that that evidence is incorrect? --- Well, I would say I agree with that. Most of the students we didn't know, until later. I would agree with that.

Well, if Dr Buthelezi's evidence is correct that the identity of Mashinini became known only later as a student leader and my recollection of your evidence yesterday that you only became aware of him much later and when explaining the mistake that (30 you made in August, then you must be wrong now. --- Yes.

Do/..

Do you accept that you are wrong? --- Yes, I accept that.

Yes. Yes, you say that you gave Mashinini a lift some time in August? --- Yes.

Yes, and what passed between you and Mashinini? --- I beg your pardon?

What passed between you and Mashinini? --- It was Mashinini, myself and another student and I was on my way to work.

Yes? --- And during the discussion they told me that some policemen..security policemen's houses had been burned. (10

Yes. And you gave an indication...and they made it quite clear that they were the people responsible? --- Well, I..they didn't really give an indication that they were responsible.

You believed that? From what they told you. --- No reply.

You believed that? --- Well, I did believe that.

Yes, that they were involved. Yes. And did they tell you where they wanted to go? --- They were going to the high school, Morris Isaacson High School.

And did you take them? --- Yes.

And did you know that Mashinini was in hiding from the police<sup>(20</sup> at that stage? --- I didn't know.

Well, on his own admission he had at least committed two crimes of arson to you. --- No reply.

Did you understand my question. If what you tell us is correct Mashinini had told you that he was responsible for two counts..two crimes, arson. The homes of security policemen. Correct? --- He said the students burned the houses of the police.

But under his directions your evidence before His Lordship on the first occasion makes that clear? --- That is quite (30 right, Your Lordship.

Right/..

Right. Now why didn't the peaceloving, and apolitical man like yourself stop your car and tell him to get out? Why were you prepared to transport arsonists and listen to their tale? --- No reply.

Do you want me to repeat the question? --- Yes.

What is the matter, didn't you understand it? Why would a peaceloving and apolitical man like you want to assist arsonists by giving them lifts to where they wanted to go? --- Well I was doing him a favour.

Why do arsonists favours? --- Well, I just did it out of (10 goodwill to give them a lift.

Why show goodwill to arsonists? --- No reply.

Why show goodwill to arsonists? --- Well, he was also I mean..one of the student leaders who was also regularly present in our meetings.

All the more reason that once you discovered that he was an arsonist that you should have dissociated yourself from him completely. And run to Dr Buthelezi and say that we have an arsonist in our midst in this organisation. --- Well, I didn't deem it necessary to do that. (20

Why not? --- I just didn't think I should do that.

Well, there are two possible reasons because Mashinini didn't tell you so, or if he did tell you so, that you felt that you were on the same side as he. And that you were only too happy to show him favours, choose which of the two you want.

--- I was not on his side.

You were not on his side. Then why didn't you do the other thing? --- Well, as I say I was in a hurry to go to work that morning.

All the more reason that you should not go out of your way (30 to give the lift to the place where they wanted to go. --- That

is/..



is on my way to work where they were getting to.

No, but I thought that you told us that they asked you to take them to a specific place? --- No, to the High School which is on my way to work.

Isn't the position this: The third alternative which may be possible that you actually fabricated this bit of evidence in order to show a connection between what you said Mashinini told you and Mrs Mandela. --- I didn't fabricate evidence.

I beg your pardon? --- I didn't fabricate anything. (10

Well, which of the three do you want us to accept, the fabrication that you made common cause with Mashinini or that he didn't tell you? --- No reply.

Take your choice, one of the three. --- Well, I still insist that he did tell me.

Then can you explain why you didn't dissociate yourself from him and why you continued to meet with him on the BPA? --- (Mr. Bizos continues).

Can you explain? --- Well, I cannot explain that.

THE COMMISSION ADJOURNS FOR TEA/THE COMMISSION RESUMES. (20

AARON MONTTOEDI MATLHARE (still under oath):

CROSS-EXAMINATION BY MR. BIZOS:(Cont.): This conversation with Mashinini and the other student and you about the burning of the houses of the two security policemen, did that come as a shock to you, to hear that? --- Well, I had heard that there were houses burned already by that time. That was the previous day when we had gone to Protea when Brigadier Le Roux told us that two of his men's houses were burned down.

I see. So you had heard it from Brigadier le Roux beforehand. --- Yes. (30

And this was confirmed by Mashinini? --- Yes.

But/..

But this discussion with Mashinini was the first indication that you had that students who purported to be leaders of the students in Soweto were involved? --- No, Your Lordship. Brigadier le Roux indicated that it is the students that had burned it.

Oh, so..(intervenes).

CHAIRMAN: When did he do that to you, on the..? --- On the 4th.

On the 4th? --- Yes.

MR. BIZOS: Brigadier le Roux said that it was the students (10 and Mashinini confirmed that to you on the 5th, correct? --- That's right.

Yes, and is that all the sources of information that you had in relation to the burning of these houses? --- Well, in newspaper reports also.

Well, newspaper reports, I dare say yes. Is that all? --- That is all.

That is all, yes. And you know what Brigadier le Roux said this was one thing. What may have been said in the newspapers that is another but hearing from student leaders themselves that (20 they were responsible must have been quite a shock to you on the 5th of August when you heard this from Mashinini, not so? --- Not so, because I had already heard that there were houses burned.

Yes, but this is..(intervenes). --- I wasn't shocked because I had heard already.

You were not shocked, but this was the first time that you heard it from the students themselves, that they were responsible? --- Correct, that is correct.

That is correct. Now then, in view of the evidence that you have now given, why were you untruthful to His Lordship on page (30 4 759. There you said the student report was made by Murphy

Morobe/..

- 662 -

Morobe. Now there is quite a difference between Murphy Morobe and Tsitsi Mashinini, isn't there? --- Right. Your Lordship if I may explain. Murphy Morobe had said that on the 4th, on the meeting of the 4th at Dr Manas Buthelezi's house. He mentioned that.

But now...(intervenes).

CHAIRMAN: Which particular portion of the..?

MR. BIZOS: Page...(intervenes).

CHAIRMAN: Yes, I have got the page 4 759.

MR. BIZOS: Bottom of the page, page 17, paragraph 80. Right at (10 the bottom of the page. And going on to the next...(intervenes).

CHAIRMAN: 4 759? "17" is at the bottom of my page.

MR. BIZOS: No, 4 759. Paragraph 80, page 17.

(To witness): Now, do you now remember that I have mentioned the name Murphy Morobe that on the last occasion you told His Lordship that there was a report about this at a meeting on the 4th August, do you now recall that? --- Yes, Murphy Morobe did mention that.

Now, how did you come to give evidence a short while ago that you had heard from Brigadier le Roux and you had read it (20 in the newspapers and Mashinini had told you and that this was the first time that you had heard it from a student? --- I heard it from Brigadier le Roux and I heard it from Murphy Morobe and I heard it the following day from Tsitsi Mashinini who was one of the student leaders.

Now, why did you not remember the first time that you heard it from a student leader? I asked you specifically whether it was the first time that you had heard it from a student leader, from Mashinini and you said yes. --- By that time I hadn't known that..I mean the position that Murphy Morobe was holding. (30

Murphy Morobe was what? --- Was holding.

Was/..

Was what? --- Which position was he holding.

No, no we are talking about your questions this morning..  
the..(intervenes).

CHAIRMAN: But he gave the evidence that Mashinini told it to  
him immediately afterwards on page 4 761.

MR. BIZOS: Yes, I am not quarrelling with that, I have got it  
marked in fact.

CHAIRMAN: Yes.

MR. BIZOS: What I am saying is that this morning he said that  
the first time he heard it from any student was on the morning (10  
of the 5th from Mashinini.

CHAIRMAN: That he had heard of the burning of the houses?

MR. BIZOS: From a student. From a student.

CHAIRMAN: That he had heard it from a student? Yes, but he  
clearly said, he clearly said that he..on page 4 759 that he  
heard that Morobe said it at the meeting.

MR. BIZOS: Yes. No M'Lord, Your Lordship what I am referring to  
is that this morning or as soon as this session started, I  
asked him: When did he hear it from..for the first time from  
a student, and his answer was: From Mashinini on the morning (20  
of the 5th on the car trip.

CHAIRMAN: Oh, that..(intervenes).

MR. BIZOS: I never suggested to him that he had not said to  
Your Lordship what appears on page 4 759.

CHAIRMAN: No, I don't understand where the lie is now. You told  
him he had given me a falsehood that is how you started off.  
Where is the specific falsehood?

MR. BIZOS: His evidence was that the first time he heard it from  
a student was from Mashinini.

CHAIRMAN: Well, would you really consider that..in the whole set- (3  
up, that this is a serious thing?

MR./..

MR. BIZOS: Well, I don't know how serious it is. That was a matter for argument but the witness did say that he did not hear it from a student before he heard it from Mashinini on the 5th. And I gave him Your Lordship will recall, at least two or three opportunities as to where he heard it from before he had heard it from Mashinini and he told us, although I gave him three or four opportunities from the newspapers and from Brigadier le Roux and then I put it specifically that he had not heard it from any other student.

CHAIRMAN: Yes.

(10)

MR. BIZOS: (To witness): Now, what you said to His Lordship the last time at page 4 759 that Morobe made this report and that there was a response to it both from Mrs Mandela and Dr Motlana was that said at a meeting, that appears at the..in the middle of 4 760. --- Yes, that was said at the meeting.

At the meeting. And in Dr Buthelezi's presence? --- Well, he was present, yes.

And he heard it? --- Well he heard it.

Yes, and what was his reaction? --- Well, I cannot say what his reaction was I didn't quite..I wasn't looking, I mean (20 specifically for his reaction.

Well, do you say that Dr Buthelezi..you don't remember Dr Buthelezi reacting in this? --- No, I don't remember the reaction.

How did you react? --- Well, I was in fact as I said we had heard it the earlier part of the morning and it was not a shock to me that time because we had heard it, our..(intervenes).

When had you heard it? When had you heard it? --- From Brigadier le Roux in the morning.

Yes, now but what was your reaction, what was your reaction to what Mrs Mandela and Dr Motlana had to say about it? (30 --- Well, I was quite surprised about that.

Surprised/..

Surprised and shocked. What did you say? What did you say? --- To whom?

To the meeting? --- I didn't say anything.

Well, did Dr Buthelezi, would not a natural reaction from a man like Dr Buthelezi have been that: I cannot confer with people who praise arsonists? Would't you have expected that from Dr Buthelezi? --- Well, I cannot speak for him.

Well, speak for yourself then, you as the peaceloving, apolitical man, why did you continue sitting there with people who praised these actions? --- In fact if I may explain. (10 I was on that particular day Dr Buthelezi had told me to discuss my resignation.

Well, all the more reason why you should..once you were going out this was a good reason as the apolitical, peaceloving man to say: Well, this proves it. I was asked to resign, I resign willingly, happily. I will have nothing to do with the whole lot of you. Why didn't you say that? --- Well, I did speak to Dr Buthelezi about my resignation then and..(intervenes).

No, I am not talking about your resignation you were in fact asked to resign, we established that yesterday. --- Yes. (20

Let us leave it out for the time being. Why didn't you react to these statements that you say Dr Motlana and Mrs Mandela made? --- Well, I just didn't react, I..(intervenes).

You did not react. Yes. Possibly because they were not made. --- They were made, I am quite sure about that.

Well, let us test it. What was Dr Motlana's reaction to this at this meeting? --- I remember quite..Mrs Mandela's reaction..

No I asked you about Dr Motlana. You know I don't have to ask you the questions in the order in which the subject matter appears in your statement. What did Dr Motlana say about this? (30

--- Well the first..if I remember well he said the students must/..

must desist from going to Mrs Mandela's house.

The students must desist..this was his response to the report that the houses were burning? --- No that was his response to the report that had been given that there were cars at Mrs Mandela's house that time.

What was Dr Motlana's response to the report that the two policemen's houses had been burned? --- Well, he didn't say anything. There was a response from Mrs Mandela only.

There was no response at all from Dr Motlana in relation to this? --- Well, I can't remember him..I can remember him (10 saying anything about that.

CHAIRMAN Had he..was he present when Brigadier le Roux had told you about his view? --- Yes he was..we were all present.

MR. BIZOS: What was Dr Motlana's response if any to the report of the burning of the houses..(intervenes).

CHAIRMAN: Well, he has answered it that he had no response.

MR. BIZOS: No response at all? ---- I cannot remember his response then.

You can't remember his response. Yes, and Mrs Mandela's response? --- Hers was that they fixed up the people, especially (20 the Sergeant Magoro who had given evidence against her.

And she praised this act, is it? --- Yes.

Did anybody question the student as to whether he knew who had done this? --- Nobody did.

Why didn't you? --- Well, I didn't find it necessary to ask the student...(intervenes).

Why not? --- Well, I just didn't ask them. And that is all.

Now, is that all that was said in relation to the damage of property at that meeting? --- Well, there was also something said that the students are doing good by burning White property. (30 The White man's property.

Who/..

Who said that? --- Mrs Mandela said that.

In Dr Buthelezi's presence? --- In all our presence.

In all your presence. And what was the response to that?

--- There was no response.

Well..(intervenes). --- She was just uttering her view I think.

I beg your pardon? --- She was praising the students in fact.

Yes, well she praised the students for burning down the house of the person that you say gave evidence against her, yes (10

--- That's right.

Yes, what else was said? --- No reply.

What else was said, if anything? --- Well I cannot remember. After that the students gave their grievances, Murphy Morobe acting as the spokesman, gave the grievances to the chairman.

And after that? --- And then after that..

After he gave the..yes, what happened? --- That was dictated and taken down.

Yes, right the grievances were given, yes and what happened after that? --- After that the meeting dissolved and we went out and Mrs Mandela outside had a what I would call a caucus, with some of the students. (20

A caucus, were you present? --- No, I wasn't present.

Did you hear what happened? --- I didn't hear what they were saying.

Do you know what happened at this caucus meeting as you call it? --- I don't know what happened there.

Did you ever find out what might have happened at this caucus meeting? --- No, Your Lordship. (30

Now in view of those answers how did you come to tell His Lordship/..



Lordship: During the course of the evening after the meeting with the student leaders, I discovered that Winnie Mandela was encouraging students to damage the government property and private property. After the meeting with the students, they, the students, went out and flocked around her and caucussed with her. Now when did you make that discovery? 4 760. -- I made the discovery by her praising the students for burning those Security police houses.

That is not what you say. That is not what you say. Just listen to what you say: I discovered that Winnie Mandela(1) was encouraging students to do damage to government property and private property. Then somebody must have asked you how did you discover this. After the meeting with the students, they, the students, went out and flocked around her and they caucussed with her.

CHAIRMAN: But it was at this meeting that, according to him she had said that she was pleased and that she had said they must do all this. Surely that means that he must then have discovered if what he says is correct, that he must then have discovered. This statement comes before, but obviously (20) refers to what happened after the meeting, that they caucussed together.

MR BIZOS: Yes.

CHAIRMAN: Now, he does not say what they caucussed together and he does not say that that led him to think this, because obviously he must have thought it, if his evidence is correct, by what happened at the meeting itself.

MR BIZOS: What he says is this ... (intervenes)

CHAIRMAN: Where are you reading from?

MR BIZOS: Page 4 760, line 3. During the course of (30) the evening after the meeting with the student leaders, I discovered/...

discovered that Winnie Mandela was encouraging .. (intervenes)

CHAIRMAN: It is such a small point.

MR BIZOS: Well, again a matter for argument. Well, you are recorded as having said: During the course of the evening after the meeting - you see, what you are saying here is not that you were led to the conclusion that she encouraged the burning of property. What you are saying is that you made a discovery after the meeting. Is that what you intended to say? -- Well, after and during the meeting.

Well, why did you say after the meeting? -- Well, (10)  
I said that because of this caucussing around there after the meeting.

No, but you know, even that does not make sense because what you had put into Mrs Mandela's mouth up to then was a personal gratification of the burning of the house of the man that had given evidence. She had not made any general statement that government property and private property, according to you. Have you any explanation? -- Well, she did say that.

Said what? -- That the students are doing well by burning government property. (20)

She said that; it is not a discovery that you made after the meeting. -- She did say that and I discovered after the meeting also that in fact that she was encouraging them.

Well, I thought that you told us that you did not know what happened at the discussion. Anyway, we leave it at that. I do not want to take up the question of the - just one thing. Was there a meeting of the BPA where the cars of the people of BPA were damaged? -- I cannot remember.

You cannot remember that. Don't you remember that the windscreen of one car had been removed and documents (30)  
belonging to BPA had been taken out? -- I do not remember that.

Can/...

Can you remember anything that Dr Motlana said at this meeting on - where Morobe had reported the burning of the two houses, can you remember anything that Dr Motlana said?

CHAIRMAN: Concerning the burning of the houses?

MR BIZOS: No, anything. Can you remember Dr Motlana saying anything? -- Yes, I remember.

Yes, what did he say? -- After we had had a report from one of the students that there were cars parked at Mrs Mandela's house and Mrs Mandela went out with the student, drove out and found out that - came back and told us that (10) it was Security Police cars.

Yes? Is that what Dr Motlana said? -- And Dr Motlana remarked that the students should desist from going to Mrs Mandela's house.

Is that all that Dr Motlana said? -- And if they know that they are wanted by the police they must stay away from their homes, get hiding-places.

Yes, anything else? -- Or if possible, skip the country.

Anything else? -- That is all.

That is all you remember. And what was the reaction (20) to that? -- Of whom?

What was the reaction of the other people when Dr Motlana said that? -- Well, I did not notice any reaction of the other people.

Did Dr Motlana suggest that people should leave lawfully or unlawfully? -- Well, by skipping the country, I take that to mean unlawfully.

Yes, so what was the reaction of Dr Buthelezi to this? -- I did not notice his reaction.

He did not comment at all? -- No, I do not remember (30) him commenting.

And/...

And what was your reaction? -- Well, I was not quite pleased about the whole thing. But I agreed with him on the point that students should not hang around Mrs Mandela's house.

*for the safety of her*  
Well, in fairness to you, you did mention in your previous hearing about the going out of the country and not to be arrested by the police, but I can find no record about students keeping away from Mrs Mandela's house. Are you sure that that was said? -- That was said, I am quite sure.

I am going to suggest to you that neither Mrs Mandela nor Dr Motlana said the things that you attribute to them at this meeting. Did it happen that people's telephones are out of order in Soweto like everywhere else? -- It does happen. (10)

Why did you find it necessary to introduce Mr Horak, what happened in 1968 and to your evidence as to what His Lordship is inquiring into? -- Well, I was correlating that to the fact that Mrs Mandela wanted - had an appointment with somebody else to use my - I mean somebody else had made an appointment to telephone Mrs Mandela at my house. (20)

Is there anything wrong with that? -- Well, she had her own telephone.

Sometimes out of order. -- My wife - if I may explain here, according to my wife, she phoned, she was quite suspicious she phoned the telephone exchange and found out whether Mrs Mandela's telephone was working.

Did you think that this was sinister at that time? -- Well, I thought at that time the first time I did not think it was sinister, but the second time I thought it was sinister.

Did you raise it with Mrs Mandela at the time? -- (30)  
I did not.

You/...

You only saw the sinister aspects of it whilst you were in detention. Is that correct? -- That is not correct. I discussed it with my wife about that before I was detained.

You say that Tsietsi Mashinini appealed to the children to return to school. Is that correct? Did that happen in your presence? -- It was on the meeting of the 1st August.

And do you still agree that this is the first time that Tsietsi Mashinini really emerged by name and as a student leader to you and to BPA? -- Well, I still say that.

I beg your pardon? -- I still agree to that. (10)

CHAIRMAN: Now tell me about the meeting - there was a meeting on the 1st, you say, on the 1st August. -- Yes.

Then there was one on the 4th. -- And there was one on the 4th.

The one on the 1st was on the Sunday. -- It was on the Sunday at the church, the Roman Catholic Church.

The one on the 4th was after the march and the incident at Canada Junction. -- Yes.

The meeting was then at? -- Dr Manas Buthelezi's house.

And it was at that meeting that all these things were (20) said about students should not go to Mrs Mandela's house? -- That is correct.

It would appear from your evidence as if Mashinini did not listen to the advice that he was given because you found him, you say, the next day ... -- That is right, but he was not at that meeting on the 4th.

He was not at the meeting of the 4th? -- No.

Did you see him at all on the 4th? -- We went around, in fact we drove together with Dr Motlana we drove with another student and looked around for Tsietsi Mashinini, we went (30) to his house and looked for him, but we could not find him anywhere/...

anywhere.

Did you see him at Canada Junction? -- No, we did not see him at Canada either.

You then did see him again on the morning of the 5th. -- On the morning of the 5th.

MR BIZOS: Weren't attempts being made by your association at this time to get the students back to school and to diffuse the situation that had come to pass? -- Attempts were made and on the meeting of the 1st at the Roman Catholic Church, Dr Manas Buthelezi appealed himself personally to the students (10) to go back to classes.

Perhaps I did not put it correctly. That your association at the beginning of August was making earnest efforts to get the students back to school. -- Yes.

Did Tsietsi Mashinini make a call for the students to return to school? -- He did, at that meeting.

CHAIRMAN: The meeting of the 1st? -- Of the 1st.

MR BIZOS: Did you believe it as an honest attempt on his part or did you think that he was really - or did you say there that he had an ulterior motive for doing it? For making this (20) call? -- Well, he said, if I remember correctly, that if they are at the school grounds, they will be together as a group and there will not be any police interference, rather than them being scattered around outside in the streets.

What did he mean by that? What did you understand by that? -- That the police will not go in to them and arrest them.

So he thought it was a good idea because it was immunity from arrest. Is that what you are saying? -- That they could plan their further actions. Any planning they could do it when they are together at one place. (30)

Plan what? -- If there had to be any planning, they could

do/...

do it being together at one place.

What sort of planning? -- Well, I do not know.

What did you understand? -- Well, about further marches perhaps I thought.

So at a meeting of your association which was trying to get the children back to school, Tsietsi Mashinini said that he wanted the children back for his own purposes, namely to be able to organise them better to march. -- Not to march, but I say probably to march, but he said they can organise themselves.

That is what you understood at the time. -- Yes. (10)

Did Dr Buthelezi, you, Mrs Mandela, Dr Motlana or anybody else, say: hey, Tsietsi, we have an interest in getting the children back to school so that they can learn, not for the purposes of organising further marches. Did anybody say that? -- No.

Well, why didn't you say it? -- Well, I just did not say it, I did not find it necessary.

Why not? -- I did not find it necessary to.

Why not? -- Because it was their own affairs, their own student affairs, I did not want to interfere in their student affairs. (20)

CHAIRMAN: I am a bit confused now. Tell me, did he say at the meeting of the 1st that he wanted them together so as to be able to talk to them or what did he say? -- He said he wanted them to go back to classes because if they are one at the same class they can be able to plan together rather than being scattered around in the streets.

MR BIZOS: That was a clear indication that his purpose was not for the students to return to learn, his purpose was in order that they should plan together. (30)

CHAIRMAN: It may not be his first and paramount purpose.

MR/...

MR BIZOS: Yes, that his real purpose was that he really wanted a platform, so to speak.

CHAIRMAN: No, I think he wanted the children together.

MR BIZOS: Together for the purpose of talking to them, for the purpose of planning. Correct? -- Well, yes, he said -- yes, that is correct.

Well, I am going to suggest to you that your evidence in that respect is wrong. -- I do not think it is wrong. That is actually what happened.

Actually what happened. The Afrikaans issue that (10)  
you have spoken about, did you consider that of any importance as a cause for these marches and a cause for the dissatisfaction? -- It was one of the causes.

An important cause? -- Well, it was -- I would say it was important in that it affected some students and the senior students were showing their sympathy so to say.

Did you consider it one of the important causes? -- It was one of the important causes.

Not a minor cause? Not something that was engineered? Not something that was just seized on as an excuse? (20)  
-- Well, I would say it was a cause but I would not say it was a major cause, it was one of the causes. I would not just say it was a major cause of the problem.

What would you say was the major cause? -- Well, the students had their grievances which they did put forward to us.

Would you say that they were genuine grievances? -- Well, I would say they were genuine grievances.

You say that they were genuine grievances. And was the Afrikaans issue one of the major grievances that the students had? -- It was not one of the major, it was one of their (30)  
grievances, but not one of the major grievances.

When/...



When were you being truthful? When you were giving interviews to the newspapers that we proved yesterday or now?

CHAIRMAN: The Afrikaans position changed during the first few weeks and the particular issue of ... (intervenes)

MR BIZOS: I am talking pre-16th.

CHAIRMAN: Pre-16th?

MR BIZOS: Yes, I must make it clear. Pre-16th was the Afrikaans a major reason for this or not? -- Yes, we had students - we had some newspaper reports about students staying away from classes because of that. (10)

You know, I called for the exhibits, but I do not want to take up so much time. What caused you prior to the 16th to say that your children would sit on your grave? As a result of that grievance did you say that? -- The objection to the medium of instruction in Afrikaans.

You agree that that is a very strong and dramatic way of describing the grievance of the young people. Correct? -- Well, we said that yesterday.

CHAIRMAN: The seriousness.

MR BIZOS: The seriousness, because none of us want to be thought of so badly as to be spat on, least of all by our children, not so? -- Yes. (20)

Now, if that was your view before the 16th, what changed your view to come and tell His Lordship that the Afrikaans issue was merely the tip of an iceberg?

CHAIRMAN: I may tell you that that was not an original statement because it apparently appeared in newspaper reports, that a number of people had said that at the time.

MR BIZOS: No, I would accept that, the witness's state of mind. What made you say before the 16th that over this issue your children would be spitting on your grave and it (30)

became/...

became merely the tip of the iceberg after your detention and the conclusion of your statement? -- (No reply)

Why that transformation? -- It was during the course of the events that this happened.

During the course of what events? -- I mean, first it was the Afrikaans issue and there were other grievances that the students had which by that time I personally did not know and we did not know.

Didn't you live among them? -- Well, I do live among them.

So is your evidence now that although the Afrikaans (10) issue was a grievance, it was not the main grievance, there were other more important grievances? Is that what you are saying? -- Before the 16th.

There were more important grievances which the students had before the 16th which you were unaware of. -- Unaware of those.

Yes, and when did you discover their other grievances? -- After they had written them down and dictated them.

What were they? -- They wanted - I did mention them that they wanted complete scrapping of Bantu Education, they (20) wanted the release of students from detention, they wanted free education and they wanted also - they were against police harassment and they wanted - they were also against police arrests.

Yes, well all seem to be - the ones that you have mentioned about the relation of the students with the police are really results of what happened on the 16th and thereafter. The only other grievance that you really mentioned was scrapping of Bantu Education.

CHAIRMAN: The release of the detainees. (30)

MR BIZOS: The release, but that was a consequence of what happened/...

happened on the 16th. The only other grievance that you have mentioned is that we must scrap Bantu Education, not so? Not so? -- (No reply)

The only other grievance that you discovered that had been there prior to the 16th which you did not know before, was that they wanted to scrap Bantu Education. Correct? -- That is correct.

Now are you being truthful when you say that you discovered that this was a grievance after the 16th? Are you being truthful? -- Well, students had all the time complained about (10) the inferiority of Bantu Education.

You yourself had called for, during the happier days before your detention, for the scrapping of the Bantu Education system, hadn't you? -- It caused all the difficulty.

You yourself had called for the scrapping of Bantu Education. -- I had in a meeting, yes.

Yes, before the 16th. -- Yes.

And remember that you warned that students must be taken seriously and they know what they want; they want the scrapping of Bantu Education. -- That is right. (20)

DR YUTAR: I have no questions, M'Lord.

CHAIRMAN: I do not think I have anything further to put to you. Thank you. -- Thank you.

NO FURTHER QUESTIONS.

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