

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

MORNING SESSION:

7th FEBRUARY, 1977.

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THE COMMISSION RESUMES ON THE 7th FEBRUARY, 1977, AT PRETORIA.

DR YUTAR: M'Lord, this week we propose to - the first 4 days of this week we propose to lead the evidence of certain witnesses who have - certain persons who have been detained in terms of Section 6 of the Terrorism Act, but their detention under that Section has been suspended for the duration of the period that they are testifying. In other words, they are therefore free to testify and because of the terms of the Act, no copy of their statement will be placed before Your Lordship. Before I (10) call the first witness and name him, I would like to make this request to the Commission, this application to the Commission to request the press not to publish his name.

CHAIRMAN: Is that for the next witness?

DR YUTAR: For the next witness and we will be renewing that application in respect of each of these witnesses, not to publish his name or his address or any details in the course of his evidence which might lead to his identification.

CHAIRMAN: The order is in that form.

DR YUTAR: As Your Lordship pleases. I now call Dr Aaron (20) Montoedi Matlhare.

AARON MONTOEDI MATLHARE: sworn states:

DR YUTAR: You have heard His Lordship direct the press not to publish your name or any detail which will in any way lead to your identification. -- That is correct.

And you are about to give evidence in terms of a statement which you drew up and signed, but before doing that you would like to hand to His Lordship a two-page request. -- That is correct.

Which you would like His Lordship to read before you (30) give your evidence. -- That is correct.

CHAIRMAN: You mention here the question of giving your  
evidence/

evidence in camera. Are you satisfied with giving your evidence without the disclosure of your name or any identification? -- Yes.

You are satisfied. -- I am.

Well then, naturally what you ask for is not in my power to give you, but all the necessary arrangements will be made in this regard. Does that satisfy you? -- Yes, to a certain extent.

You see, I cannot make an order. -- Yes.

The Act says specifically I cannot make an order, but all the necessary arrangements will be attended to. -- That is correct. (10)

DR YUTAR: And, M'Lord, I have also indicated to the witness that I have taken steps already to accede to his wish. Now, you are aged 38 years, you are a medical practitioner residing and conducting your profession at Soweto. -- That is correct.

And you also conduct your profession at Baragwanath Hospital, apart from the surgery which you have in Soweto. Now would you be so kind as to read from paragraph 2 onwards please? -- I started my schooling at Orlando Mookie Memorial School in 1944. I eventually went to Orlando High School from 1950 to 1955. From 1957 to 1959 I studied at Fort Hare for my B.Sc. (20) degree. From 1960 to 1964 I studied at the Natal University for my MB. Ch.B. I trained at Baragwanath from January, 1965 to December, 1965, and worked there for another year as a casualty officer. During 1974/75 I was studying at the Wits University for a Senior Degree, after I had been in March, 1973, to Edinburgh University. I started my medical practice during 1968 in Soweto.

Did you get any degree at Edinburgh University? -- Well, I was preparing to write my primary for the F.R.C.S., Fellow of the Royal College of Surgeons. (30)

And you are hoping to complete that some time this year? --

Yes/...

Yes, in fact I was supposed to have completed it in October last year.

And on account of these unfortunate incidents you have ....  
-- ... (intervenes - speaking simultaneously) ... do it some time later.

And you speak about studying at Wits University for a Senior Degree. What degree is that? -- Well, that is the same degree, a Fellowship Degree.

Of the Royal College of Surgeons. -- Royal - South African College of Surgeons. (10)

Did you get that? -- which was also the first part. Unfortunately I could not get through one subject, so I had to re-write it some time in September this year.

As a matter of interest, what subject was that? -- It was supposed to be the easiest one, Anatomy.

Well, you are not the only one who finds difficulty with Anatomy. Now we go to paragraph 4 please. -- Since childhood and during my school and university career I have never been interested in any politics whatsoever. As proof of this I can just mention that during my high school days and after the (20) death of King George, our Afrikaans master instructed us to write an essay, stating among other things, that we were happy that the king of the White oppressors had died. After the inspectors had inspected our books, five of our teachers had been asked to resign. In spite of this I was not influenced or developed any further interest in politics.

Now this Afrikaans master of yours, was he a White man, a Black man? -- He was a Black man.

And the 5 teachers who were asked to resign, were they also Black? -- Yes, they were also Black. (30)

Paragraph 6. -- My first contact with Winnie Mandela was  
in/...

in 1969 when she came to me as a patient. I at that stage learned from newspaper reports that she was a banned person and also a member of the ANC. I also learned that her husband, Nelson Mandela, was serving a sentence at Robben Island. By this time she complained of heart trouble. I never got payment for the treatment I was giving her and eventually decided that in fact nothing was wrong with her. She at no stage discussed politics with me or my staff whilst calling for treatment. She only on a few occasions complained of financial problems. I treated her as yet an ordinary patient. I have a record (10) at my surgery which is proof of this.

A record card. -- A record card. To this I must mention that unfortunately my surgery got burnt down and I lost all my statements and I hope we will still be able to find record as proof, but according to the reports from my wife everything has been strewn around and papers were just lying outside.

Have you any idea who is responsible for the burning down of your surgery? -- That is my problem because it has been burnt twice. It was burned before I was detained and during my detention and I have no idea who could have been (20) responsible for the burning of my surgery.

Paragraph 8 please. -- It surprised me that she called on me for treatment as it was common cause that she was in love with Dr Motlana and was going around with him. It was even more surprising when she suggested to me to make love to her meaning to have sex with her. I was not impressed with her and did not feel attracted to her. It became clear to me that Winnie Mandela was trying very hard to befriend me. She even bought presents and sent Christmas cards during 1969 to us (that is me and my wife). I was called out to her house very often (30) and at all hours of the night to attend to her socalled illness  
as/...

as a doctor. This in time harassed me and I decided to stop going to her at night-time. I had no interest in this woman's doings nor in her private life. I have on occasions when visiting her for treatment found a man called Peter Magubane whom I know was occupying a back room in her house. From newspaper reports it became known to me that this Peter Magubane was also a banned person and it appeared that there was a love affair between him and Winnie Mandela.

Now who is this Peter Magubane? Do you know what he does?  
-- Yes, he is a newspaper photographer for the Rand Daily Mail. (10)

He is a photographer for the Rand Daily Mail. Right, paragraph 11. -- During 1973/74, I am not sure of the date, I know that she (that is Winnie Mandela) was arrested with Peter Magubane and a certain Joyce Sikhakane and some other people I did not know. After their release she still tried to win my friendship although she never discussed politics with me. To me this woman was yet another patient. I further viewed her as a mischievous woman because of her influence on innocent people such as Joyce Sikhakane who was known to me to be a good person, although I never queried her on this. (20)

Now this Joyce Sikhakane (spelt S-i-k-h-a-k-a-n-e) who is she? -- She was known to me as she was attending school at Fort Hare with us.

And you found her to be an innocent person, as you put it?  
-- Well, as I put it, she was just, you know, some ordinary person.

And in what way did Winnie Mandela try to influence her mischievously, as you put it? -- I say that because as they were arrested with Joyce, Winnie Mandela and Joyce Sikhakane (30) were arrested and charged under I do not know what Act, I

cannot/...



cannot remember, and knowing Joyce to be such a person I was quite shocked that she could be involved in such politics.

I see. Paragraph 13. -- Since 1974 - again I am not sure of the date when her banning was uplifted, she stopped seeing me. There were then no more illnesses or need to call on me. It only then became clear to me that there was something more behind her trying to befriend me and her visits to my surgery and her calling me out to her house at all hours of the night. It then dawned on me that the reason behind this was that other people could see me in her presence or at her house and (10) would therefore identify me with her. This woman, Joyce Sikhakane, mentioned in paragraph 11, has since skipped the country and is at present a refugee in Denmark.

That information that she had gone to Denmark you obtained from newspapers? -- From newspaper reports.

Paragraph 15. -- I was again called upon by Winnie Mandela during April, 1976, when she wanted me to treat a certain man who became known to me as Lebenya.

L-e-b-e-n-y-a. -- That is right.

You have got that name in inverted commas. Why? -- (20) Well, I do not why it is printed in inverted commas, I just wrote Lebenya.

That is in fact his name? -- That is his name.

Right. -- She (Winnie Mandela) took me to a house where I found this man. She told me that this man was assaulted by Peter Magubane. This appeared to me was Winnie Mandela's new friend and also that he was an ex-prisoner from Robben Island.

Just carry on please. -- During July, 1974, the Naledi High School of which my only daughter, Ellen Matlhare, age 13 years, was a student, took an educational trip to Lourenco (30) Marques. They had an accident in which 9 children died and

a school teacher died. My daughter was one of the deceased persons. The burial of the deceased took place on the 18th August, 1974, as a mass burial. Soon after the accident occurred, a committee was formed, called the L.M. Disaster Fund. The aim of the Fund was to assist in the burial expenses and the erection of tombstones. I did not serve on this committee. The committee consisted of: Chairman - Josiah Khumalo; Secretary - Mr Mataboge; Other members - Mr Mathabathe from Morris Isaacson School.

He is in fact the principal of the Morris Isaacson (10) School. -- That is correct. And Mr Morapedi who is a school inspector and others whose names I cannot remember. Soon after the burial a story went around that the people in charge of the money were squandering the money. There were no political views expressed in this Fund nor did it have any political form. As a result of this story the bereaved parents decided to form another committee called The Bereaved Parents' Action Committee to investigate these rumours. The Committee consisted of: Chairman: A.M. Matlhare; Vice Chairman - Mr S. Magongoa; Secretary - Mr T. Maeta; Assistant Secretary - Mr (20) A Maeta; Treasurer - Mrs Motha. The aims of this committee was to investigate the L.M. Disaster Fund. This committee had no political views whatsoever. Soon afterwards it became a public affair. I decided to change the name to the Soweto Parents' Association with the action committee members as elected in paragraph 19. Due to difficulties arising from investigation into the L.M. Disaster Fund, it was felt that legal advice should be obtained. As we had been to various instances where no help could be obtained, a suggestion came from the treasurer, Mrs Motha, that Winnie Mandela should be called (30) upon as she knows a lot of attorneys and could be of help. Here



I must stress that I was, as the chairman, I was not ....

In favour? -- No, not that I was not in favour, I was not a hard man on my members. I mean I gave them their latitude, I mean any latitude and whatever they requested, if I thought it was reasonable and it would satisfy them, I always agreed. I was not a very tough ..

CHAIRMAN: You were not very strict. -- I was not a very strict chairman.

DR YUTAR: And this suggestion was accepted by the committee?

-- They accepted the suggestion and I was delegated to (10) see her. This was early in May, 1976. I then approached Winnie Mandela and put our difficulty to her. She agreed to be of assistance and she said she would do the further arrangements. She told me that it would take about two weeks for arrangements to be made, which I agreed upon. About two weeks later I received a message from her that arrangements had been made and that she would like to meet the committee to explain to them. I agreed to this and told her that she could come the next Wednesday. I agreed with her to see my committee as she was a person who had knowledge of legal proceedings and who was (20) suggested by one of my committee members, which was adopted by the whole committee. As a result of this Winnie Mandela became aware that my committee met every Wednesday night. She attended the meeting on the Wednesday night at my surgery and explained the arrangements to my committee. This meeting was held on 7.4.76. It was further arranged that she would make an appointment with the attorney for us to see him. When we eventually saw this attorney, a Mr Ayob, we decided against him and did not give him any instructions on this matter. With this our dealings with Winnie Mandela came to an end and further need for (30) her was not needed as far as we were concerned. During May,

1976/...

1976, there were a lot of press reports and general conversation amongst people about children not attending classes at higher primary schools and junior secondary schools because of Afrikaans as a medium of instruction. As the atmosphere was getting tense, it was decided by my committee that we should consult with school boards and school committees. We decided first to see the Tswana School Committee of the D.A.B. Watson School of which my wife is secretary. A meeting of these committee members were individually approached on this subject where it was decided that a general meeting should be held. The general (10) feeling among school committees were that there were insufficient qualified teachers to teach in Afrikaans as a medium. It was decided to call a meeting which would be held on the 6th June, 1976, at Naledi Hall. The next Soweto Parents Association Committee meeting was held on 26.5.76 at my surgery before the public meeting that was to be held on 6.6.76. The following people were present: all my committee members and I chaired the meeting. The agenda was the resolutions to be taken regarding the Afrikaans medium of instruction. I as chairman suggested that we approach the Regional Director of Bantu Education (20) to appeal to him to drop the Afrikaans medium of instruction as there were not enough qualified teachers to teach Afrikaans as a medium. It was, however, accepted that we should approach the relevant authorities. The next item we discussed was which people to invite as speakers to the public meeting of 6.6.76. We agreed on the following speakers: Mr Mokoape - principal of the D.A.B. Watson School; Mr Leonard Mosala - a U.B.C. member; Winnie Mandela. Here I must try and put the Court in the picture that we were trying here to get as much a broad spectrum of people as possible from different - with (30) different ideas so that we should know what to say when we approached/...

approached the relevant authorities.

Just before you go on, there is a reference there to paragraph 92. Don't worry about turning over, I will read it out. It refers to paragraph 26 and it reads as follows: It was suggested by one of my committee members, namely Mr A. Maeta to invite Winnie Mandela to the public meeting as a speaker. Winnie Mandela was suggested as a speaker as some of my committee members were very much influenced by the impression she created and the assistance she gave in finding us an attorney regarding the L.M. Disaster Fund. I can only say (10) that I think it was for this reason that she was suggested as a speaker as Mr A. Maeta was very impressed by her. Is that correct? -- That is correct.

Proceed now with paragraph 27. -- During the course of this meeting I received a phone call from Winnie Mandela, saying that she was coming to my surgery to deliver a message. Soon afterwards she arrived and I took the opportunity to inform her that she was chosen as a speaker to the public meeting to which she agreed, saying that she was also to attend a meeting that same weekend in Newcastle, but would be back in time to (20) attend ours. A further discussion on publishing the meeting was held whereupon Winnie Mandela volunteered and here in fact it was suggested to get Aubrey Nokoena to print the handbills for us. It was only now that I came to know that Winnie Mandela knows and is associated with Aubrey Nokoena.

He will be our next witness, M'Lord. Right. -- I did not query her on this, but accepted her offer as we had no one else to assist us. As the printing was free of charge I took it for granted that Aubrey Nokoena was a close friend of Winnie Mandela and that they must have known one another for a long time. (30) The problem of distribution was also solved by Winnie Mandela

as/...

as she offered that Aubrey Mokoena would get boys to distribute the bills for us. She also said that she would try to attend our usual Wednesday meetings from the following Wednesday. I did not think anything about her inviting herself and offering hers and Aubrey Mokoena's services, but only now see that she was infiltrating into my committee. Nothing further was discussed and we dispersed. I, together with my secretary, drafted a pro forma of the handbills and left a message for Aubrey Mokoena to collect same at my house. Aubrey Mokoena, before this had been known to me through church affairs, although (10) I knew nothing of his affairs with Winnie Mandela. A pro forma was collected and printed by Aubrey Mokoena and later was also distributed by him. Some were left with me in person, of which I gave all my committee members to distribute. I had no discussion with Aubrey Mokoena about Winnie Mandela, except that it was on her suggestion that he had to do the handbills. Our public meeting was held on 6.6.76 at Naledi Hall. I chaired the meeting and opened the meeting with my speech on Afrikaans as the medium of instruction. This was not a political meeting, but a meeting to find resolutions on Afrikaans as a medium (20) of instruction and to report back what progress had been made. The next speaker was Mr Leonard Mosala, who spoke on the same lines as me, without any political tinge to his speech. The next speaker was Winnie Mandela, who gave a political speech, attacking the government on lack of education, no land, the homeland government and general exploitation of Blacks by Whites. This speech by Winnie Mandela was completely out of proportion and context with the agenda and aims of the meeting. As proof of this I now wish to hand in her typed speech which she afterwards handed to my wife saying that she would collect (30) it later. This speech was seized by the police when they

searched/...

searched my house. Speech marked 10.

Paragraph 32. -- After she had given her speech, there was raising of Black Power salute and shouting of Amandla Ngawethu, which means 'Power to the people'. It became clear to me that I was misled by Winnie Mandela, as well as some members of my committee and that she had sought an opportunity where she could have an audience to deliver a political speech. There was, however, little response from the audience on her shouting and fist raising as the audience was not politically orientated or motivated. I could see some of my committee members (10) shaken by her speech and Black Power salute.

Now before I ask you further questions on that, you have got a note 'See paragraph 94' and that you will find on page 19 and that reads as follows: After her speech she herself gave the fist raising Black Power salute and shouted Amandla Ngawethu. There was very little response from the audience. I did not see who responded to this although I could think that it was only her followers. None of my committee members responded to this. This I did notice as we were all sitting together at one side and apart from the main audience. (20) Now this meeting was held in the hall of the Naledi High School. -- No, in the Naledi Township, the hall in Naledi Township.

Where was it held, in what building? -- It is a municipal building.

And how many people were present? -- Approximately I would say about between 100 and 150 people were present.

And did this speech by Winnie Mandela in any way incite the audience, apart from the members of your committee? -- As I said it incited people whom I thought were people she had brought along, her people, because there was very little (30) fist raising and my people were quite surprised and shaken by

this/...



this.

And you yourself and members of your committee were completely taken by surprise at the tone of her speech which, as you put it, was out of context with the purpose of the meeting. -- That is correct.

Paragraph 33. -- It was also decided at this meeting that the next public meeting should be held on 4.7.76 at Naledi Hall for which I personally catered. There were no further discussions and we dispersed. After Winnie Mandela returned from Newcastle and before the public meeting of 6.6.76 (10) she forwarded me the chairman's speech as the Newcastle meeting which I read. This speech was of a political nature on general exploitation of Blacks by Whites, something on Black consciousness, lack of schools, lack of education and housing. I cannot remember in detail as I had no real interest in this and returned same to her with my comment as "No comment on this". This speech was more or less on the same lines as the speech she had given at our public meeting. I cannot remember the name of the chairman at the Newcastle meeting, although I remember that he was an Indian. (20)

If you are tired, let me know; I will read for you. -- On or about 9.6.76 on my way from Zola to Naledi, I noticed a road block manned by police. On arriving at my surgery I found students with dog bites and some choked with teargas. These I treated and received further reports from them about other students being injured, some of them I sent to hospital for treatment where I was assisted by the police with their conveyance

Now this took place a week before the riots broke out at Soweto. -- A week before the riots.

Do you know what the trouble was about there? Why (30) road blocks were put there? -- Well, police were called to the school/...



school. Apparently there was some problem between the students and the Security Police. This I think is contained further down in my statement.

Right. -- As a result of the report received from one of the injured children, I went to Naledi High School to see if I could be of any assistance. On this I got permission from the police. On my arrival at Naledi High School, I found a burning Volkswagen behind the library or principal's office. The majority of the children were scattered outside and the injured were in classrooms. I also saw a group of youths (10) at the principal's office arguing with a white policeman in civilian clothes. I then went to the classroom to attend to the injured children. On my way out I requested the children to tell the prefects that I would like to see them all at my surgery the next morning. My aim was to find out from them what the real trouble was. I then returned to my surgery.

Now this Volkswagen, do you know who it belonged to? -- I later learned that it belonged to the police.

Paragraph 37. -- The next morning on 10.6.76 on my arrival at my surgery, a group of about 10 to 12 prefect males (20) were waiting for me. I spoke to them outside and enquired from them what the cause of the trouble was and whether I could be of any assistance. Their leader whom I know as Moṭapanyane, told me that the real problem was that the Security Police picked up students at school and that the principal allowed them to do so. They were preventing the police from arresting the students when the policeman said: "Ek praat nie met kaffertjies nie." The students reacted to this remark and went and burnt his car.

That is the Volkswagen that you saw at the Naledi High School. -- That is correct. (30)

By this you understood? -- I cannot remember where I am now.

The/...

The last line. -- By this I understood that Motapanyane was the leader of the group that burned the car. The main complaint was that their principal - I do not know his name, he was a new man at the school - had phoned the police as soon as he had seen the car burning. That he is unlike Mr Mathabathe of Morris Isaacson School, who does not allow police at his school. As a result of this I gave them a paper to write their grievances which I said I would discuss with their principal, which they refused and said that I might give it to the police. I could be of no help or assistance to them and I dismissed (10) them.

CHAIRMAN: Just give me the name again, the name of the one that you thought was the leader of the group. -- Motapanyane.

DR YUTAR: Spelt M-o-t-a-p-a-n-y-a-n-e. Is that his correct name? -- Yes.

That is his correct name. -- That is right.

Was he a student himself? -- Yes, he was a student.

What age would you say he was? -- I would estimate roughly that he was about 18 years of age.

Do you know in what class he was? -- He must have been (20) doing matric.

Right, we carry on, paragraph 39. -- As a result of the previous occurrences, my attention was drawn to Winnie Mandela's house where I noticed certain groups of students, namely Tsitsi Mashinini, Motapanyane, Zweli and others I do not know, often hanging around Winnie Mandela's house even very early in the morning until very late at night. This made me think that these students got the know-how and influence from Winnie Mandela as to their doings.

Now you mention here for the first time the name of (30) Tsitsi Mashinini. -- That is right.

How/...

How old was he? Do you know? -- I would have estimated his age as about 24 or so. Between 22 and 24.

And was he senior to this Motapanyane? -- Yes, he looked senior to him.

Now you have got a note over here, 'see paragraph 96' and this is what you say there on page 20, and this is important; I would like you to read it out yourself please. -- The student leaders and persons mentioned in paragraph 39 were seen at Winnie Mandela's house before, during and after the Soweto riots of 16.6.76. They were more often seen at her house (10) after the first riots on 16.6.76 than before.

Now carry on, paragraph 40. -- I then started taking notice of Winnie Mandela's house and noticed that Aubrey Mokoena was very often in the company of students such as Tsitsi Mashinini Motapanyane, Zweli, Mandla and others not known to me. It again occurred to me that Aubrey Mokoena was working together with Winnie Mandela and that they were both influencing the students and organising some or other plot unknown to me. This was before the riots of 16.6.76. The congregation of the students in the company of Aubrey Mokoena, hanging around Winnie (20) Mandela's house for a few days in succession until the night before the riots started, aroused my suspicion. It also confirms my suspicion that they were being influenced to some or other plot which in my opinion was the Soweto riots that had started on 16.6.76.

Now we come to the night before the riots broke out, paragraph 42. -- On Tuesday, 15th June, 1976, after work I went straight home and on passing Winnie Mandela's house I saw Aubrey Mokoena's van parked outside with another car. I paid no further attention to it and drove home. At about (30) 2,30 a.m. that same night I was called out to a patient. As I

later/...

later drove back home I passed Winnie Mandela's house. I noticed people coming out of her gate and I switched on my bright lights and I saw Aubrey Mokoena and Tsitsi Mashinini very clearly in my lights. They were in the company of Winnie Mandela. There were also a few others whom I did not see very clearly and therefore cannot identify. A few minutes after I had arrived home, I received a phone call from Winnie Mandela, asking me to send some tablets with my maid which I refused to do. When I saw Aubrey Mokoena in the company of these students at Winnie Mandela's house, I came to realise that two of (10) them had something in common and had known one another for some time without me realising it. On 16.6.76 at about 10,15 a.m. whilst on my way from town, I noticed students at the Orlando Bridge and also cars travelling in the opposite direction, had broken windscreens. I drove to my house where, on arrival found injured students and reporters from newspapers. These injured students I put in my car and drove them to Baragwanath. I did not know any of them and none of them made a report to me. On my arrival at the hospital I discovered that one of the students had died on the way. This student was unknown (20) and had no identification papers with him.

To this day do you know who this particular student was? --  
Up to now I do not know.

THE COMMISSION ADJOURNS FOR TLA.      THE COMMISSION RESUMES.

AARON NONTOLEDI MATLHARE: sworn states:

DR YUTAR: We have reached the stage where, to sum up, you saw Tsitsi Mashinini and others at the house of Winnie Mandela in the early hours of the morning of Wednesday, 16th June, 1976, when the riots broke out later that morning. -- That is right.

And then we also reached the stage where you felt, as (30) you said, that you came to realise that in view of Mashinini's

frequent/...

frequent presence at the house of Winnie Mandela, there was some plot afoot, but you did not realise it at the time. -- That is correct.

Now, this Tsitsi Mashinini, what influence did he have over the students or the pupils of the schools? -- The impression I had is that he had a very great influence over most of the students of Soweto, the high school students.

Now would you say was it a case of respect for him or fear for him or both? -- Well, I would say respect for him and his outspokenness. (10)

He was very outspoken? -- That is correct.

Now, in The Star of 3rd February, 1977, on page 3 there appeared under the heading "Mashinini told to shut up." It goes on to say that the Star's African News Service from Gaborone, "The Students Representative Council, University College, Botswana, has told a South African student refugee, Tsitsi Mashinini, to shut up. It also called him a political toddler."

Do you go along with that? -- Well, not being a politician, (20) I would not know, but I mean the politics he spoke of, I mean, he used words frequently words like Draconian Laws, he used to call the police 'the system'. There were certain cliché words he always used when he spoke and that made the students think he was great.

Well, they go further and they say, in view of what you have just said now:

"In a statement the S.R.C. condemned what it called Mashinini's flirting with the White liberal press and said this endangered the security of all exiles

(30)

in/...



in Botswana."

Was he in contact with the press in this country? -- You mean here?

Yes. -- Well, he often - that was before my arrest - reports often .. (intervenes)

Let us speak of your detention, not arrest. -- My detention rather, press reports often appeared and I remember quite well where there was a big story which he had gone to the reporter of The World, giving all the details about the riots and Bantu Education and everything and why they were fighting and (10) they will not settle for anything less than what they called universal education.

And in his reports to these reporters would he use the cliches that you have just mentioned earlier? -- Yes, they were always used.

And then they go on to say:

"South African and other foreign journalists were accused by the S.R.C. of making a political toddler believe and behave as a hero." (20)

Did he do so, as far as you could see? -- As far as I could see this Mashinini believed he was somebody very, very great.

And of course with all the publicity he got, it must have inflated his ego. -- I would say so.

You have asked me to read for you in view of the condition of your eyes and your glasses and it is a strain, so with His Lordship's permission I will do so, but stop me when you want to elaborate on anything and I will do so likewise. We got as far then as paragraph 44. 45 reads as follows: On my way home I met Dr Motlana, who told me that he had long wanted to see (30) me as he had in mind that my committee, namely Soweto Parents

Association/...



Association should work hand in hand with his organisation, namely the Parents Vigilance Committee of which he was the chairman.

CHAIRMAN: Wouldn't that be another name it would be wise not to disclose at this stage for the identification of this witness?

DR YUTAR: As Your Lordship pleases.

CHAIRMAN: Yes, I bring that to the attention of the press.

DR YUTAR: He also mentioned other organisations, but did not stipulate them. I told him that there was no time for (10) discussion on this and that he should phone me later. Dr Motlana then passed a remark which surprised me, by saying that I should not be seen in public with Winnie Mandela, referring to a story and photograph in the Rand Daily Mail of the 8th June, 1976. Could you just elaborate on that? -- This was the story published about a meeting we held on the 6th June, 1976, and the Rand Daily Mail photographer was there who took a picture of us on the stage, I mean my committee. Winnie Mandela also was - he took the photograph when Winnie Mandela was making a speech.

That political speech you spoke about? -- That is (20) right. And I also appeared in the picture and some of my members also appeared on the picture.

The reason why I was surprised was because since my staying at the present address from about 1969, he (Dr Motlana) was often seen at Winnie Mandela's house. At that time there were rumours going around that there was an affair between the two of them which I also believed. He further mentioned to me that he was once asked by a Security policeman why he always stands at the door and his reply was because he wanted to be safe. By this he meant that he does not want to be seen associating (30) himself with any person at any meeting. He further told me that

he/...

he had had sent word with Peter Magubane to Winnie Mandela that he wanted to see her regarding a newspaper report on the 8th June, 1976, in the Rand Daily Mail. I presume that the idea was to tell Winnie Mandela not to appear in the newspapers and I did not comment on this. I later proceeded to work and had great difficulty in getting there as there were road blocks all over. Some were put up by the police and some by the students. At a certain point, just above Orlando West High School where I approached yet another student road block, I met Motapanyane. I asked him what he thought he was doing as I was very (10) annoyed at this stage. He told some of the students to remove the obstacles and told me that they were doing the same to the whites and that they had just burnt a car. What time was this more or less? -- This was more or less shall I say a little bit after 11.

At that stage had you heard any police shots fired? -- Not at all, because I was from town that time, as I said, when I just entered my yard and found children that were shot at. I did not ask at that time who had shot at the children, I had no time to ask and just took the children, as I said, to the (20) hospital and I later learned that they were shot at by police. I later learned that.

With this I understood that he was the leader of the group who had burned the car. This later proved to be the car of Dr Edelstein. This action then struck me as something that had long been planned and I realised that the activities around Winnie Mandela's house during the previous days with students confirmed my suspicion that some of the student leaders got the know-how from Winnie Mandela, Aubrey Mokoena and Dr Motlana. And the student leaders here are Tsitsi Mashinini and? -- (30) Motapanyane and Zweli and others whom I do not know.

Now/...

Now paragraph 49. One significant thing about the march by the students was that very small children were in front, leading the march, whilst the bigger ones were at the back and out of danger, as young children act very bravely and could do anything that they were told to do, hence the stone throwing and damaging the cars. Putting young children in front is a known tactic by communists.

You saw this march? -- Well, on my way, coming from town on the bridge, I saw a group of children marching down.

When you say that the bigger ones at the back were out (10) of danger, what exactly do you mean by that? -- By that I mean that the bigger ones I met when I was going to work, further away. They were further away from the scene of the shooting and at the hospital, when I was there, because I also work at the hospital part-time, only little children were in the resuscitation room and I also helped with them and there was no child I could say was a high school student then when I was there.

Now you say this is a well known tactic by the communists. What is the tactic that you are referring to? -- Well, that is from my reading, I mean, I know even, they take the children (20) in front so that the authorities or the police should be afraid to shoot and it is known that they would be afraid to harm the children and this would proceed, I mean their march would proceed and there will not be any harm.

And the bigger ones and those that organise it and instigate it, they are safely at the back. -- Safely at the back.

During the evening of 16th June, 1976, I was approached by Winnie Mandela and Aubrey Mokoena at my surgery. Winnie Mandela asked me if my committee, namely the Soweto Parents Association, could not call a meeting on Sunday, 20th June, 1976, to (30) condemn the killing of students by the police. I told her that

it/...

it was impossible as we had already arranged for a meeting to be held on the 4th July, 1976. After they had left I decided to get my committee together and discuss the possibility of a meeting on the 20th June. This was agreed upon and word was sent to Winnie Mandela that a meeting would be held on the 18th June. I turn now to paragraph 98, for further comment. I eventually decided to hold a meeting to condemn the damaging of government property and schools, more especially then our usual venue for meetings was burnt and that that had annoyed us. It was not because Winnie Mandela had asked me to, (10) or that I was in favour to condemn the killing of the children by the police. The next meeting was held on the 18th June at my surgery where the following people were present: myself as chairman, all my committee members, Winnie Mandela, Aubrey Mokoena and others whom I do not know. After opening the meeting, the first problem was the venue for the public meeting as the Naledi Hall was burned down during the riots. This was solved by Aubrey Mokoena's suggestion that he would get a church hall. There were no other speakers and nothing further was discussed, except that Aubrey Mokoena would print (20) pamphlets to be distributed advertising the meeting. After this we dispersed and went home. I was home for about two hours when the following people arrived at my house: Winnie Mandela, Aubrey Mokoena, Dr Motlana and Mandla, a primary school teacher. Winnie Mandela suggested to me that Aubrey Mokoena should chair the meeting on the 20th June as Aubrey Mokoena was used to controlling meetings. To this request I refused. She (Winnie Mandela) said that the resolution about the riots should be taken at the next meeting and that she was going to plant her chaps amongst the audience and that they would read out the (30) resolutions. Referring to Dr Motlana, I can also say he

is/...

is mischievous as two days ago he came and warned me against Winnie Mandela and here he is now accompanying her on her mission. This annoyed me and I asked him whether he was again going to stand at the door, which annoyed him. While we were still busy with discussion, a knock was heard on the door and a messenger arrived with a message that there was somebody to see her. She left and returned about 30 minutes later, saying to Aubrey Mokoena that it was the boys. This I interpreted as meaning the student leaders who usually hang around her place. On 20th June, 1976, on arrival at the church hall, there (10) was a notice on the door that meetings had been banned by the Chief Magistrate of Johannesburg. As a result of this, Aubrey Mokoena approached me, saying that he was going to arrange for another place where the meeting could be held. I later in the afternoon received a message that the meeting was to be held at Dean Tutu's house, which is next to mine. Now who is this Dean Tutu? -- He is a former dean of the Anglican Church in Johannesburg. He is now in Lesotho.

On arrival at Dean Tutu's house, the following people were found to be present: Dr Motlana, Harry Mashabela, Winnie (20) Mandela, Aubrey Mokoena, Tsitsi Mashinini, Motapanyane, Mandla, Zweli and four other students unknown to me. In other words there were 8 students there altogether. -- That is correct.

And their leader was? -- Tsitsi Mashinini.

On my arrival the meeting was already in process and was chaired by Winnie Mandela. You refer now to paragraph 99.

CHAIRMAN: Was this on the 20th?

DR YUTAR: 20th June. In paragraph 99 you just give the position of each one. You say Dr Motlana represented the Vigilante Committee; Harry Mashabela was a newspaper reporter from (30) The Star; Winnie Mandela represented the ANC and the Black

Women's/...



Women's Federation; Aubrey Mokoena represented the BCP, the Black Community Programmes; Tsitsi Mashini represented the SASM - the South African Students Movement; Motapanyane represented the same movement; Mandla was a school teacher and Zweli also represented the South African Students Movement. You carry on to find out what took place at this meeting and you say this in paragraph 55: The following were speakers at the meeting: Dr Motlana who spoke on the resolution that he was going to make, which he read from a notebook. This resolution was that the matter was in the hands of the police. His (10) speech on the resolution was of a political nature, because he raised the feelings of the other people present. The next speaker was Aubrey Mokoena. His main speech was about the printing of the resolution and to get it distributed at newspaper vendors. The people present were also to help to distribute these pamphlets. The next speaker was Harry Mashabela. He was replying to an attack by Dr Motlana to where Harry Mashabela got the information about the intended march by the students, and also why he printed the matter in the newspaper and alerted the police. His reply was that he got the news from a person (20) who had phoned him at his office and who had claimed to be a student; hence he printed the story. The next speaker was Motapanyane. He was accusing Dr Motlana of refusing to attend to injured students whereas he was around the scene of the riots. After this accusation there was an uproar and Dr Motlana threatened to walk out. He was calmed down by Winnie Mandela and we all dispersed. I did not participate in these discussions. In paragraph 100 you say this with regard to paragraph 55: The resolution by Dr Motlana read as follows:

"Whereas the Black students throughout

(30)

South Africa in an unprecedented and

historic/...



historic show of solidarity and pupil power have demonstrated their utter and complete rejection of Afrikaans as a medium of instruction in African schools.

Whereas trigger-happy and undisciplined Security officers inadequately equipped and trained for the control of unarmed peacefully protesting civilians.

Whereas civilised states provide their peace officers with two long metre long wicker baskets, water cannons, rubber bullets, teargas 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 fired from machine gun for crowd control.

(10)

Whereas the Prime Minister, Mr B.J. Vorster, while agreeing to the appointment of a one-man judicial commission of inquiry into the disturbances, has already given his opinion of the causes, namely, a desire by unnamed enemies of South Africa to polarise the races, as if that was not the official policy of his government."

(20)

The above resolution was also included in the white paper that was printed for distribution by Aubrey Mokoena of which an amount was found in my surgery. This resolution was given by Dr Motlana to Aubrey Mokoena there and then in my presence (30) for the use of printing and distributing. At the same time

Harry/...

Harry Mashabela from The Star newspaper arranged with Aubrey Mokoena that he would collect the resolution at his home the following morning for printing in The Star newspaper. Paragraph 56: Winnie Mandela suggested to me that I should write a series of articles on urging Dean Tutu not to leave for Lesotho as he was a very useful man around here. I did not agree on this. They also said that if Dean Tutu should leave, his forceful effect on the Johannesburg Whites and Whites in general would be lost. On 21st June, 1976, (that is the next day), I met my secretary, Mr T. Maeta, and told him to see the other (10) members and arrange for a meeting to be held on 22nd June at my surgery. That same evening I received a phone call from Winnie Mandela, asking if we were going to have a meeting. I told her about our meeting on the 22nd June. On that day the meeting was held at my surgery, and the following were present: Myself, my committee members, Winnie Mandela, Aubrey Mokoena, Kenneth Rachidi, Thomas Manthata, Motapanyane and Tsitsi Mashinini. I asked Winnie Mandela what the purpose was of bringing all these people along. She replied that she wanted the students to meet the parents. The aim of this meeting (20) was to report back on the meeting held at Dean Tutu's house on the 20th June. Nothing further was discussed, except that Aubrey Mokoena explained that he had been approached by a number of organisations who were interested in coming together with us because when we are united we will be able to attend to the crisis facing us, that is, of assisting the parents of the deceased of the recent riots. This was similar to a request put to me by Dr Motlana. It was said that the burial would be a mass burial and seeing that we have had a mass burial before, referring to the L.M. bus disaster, we could help the whole (30) community. This was where Winnie Mandela triumphed because she

could/...

could now use my association and me to further her aims. She had now started to implicate me in her dirty work. What was the idea behind holding these mass burials? -- Well, I think it was to raise - obviously to raise the emotions of the people. There obviously was going to be high emotions and police would have to intervene, I am sure, and people would not like to see police around a funeral and there would be further problems.

So this was all engineered in advance. -- I would say so.

By this time it occurred to me that Aubrey Mokoena and Winnie Mandela had planned everything ahead, as that was (10) why they brought Kenneth Rachidi and Thomas Manthata to show them what type of unsophisticated people belong to my committee. Now who is this Kenneth Rachidi? -- Well, I do not know. He is a member of the BPC.

And Thomas Manthata? -- I think he is a member of SASO.

On 22nd June I received a phone call from Harry, the president of the Students Representative Council of Wits University, who said that Winnie Mandela had asked him to contact me. He wanted to know whether he could be of any assistance towards my association.. I told him that I do not under- (20) stand and he should meet me so that we could discuss the matter. We met and this Harry wanted to know from me to whom to take the money they intended collecting from the students. I told him that it was entirely up to them to donate to whoever they deemed fit. And in paragraph 101 you say: The person mentioned in paragraph 59 as Harry, is only known to me by that name. I do not know what his surname is, but can point him out. He met me as arranged at Cargo Motors where I had left my car for service. From there we went to Wits where we had our discussion on funds. Harry wanted to know whether they could (30) set up law clinics run by their own law students where people

arrested/...

arrested during the riots could be helped. To this I answered that they should contact Winnie Mandela. He also wanted to know whether I could be of assistance in compiling a book about the causes of the riots, as they could not interview students personally, because they were Whites. To this I replied that I was too busy to be of any assistance and that they should consult Winnie Mandela. On the 23rd June, Winnie Mandela, Aubrey Mokoena and Kenneth Rachidi, accompanied by some student leaders such as Tsitsi Mashinini, Motapanyane, Lweli and Murphy Morobe and two others unknown to me, came to my surgery (10) where I was having a meeting with my committee. This was the usual regular Wednesday meeting. Aubrey Mokoena reported that he had contacted most of the organisations and these had agreed to come together as one umbrella body to be called the Black Parents Association for the assistance of the families who had lost their children during the recent riots. He reported that these would be meeting at my surgery on the 24th June, 1976.

In paragraph 102 you give the representation: Winnie Mandela who represented the ANC and the Black Women's Federation; Aubrey Mokoena - Black Community Programme; Kenneth (20) Rachidi - Black People's Convention and the students represented the South African Students Movement. N'Lord, incidentally, this one student, Murphy Morobe, will be one of the witnesses later this week. On the 24th June, 1976... (intervenes)

CHAIRMAN: Then perhaps again I should ask you whether ... (intervenes)

DR YUTAR: His name should not be mentioned.

CHAIRMAN: Then it should not be published at this stage.

DR YUTAR: He can be referred to just as another student. On the 24th June, 1976, a meeting was held at my surgery, (30) where the following people were present: myself, my committee members/...

members, Aubrey Mokoena, Kenneth Rachidi, Thomas Manthata, Mr Ngakane, Nimrod Mkele, Dr Manas Buthelezi and some students including Tsitsi Mashinini, Motapanyane and Murphy Morobe. Do forgive my pronunciation of the African names. Aubrey Mokoena decided that the meeting should be held at Central Western Jabavu as my surgery was too small and would not accommodate us all. This was agreed upon and we all left. In paragraph 103 you elaborate on that and you point out who represented what and we will not worry about those you have mentioned. It is on page 21, paragraph 103, but Mr (10) Ngakane represented the South African Council of Churches; Nimrod Mkele represented the Institute of Black Studies; Dr Manas Buthelezi represented the Lutheran Church and the students of course represented the SASM. That is right? -- That is correct.

On my arrival at Central Western Jabavu I noticed a whole crowd of people waiting. It became clear to me that this was again a prearranged thing between Winnie Mandela and Aubrey Mokoena. It struck me and my committee that we were again being used by Winnie Mandela and Aubrey Mokoena for their (20) purposes. The following people were present: Mr Nteso; Mr Khumalo; Jairus Kgokong and Mr Mazibuko and a lot more students unknown to me. The purpose of this meeting was the formation of the Black Parents Association to act as the umbrella body to those organisations which were represented and not represented at this meeting. And in paragraph 104 on this, you point out that those not referred to before, represented the following: Mr Ntseo represented the South African Black Social Workers Union; Mr Khumalo represented the same Union; Jairus Kgokong represented the South African Students Organisa- (30) tion and Mr Mazibuko represented the Black People's Convention -



I would ask that his name be not mentioned, because he will be also a witness later this week. Paragraph 64: I chaired this meeting and the following were speakers on this meeting: Aubrey Mokoena, who mentioned and introduced the groups present. There were no other speakers. It was mainly elections that were to be held. This meeting was under the auspices of the Soweto Parents Association. The following bodies were represented as follows: Soweto Parents Association - yourself; Parents Vigilante Committee - Dr Motlana; Lutheran Church - Dr Manas Buthelezi; Institute of Black Studies - Nimrod Mkele; (10) South African Council of Churches - Mr Ngakane; South African Black Social Workers Union were represented by Khumalo and Nteso; Black Women's Federation by Winnie Mandela; Black Community Programmes by Aubrey Mokoena; SASO by Thomas Manthata and Mazibuko; Black People's Convention by Kenneth Rachidi, Thomas Manthata, Jairus Kgokong and others I do not know; South African Students Movement by Tsitsi Mashinini, Motapanyane, Zweli and others I do not know; The Soweto Principals Union by Mr Mathabathe. Then there were the election of the committee members: 1st Chairman was Dr Buthelezi; you were the (20) second chairman; the 1st secretary - Mr Nteso; second secretary - Aubrey Mokoena; executive members: Winnie Mandela, Mr Ngakane, Dr Motlana; trustees: Dr Buthelezi, Dr Matlhare and Dr Motlana. My committee and me were completely dominated by the rest of the crowd present which numbered about 20. I objected to the presence of the Black People's Convention, the South African Students Organisation and the South African Students Movement, being among the midst because this would give Black Parents Association a political tinge. Also that this was a parents association and I could not see how we (30) could hold meetings with students present. The new chairman,

Dr/...



Dr Manas Buthelezi explained by saying that we need BPC and SASO because they would brief us on political situations and students were needed because they could give us ideas about their problems. I was completely overruled in this matter and left it at that. The BPA was formed as a non-political body like the SPA, but with the affiliation of certain organisations like BPC, SASO, SASM, it created the impression of a political organisation to which I objected. Paragraph 105: I objected to the chairman, Dr Manas Buthelezi, as well as Aubrey Mokoena, more especially to the latter as he had organised and (10) brought these people along. The next and first meeting of the Black Parents Association was held at my house on the 25th June where the following people were present: Dr Manas Buthelezi who chaired the meeting; yourself; Dr Motlana; Winnie Mandela; Aubrey Mokoena; Mr Ngakane; Rev. Mathabane; Bishop Mokoena; Tsitsi Mashinini; Mandla; Kenneth Rachidi; Thomas Mathata and Jairus Kgokong and others unknown to me. The purpose of this meeting were minutes on the previous meeting and the election of sub-committees on the aspects of a mass funeral. No discussions took place and nothing of political (20) nature was said and we dispersed.

CHAIRMAN: What was the date of that meeting?

DR YUTAR: That was on the 25th June, 1976. In paragraph 106 you again give the .. (intervenes)

CHAIRMAN: Isn't there a statement before the Commission that Mashinini had left by the 23rd?

DR YUTAR: I cannot recall the date, M'Lord.

CHAIRMAN: I may be mistaken, but you are certain that Mashinini was present at the meeting of the 25th? -- Yes, I am quite sure he was. (30)

DR YUTAR: M'Lord, we are going to lead evidence this week about the/...

the way Mashinini attended these various meetings and avoided the police by going out through side doors and back doors; that evidence will be led.

CHAIRMAN: Yes, but this was a statement that I think came before the Commission, I do not know in which way. But it does not matter, if this witness is certain that he was there on the 25th, then his statement stands.

DR YUTAR: M'Lord, this witness is going to testify presently that he was even present at a meeting on the 29th June. Then paragraph 68. After the meeting Aubrey Mokoena approached (10) Dr Motlana and gave him an air ticket to Cape Town. He was to fly to Cape Town on Sunday, 27th June, to attend a Black Community Programmes meeting there. It occurred to me that Dr Motlana also belonged to the Black Community Programmes and that they were working hand in hand with Aubrey Mokoena whom Dr Motlana said was his boss. What was the purpose of sending Dr Motlana by air to Cape Town, because at that stage there was no rioting in Cape Town. -- I cannot say, I was quite confused. In fact they were not aware that I was overhearing them and that I had seen them. I saw Aubrey hand over air tickets, but (20) I do not know what was the purpose of his going there.

You see, we are going to lead evidence this week which will connect up with this bit of evidence that certain people again were summoned from Cape Town to come to Johannesburg, also before the riots broke out in Cape Town. Do you know about that? -- No, I do not know about that.

You do not know about that.

CHAIRMAN: There is evidence of that already.

DR YUTAR: There is, M'Lord, but there is going to be further evidence from certain other witnesses. Now we come to (30) paragraph 69. The next Black Parents Association meeting was held/...

held on the 29th June at my house where the following people were present: Winnie Mandela, Dr Motlana, Aubrey Mokoena, Thomas Manthata, Kenneth Rachidi, Mazibuko, Dr Manas Buthelezi, Tsitsi Mashini, Zweli. This purpose of this meeting was to finalise the arrangements for the funeral. It was agreed that each family should be given R200 for funeral expenses from the expected funds from various places. I, at this meeting, told them that I am relinquishing my position as second chairman and refuse further meetings at my house. This was accepted by the chairman and nothing further was discussed and we (10) dispersed. Now are you certain that Tsitsi Mashinini was present at this meeting at your house on the 29th June? -- He was present, I am quite certain.

And then in paragraph 107 you give the various organisations that these people represented. Now we come to paragraph 70.

CHAIRMAN: What must be typed in?

DR YUTAR: No, I am sorry, M'Lord, paragraph 107 merely gives the various organisations represented by the people who attended the meeting at the witness's house on the 29th. Winnie (20) Mandela represented the ANC and Black Women's Federation; Dr Motlana - Parents Vigilante Committee; Aubrey Mokoena - Black Community Programmes; Thomas Manthata - South African Students Organisation; Kenneth Rachidi - Black People's Convention; Mazibuko - Black People's Convention; Dr Manas Buthelezi - Lutheran Church; Tsitsi Mashinini - South African Students Movement; Zweli - South African Students Movement.

CHAIRMAN: Why do you say that Winnie Mandela represented the ANC? -- Well, she made no bones about the fact that she is a member of the ANC. (30)

DR YUTAR: On the 2nd July, 1976, I got sick from pneumonia and/...

and could not attend the funerals. During my time of sickness I was constantly visited by Winnie Mandela, Aubrey Mokoena and Dr Motlana. They created the impression that they were worried about my illness and when I would be able to attend further meetings whereas I had already resigned as second chairman. I got the impression that they got ideas of why I was not attending further meetings. During this period of my illness my mother had made a report to me that my maid had said that Winnie Mandela had phoned more than once, enquiring whether the police had been to see me. This created the impression that I might tell (10) the police about her doings and therefore they must have decided to get rid of me in some or other way. It was for this reason that they had arranged to get me certified as a mental subject and also that Winnie Mandela, during one night, phoned Dr Motlana to give me an injection without examining me, which I refused and when that failed, she made some soup which she wanted me to take which I also refused. What did you think was the purpose behind this injection without examination and provision of soup when you were not hungry? -- Well, about the injection, I asked him to examine me. Winnie Mandela phoned Dr Motlana (20) telling him that I was ill and he just came and without him even enquiring what the problem was, he wanted to give me an injection and I protested, I said why give me an injection without even knowing what is wrong with me. I did not want to take that injection because he did not know what was wrong with me, he had not examined me. And the part of the soup, fortunately that time I was staying with my mother as my wife had been overseas and my mother thought that this soup had been poisoned, I must not drink that soup. In fact my mother threw it out. (30)

Did you ask for it? -- I had not asked for soup.

You/...

You had not asked for soup. -- She volunteered to send soup as it was a very cold evening.that night.

At this stage, 2nd July, 1976, had any attempt been made to burn your surgery? -- My surgery was burned - no, no attempt; it was burned later.

When did it occur for the first time? -- On the 28th July.

In other words, 26 days later. -- On the 30th July.

28 days later. Paragraph 71. There was another incident where Winnie Mandela had sent an unknown man to me requesting me to accommodate him for the night. This I did in a (10) backroom in my backyard. After a short while this person was fetched with the excuse that accommodation had been found elsewhere. To my mind this man was put there with the sole object of killing me. Do you know who this person was? -- I do not know.

And why did you come to the conclusion that this man had been sent there to murder you? -- Because he had a small suitcase with him, and this man, as I explained to the Security officer, appeared to me not to be, shall I say, normal South African. Why I say so is because I tried to greet him (20) and ask him in Zulu, I thought he was Zulu, but he just grinned. I took it he could not understand. And I asked him his name and he could not understand. Now why I think he was sent for the purpose of killing me was that after this girl who had brought this man to my house, had left, she left that man already in my backyard and she must have reported to Winnie Mandela that this man is sleeping in the backyard. She must have expected me to accommodate him in one of my rooms in the house and immediately she realised that this man was in the back room, he was taken away. (30)

When did this incident take place? We know the soup  
incident/...



incident took place on the 2nd July. When did this take place?

-- This took place already when my wife was back.

More or less? -- More or less on the 4th or 3rd of August. It was early in August.

Early in August. Now we come to paragraph 72. On the 30th June, 1976, .. -- That is July.

It should be July. On the 30th July, 1976, I was approached by Dr Motlana and requested due to my long absence from meetings, to resign as an executive member of Black Parents Association. This I did, but not straight away. It now became clear to (10) me that they, namely Winnie Mandela, Aubrey Mokoena and Dr Motlana, had completed their mission with me and had no further need of me and for that reason requested me to resign. Whilst talking to Dr Motlana, my maid made a report to me that my surgery was on fire. When this was told to me in Dr Motlana's presence, he showed no sign of shock. Before leaving for my surgery, I told him about the detention of Harry Mashabela. Did the fire gut your surgery, did it destroy it? -- It did.

Completely? -- Not completely, but mostly inside all my equipment and my drugs were burned out completely. (20 )

And you say Dr Motlana showed no sign of shock? -- I expected him to be surprised or at least show some sign of sympathy with me that look, oh, they burned your surgery, something like that, but he just did not, shall I say, register with him.

On the 3rd August, 1976, school children went about warning people not to go to work the following day. Two young girls unknown to me, came to my surgery and warned me not to open my surgery the following day. I told them that people get sick every day. They told me that I should not work the next (30) day and if I did so, that it would be at my own risk. I at any

rate/...

rate decided not to work the next day, 4th August, 1976, and stayed at home to do odd jobs. Now these two young girls you say are unknown to you. -- Yes.

What were their ages more or less? -- They were more or less about 16, 17 and they were clad in school uniform.

Could you identify which school from their uniform? -- No, I cannot.

At about 9,30 a.m. on the 4th August, there was a knock at my door. I answered and found the following: Dr Manas Buthelezi, Mr Nteso, Winnie Mandela. Their mission was, (10) and it came from Winnie Mandela, that we go to the police to ask them not to use firearms on the children. I refused to go but later decided to accompany them just for the sake of Dr Manas Buthelezi. We went to Protea Police Station where we had an interview with Brigadier Le Roux and Major Visser. Dr Manas Buthelezi acted as speaker for us. After a discussion Brigadier Le Roux promised that he would do his best, but we must go to New Canada and persuade the students to go back to Soweto. He promised to do so. We then proceeded to New Canada Railway Station to try and persuade the students to return home. (20) On our way to New Canada Dr Motlana remarked that while he was a member of ANC they organised stay at home strikes, but only a few would stay. He remarked further that the students' achievement was good in that about 60% of Soweto people did not go to work. He further stated that it was the biggest struggle in history where the white man felt the pinch. I commented about the dismantling of signal boxes on railway lines and said that I was sure that it was not students and that if it were that they were trained because this needed highly trained people like the Indian who was caught red-handed at New Canada (30) Station. He is at Robben Island now. To this Dr Motlana replied/...

replied that these boys were geniuses. With that Winnie Mandela replied that perhaps the boys are back from abroad from training. I interpreted this to mean that there were people around Soweto who had guerilla training and were using it now that there is a commotion, especially the technical part. Winnie Mandela further remarked that she had received a phone call from London, congratulating her and the students for the achievements so far in damaging the government property. She did not mention who the caller was. Have you no indication who the caller was? Did she not give you any indication who (10) it was? -- Not at all.

Black man, White man? -- Not at all, she gave no indication.

And you did not ask? -- Well, I did not ask.

I beg yours? -- I did not ask whether it was White or Black.

When we arrived at New Canada, I noticed that the students were very upset and I pleaded with them. I noticed that there were others too old to be students and that some of them were armed with dangerous weapons. At first the students were uncooperative and wanted to march and wanted us to lead them. The police were about 200 metres from the students and I (20) noticed the students kept on advancing towards the police. I personally asked Brigadier Le Roux to use teargas on the students, which he did, after which the students dispersed. Whilst negotiating with the students, I noticed that some of them were hungry and others were drunk. We had been negotiating with the students for one and a half hours. We then left and went home.

CHAIRMAN: Did you also use a loudspeaker which Brigadier Le Roux had put at your disposal? -- Yes, Brigadier Le Roux gave me a loudspeaker and I used it and I had to take it back (30) quickly because the students wanted to smash it, because I was given/...

given it only on the condition that I bring it back again undamaged.

Was the intention that you and the other three should talk to the students to try and persuade them not to continue their march into Johannesburg? -- That is correct.

Did you try to persuade them? -- That is right.

Did the other three try to persuade them? -- They did.

But the students refused? -- The students refused.

DR YUTAR: You say that the students were very upset. What were they upset about? -- They looked upset in that we must give (10) some explanation. They wanted to go to march to John Vorster to get some of their colleagues out of detention. To this we explained that we have got an assurance from Brigadier Le Roux that there were only 4 students who were detained at John Vorster at that time and they were going to face a criminal charge concerning the death of Dr Edelstein. They did not believe this. They thought there were more students than four.

You also say that there were others too old to be students. -- One of them in fact, if I may explain, I asked him which school he attended and he told me he attended Orlando (20) North Junior Secondary School, but he appeared to be a boy of about 24 or so, 25, he was too old to be in a junior secondary school. Among them I will say there were others who were not students.

What was the total of the crowd you came across? What number? Just an estimate. -- Well, there was quite a lot of students. I think there must have been over 1 000 students.

And how many of them would you say were not - were too old to be students? -- Well, it is difficult to give a figure, but I will say about a fifth of them were quite old to be (30) students.

And was there any part of that crowd inciting or instigating the others? -- Yes, there was. There was definitely a crowd which, when we - in fact they had, so to say, they had this other group under their control. They instructed them to sit down when we talked and listen and then they would shout slogans and do all that and so on. They had these students under their control.

You say they had the students under control. Are you suggesting that those who exercised the control were those who were too old to be students? -- Yes. (10)

And the police, how many did they number? Under Brigadier Le Roux. -- Well, there were not a lot of police at New Canada, I mean the ones I saw. I will say there were roughly about 100 or close to 100 police.

And the crowd that they faced up to were in the vicinity of 1 000. -- Of 1 000.

And those that were drunk, who were they? The students? -- Those were obviously not students.

They were not students. Dr Manas Buthelezi then suggested that we should have a meeting with the student leaders to (20) find out what their grievances are and to submit this to the different departments. We drove around Soweto, me included ... (intervenes)

CHAIRMAN: At that stage, at the time when you tried to persuade them not to go on, their only request was that they wanted the release of their colleagues. -- Colleagues and they wanted to march to John Vorster. That was their request. To get their colleagues released from detention.

Now you say at this stage now Dr Buthelezi said it would be necessary for you to find out what the grievances of (30) the students were. -- That is correct.

But/...



But didn't you by then know what their grievances were? -- That was after their dispersal.

No, I mean, didn't you know generally? -- Generally we knew that the Afrikaans medium was the main problem and then Bantu education was the other problem and the detention of other students, but they had .. (intervenes)

What else? -- Well, they did mention the other grievances later to us.

Is that coming in your evidence still? -- It is coming still in the evidence. (10)

DR YUTAR: Dr Manas Buthelezi then suggested that we should have a meeting with the student leaders to find out what their grievances are and to submit this to the different departments. We drove around Soweto, I included, to pick up the leaders with the help of others. After we got hold of some of the leaders, we drove to Dr Manas Buthelezi's house where the meeting was to be held and the following were present: Dr Manas Buthelezi, Winnie Mandela, Dr Matlhare .... -- I must say here I made a mistake. Tsitsi Mashinini was not there. In fact I told the investigating officer that I was mistaken in one of the (20) students who was also a bearded tall student and I at that time thought he was Tsitsi Mashinini.

CHAIRMAN: He was not present at this meeting? -- He was not present at this meeting.

DR YUTAR: In fact you say so a little later in this paragraph. You say so; we will come to that. You say Dr Manas Buthelezi was present, Winnie Mandela, yourself, Mr Nteso and the students present were Murphy Morobe (we will not mention his name in the press, N'Lord, because he is going to testify) and four other students unknown to me. Then you go on: Tsitsi (30) Mashinini and Zweli were not present at this meeting. Is that

correct/...

correct? -- That is correct.

Aubrey Mokoena arrived late at the meeting. Dr Manas Buthelezi chaired this meeting. Murphy Morobe acted as speaker for the students present and he dictated their grievances to the chairman who noted them on paper as follows: (1) Continued student detention should be stopped; .. (intervenes)

CHAIRMAN: Would that mean arrests? -- arrests.

Of the students in connection with the riots? -- Well, I think before the riots because there were students who were detained before the riots. (10)

Yes, but in that connection. But it meant detention by the police. -- That is correct.

DR YUTAR: (2) Scraping of Bantu Education; (3) Stopping of police harassment; (4) Police provocation; (5) Universal education. The chairman, Dr Manas Buthelezi, was to hand this over to the relevant departments. Dr Motlana then congratulated the students for the good work they had done by keeping away 60% of Soweto workers from work, but said that they had spoiled everything by having been dispersed by the police; they got themselves humiliated. After this the meeting closed. (20)

You refer further to this in paragraph 108, page 22, where you say: The student leaders that we tried to find and pick were Tsitsi Mashinini and Murphy Morobe and two other students from Rockville whom we did not find. These were the main student leaders. We only managed to find Murphy Morobe and three others, unknown to me. There were others there also unknown to me, waiting at Dr Manas Buthelezi's house. But you have already said Mashinini was not there. -- That is correct.

Page 17, paragraph 80: At the meeting of the 4th August, 1976, one of the students, Murphy Morobe, reported to the (30) meeting that the houses of two Security policemen had been burned down/...

down and he also mentioned the names of Makhoro and Letlaka. With this I understood he was either one of them or the leader of the group who had burned these houses. Winnie Mandela announced that she was very happy about it, especially of the house of Mr Makhoro, who had given evidence against her and had appealed to the judge to get her convicted although she was discharged. During the course of the evening after the meeting with the student leaders, I discovered that Winnie Mandela was encouraging students to do damage to government property and private property. After the meeting with the students, (10) they (the students), went out and flocked around her and had caucusses with her. I did not hear what was said between them. During the course of the meeting Dr Motlana had also warned the students that those who knew that they were wanted by the police, should get hide-outs to hide or otherwise skip the country. Is there anything you would like to say on that? For instance here, you came to the conclusion that Winnie Mandela was encouraging students to do damage to government property and private property. -- Yes.

Would you like to elaborate on that? -- Well, in that (20) - I would elaborate by saying that she encouraged them in that she praised them for the good work they were doing and that they were not touching any property owned by Blacks, but property which is owned by whites, the West Rand Administration Board.

CHAIRMAN: Did you say anything about the damage to your own property? -- Nothing.

Do you know whether there was any explanation of why property obviously not belonging to or being associated with the Administration Board or the Government, but connected with Black enterprise, was in fact burned? -- Well, I think it (30) is people whom they regarded as informers, shall I say, and houses/...

houses of Security police.

Sell-outs, is it? -- The sell-outs, that is right.

DR YUTAR: You expand in paragraph 109 on this paragraph 81 by saying as follows: Winnie Mandela was praising the students present by saying to them in general: "You have fixed the bloody barstard", meaning Makhoro and Letlaka, as these two names were mentioned earlier and referring to Mokhorro as the bloody bastard who had given evidence against her and even begged the judge to convict her. These were the exact words used by her. She also told the students present and to (10) no one in particular, to damage all White man's property. She did not say government or private property, but used the word 'White man's property'. Is that right? -- That is correct.

We then go on, paragraph 82: Shortly after Winnie Mandela had left for home, somebody came up, reporting that Winnie Mandela's house was on fire. Although Aubrey Nokoena and Dr Motlana blamed the police for this, I think that this was only a stunt by Winnie Mandela to turn the police away from her, as no serious damage was done to her house. Now what made you think or come to the conclusion that she had set fire to (20) her own house as a stunt? -- Not that - I do not mean that she had set fire to her own house, but what I meant was the damage was so little and perhaps she might have, that is my own opinion, she might have got boys to throw some petrol there and make it as if it is the police. That was just a personal opinion I had of the whole thing.

Now we come to this important paragraph. The next morning, on the 5th August, 1976, on my way to work, I was stopped by Tsitsi Mashinini and another student unknown to me. They were just coming from out of the gate of Winnie Mandela's house (30) and asked me for a lift to Morris Isaacson School to attend

classes/...

classes and have meetings. I gave them a lift and during the journey Tsitsi Mashinini mentioned the burning of the houses of Security police. He mentioned the names of Makhoro and Letlaka. By this I understood he was either the leader or with this group who had burned the houses. He further stated that the houses were burned by students with petrol bombs. He was very excited about this and even volunteered to show me the houses. I dropped them at Morris Isaacson School and went to work. Now is that correct? -- This is correct.

On the 5th August, 1976. -- That is correct. (10)

Later during the day I received a phone call from The Star asking me what priorities should be met for peace to prevail in Soweto. I mentioned (1) home ownership; (2) compulsory education; (3) scraping of homeland citizenship certificates; (4) better pay; (5) equal pay for equal work. This later appeared in the newspaper. On the 11th August, 1976, Winnie Mandela had sent a girl over to my house, saying that she was expecting a phone call which would come through to my house as her phone could not receive incoming calls and could we please call her. The call later came through and my wife answered (20) the phone. This was a white man phoning and asking for her (Winnie Mandela). She was not called, but only given her number and the receiver put down. At this stage I wanted as little to do with this woman as possible. The same kind of phone calls were received at my house during or about 1974 with the same person calling. This was just before the time that Winnie Mandela and Peter Magubane were arrested with others. At one stage this caller identified himself as John Horak, a son of Senator Horak of Natal. Can you elaborate on what you say in this paragraph? Is there anything you would like (30) to add? -- I was quite surprised why Winnie Mandela should

direct/...



direct telephone calls to my house when in fact she has got a telephone in her house herself and my wife phoned the exchange and asked them whether Winnie Mandela's phone was working and they said it was working, which means she was lying when she said that her telephone was out of order. She wanted to use my phone perhaps thinking that her telephone is tapped.

Paragraph 86. There was another meeting of Black Parents Association held at the Catholic Church at Moroka which I attended. This meeting was chaired by Dr Manas Buthelezi. The purpose of this meeting was to appeal to students to (10) return to their classes. Taking of resolutions from the audience on the Soweto riots. I did not go there to attend, but merely to hand in my resignation as executive member. The following were present at this meeting. And before I read out who were present, what date was this? Can you remember? -- This was on the 1st August.

This was the one on the 1st August? -- It was on a Sunday.

Then you say this: Present: Dr Manas Buthelezi ...

(intervenes)

CHAIRMAN: But the 4th August was the date of the march. (20)

DR YUTAR: That is so. -- That is right, the 4th August was the date of the march. This meeting was held on Sunday, the 1st.

CHAIRMAN: Sunday the 1st, that is before the march? -- Before the march.

DR YUTAR: Present: Dr Manas Buthelezi, yourself, Dr Motlana, Winnie Mandela, Aubrey Mokoena, Tsitsi Mashinini, Murphy Morobe, Mr Nteso and a lot of students and parents unknown to me, as well as newspaper reporters. Now let us see which newspaper reporters were there. We will find that in paragraph 110, page 23. The newspaper reporters present at this meeting were (30) mostly from (1) The World and one from the Rand Daily Mail.

Those/...

Those present and known to me are as follows: Mike Mdlazi from the Rand Daily Mail; Duma Ndhlovu from The World. These are the only ones known to me. There were also one from Die Beeld that was unknown to me. Tsitsi Mashinini appealed to the children to return to the school grounds, saying that one can talk better if all students are together at a certain place. He also stated that it would be difficult for the police to arrest students in school grounds. Murphy Morobe also acted as a speaker and spoke along the same lines as Tsitsi Mashinini. The chairman, Dr Manas Buthelezi, addressed the meeting .. (10) (intervenes)

CHAIRMAN: One moment. I am trying to find the date of the newspaper report about Mashinini's arrival in London.

DR YUTAR: You say: Murphy Morobe also acted as speaker and spoke along the same lines as Tsitsi Mashinini. The chairman, Dr Manas Buthelezi, addressed the meeting and appealed to all students to return to their classes. He further stated that the BPA have employed a full-time social worker who would look into the needs of the people who had suffered through the Soweto riots. He urged the people present not to be afraid to (20) contact him when in need of anything. Nothing further was discussed. That is now the end of your statement. Is there anything else you would like to add for the information of His Lordship or would you like to think about it during the lunch interval and come back at 2 o'clock? -- Well, there is nothing further that I can like to add, except that this riot - I mean the Afrikaans issue which was said to have started the riots, was just a pick on an iceberg. By that I mean that there were already people who - there were people already waiting for such a small thing to crop up so that they can do all the (30) damage that has been done now so far. And that I am convinced

that/...

that these people, some of them are being trained or have got training of some sort in, as it is called guerilla warfare or something like that; some of the people who were there and it is quite easy to influence a child's mind than an adult's mind, so the children were just quickly influenced and told by these people what to do and it was surprising how they could make petrol bombs - I was shocked by that because somebody with the know-how should know how to make a petrol bomb. That is all I have got to say.

M'Lord, before we take the adjournment, I would like (10) to apply to Your Lordship that although the name of Aubrey Nokoena as used by this witness, may be mentioned, there is to be no indication that he is to be the next witness. I would not like him to be identified as the next witness - as a witness. They can mention his name as freely as they like as testified to by Dr Matlhare.

CHAIRMAN: Yes, the press has got that information.

THE CO

NO FURTHER QUESTIONS.

THE COMMISSION ADJOURNS FOR LUNCH.