

5.3 Classification of the evidence.

5.3.1 When all the evidence had been collected, the Commission had a very wide-ranging volume of information at its disposal. This information was contained in the transcribed oral evidence, the exhibits, the records of court cases, and other documents. Furthermore, almost every witness dealt with more than one aspect of the inquiry, and separate bits of evidence frequently related to more than one subsection. Classification of the evidence was therefore necessary before the Commission could proceed with the preparation of its Report. The system of classification that was devised after the first study of the evidence was flexible, in that new groups or classes could be added, while others could be combined, left out, extended or condensed.

5.3.2 Because, under this system, all the evidence was recorded on cards and grouped, the Commission could consider together all the available facts and views relating to each separate part and so arrive at a finding.

5.3.3 This classification facilitated the preparation of the chronological Annexure D; all the riot incidents are scheduled in this annexure according to date, division, place and time. It gives a complete picture of the disturbances and riots. By rearranging the information, the Commission was able, in Part B, to discuss the incidents according to the places where they had occurred. In the same way, the classified information was used in the discussion of the elements, the consequences and the causes of the riots, and the preparation of the annexures.

5.4 Evaluation of the evidence.

5.4.1 The Commission's primary task was to establish facts; after all, its terms of reference were "to inquire into and report on the riots ...". As a judicial commission, the Commission collected the relevant evidence from the available sources, considered the reliability of such evidence and so established the true facts of the riots, as a court of law would have done. After that, the Commission went into the causes of the riots; in this connection, it was not only the opinions of witnesses that were important, but also the true facts and the logical inferences that could be drawn from them.

5.4.2 The relevance of the evidence.

The Commission deemed evidence to be relevant if any inference could be drawn from it in regard to a fact or cause that it had to investigate. If evidence could not throw any light on any such matters it was irrelevant and was excluded. For the rest, the Commission did not disregard any evidence merely because it conflicted with the views or evidence of a particular person or group of persons.

5.4.3 Conflicting and corroborative evidence.

There was not a great deal of contradiction of facts in the evidence. Such contradiction as there was, related mainly to police action during the morning of 16 June in Soweto, the riots in the Peninsula, and the rioting over the Christmas week-end in Nyanga. This conflicting evidence is dealt with in Chapters 3, 30 and 31 of the next part. Witnesses seldom differed about the existence of a condition that could be regarded as a cause of the riots; sometimes they were not in agreement about the importance or the extent of such a cause. Where there was conflicting evidence on any particular subject, the Commission usually gave its reasons for its finding. If there was no contradiction, the Commission nevertheless subjected the evidence to the usual tests, but as a rule without giving reasons for its acceptance or rejection of the evidence.

5.4.4 Testing of the evidence.

The tests to which the evidence was subjected will appear from the discussion of the riots in Soweto and the Peninsula in the later chapters referred to in the preceding paragraph. Some of these tests are mentioned here. Further to the remarks concerning corroborative evidence, the following has to be pointed out. Although the corroboration of a statement is most important, it does not necessarily mean that a corroborated statement was accepted without due consideration, just as contradiction alone did not always result in the rejection of statements. In this regard, it is important that the Commission afforded all persons implicated by witnesses in the riots or in acts of rioting, an opportunity of testing the evidence by cross-examination or of rebutting it by their own evidence.