

Testimony of Bishop  
Manas Buthelezi in S. v. Twala  
(excerpts)

DATE: 26 FEBRUARY 1979.

THE STATE VERSUS ; W.W.C. TWALA & 10 OTHERS. (SSRC trial)

MR. WENTZEL: My Lord, I open the case for the accused  
by calling Bishop Manas Buthelezi.

MANUS BUTHELEZI; sworn states:

EXAMINED BY MR. WENTZEL; Bishop Buthelezi, you were  
born in Natal, were you? --- That is correct.

How old are you, Bishop? --- I am 44.

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How long have you lived in Johannesburg? --- Since  
1976.

I wonder if you would tell His Lordship, perhaps  
I can lead you on part of this. You are a Bishop of  
the Evangelical Lutheran Church? --- That is correct.

So that we have it on record, is that a church  
for both White and Black people? --- Theologically, yes.  
Although my particular church is composed of all the  
racial groups, except Whites.

Bishop, what is the size of your church, how many  
persons belong to that church? --- More than half a  
million.

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I think many of us know the very beautiful church  
in Cape Town, is that part of the 18th Century church  
in Cape Town in Sloan Street, is that - that is also a  
Lutheran church, is that the same church we are talking  
about? --- A Lutheran church, although it is not now a  
member of our -

Yes, I want you to tell His Lordship something  
about your educational background. Where did you go

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/to...

to school? --- I went to school in Natal.

Where did you matriculate? --- Marion Hill.

And after your matriculation at Marion Hill, what other educational qualifications did you acquire?

Firstly in South Africa and then overseas? --- At Marion Hill I got a teachers diploma and at UNISA I got a Bachelor degree.

Bachelor of what? --- Art.

Where did you do your theological studies? --- I did this in <sup>our</sup> theological seminar which was then at Rorke's Drift in Natal. 10

I believe that you have also studied in the United States of America, is that right? --- That is correct.

Where did you study in America? --- I studied at Yale University and at Drew University.

Now, what study did you do at the University of Yale? --- I got a Masters degree in theology.

And at the University of Drew? --- a B.H.D.

A doctorate of philosophy. Was that also orientated towards theology? --- In theology. 20

You are an ordained priest? --- That is correct.

And now a Bishop. What particular diocese is yours as Bishop of the Lutheran church? --- We are called the Central diocese and cover the Witwatersrand area.

Now you have told us that you have been living in Soweto since 1976? --- That is correct.

In your profession as a priest, I understand that you have concentrated in particular upon young people, is that right? --- That is one of the basic reasons why I took up the ministry, it was mainly my interest in 30

it was banned.

When was it banned? --- In October 1977.

What has your history been in the field of politics, have you been a member of political organisations? --- No.

This Black Parents Association, in what degree would you say that it was representative of the community of Soweto? --- At that meeting as I have said, were representatives of almost all the organisations which were operating in the Black community. In that sense it represented a large section of the Black community. 10

BY THE COURT: Bishop, what was the main aim of this Parents Association? --- It was after June the 16th and many parents who were preparing for funerals and the main item of discussion in that meeting was how these various organisations would help the parents in the burial of the children. So we decided to establish a fund for helping the families. That was in other words, a very modest objective

That was presumably the short term aim of the association? --- Yes. 20

Were any long term aims discussed? --- No, there were no long aims, it was just what to do in order to help the bereaved families.

MR. WENTZEL: (Cont.) Bishop, I think that some of us have had some observation of the customs of the Black community in regard to funerals, but they may be of some relevance in this trial. Perhaps I can lead some of this and you put me right where I am misstating what the situation is. Firstly, as with all communities, the funeral of a member of a family is a very significant event in that family, 30

is that right? --- That is right.

...As I understand the situation, probably because of the fact that many people are short of money, often families collect money from relatives and friends, to make sure that the funeral is an appropriate one for the person who has died? --- That is correct.

It is often delayed after the death of the person, so that relatives and friends will come from far and wide to a funeral, is that right? --- That is right.

And it might be said that a funeral in the Black community is perhaps a greater occasion than a funeral in the White community. We don't quite tend to have the number of people and so on, isn't that right? --- Yes, with some western funerals. 10

What was the original idea in regard to the funeral arrangements in June 1976, for those persons who had died on the 16th, on the days thereafter? --- You mean as far as the BPA was concerned?

Yes? --- We were advised by one of the police officers, when we raised the question of a mass funeral, or a common funeral for all the families. We were advised that we had to apply for a permit for so doing, which we did. 20

What happened to that application? --- Our application was refused.

Bishop, what is the concept of a mass funeral? Do you see that as going beyond the ordinary arrangements for a funeral? The concept that a number of persons should be buried at the same time? --- Something unique had occurred, many families were affected, including those which could not afford funeral expenses and therefore, 30

/while...

while we discussed we came to the conclusion that it will be in the interest of the poor families especially, if an arrangement were made which would make it possible for aiding the poor families to have their dead buried and that would happen because we had been in touch with the funeral undertakers, who were prepared to donate their coffins and we were in touch with at least one taxi association, which was prepared to release a number of taxis free of charge and we realised that all those facilities will be best if we make use of - if there was 10 a common venue for the funeral and if the funeral took place on one day.

Did this have a political connotation to it, the concept of all the persons being buried at the same time? --- Not as far as we were concerned, it was purely a way of making available a service which we had created.

Now, at this time in June and July of 1976, did you and your organisation have any contact with students who had been involved in the events of the 16th of June? --- Apart from the family level we did have contact with 20 students.

What form did that contact have, take? --- You mean just during the 16th, or just during the whole period? --- No, I concentrate on the period between the 16th of June and the 4th of August, if you would? --- We had a meeting at Regina Mundi.

Is that a church? --- It is a church, Catholic church.

Yes? --- Whose purpose was among other things, to report to the Soweto community about how we had spent the money which we had received and also to discuss with 30

the parents what steps should be taken in order to encourage children to go back to school.

Was that a strong feeling among parents, that children should return to school? --- Yes, it was.

How were you in touch with the students and such leaders as they might have had at the time? --- I think it was mainly on the family level - well it is very difficult to identify just one particular way.

Did any of the students come to the meeting at Regina Mundi? --- Yes, they did, they were there. 10

Was there any resolution taken concerning Bantu Education at the meeting? --- When the question was raised as to what the community should do in order to encourage children to go back to school a number of resolutions came from the floor. One of which was related to the basic powers of the June the 16th uprising, it was the language issue.

Yes? --- And then the whole question of Bantu Education with the community, together with the students. One of the resolutions was that Bantu Education must be done away with and the other one was that in view of the fact that schools had been closed and there was no teaching at schools, the meeting felt that that would jeopardise the students in their student activity. So one of the resolutions was to approach the Bantu Education Department in order to postpone the deadline for examinations and also to have the schools opened. 20

Now, I want now to come to the 4th of August, 1976.

Prior to the 4th of August, did you or your organisation know that there was going to be a stay-away called 30

by a body called the SSRC, did you know that there was going to be a march on the 4th of August? --- No, I did not.

Incidentally, when did you personally first get to know about the SSRC, that it existed in Soweto? --- It was through the newspapers, after the meeting we have held at the Regina Mundi.

Your first knowledge was when you read about it in the press, is that right? --- Yes.

Now, I want to deal with the 4th of August event and I want you to tell His Lordship when did you first know that something was happening on the 4th of August in Soweto? --- It was early in the morning, roundabout six, when a member of our community came to my place and informed me that people were not going to work. There were road blocks in the streets. 10

What did you decide to do? --- At that time we had read in the newspapers that the SSRC had resolved to approach the BPA and submit a memorandum of grievances, which BPA would then submit to the authorities. We felt very much worried about the development and remembering what has happened on June 16th, we thought it was wise to go to the police station in order to ask that the police would do their duty in such a way that there is no recurrence of June the 16th. 20

Were you frightened that this could happen all over again? --- We were frightened.

Where did you go to? --- We first went to Orlando station and then we were referred to Protea, where we had a meeting with the police . 30

Is Protea the sort of chief police station of Soweto, sort of the headquarters, is that right? --- Yes.

What time do you think you got to Protea? --- It was round about 9, 8 - 9 somewhere there, in the morning.

Now on your way to Protea, as you travelled through Soweto, what was the situation like at that time, that morning of the 4th of August? --- Before we went to Protea we went just to make an on the spot investigation, in order to see what was really happening and we did see lots, many people who had not gone to work, who were just 10 standing and people staying away from work and returning home. There were also students who were persuading them to go home.

Were there actually road blocks up at that time? --- There were road blocks in the sense that the students were there appealing to the workers to - .

To go back? --- To go back.

Did you see any violence that morning? --- Not at the point where we were, which was the Klipspruit, except that one of the people passing through had tear gas, which 20 caused us to run away and lost our respect.

Now, when you got to Protea, who did you speak to at Protea? --- Among those I remember were Brigadier Le Roux, there were at least two ... and Major Visser and Col. Visser. Those are the ones I remember.

Who comprised the group of people that went to the police at Protea? It was yourself and who else? --- It was myself and Diso, Motlane, Winnie Mandela and Dr. Maklare.

Were you all members of the BPA? --- Yes.

Was it in that capacity that you went to the police 30



force? --- That is right.

What did you ask the police to do? --- We asked the police to do everything possible to avoid a recurrence of June the 16th. In other words, we are appealing to them that you know your duty better than we can describe, carry out your duty to stop any consecration in such a way that we don't have a replay of June the 16th. It was just a layman's request to professionals.

What was the police's response to that request? --- I think on the whole there was a sympathetic understanding, 10 the meeting did go on for about an hour.

Was there any discussion about a Government Minister perhaps being brought into the matter? --- Well in the course of our meeting we were informed that there was already a march while we spoke. Students were marching towards John Vorster Square and also one of the police officers kept on answering a telephone. Then we were asked whether we would be prepared to meet the Minister of Police during that day, if it became necessary.

What was your attitude? --- That we were prepared to 20 meet him.

Was there any discussion about your actually addressing the student who were marching? --- After the meeting we then went to New Canada where we were made to understand the students and the police were. When we came there there was confrontation between students and the police and then the students poised themselves for our address.

Let us just get the situation correct, one of the main roads through Soweto eventually goes past New Canada, is that right? --- Yes.

At the area that you were talking about this is an area of open veld on both sides of the street, is that right? --- Yes.

You come across a little spruit, river, you come up to the hill, on the way towards the City and there are koppies on the right-hand side and there is open veld all around it. Is that where we are talking about? --- Yes.

Was there a large crowd of students gathered there?

Yes, there was a large crowd.

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I presume many thousands, would that be right? ---

Yes.

Were there lots of police as well? --- Yes.

I take it that they were in a sense facing one another, the students looking towards the police, from the police towards the students? --- That is right.

Were the police there with vehicles? --- Yes, with vehicles and weapons.

Now when you got to New Canada, did you attempt to address the student body, body of students I should say? 20

We did.

How did you do that, with what, did you just use your voice, or? --- The police made available to us, what you call it?

Loudspeakers? --- Loudspeaker.

Were you able to speak to the students? --- We were able to.

Were they standing when you spoke? --- When we walked towards them they all came and some of them sat down in order to listen to us. Then we felt very much ...

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Doesn't a Bishop have a captive audience every Sunday? --- Not in the open veld.

BY THE COURT: Did they listen to you? --- Yes, they did.

Did they heed your warnings? --- Whatever we said, I am talking about the listening part.

MR. WENTZEL:(Cont.) What did you tell them? --- We reminded them that we had read in the newspaper that they were preparing to submit to us a memorandum of grievances and therefore they should not do anything which might frustrate that development.

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Did you speak in the English language, or in one of the - ? --- Yes, In English.

What was the response of the students to this? --- Their response was that they were concerned about their fellow students who were in detention. If only those students were released then they would go back.

Did you talk to the Police Force about the students in detention? --- We went back to the police officers and said that the students are prepared to go back provided their fellow students are released from detention and they were told that there were no students who were in detention except those who will be charged for murder.

Did you then tell the students that nobody was in detention? --- We told the students and then they said no, we know that our leaders - some of our leaders are in detention, that is not correct.

Now, did you talk to the students on a number of occasions while you were there? --- Yes, we were going back and forth, going to the police and then back to the students.

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It was a kind of shopping service, an intermediary situation going on, is that right? --- Yes.

And what was your purpose in coming to New Canada that morning, what were you trying to achieve? --- It was to make a condition with an atmosphere of peace, because we knew that the students had made a very sound proposal of giving vent to their frustrations by way of drawing a memorandum and we regarded that as a very important development since June 16th and we also knew that something might happen at New Canada. There might be a blood-<sup>10</sup>shed which would then make impossible any dialogue between the authorities and the students.

Did the police maintain the position that they had, in front of the students, at all times, or did they move at any stage? --- One of the students when we addressed them, the police were too close to them. Then we went to the police and asked them to retreat. They did retreat. And also appealed to them not to aim at any students.

These discussions were mainly with Brig. Le Roux, were they, was he the officer? --- Yes, he was the chief 20 at that point.

Now, we have had evidence that on the 4th of August there was a throwing of teargas, were you there when it started, the teargas? --- At New Canada?

At this place where you were, in the open veld? --- Yes, I was there, we were there.

What caused the teargas to be thrown and used that morning? --- The students started marching and then the police went with vehicles and then faced the students, throwing teargas.

We have had a lot of evidence about this in any event, what then happened was that the group of students dispersed and the Hippos cut them off and teargas was thrown and so on? --- That is correct.

We have also had evidence that the veld was on fire that morning, it was burning, is that right? --- I saw some smoke.

Did you see how it was set on fire? --- No, I didn't see it, I just saw it while it was already there.

What was the effect on the students of the announcement through you, from the Police Force, that no students were in detention? --- They did not believe it, it was disbelieved. 10

What effect did that have upon the general attitude of these students gathered there? --- It made them more determined I think, to continue with the march, because they believed that the information they received was not true.

Did you endeavour as a result of what you saw on the 4th of August, to arrange an appointment with the Minister of Police, about the situation in Soweto? --- 20  
While we were at New Canada one of the police officers told us that they were in touch with the Minister of Police and they wanted to know who were there. They took down our names in case the Minister decided to meet us. What I omitted was that while we were still at Protea we were asked by the police as to where they might meet us, if during the course of the day the Minister decided to meet us. So we were ready for the Minister. After New Canada scene we went to that place, waiting for the 30

Minister at Dr. Maklari - .

Was that at Dr. Maklari's surgery, is that where you were going to wait for the call? --- His home.

Dr. Maklari's home? --- Yes.

There are two medical doctors that you have been mentioning, the one is Dr. Botlana and the other is Dr. Maklari? --- Yes.

Different people? --- Yes.

Your arrangement to meet with the Minister, they were apparently being organised by one of the policeman called Mr. Visser, is that right? --- After reports I then followed up this thing by getting in touch of Gen. Visser and asked him to make an arrangement with the Minister, which he did. Then the response was that at that time the Minister was out of town, but he was very much willing to meet us. Then afterwards he gave me the telephone number to phone the Minister and the secretary of the Minister responded. Then in the afternoon I got a call from the Minister. 10

Is that Mr. Kruger? --- Yes. 20

The Minister of police. And what was, in short, the Minister's attitude to the meeting? --- I had hoped that he would continue with his willingness to meet us, but what he said was that before he can meet us we must prove that we are leaders by stopping the riots in Soweto. Then I said this is exactly what we are trying to do, to create an atmosphere of expectation, where people will say, just wait and see what is going to come out of all this. He said no, you must prove to me that you are leaders by stopping the riots, otherwise I wont talk to 30

you. Then when I pleaded with him that all we are trying to do is just to make a constitution, just a humble constitution and he said, I will come back to you. Then I think, the following day there was a call again from the Minister. Then he said, I have considered the matter, I have discovered that you are not leaders because you cannot stop the riots, so I can't talk to you, but however, I can only talk to you as chairman, only you alone. Then my response was that I am not competent to do the work of the whole community and I don't have the 10 money to see the Minister alone, only when we are all there as a community, that we can speak to the Minister. So this thing fell down.

Did the students know of your contact with the Minister? --- Yes, they knew and afterwards a group of them, of the SSRC, came and then we reported to them. We said we are sorry that we can't - come to meet their grievances. I think another thing which the court should know is that on the 4th of August, the day of New Canada, students came before our community in order to submit to us in an 20 oral form, not in a written form, their grievances. So we had them already.

Can you identify who of the students had come to you?

--- No, I cannot, because there were so many people whom I saw, so I don't remember exactly who was present on that particular occasion.

What were the grievances that were presented to you?

--- From memory it was the abolition of Bantu Education, the release of student leaders from detention, compulsory and free education and the re-opening of the Universities 30

which were closed at that time, because the students felt that if the Universities remained closed, it would mean that those of them who were in the street would not gain entrance and therefore the whole flow of education factors was the whole thing. That is what I can remember.

Now, after Minister Kruger told you that he was not then prepared to meet you upon the basis that you had put to him, you did report this back to the students? --- Yes, I did.

Did you tell them everything that the Minister had said to you? --- Well I did not replay the whole discussion word for word, but just the essential, that the Minister was not prepared to meet us and therefore we are sorry that we could not <sup>submit</sup> their grievances to the authorities. 10

Did you make any further endeavours to pass on these grievances that had been put to you, to the authorities, so that they could be considered? --- As a follow up of the meeting at Regina Mundi, I wrote a letter to the secretary of Bantu Education, presenting to him the request that the deadline for the exams should be extended, together with other things which I cannot recall. I did receive an answer from the office. What I must mention also is that at this stage the overall impression I got from both community and students was that there was a preparedness to go back to school while the request was being made. 20

Can we just deal with some of the individual personalities in the SSRC. We have heard a lot in this trial of a young man called Tsietse Mashinini, was at one time the chairman of the SSRC, did you meet with him? Did you know him? --- Yes, I think I met him for the first time 30



in the meeting which was held at Regina Mundi.

Prior to the 4th of August? --- Prior to the 4th of August.

Do you know any of the accused before this court? ---  
 Yes, I have a visual acquaintance with them.

Do you have knowledge of any of them in particular?  
 --- Yes, although I cannot reconcile the name with the face. I know him.

That is the second accused, No. 2 accused? --- Yes.

Did you meet him in his capacity as a chairman of the SSRC? --- Yes, I did. 10

When was that? --- Throughout, while we operated as the BPA, among other things we used to provide financial help towards legal expenses and sometimes students came to us in order to report that - to bring parents, that these parents of their children who are in detention. I met him in one such incident, where he had come to make representations.

To try and get funds to - ? --- Yes, towards legal expenses. 20

Without undue detail I also want to deal for a moment with the Mzimhlope hostel incident. Some of this is already on record. The Mzimhlope Hostel is on one side of the road and on the other side of the road is a Soweto residential area, is that right? --- That is right.

I have had a look at the Mzimhlope Hostel and some of this has been put in evidence already, it consists of barracks, is that right? --- Yes.

Single storey barracks? --- Yes.

There is a rather broken down sort of wire fence 30

all the way around it, is that right? --- Yes.

And the general air that the Mzimhlope Hostel creates is one of a very very dreary depressed, unpleasant looking place, is that right? --- That is true of most - of all hostels.

BY THE COURT: Are you giving evidence or are you putting questions to the witness?

MR. WENTZEL: M'Lord, I have got a lot of photographs.

BY THE COURT: Ask the witness what is his - .

MR. WENTZEL: No indeed. Bishop, what are the grounds 10 like of the Mzimhlope Hostel, any grass there? --- I think the general atmosphere in a hostel, barracks, like house doctors - .

BY THE COURT: My idea of a hostel, I attended hostel in my high school days. It is dreary and grey and generally depressing? --- It is just that here they live without their families, it is not like a person who applies to go to the hostel, they are forced by economic circumstances.

MR. WENTZEL:(Cont.) This hostel has a large proportion of Zulu persons living in the hostel, is that right? --- 20 From the reports, yes.

Now we know from evidence in this trial that there were very very ugly incidents between hostel dwellers and other persons in Soweto, leading - I think, people being killed? --- That is correct.

Did you play any role in trying to defuse that situation? --- We had some of the families whose members died as a result of this Mzimhlope thing and apart from that we were approached that there was a danger that the residents might retaliate to the hostel inmates, together with the 30

one of the members of our committee, we did go to speak to some of the residents, in order to try to - they should do everything in their power not to make the situation worse.

Bishop, looking back at the rents in Soweto, after the 16th of June 1976, I want to pick up some of the aspects of this. Firstly there was a stay at home campaign in August 1976, repeated on a number of occasions thereafter.

Did you observe the workings of that, what is called an Azikhwelwa or stay away campaign. Did you see that? --- 10  
Yes, because we - I had to, at one point did not go to work, especially on the 4th of August.

You yourself were at New Canada on that day? --- Yes, we did not go to work.

Now the Bantu Education issue and the enforcement of Afrikaans in particular. I think we have already dealt with this at the start of your evidence. This was something that affected the community, was this something that affected the community widely, throughout Soweto? --- Yes.

Do you know if there is any other reason for the tremendous events that started on the 16th of June? --- I 20  
think it is - in the Black community there are a number of grievances,

/the....

the fact that they don't participate in decision-making process, the fact that there is discrimination in employment, in everything. There are grievances and I would say that the Afrikaans issue became a symbolical issue of many other grievances.

But then why don't you say it is? --- It isn't though as far as students were concerned, they were merely, as far as I can see, concerned about the classroom situation which the Afrikaans issue created for them.

What are the avenues available in Soweto for the handling of grievances and the presentation of grievances to the authorities: --- At some time there was U.B.C. which was not acceptable to the community from what I could say, and especially after June 16th there was growing resentment at what the U.B.C. 11

Would you say that that was a wide-spread feeling or an attitude only among some people? --- In this, yes it was wide-spread in the sense that when I discussed with my friends, with the informed people, it was the same expression of us.

And what in short was the objection to the Urban Bantu Counsel as a body? --- I would summarise it this way, that they saw the U.B.C. as a government arm for implementation of an unacceptable policy rather than a service agency which mushroomed in order to serve the community, something which was created from above, it was not their body. 20

NO FURTHER EXAMINATION BY MR. WENTZEL.

- COURT ADJOURNS FOR TEA -

ON RESUMING -

ADV. VON LIERES / CROSS-EXAMINES: / Your Worship, it would be convenient first to deal with the facts. Now as we know it, shortly after the 16th June, 1976, namely on the 18th, the minister of justice published in the Government Gazette certain prohibitions in 30

balance the defence rather than upset the balance, the balance being that the cause of the march was this question of the detention of the students rather than a matter of whether the police retreated or not, that was not in the forefront of the aim of the students. I just wanted to balance those facts.

Bishop, the mass funeral that your organisation wished to arrange, these would be funerals concerning who? --- Everybody who died.

During, on the 16th June and subsequently, or what? ---  
On the 16th June and subsequently. 10

Now were there a lot of students amongst the dead? --- Yes.

What percentage, could you give us an idea? --- We tried to establish that, we tried to, some members of our community approached the police in order to get a list of those who were whose bodies were in the mortuary, and were informed that the list could not be published but the only thing we alighted on was to make on the spot investigation visiting the homes and then drawing our list. It was very difficult to establish just that fact.

Yes, now your impression, Bishop, how many of these people, 20 these deceased people, were students? --- I cannot answer that. We are operating under difficult circumstances.

You are not in a position to give me an exact figure, you can only say it is a large number of students? --- Yes, a large number,

Now, Bishop, the Black Parents Association, how would you describe its function in Soweto at the time when it was established? --- It is very difficult for me to say a word of praise, all I can say, I think we did a fine job in the community and that was proved by a number of developments, the confidence which was 30

created in the community, the confidence which was created in the students as a result of what we did, but it is not for me to say that.

Yes, no, no, perhaps you didn't quite understand me, how did this organisation come into being, how did it come into being? --- It came into being when representatives from a number of organisations operating in the Black community came to gather at Methodist Centre in order to discuss what could be done to help the bereaved families, that's how it came into being.

I see. Now when did this founder meeting take place? --- 10  
It was on the 21st June.

Of June, and could you tell us what organisations were represented at this founder meeting? --- It was the Institute of Black ?? Y.M.C.A., Y.W.C.A. and SASO, and B.P.C., Black Allied Workers Union, Parents Vigilante Community.

Is that the Makgotla? --- Oh, no, no, it's not.

I'm sorry, yes? --- And the Black Community <sup>(P. 105, 106, 107, 108)</sup> Pilgrims, and South African Council of Churches and the representatives of the Principals' Union, called Principals' Union. There may have 20 been others as well, but it was quite a wide spectrum.

Student's movement, South African Students Movement? --- Ja, and the SASM, South African Students Movement and SASO.

And how would you describe the B.P.A. that was born out of this founder meeting, umbrella organisation? --- As far as offering service to the community, it was an umbrella organisation.

I am in possession of an article that appeared in the City late Star on the 14th August, 1976 and apparently this is an interview which the reporter, Mr. Tom Duff, do you know him by the way? --- I beg your pardon?

Tom Duff, do you know him? --- Yes, I do.

He came, he conducted this interview with you. He says, he quotes you here that Black Parents Association, represents for the first time since the banning of political organisations like the African National Congress and the Pan African Congress, a united front of organisations which do not necessarily share the same political beliefs. He says the B.P.A. is an umbrella organisation representing a wide spectrum of political opinion and then he sets out the various organisations you have already mentioned, from SASO, SASM, B.P.C. to non-political organisations like the Young Mens Christian Association and the Y.W.C.A. Would that be correct? --- That's correct.

That's what you told Mr. Duff? --- It depends on inference that can be drawn from it and I think that what is meant there is that, what I wanted to say was that as far as coming together, pulling together of resources since the banning of nation-wide organisation like A.N.C. and P.A.C. it was, for the first time, that people from various levels of thinking came together rallying around a common object.

Tell me, Bishop, were you approached by the students, 20  
the S.S.R.C. to represent them, your organisation, the B.P.A? ---  
Yes.

Did you agree to represent them? --- We agreed.

And in what manner were you to represent them? --- Initially they wanted to draw up a memorandum of grievances which we would submit to the authorities.

I think you have explained that to us already? --- Yes.

That you would submit the memorandum on their behalf, now once having agreed to represent the S.S.R.C. I suppose there must have been a considerable amount of contacts between the Black Parents Association and the S.S.R.C. in order to get to

know not only each other, but also the respective grievances that you had agreed to represent the students in, and carry them over to the authorities concerned? --- In relation to the specific issue.

Alright, if the question was a bit long-winded, it may have been, I'll just rephrase it: as a result of your agreement, that is the Black Parents Association's agreement to represent the students, the S.S.R.C., did you have a lot of contact with the S.S.R.C? --- I think there was just one contact, which was on the 4th of August, when they presented orally their grievances 10 and then after that, then I set the machinery going in - in order to arrange for an appointment with their authorities. But I would say there were not many contacts.

How far from this oral listing of grievances by the S.S.R.C. of the 4th August, did you have subsequent contact with them? --- I had contact with all sorts of people during that particular ..

I'm asking you about the S.S.R.C. now, did you have subsequent contacts with them? --- Yes.

At which their problems and grievances were discussed? --- After the failure of this attempt to arrange for an appointment 20 with the minister, as I said earlier, contact was mostly in the context of when they came they came with parents, whose children were in detention for introducing arsenic, for help.

Actually, I, perhaps I can just make the point here; I got the impression from your evidence in chief, that you personally was invited by the minister to come and see him, but you declined personally to go and see the minister, did I understand you correctly? --- No, I wouldn't put it that way. The request has come from B.P.A. to see the minister, and then the minister noticed that I had no mandate to replace the whole community, 30

that/..



that is all I was explaining, that I was not at that point in our conversation, say that I agreed to see you, because I, simply because I didn't have a mandate to do so, but the word, "decline", doesn't suit.

BY THE COURT: If I understand your evidence correctly on this point, the Minister 'phoned you and he said that he would talk to you, alone? --- Yes, he said, "I cannot see your committee, the only thing I can consent to is to see you as chairman only" and then I said, "I cannot do that, I don't have the mandate to take a policy, a position in that respect," because 10 the whole community wants to see the Minister.

So you, Bishop, were actually the person who refused the minister's invitation to go and see him? --- No, that's not the correct way of putting it.

Yes, well we'll add the qualifications to that, you refused, that is what happened in actual fact, but you gave your reasons for your refusal? --- No, I think 'refused' there is not the appropriate word to describe ..

Well, you declined his invitation, if we can put it slightly more elegant, and you explained your reason for that? --- Well 20 those words are not, My Lord, appropriate, in that here I am making an arrangement for the whole community to see the minister, so that is the mandate I have, so whatever I said, my right, my ability was within the framework of the mandate I had. I did not have the mandate to agree or not to agree on other issues which were beyond the mandate.

As I understand, I'm just concerned about the actual position now, I understand and appreciate your explanation, the fact is that you were invited by the Minister, who for some reason known to him wasn't prepared to discuss, to meet the whole committee, you were invited and you unfortunately had to 31

decline the invitation because, as you say, you didn't have mandate to go and see him personally? --- I think that characterisation of the sequence of the events is not the fact at least in that it creates a wrong impression.

You'll have to excuse me if I don't understand English correctly? --- It was to decline and to refuse, which means that you are acting freely, you are in a position to make a moral decision.

No, if I'm invited by someone to come and see him and I don't want to, or if I don't have the mandate to do so, I say to him politely, "thank you for the invitation, but unfortunately it would serve no purpose, because I don't have a mandate to discuss any of these problems with you in my personal capacity or in my capacity as chairman of this organisation." Was that mandatory? --- It was mandatory, I'm afraid of the word, 'refuse' or 'decline' because to a reader or to a hearer, it creates a disturbing picture of the state of affairs, that's my fear with regard to that simple statement "that you refused," because I had no mandate to either refuse or not refuse, so I was not in a position to make a moral decision. 20

How would you describe your act after the minister explained to you that he wanted to have the meeting, what did you do? --- I will put it this way: that I spoke to the minister and asked him to make, to arrange that the whole community could see him, and then he said, "I cannot see you, that is including you ..

And he gave his reasons for that? --- ". Because you are not the leader, you have not proved to me that you are not leaders; and if I were to see you I would see you alone." And then I said, "I am not competent to do what the committee was going to 30

yourself had an invitation which you declined, as and after all you were the Chairman of the Black Parents Association, Bishop, and whose voice would carry more weight than yours, being the Chairman, or the President, would you agree with me on that? --- No, I was not given the mandate to see the minister alone, I wasn't given it.

Yes, right. Thank you. I just want to get clarity on this issue, Bishop, what was the purpose of the Black Parents Association, the aim. You told us to help families in connection with the funerals of those who died during the riots, is that correct? --- That's correct. 10

Was that the only aim and did that aim remain unchanged throughout the period that you were president, and until the 19th of October, 1977, I think you said, when the organisation was banned? --- That was the original claim, but in the course of time the committee was asked to make representations on behalf of the students and the community, with regard to the question of Bantu education, which was then an additional responsibility placed on the committee.

Right, so your main aim in connection with the funerals was expanded to include representation of the students in connection with their grievances? --- That's correct. 20

Any other expansion of the main aims of your organisation, Mr. Bishop? --- And beyond that of the students was the question of the detention of the students and their parents, which necessitated that the parents had to bear financial responsibility in relation to defence and their things related to that.

So then you started making financial aid available for the defence of people who were charged as a result of the riot? ---

Yes.

Any other aims that your organisation expanded to? ---  
 Everything in relation to helping the parents to cope with  
 the situation as it arose. Like for instance in cases where  
 the family because of the detention were not in a position to  
 pay rent and the other expenses, we help the family in that way.

Any other aim? --- No, the aims were clear, it is just  
 the additional responsibility which the situation needed from  
 time to time.

So from what you are telling His Lordship now, if I under-  
 stand you correctly, the Black Parents Association developed 10  
 from a reasonably harmless community organisation to render  
 community service, to quite a broad organisation, would that  
 be fair? --- Not indefinitely broad, to a definable broader  
 responsibility, explainable.

Alright, O.K. Bishop, I want to show you a copy of a  
 constitution of a Black Parents Association, you can tell me  
 whether you are familiar with this? --- Yes, it's not a consti-  
 tution, it was a draft.

A draft constitution? --- Yes.

Would you care to turn to page 3 of that draft constitution,  
 Bishop, and then perhaps you'll favour the court with reading 21  
 out the aims and objects as listed there, on page 3 of the draft?  
 --- Yes, but before I do so, it is not stated as the constitution,  
 it was just a draft, a document for discussion, which means  
 that whatever I read there does not say anything about the B.P.A.

Yes Bishop, I understand, that is what you people had in  
 mind the B.P.A. should look like? --- Who?

That constitution, that draft constitution? --- It's not  
 a constitution, it's just a document which was for discussion.

By the Black Parents Association? --- No, if the Black 30

Parents Association did that... then it will be a constitution, it is not a constitution in that it doesn't have the endorsement of the Black Parent Association, so it's not a constitution.

Yes, I understand that, Bishop, it is a draft that was prepared for discussion by your organisation as to whether it should adopt it or not? --- That's correct.

Thank you? --- That's correct, yes.

Now let us just have a look, perhaps you'll favour us with just reading the preamble to this draft that your organisation wanted to discuss, or did discuss? --- Where should I .. 10

The preamble, you can start at the top, Bishop? --- "Whereas we, the Black people of South Africa haven't realised the logical need and for the purpose of effectively organising and helping parents and students to form an association of parents and having completely committed ourselves to the improvement of the lot of our people in all these myriad tiers of life and believing that the Black parents must organise themselves in order to measure up to the challenge of the present time to this country, the establishment of an association of Black parents shall guarantee the solidarity of the rank - of the parents, create the 20 usual understanding between parents and their children and in the same way promote fellowship and encourage participation in community projects. The founding of an association of Black parents shall methodically ensure the smooth running of the affairs of the community.

Paragraph 3? --- And further believing that the association thus formed shall at all times be subject to and governed by the constitution hereto assessed which embodies the aspirations of the Black community. Hereby resolved to adopt this constitution with the determination that unity and meaningful things will 30

result in our country and that the best deal will be obtained for both the Black parents and child. The formation of the association was mixed mid-wise by the ways of disturbances of June 16th in 1976, that served South Africa and introduced a new awareness amongst Black and a dire need of group cohesion with a view to collective bargaining in their struggle for liberation.

Now who drafted that, Bishop? --- I don't remember just now who, but there was a drafting committee.

When was this thing drafted or made available for discussion, that document as I've shown you now? --- I don't remember the date when it was furnished. 10

You don't remember the date but I understand you to be quite familiar with that particular document? --- Ja, I know it.

Would you agree with me, Bishop, that that document really places the Black Parents Association as a political organisation? --- No, the document was never adopted as a constitution, which means that you cannot infer from the existence of the document, that the Black Parents Association stood by what is in here.

May I just show the Court? --- It was just a draft. 20

BY THE COURT:

Yes. This draft, can I just put it to you in this way, there is a vast discrepancy between the aims and objects of this, the envisaged aims and objects of the Black Parents Association in this draft, and what you've told us they were, would you agree to that? --- Between the draft and what I discussed here.

CROSS-EXAMINATION (Cont.) Now, did your association, Bishop, also issue various pamphlets and circulars? --- I remember one ~~where we were~~, there was a meeting at Regina Mundi on the 1st, and the other one where we wanted to have a prayer, a prayer

meeting, so I would say yes.

And who made the duplicating facilities available, where did you get them? --- Oh it was the duty of the secretary.

Yes, I want to show you a pamphlet, Bishop, which is headed, Black Parents Association, do have a look at that please? Do you recognise that pamphlet? --- Looking at it?

Yes, do you recognise the pamphlet, is that a pamphlet that your organisation issued, or published. You will see the 4th last line from the bottom, I believe is your name and telephone number and so forth, one of the persons to whom solidarity wishes should be addressed? --- Yes, I'm familiar with it. 10

You are familiar with that, right we've established that. Now Bishop, it seems to me that your organisation used pamphlets as the method by which you brought to the notice of the people whatever you wanted to bring to the notice of the people. Did you ever issue a single pamphlet calling on the students to return to school and stop boycotting and demonstrating? --- We thought that that could be effectively done if we sat down together to discuss, in fact we did call a meeting on the 1st August to do more than just sending of pamphlets, but we really tried to get something out of it. 20

Yes, did you issue any pamphlets, Bishop, calling on the students to stop their boycotts and so forth, just a simple 'yes' or 'no' please? --- On the 1st August, that was one ..

Any time, Bishop, any time? Right up to the last day, the 19th October, 1977 when your organisation was declared unlawful, did you ever issue a single pamphlet, having been mandated, remember Bishop, by the students to represent them with their grievances to the authority, have you ever throughout the 30

whole existence of the Black Parents Association, issued a single pamphlet calling on the students to stop the boycotts and demonstrations? --- The purpose of the meeting of the 1st was to discuss/<sup>had</sup> that as one of the aims, how to encourage children to go back to school, that was one of the aims, for the meeting on the 1st August.

Bishop, I'm asking you whether your organisation has issued any pamphlets calling on the students to stop their boycotts and demonstrations? --- In relation to the invitation of the 1st August, yes.

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I'm asking you about pamphlets, Bishop? --- We did not operate through the pamphlets.

BY THE COURT: But that's not the question, Bishop, the question is whether your organisation ever issued a pamphlet appealing to the students to go back to school? --- That one which was convening the meeting for the 1st August had that, for the 1st August, the invitation was to, how to encourage them to go back to school, for the 1st August. In that context, yes.

Was the 1st August the day you had this session at the Regina Mundi church? --- That's correct, yes.

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And it was at that particular session that certain resolutions were taken amongst others that parents should be advised how to induce their children to go back to school? --- Yes, Sir.

But now we know that on the 4th there was a demonstration, we know there were numerous demonstrations subsequent to this date, to that particular date in Soweto. You know it yourself, don't you Bishop? --- Yes.

Now in connection with any of those subsequent demonstrations, did your organisation ever issue a single pamphlet, bearing in mind that you were mandated by the S.S.R.C. to act on their behalf, calling on the students to return to school, to stop demonstra-

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tions/..



tions, in order to prevent confrontation with the authorities?

--- I thought I had answered that question, in that we are not operating through pamphlets, that whatever we wanted to do it had to be done through pamphlets. We were doing that all the time to promote their going back to school, we were doing the action, not just in pamphlets, so it doesn't mean that simply because there was no pamphlets, to take that as a heading, "we did not do it." We are doing, trying to have an interview with the authorities, that was the whole exercise, to stop the boycott.

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Bishop, is the answer then as far as the pamphlets are concerned, that you didn't issue that type of pamphlet although you were trying to attain those results by other means? --- Yes.

Is that the answer? --- Yes.

CROSS-EXAMINATION (Cont.) I think it is perhaps important, Bishop, for you just to demonstrate to His Lordship what the true stance of the Black Parents Association was, and I want you now to read this pamphlet which you have identified, which I have marked EXH. TT - to His Lordship? --- It reads, "Whereas the Black students throughout South Africa, in an unprecedented and historic show of solidarity and pupil power, have demonstrated their utter and complete rejection of Afrikaans as a medium of instruction in African schools, where trigger-happy and undisciplined security officers inadequately assist and ... for the control of unarmed, peacefully protesting civilians, whereas civilized states provide their police officers with 2 meter long wicker baskets, water cannons, rubber bullets, tear gas, effectively used to protect them against stone-throwing youths, South Africa has learned nothing from the tragedy of Sharpeville and relies almost on the lethal bullet passed from machine guns for crowd control, whereas the Prime Minister,

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Mr. B.J. Vorster, while agreeing to the appointment of a one-man judicial commission of enquiry into the disturbances, has already given his opinion of the causes, namely, a desire by unarmed enemies of South Africa to polarise the races as if that was not the official policy of this government, we the Black Parents Association meeting in this hour of grief - resolve that its directive from the Department of Bantu Education containing - the schools to speak in the medium, Afrikaans and is in accord with that we condemn and deplore. We want no - destruction of life, especially of children, by trigger-happy police officers who seem to have no idea of how to control 11 except shooting at them. That the one-man commission enquiry into the disturbances be expanded to include top Black, one of whom to be nominated by the Black Parents Association, that this representative meeting of the Black people reject the agreement reached by the government, created U.B.C and Bantustan leaders and Mr. C.M. Botha that we elect representatives to meet with some civil servants in the Department of Bantu education, that the government needed platforms efficiently, mis-represent the people who call for a total withdrawal of these bodies from the 20 scene while commending those school board members who refused to be knuckled under pressure from the regional offices of the Bantu Education Department, we condemn the weak-kneed collaborators who have been forcing our children to be taught in and call upon them to resign, that a sub-committee of 5 people be appointed now to prepare a comprehensive memorandum on the education of our children, and so on, and so on, for presentation to the Commission of Enquiry. The sub-committee to include one educationist, one lawyer, one business man, one professional and one ordinary parent. We demand the complete withdrawal of the 30 so-called/...

so-called police officers from offensive Black areas, for there will be no police as long as they are safely in our midst." Then, "any expression of solidarity or enquiry should be sent," and the name, Dr. A. Mklari and H. Motlana, M. Buthelezi, at the following address," and then the addresses. "That further particulars concerning the victims' burial were to be disclosed in due course by the committee. We strongly encourage that forms of help for the burial of the victims should be centralised in the specific mentioned department. We warn the public of other appeals that will mushroom and claim to be helping for the 10 same purpose."

Now Bishop, just one question first before we just discuss - - this particular pamphlet, I understood you to say that your organisation was to act as a mediator between the S.S.R.C. and the Government? --- Yes.

We were to effect a sort of a, can I put it in inverted commas, "reconciliation between the diverging approaches"? --- Yes.

Yes, now let me ask you first of all, do you think that the organisation that accepts a mandate to effect reconciliation 20 between the opposing factions can effect reconciliation by the issue of a pamphlet with this tone and content? --- Shortly after the S.P.A. was founded there was another one which was putting more clearly, clearly the aims of the B.P.A./after this. <sup>this is</sup>

Yes, do you really envisage effecting reconciliation Bishop, with a pamphlet with this content? --- No, this was not a blue print.

It doesn't matter, Bishop, you circulated this pamphlet, your organisation, and you were the president. Now will you explain to His Lordship, how do you envisage to act as 30

mediator, your organisation, and to effect reconciliation with a pamphlet of this nature? --- This one was not published at the time I was, I had assumed the reins, there is one which would be, the Court could raise, - which was published, trying to bring into focus what the aims of the B.P.A. was.

Bishop, this pamphlet is not a draft, it is not a typed copy, it is a roneod photostat copy, would you like to have a look at it yourself? In other words, it is one of a number of copies produced? --- Yes, that's correct, I don't need to look at it again.

Well Bishop, if it is one of a number of copies produced then obviously it must have been prepared for distribution? --- But it was just, I think, not there at the time when I was chairman of the B.P.A., when the B.P.A. was functioning, when the aims of the B.P.A. it is in that other pamphlet, I'm sure you have it.

Yes, Bishop, but it just happens to have your name on, and I'm sure you wouldn't have allowed your name to be put on this pamphlet unless the content of this pamphlet had your approval? --- No, it was only where to send money, where to send 20 money.

"Any expression," Bishop, "of solidarity or enquiry should be sent to Dr. Mklari, Dr. Motlane and Dr. Buthelezi at the following address." You know it's not only to send money, "any expression of solidarity or enquiry." It's much more than that Bishop, né? --- Yes.

BY THE COURT: I just want to see whether I understand you correctly: you say that pamphlet wasn't drafted or distributed when you were chairman, already chairman of the B.P.A. is that correct? --- Ja, it was just at the time of transition, but

There is one which was, which I'm sure you have it, which was issued outlining the aims of the B.P.A. in very clear, that would bring that into focus.

CROSS-EXAMINATION (Cont.) I don't know what makes you so sure, Bishop, but let us just get the facts straight, at the foundation meeting of the various organisations in Soweto, when it was decided to establish a Black Peoples' Association, it was at that very meeting that the Black Peoples' Association was founded and that you were elected president, correct? --- Ja, that's correct.

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So there existed prior to the night of your election, or the day that these organisations met up, there existed no Black People's Association, it was formed that night when you were elected president, correct? --- Yes, yes ..

With the other members, and this document, therefore, T.T., must have been issued under your regime? --- No, I was not the chairman at that meeting, I was not, the founder meeting, I was not chairman. This thing was issued during that meeting of the 21st.

Well that must have been somebody who showed a tremendous amount of foresight, Bishop, to realise and appreciate; do have a look at this document again before you commit yourself. Just have a look at this document very carefully, if you say that that document was prepared prior to the establishment of the Black Peoples' Association, or Black Parents' Association, rather, it means that somebody must have had the foresight to know that everybody would agree to the founding of the Black Parents Association, that you would agree to become a member of that organisation, that Dr. Mklari and Motlane would also agree to become members of that organisation? --- No, what I mean is that

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this/..

this document was processed, was processed in that meeting with resolution. I was not chairman in that meeting.

The resolution was processed in that meeting and the matter was then, do I understand you to say, subsequently typed and published, is that correct? --- Yes.

Yes. And you were elected as president at that founding meeting? --- Yes.

Yes? --- And then the aims of the B.P.A. were put into clear focus in that other document.

It's a rather shocking indictment of the Black Parents Association stance, isn't it, Bishop? --- No. 10

Let us see, Bishop: this reference to trigger-happy policemen, was that your experience in Soweto? --- In what way?

Well you've told us about the great restraint or the restraint that the police exercised on the 4th August, now was it your experience that they were trigger-happy, as this pamphlet alleges? --- I mean that they were shooting, there were many reports to that effect.

Did you, personally, see them to be trigger-happy, Bishop? --- The shooting, no. 20

You never saw them to be trigger-happy. Bishop, did it remain your organisation's stance throughout that all government-created bodies should be ignored? --- We have that other which outlines what the, that other one.

Yes, I'm just trying to find out, was it the Black Parents Association stance that government-created institutions and bodies should be rejected? --- It was not the function of the B.P.A. to do that as outlined in that other document.

It was not your function? --- Our function was to render service to the community. 30

I see. Now what is your personal attitude; Bishop, towards government-created bodies and institutions such as the U.B.C., Community Council? --- My position is that any institution that is to serve the people must be created with the people. If an institution is created without consulting the people and without their taking part, then it cannot serve the interest of the people in the proper way. So the same rules must go to with regard to the, some of the institutions which have not been stated, without the people.

So if such an institution had been created, Bishop, without the consent of the people, would your attitude then be that the people could defy that particular institution, for example the U.B.C? --- My attitude would be that the steps must be taken that in order that there should be harmonious relationships and understanding, is a process which has not been created with the people, must be replaced with those which are created with the people.

I see, so do I infer from that then, that you personally were in favour of the campaign to get the U.B.C. to collapse?

--- No, I was, I have stated positively what was in favour of, I was in favour that the government should listen and accept the good faith of the people who had from time to time practised the institutions which are serving us, which were created with our co-operation. I was in favour of the government then meeting the people, consulting with the people, as to what kind of institutions they would like to create. So my opinion is of a positive, it's a positive way.

Were you in favour of the S.S.R.C. campaign to pass the collapse of the Urban Bantu Council? --- <sup>stood</sup> under- why they did it, why it was done.

Yes, of course it is, and you realised Bishop, subsequently, that for every subsequent demonstration the same danger may exist of confrontation, similar to the 4th August, isn't that so? --- Yes.

Yes, of course.

- COURT ADJOURNS 1.00 p.m. -

- ON RESUMING 2.00 p.m. -

CROSS-EXAMINATION (Cont.) Bishop, at the adjournment we were talking about the question as to whether the students conduct had manifested itself over the course of time in 1976 and 1977 10 amounted to what you would describe as defiance or not, and you basically indicated to His Lordship, you were not a legal expert who could interpret that particular term, - just to bring you back to where we let off. Now, I would like to ask you, Sir, whether after your organisation had advised the S.S.R.C. that the consultation with the Minister that you had envisaged couldn't take place, whether the students' attitude as a result of that, hardened? --- You mean those who were there, they were disappointed.

Yes, and what was their reaction apart from disappointment? 20  
--- No, there was nothing, which was apart - in that meeting except just an expression of a disappointment, because as I said earlier, it was my observation that at that point they were prepared to go back to school, which means starting under Bantu education while something was being done about it. They were accomodating at that point.

The objective fact, Bishop, however is that they did continue over a period of time with further demonstrations? --- The overall situation deteriorated.

Yes, well, they continued with further demonstrations over 30



a period of time, various stay-aways, as my learned friend has put it to you, demonstrations for other reasons and so forth. Do you agree with that? --- Ja, there was a general deterioration of the situation after the, since the 16th June.

Now one gets the impression, Bishop, if one looks historically at the position that in the '70's apparently the youth has sort of taken over the role of the older people in connection with the liberation of the Black people in putting forward grievances and so forth, would you agree with that? --- Not "taken over", I took them as having, they tried to do their own thing in the students' pattern. 10

Their way? --- Where they were.

Yes, in their way. They were the people who came to the fore, one thinks of for example, SASO, SASM and so forth? --- I would so that they raised issues which the average Black person had already felt strongly about, like this Bantu education thing.

Would I be fair to suggest to you that in the '70's one finds that the students were expressing the grievances which in the past was expressed by the grown-ups? --- Ja, in the Black interest that is just one, you must look at it in general, like for instance the language issue, we also felt strongly about that, Bantu education, we strongly felt about that. 20

Yes? --- we felt strongly about that.

This seems to have been your consistent view throughout. I have here a photocopy of an article in the Sunday Express, that appeared on the 15th August, 1976. It is alleged that what is written here was said by you, perhaps just read it to you, "Black politics were experiencing a birth in the flow of fresh political ideas. In the 50's and 60's, the dominant figures on the political scene were such figures as Chief Mthuli and Dr. Moroka. Accused 30

in political trials of those days were usually, 'the old people but the big new factor in the '70's is that you have the politics of the youth, Dr. Buthelezi explained, it started with SASM, the B.P.C. and and SASM, and now it is the whole student body. It appears as if the grievances which were expressed in the past by the grown-ups, were just not listened to. You must therefore, see the role of the students in relation to unsuccessful attempts in the past to bring about change." Does this sound familiar to you? --- Yes.

What you said to the reporter? --- It was a historical observation depending on, we can discuss the inferences one may draw from that. 10

Alright, but the point we make Doctor, Bishop, I don't think one needs to argue about that, is that your view that the youth was starting to take over, propogating the grievances was based on the fact that the old people did not succeed in bringing about change? --- Take-over as the connotation of a coup d'état, well then, if what you mean is ...

They came to the fore, played the leading role, if I can put it that way? --- Where they were, students, yes. 20

And the reason for that you said, according to this newspaper article, was that the old people or the old groups failed to bring about change? --- That is correct, particularly if you think of Bantu education. We started in 1963. It never worked, we were not listened to.

So historically, if I may put it in perspective, because this is a historical synopsis you gave here, historically one finds that the youth is now to the fore in the liberating attempt? --- Ja, always as long as one keeps in mind that I have specific issues in mind and not just a very general, it was not a 30

generalisation, but I had specific issues in mind, like Bantu education which we have always felt strongly about, which they had also taken up.

Yes, and let's accept that as being so. Perhaps we should just add, your attitude was, according to this article, you can tell me whether this is correct or not, that the old leadership was crushed and people were forced to participate in the politics of silence during the late 60's. Is that correct? --- Historical organisation?

Historical organisation, yes, that's your approach to the whole problem, on a historical basis. Now, just with that background, so historically, as far as you are concerned, the '70's introduced the era where youth sort of took over the leadership role in trying to effect change? --- It depends on how you mean it. I made a general historical observation, motivated by a specific historical incident, which was June 16th.

Yes, I'm not arguing about that, Bishop? --- Ja, it's not that, you used the word, 'take-over', which means that the old people, to do what is the duty of old people. I'm not happy with 'take-over'.

Well they came to the fore in a leading capacity, if I can put it that way, in respect of those things which you have identified, like education and so forth? --- Yes.

Now Bishop, would you agree with me that it is probably the most significant contribution that the youth movement has made over the last 3 years were these demonstrations during '76 and 1977? --- Regarding these demonstrations?

I'm suggesting to you that the most significant contribution that the youth movement made to effect change, were the demonstrations of 1976 and 1977? --- The word, 'demonstration'

is overloaded, I would put it this way: that the contribution during, of the students, during the '70's was to bring to the surface some of the moral issues with which they had been struggling for quite a long time, like for instance, the shebeens, every minister has strong reservations about shebeens, or Christmas spending, or the issue of Bantu education. It was a very healthy development.

Yes, well right at the beginning of your evidence in chief you indicated to His Lordship that you had a special interest in youth and obviously one would expect then that you have a quite intimate knowledge of their activities? --- Ja, within certain limits. 10

Now, in terms of the historical perspective that the youth was taking over, ah, well you don't like the word, 'taking-over', that they were coming to the fore, to try and effect change, with a view to their liberation or whatever one wishes to call it, these activities, 1976 and 1977 specifically, they come to the fore as most significant. Would you accept that? --- Ja, again specific issues, not just liberation as you say in a vague and wide sense, but here I have very specific issues. 20

I just want to understand you correctly, as far as you personally are concerned and I'm not asking this question with a sense that you must give me a legal answer, I just want your personal answer, those activities during 1976 and 1977, those demonstrations that the students organised, did you see them trying to cause confrontation with the government? --- If we take demonstrations to come back to the word you have used constantly, the word, 'demonstration' and forget a bit about the history of 1976, up to now. Demonstrations are a universal phenomena and you find demonstrations everywhere, which is a way 30

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on the part of the community to call to the attention of those who are in power, to certain issues, so there is nothing new about demonstrations, we have them in the White community,

the only difference is that, in the black community, it's a rarity, it takes a black man more sweat to do what a white man just does as a way of taking things for granted, to get ourselves heard is sometimes costly, to ask why the white man can express himself without feeling any pain so demonstrations belong to that category which is taken for granted in the white community but, within the black community, there are certain over-tones, for instance when we speak of demonstrations, it's not demonstrations in the universal sense, that's the reason why we take the South African scene. 10

Yes okay, Bishop, perhaps it will be easier if I refer you to the Sunday Express of the 6th of November 1977 where the reporter, a Miss Jennifer Heyman, claims to have conducted an interview with you, the photostat doesn't show your picture up, only a rough outline, I want to read to you what is said here and I'd like you to tell me whether you recognise this as having been said by you, it's a lengthy article of some 7 columns, I'm not going to read all of them, I'll just start here, it says here, these are the inverted quotes, and this was published - perhaps just for your identification - shortly after the banning of the various organisations on the 19th of October 1977, just to orientate you in terms of time: "Black people no longer believe there is any residue of good will in the white community, says Dr. Buthelesi, once they pinned their hopes on rare displays of good faith from enlightened whites, today they know that they alone are the architects of their own futures." Does this sound familiar to you? --- Yes. 20

"Many of them believe negotiation to be futile, they have seen these who tried to create forums for 30

negotiations silenced." Do you recognise that, that's what you said? --- Yes.

"Blacks, he added, saw the latest Government crack down" and that, if I may interpose, refers to the banning of the various organisations on the 19th, "...as a clear indication that the existing powers are not prepared to discuss matters, that their attitude is 'either take what we give you, separate development as defined officially, or suffer the consequences'. Black youth particularly has been pushed to extreme positions by this uncompromising 10 stance of the authorities, says Dr. Buthelesi" Agreed? --- It was said.

"As recently as two years ago the generation of young leaders such as Mashinini and his followers wanted to negotiate but their disillusionment was rapid and today they're prepared to pay the cost of their defiance. Dr. Buthelesi believes this is the most significant contribution the youth movement has made over the last two years: They have shown the whole community that if what you believe in is to count you must be prepared to make sacrifices even 20 of your own life, he describes the fearlessness of the youth as 'shecking' while the commitment to the struggle has 'mobilised young and old in support of the same cause'. Is that a correct quote? --- Correct.

So in other words, on the 6th of November 1977, in this newspaper report, Bishop, you expressed the fact that the students were disillusioned and that that constituted and that today they are prepared to pay the cost of their defiance. The point I'm wanting to make here is that, as far as you were concerned, in November 1977, the actions 30

activities of black students in Soweto were defiant? ---  
The word defiant, I don't....

Well if you look in the fourth column right at the bottom, you'll see it's marked in yellow, Bishop? --- Oh that is not a direct quotation, it's just a statement of the reporter.

Would the reporter have made a mistake with the use of the word defiant? --- Yes, the word defiant is loaded, I cannot....

What do you mean was loaded, Bishop? --- Well I'm 10  
not an English man, it has many... it has over-tones.

Bishop, over-tones, but are you suggesting you never used the word defiance and that the reporter used her own discretion in using that particular word because, in the context of things, Bishop, and I would request you to read these two paragraphs carefully, defiance is entirely in place, just read them in your own time please? --- Defiance means disobedience.

Yes? --- They were doing things in spite of existing regulations, these are the over-tones I'm referring to. 20

Yes, now let us... --- So I cannot say.....

Let us accept your meaning, I'm sorry to interrupt you, Bishop, let us accept your meaning of defiance as being disobedience contrary to existing, what did you say, rules, contrary to existing regulations, Bishop, let us accept that, is that what you meant, that their conduct was disobedience contrary to existing regulations? --- No.

What did you mean then, Bishop? --- Where?

There in that article which I've just referred to?

--- The whole attitude had many things, I was merely 30



referring to the word defiance there, that we cannot have the argument on the word defiance because the author has not even put it in quotation marks, showing that it's his own vocabulary, not my vocabulary, so that's all I was trying to point out but, for the rest, we can discuss the rest.

Now let us just discuss that particular aspect, that's what I'm interested in, it says at the top of that particular column, Bishop, it says that the black students have become upset at the uncompromising stance of the Government in connection with change, do please look at it, Bishop, I wouldn't like to suggest anything wrong or incorrect to you? --- What? 10

The fourth column, as you look at it, on the left-hand side? --- Where it is written, black youth particularly is being pushed to extreme positions by this uncompromising stance of the authorities?

That's right, now that is in quotation marks, keep it in front of you? --- It's not in quotation marks but, inspite of that, we can discuss it. 20

You agree that you said that? --- Yes, it's a statement of anguish, one problem we have in our country is that, in creating two different worlds, what happens in one world is not known by the other world, it has then since June the 16th up to October the 19th, made it very difficult for us to love, only because people can say how can these who are capable of loving us kill us, young as we are, how can our parents, people of the age of our parents, kill us, young as we are and it's making it very very difficult for us to do a constructive job, it's a 30

statement of anguish rather than a statement of the description of the stance taken by so and so.

Can I just interrupt for a moment, can I just have that paper back please. As far as you were concerned, Bishop, I just want to understand properly the context and purpose of this interview you gave to the Sunday Express, as far as you were concerned, is this true that black youth particularly is being pushed to the extreme position by the uncompromising stance of the authorities, as far as you were concerned, is that true or was that true? --- Yes, I was thinking of those who had left the country. 10

And then you say, "As recently as two years ago the generation of young leaders such as Mashinini and his followers wanted to negotiate", would that be true as far as you were concerned? --- That is so.

And then you say, "But their disillusionment was rapid and today they're prepared to pay the cost of their defiance". Now, before I put this question to you, Bishop, let us just place this in perspective, this disillusionment of the youth, I understand you to mean, was being caused by the uncompromising stance of the authorities, did I understand you correctly? --- Yes, disillusionment is rife not only amongst young people but the whole black community, if there could be a way of conveying the truth, I would not hesitate to do that, it is something which white people have to know. 20

I would like to just get the facts clear, from your earlier evidence, the true position is that you conveyed to the S.S.R.C. the fact that the minister didn't 30

went to meet up with the elected people of the B.P.C. to discuss the matter? --- B.P.A.

I'm sorry, B.P.A? --- Yes.

That's correct? --- Yes.

So this is what you conveyed to the students? ---

Yes.

Now this statement, Bishop, causes me some concern because - I'm referring to the newspaper report - their disillusionment was rapid and today they're prepared to pay the cost of their defiance. Now, just hold on, "Dr. Buthelesi believes this is the most significant contribution the youth movement has made over the last two years". Right, have you got that - so in other words the most significant contribution that the youth has made, as far as you're concerned, Bishop, was that they were prepared to, shall I use the word demonstrate in inverted commas, pay the cost? --- I think there is a gap between that statement and what comes before, anyone who has had a newspaper interview knows that whatever the reporter presents is added to, sometimes a crucial thing which happens, what comes before and what comes after, there is something missing, this is a significant contribution and logically it doesn't fit, therefore it doesn't refer to the immediate past paragraph but it is a contribution. 10 20

So you say there's something missing, Bishop, but what is further significant to me and this time it happens to be in inverted commas, for what it maybe worth, "They have shown the whole community that if what you believe in is to count you must be prepared to make sacrifices even of your own life." Isn't this what you mean, Bishop, 30

/when .....

when you say that they're prepared to pay the cost of their defiance? --- Yes, what I'm drawing the attention of the court to is that that statement about contribution has nothing to do with the immediate paragraph that comes after, it makes no sense, I'm sure contribution refers to some of the things which are said earlier in the whole passage.

Now, Bishop, let's just place this in perspective, you were regarded as a rather eminent leader in the Soweto community, would that be correct, a correct statement? --- 10  
Well, thank you.

And you were quoted with quite interesting frequency in various newspapers as having said this or said that or said the next thing, correct? --- Correct.

And obviously knowing, Bishop, that your... you knew that your words as published in the papers carried a lot of weight with the people of Soweto, do you agree with that? --- I don't know, from them maybe.

I mean, after all, you were the president of the Black Parents' Association? --- Let's say correct for the 20  
sake of....

I think, in this particular respect, Bishop, if I say put it this way, modesty would be unbecoming, it's quite obvious that you were respected, a respected person, your opinion carried weight in your community, do you agree with that? --- Ja, let's say yes.

Don't feel forced to say yes if you don't wish to say yes, Bishop, I'm not forcing into a yes, I'm asking you a question? --- Well yes.

Very well, an unqualified yes? --- Oh then it 30

contribution the youth movement has made over the last two years." It's not alleged to be said by you, it's an inference apparently drawn by the reporter from what you allegedly said, now are you prepared to take responsibility for that if that is an inference? --- Yes, as it stands there it doesn't indicate what the contribution is, that was the point I was trying to make, I cannot say that I said what was immediately before that, that is the point I was trying to make. There is something missing there, there is no flow of meaning, why you can say that, what comes after arises out of what comes before. 10

MR. VON LIERES: (Cont.) Bishop, I think we can leave the newspaper article now, I'd like to go on to something else. In your evidence in chief you indicated to his lordship - and I quote your words as I've recorded them, I hope it's not too much of a telegraphic style - "The Afrikaners issue became a symbolic issue of everything else." Now would you care to explain what you mean by that please? --- What I mean is that, as time went on, it was first a matter of phasing out having two official languages as a media of instruction but, as time went on, it became the whole Bantu Education issue and then again the issue enlarged because of the rebellion. 20

I don't want to misunderstand you, you started off by explaining to his lordship that there were grievances and basically the Afrikaners issue became symbolic of all the grievances, would that be fair? --- Yes, as time went on, in the beginning it was a leaving class-room issue but then, as the whole thing dragged on and on and on, the problem enlarged. 30

SSRC - no wait, let me put it to you differently  
 In connection with any of the activities of the SSRC,  
 did you have regular contact, or your organisation have  
 regular contact with them? --- No, the only point of  
 contact was in relation to the memorandum which they  
 had to submit. So there was no official contact.

And subsequently, after the memorandum now, after  
 that disappeared as a result of the fact that you couldn't  
 meet up with the authorities, did you have further contact  
 with them? --- It was only on occasions like I have  
 described, when somebody happened to come to say that  
 so and so needs help.

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Your organisation was formed more or less the  
 beginning of August 1976, would that be correct? ---  
 I am sorry, I am wrong. The 21st of June 1976? --- Yes.

Now, therefore, contact with any members of the  
 SSRC would have taken place after the 21st of June? ---  
 Yes.

Could you perhaps explain to us, Bishop, whether  
 you were aware of the fact that on the 5th and 6th, on  
 the 5th of July 1976, the Minister of Bantu Education,  
 as the department was known then, had issued a press  
 statement in which the problem with Afrikaans as a medium  
 of instruction was done away with. Were you aware of  
 that? --- I remember.

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So as far as you were concerned, would you like  
 to have a look at the press statement, it is quite clear,  
 it is dated the 5th of July, according to evidence and  
 it is EXHIBIT 00 and on this particular day, after a  
 meeting with leaders of the Bantu deputation from Soweto,

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who expressed their agreement during the discussions, the Minister then announces that all school principles can apply for whatever medium of instruction they wish to have in their schools, right? --- I seem to remember.

Weren't you a member of the delegation that went to see the Minister? --- No.

Who of the Black Parent Association went along? --- I am not aware.

Was it Dr. Maklana, or Dr. Moutklawi? --- I don't know. 10

You can't recall, all right. Do you recall that a member of the Black Parents Association who actually attended, reported back to your organisation, that the Minister had done away with Afrikaans? --- No.

Where did you find out about this then? --- From the newspapers.

Now, if this was the main grievance, Bishop, this Afrikaans, it was done away with, why did these people then carry on with their gatherings and demonstrations and so forth? It was done away with on the 5th of July 20 1976. It takes them up to the 4th of August to organise a stay away. Can you explain that perhaps? --- I think the Afrikaans issue was related to the overall question of Bantu Education, it wasn't a process of escalation.

But the Afrikaans issue, Afrikaans as medium of instruction has now been done away with, on the 5th of July, right? --- Yes.

It is gone, the grievance doesn't exist anymore. Now who got the escalation after the 5th, to do away with Bantu Education and everything? --- I believe that 30