

MR. TRENGOVE: Yes, my lords, he did explain  
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BEKKER J: Well, could you just tell me - you  
needn't go to the reference - what he said?

MR. TRENGOVE: My lords, as I understood it, he  
explained it as being information that they had received 5  
as to what was happening there.

BEKKER J: Yes.

MR. TRENGOVE: My criticism of this, my lords,  
is . . .

BEKKER J: Yes, I know your criticism; I'm 10  
just wondering about something else.

MR. TRENGOVE: Now, my lords, I come to 1954.  
To start off, my lords, A.37, the annual report of the  
National Executive Committee, 1954. Now, my lords,  
this document has been admitted by the Defence to be 15  
the annual report of the A.N.C. and an authoritative  
source of Congress policy, and your lordships will re-  
member that the Executive report to this Conference  
was settled at Groutville just prior to the Conference  
in November, 1954. The Executive met at Groutville 20  
and this report was then settled there, and it was then  
submitted to the Conference in December, 1954. And  
it deals, my lords, with the international situation.  
Part 2 of the Executive Report has a special chapter 25  
dealing with the international situation. And the  
portions I refer to, my lords, in this particular con-  
nection start in the record at page 267, where it says:  
"The African National Congress as a leading political  
organisation in the country and a representative of  
the people of South Africa, has a foreign policy opposed 30

to that of the Government who represent less than 20%  
of the country's population. The white rulers in  
South Africa support the war aims, imperialism, and white  
domination. During the second World War, the President-  
General of the African National Congress appointed a  
special committee in 1943 to examine the place of an  
African in the post-war period and in the light of the  
Atlantic Charter". Then it deals with the history of  
African claims and how that was drawn in the light of  
the Atlantic Charter. My lords, I'll deal with that  
document later.

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Then at page 267 this report continues:-

"The cardinal points of our foreign policy are, opposi-  
tion to war and an uncompromising stand for world peace  
and opposition to colonialism and white domination."

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The report refers to the position in Africa  
and states that the struggle -- "Therefore the struggle  
to free South Africa and indeed all Africa is a serious  
problem that will mean a struggle against six major  
imperialistic nations and their satellites, such as  
Malan, Roy Welensky, Blundell and others." South Africa  
is a satellite of six major imperialist nations against  
whom the struggle must be waged.

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"This is a formidable prospect, and yet the  
dynamics of history say that the imperialists are doomed  
to ignominious defeat at the hands of the oppressed  
Africans. Already the whole continent is awakened and  
is tramping the road to freedom. The nature of our  
programme, the forces ranged against us, mean that the  
freedom of Africa can never be a local problem - an

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internal problem or a domestic affair. However we look at it, the freedom of Africa is an international question."

And then the report deals, my lords, with the question of looking for allies and he says at page 268: "We must look for allies and without going any further we must ask ourselves the following regarding any prospective ally: (1) Is the country or group in the imperialist camp or in the anti-imperialist camp?"

Now, my lords, they have placed South Africa in the imperialist camp. They are seeking their allies in the anti-imperialist camp. (11) Is this country or group for equality or for racial discrimination? (111) Is this group or country pro-African or anti-African freedom? (iv) Is this country or group anti-colonialist? On the answer to all these questions we will base our attitude to any country."

The report then continues to deal with the international situation and refers to imperialist countries who are alleged to be in league with South Africa, and it states at page 269, "We are aware of the reasons for this attitude on the part of imperialist countries. The liberation of the colonial and semi-colonial people will bring an end to the huge profits they are making through the cruel exploitation of subject peoples. The expulsion of colonial powers in the great land of Asia is a source of inspiration to the African people. The emergence of the two great powers in this continent, China and India, both enemies of war and imperialism, have shattered the hopes of the imperialist powers and

made their rule impossible, even under the great military night of the United States of America, Great Britain and France." 1

And then he refers, my lords, to the wars in Indo-China, Malaya, and the report states, "We are not only enthusiastically saluting the victorious struggles of the Vietnams against the powerful imperialists of France and America, but have every reason to celebrate this victory and the end of the war in this part of South-East Asia. Yet, friends, the brutal wars are still being waged in Malaya, Kenya, Algeria, Tunisia and Morocco. - all of which are in the continent of Africa except Malaya. We express our solidarity and sympathy with these countries in bitter and bloody struggles, not excluding the people of British Guiana and other oppressed peoples in other parts of the world." 5 10 15

Now, just pausing there for a moment, my lords. They accept the position, they accept the position that in Kenya there is war; in Malaya there is a war; in Tunisia there is a war, and my lords, a war is not merely a one-sided extermination of people who do nothing. A war is a clash between two parties, and who were the people that were clashing in Kenya? Who were at war and who were at war in Malaya? My lords, take the position in Kenya. Resha says that the Kenya Africa Union people were not using force or resorting to violence, that they were following the non-violent struggle. Now, my lords, on his evidence they were not engaged in a war. Who was? The Mau Mau. If the Mau Mau were engaged in war the other parties in Kenya who 20 25 30

express their solidarity with the Mau Mau in their struggle against the duly constituted authority. They cannot, my lords, have it both ways. They cannot say that the Kenya Africa Union are not engaged in a violent struggle, but that the Mau Mau are, and that the Kenya Africa Union don't support the Mau Mau. As far as the Crown is concerned, my lords, it doesn't matter whether it's the Mau Mau or the Kenya Africa Union, or who it is. There was a war between constituted authority and some other group seeking national liberation, and their actions were such that it cannot leave anybody in any doubt as to the inference to be drawn, not only from the object of the struggle but also the means - if the people are forced into that position.

And then, my lords, it deals with Africa and the world peace at page 270, where it says, "The rise of the national liberation movements in Asia and the Pacific regions and the loss of those vast countries as war bases and centres for investment has forced the imperial powers to turn their eyes on Africa." Then they mention Britain, Belgium France, Holland, Portugal and Spain. "The rivalries among these colonial powers contain the seed of an extremely dangerous situation to peace and security in Africa."

Then it says: "To protect their markets and investments, to crush the national liberation movements and to forestall the rise of revolutionary democracy in Africa and to ensure an abundant cheap labour supply, America and her satellites have established military bases all over the continent. America has land, sea

sea and air bases in Morocco, Libya and Saudi Arabia. 1  
 There are British military bases in Egypt, East Africa  
 Somaliland and the Sudan."

Then dealing with the situation of imperial-  
 ism and national liberation the report says: "It will  
 thus be seen that the struggle for national liberation 5  
 is inextricably linked up with the fight for peace and  
 against imperialism." Page 271, my lords. "It will  
 also be seen that the people of South Africa and of this  
 continent will be the first victims of a future war.  
 Their industries . . ." Then it deals with the production 10  
 of armaments and raw materials and it concludes: "It  
 is precisely because of this fact that the question of  
 war and peace has become of immediate concern to us all.  
 It is also because of this fact that we welcome the  
 participation of our leaders in the Peace Movement. 15  
 It is because of this dangerous situation to peace and  
 security in Africa that we urge the widest sections of  
 our people to take up the cause of peace and to uphold  
 it until the scourge of imperialism is vanquished from  
 the face of the earth." 20

Now, my lords, this document A.37 which has  
 been used for the education of the people. These are  
 the lines on which they educated their people - to see  
 to it that the scourge of imperialism is vanquished from  
 the face of the earth. 25

My lords, the next exhibit is A.40, also an  
 exhibit found in the A.N.C. offices. A.40 is the Pre-  
 sidential Address to the African National Congress, Trans-  
 vaal, October, 1954. In the record, my lords, also as  
 RR.28, page 4143, and also JMK.16, page 2650, and my 30

lords, it was identified by Resha at page 17005 as  
being the Address or Moretsele, accused No.12, and  
he said in answer to a question on the preparation  
of this Address, "Moretsele used to prepare his own  
addresses and then get somebody to translate it for  
him". Now this is the same year, also 1954, President  
of the Transvaal delivering his presidential address.  
And on this aspect of the liberatory struggle, a portion  
was read into the record at page 293, the opening portion  
of the address referring to the liberatory struggle, and  
he said: "This 42nd session of the African National  
Congress Transvaal assembles at a time when the struggle  
for national liberation and independence has assumed  
dimensions hitherto unknown in the annals of the fight  
between oppressor and the oppressed. The world over, the  
oppressed peoples have come out in open defiance of their  
enemies. On the other hand, we witness attempts by the  
reactionary imperialist powers under the influence and  
leadership of American imperialism to plunge the world  
into another bloodbath that will bring nothing but death,  
misery, and starvation to suffering humanity. With this  
object in view, the imperialist-capitalist powers are  
intensifying their oppression and exploitation of the  
Colonial and Semi-Colonial masses."

Then he refers to enslaved masses everywhere  
which are indebted to the progressive powers such as the  
U.S.S.R, China, the new Democracies - page 294 - and India  
for the role they are playing in international politics.  
"Were it not for their existence, together with the  
peace and freedom loving peoples of the world, then

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slavery would have been the order of the day in every  
Colonial and dependent country", and he makes this point  
in his address, my lords, that "Needless to say, the  
subject people of South Africa, who are to-day living  
under semi-fascist conditions, would have been in a  
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much more hopeless position. It must be understood that  
our salvation is linked with that of oppressed and free-  
dom loving peoples of the world."

Now, Conco was asked to comment on this speech  
and he said on broad principles it is in line with A.N.C.  
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policy - page 11093 to 11097 of his evidence deals with  
this - - and he also says that he wouldn't deny that this  
type of view is consistent with literature which was  
being distributed by the World Federation of Democratic  
Youth and the World Peace Council.

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My lords, the next document is A,50 which  
is a resolution passed at this conference, read into  
the record at page 324, in which the Conference identi-  
fies itself with the struggle of the Colonial people in  
their fight to throw off foreign domination, and expressed  
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solidarity with the peoples of Kenya, Indo-China, North  
Korea, Malaya and British Guiana.

And, my lords, the next document is Exhibit  
A.204. My lords, this is an "African Lodestar" found  
in the possession of the African National Congress of  
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May, 1954, but it contains, my lords, a statement of the  
Provincial Executive of the African National Congress,  
Johannesburg, of the 11th May, and, my lords, at page 856  
of the record a portion was read in from this document  
repeating the statement by Luthuli that they are interested  
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in the liberation of oppressed peoples throughout the world.

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My lords, the statement is headed "Statement by Provincial Executive of the A.N.C.Y.L. (Transvaal) Johannesburg, 11th May, 1954, and in the course of that statement at page 856 it sets forth the statement already quoted by Luthuli earlier on, that the interests of the A.N.C. are in the liberation of the oppressed peoples throughout the world.

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And then, my lords, under the statement published by the A.N.C.Y.L, at page 859 it refers again to a statement by Luthuli on the question of world peace and also stated the South African Peace Council is an organisation which supports and assists in the struggle for world peace and national independence.

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And, my lords, it says in the course of this statement at page 859 to 860, "The African National Congress leads the liberatory movement in South Africa and the A.N.C.Y.L accepts the leadership of the A.N.C. without reservation. Its task is to mobilise the youth....." and then it states that the A.N.C.Y.L executive in Johannesburg, 1953, adopted a resolution which directed the national executive to affiliate to progressive international organisations, and that the national executive accordingly affiliated to the World Federation of Democratic Youth.

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Now, my lords, this "Lodestar" also contains resolutions adopted at the Fifth Annual Conference of the A.N.C.Y.L held in April, 1953, which were read into the record at page 850, "to form stronger links

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with other progressive movements in Africa and in other parts of the world".

My lord, the next is also a National Executive Report, LLM.81, which was the same as Exhibit EPM.15, a report of the National Executive to the General Conference of the African National Congress held at Bloemfontein in December, 1955. This was found in the possession of Moretsele when a search was conducted at his home on the 5th December, 1956 - page 2620 of the record - LLM.81, found in possession of accused Masina when offices were searched at 63 Progress Buildings, Johannesburg, on the 5th December, 1956, and the witnesses, my lords, - certain witnesses have admitted that this is an A.N.C. report.

A portion of this document, my lords, contains the report of the National Executive to the Conference and, my lords, in the Executive Report, under the heading of "Peoples fight to be freed" there is a portion which was read into the record at page 3361.

My lords, may I just explain that as far as this document is concerned it went in as EPM.15 and it also went in as LLM.81. My lords, at various stages of the case some portions were read in from LLM.81, other portions were read into the record, also at various stages, from EPM.15, so that, my lords, to arrive at the total number of passages read in of this particular document one has to go from various volumes, portions read in at various times. My lords, we have marked one of these exhibits - a photostat - to show where the various portions are read in and although I will be referring to

various pages, my lords, will your lordships take into  
 consideration that I am either quoting the portions read  
 in from LLM.81, or from EPM.15, at different stages of  
 the vase. There may appear to be some inconsistencies  
 in paging, my lords.

The portion, my lords, I want to refer to  
 now is read into the record at page 3361 and it's a part  
 of the National Executive Report, and that portion was  
 read in from LLM.81, "People fight to be free", and the  
 whole paragraph under "The people fight to be free" was  
 read into the record at pages 3361 to 3363. My lords,  
 I don't want to take up the time of the Court uneces-  
 sarily - on the other hand I want to indicate what the  
 portions are that we are relying on. We are relying,  
 my lords, on portions which start at page 3362 of the  
 record which states "that the road to freedom is not  
 an easy one. Savage wars have been unleashed against  
 the peoples of Kenya, Malaya, Vietnam; savage campaigns  
 of annihilation against the peoples of French Africa  
 by those seeking to stamp out the peoples' freedom  
 movements. The colonialists strive to prevent the  
 floodlight of world enquiry being focussed on what hap-  
 pens in their colonies; they seek to deny the United  
 Nations the right to discuss their policies and to  
 actively safeguard these liberties enshrined in the  
 U.N. Charter and the Declaration of Human Rights."

Now, my lords, continuing with that theme  
 this part of the report concludes with a paragraph at  
 page 3362 to 3363, "Colonialism will be overthrown. It  
 will take longer in some countries than others. No-  
 where will freedom come about independently of the

peoples' struggles, and everywhere the colonial and master powers will fight bitterly to retain their possessions. But everywhere the peoples' movements are growing, developing, maturing; new militant forms of struggle are being adopted; a new determination is growing among the people; a brotherhood and a confidence for freedom are being forged and the day to liberation draws nearer."

Then, my lords, the report refers to the Bandung Conference and it says the effect of this conference was that these countries entered into the world -- as a result of this conference there entered into the world arena a great new force for freedom and peace. "The resurgent peoples of Asia and Africa who for centuries experienced the bitterness of colonial oppression will not rest until all are liberated from this evil. So the conference at Bandung pledged to fight until the last remains of colonialism have been wiped from the face of the earth",

Then it also deals with peace, my lords, and the portion read into the record is at page 3364 and 3365 and it's the same theme, my lords, "That the colonial people need liberation, freedom, independence. But we who fight for freedom fight also for peace that our children may grow up in a world of prosperity and international friendship."

It mentions the fact that at Bandung, where Asia and Africa took their stands, Moses Kotane and Maulvi Cachalia were present, and in the great Bandung assembly our voice was heard. Kotane spoke there for the real

aspirations of the South African people, as he had done for many years at home." 1

Now, Kotane, my lords went there -- Kotane who is alleged to be a co-conspirator in this case -- Moses Kotane.

The next, my lords, is Exhibit JDM.22, a 5  
Presidential Address to the Transvaal A.N.C. Conference held at Orlando in October, 1955, and it was found in the possession of Jonas Matlou when his room was searched in his presence on the 1st October, 1956, by D/Constable Botha who removed not only JDM.22 but also other documents, JDM.9, 10, 22 and 24, and, my lords, according 10  
to the evidence of Resha - and other evidence, too, but I'm just quoting this -- Resha at page 17158 said that Matlou was a prominent member of the A.N.C. Sophiatown Branch . He was the chief volunteer, Sophiatown, in 15  
the year 1954-1955, and he was an Executive Member in Sophiatown. And the theme, my lords, on the question of the liberation of Colonial peoples in this report - portions appearing at page 3154, which is the first 20  
paragraph, the first and second paragraphs of the Address, and my lords, it's the same theme as the document to which I have just referred. But it makes this point at page 3154, "The imperialists will only be defeated by the colonial people themselves. We must learn 25  
to stand together, just as the imperialists stand together in their North Atlantic Treaty Organisation. The people of Morocco will defeat the imperialists and win their independence; we may be sure of that. Nevertheless, they will be the stronger by knowing that other people 30  
suffering from oppression are standing together with them.

I think we should send them a message of friendship and sympathy from this conference."

Then, my lords, he refers to the Bandung Conference in the same way as the previous report.

The next Exhibit, my lords, is Exhibit A. 49, which is the Annual Provincial Conference of the Youth League held at Sophiatown on the 29th May, 1955, and attached to it, my lords, are further sub-resolutions. Now, my lords, although this may be African National Congress Youth League meeting, according to the Agenda Resha spoke. E.P. Moretsele opened the Conference; Maloao read messages, Magothe read the Presidential Report, and Ntiti read the Executive Report; that appears my lords, at page 310 of the record. And then the Presidential Address is set forth in the record at page 317 and it deals with the statement made by the President of the World Federation of Democratic Youth at the W.F.D.Y. meeting at Peking on the 9th to the 15th August, 1954. The statement says: The President made a correct analysis, that one of the most important and urgent questions in the international democratic youth movement is 'the movement of young people in the colonial and semi-colonial countries for their rights, national independence and peace', and then it analyses why this statement is correct. Then it gives a number of reasons at page 318, and it deals with the fact that half the world's population is said to live in Colonial and dependent countries; year after year the people are liberating themselves from the yoke of colonial oppression and are gaining complete independence. And then it

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says, paragraph (c): "Because never before in history  
has a movement so powerful and irresistible and of such  
great breadth taken place. In 1946 the 400 million of  
India took the path which leads to complete independence  
and freedom. In 1953 the 300 million people of Korea  
scored a resounding victory against the forces of imperial-  
ism led by the U.S. Government. Only last year, in 1954,  
the peace-loving world greeted with joy the great people's  
victory, after eight years of struggle, of the peoples of  
Vietnam. Let us arise and clap our hands in warm appre-  
ciation of the heroic struggles of the youth of these  
countries. Their struggles were followed with enthusiasm  
by the world of the youth, including the democratic youth  
of our own country. And they were supported by the peoples  
of the whole world, including America, France and Britain."

Now, my lords, take this position now.

Take India, my lords; there are many other countries  
which are mentioned from time to time as having gained  
their independence - - take India: the statement which  
the Presidential Report here makes is that in 1946 the  
400 million of India took the path which leads to complete  
independence and freedom. Now, my lords, your lordships  
will remember, and it's a document I will be referring to  
a bit later - but what happened in 1946 in India was im-  
portant to the liberatory struggle, was the revolt and  
the mutiny in the army, the navy, the air force - - that  
that set off a spark, and that that is regarded by the  
youth - the World Federation of Democratic Youth, and the  
Youth Movement in this country - - that is regarded as  
the important event in India which set off the youth on

the right path for liberation in India. That is the significant day which is celebrated on Colonial Youth Day - - that is the date which is held out to the youth as an inspiration - the day of the revolt. Now, my lords, why if they want their people to follow the example of Ghandi and India - the noble example of Ghandi, why, my lords, celebrate that date on Colonial youth day? Why hold out that day on which there was mutiny, revolt, against the constituted authority?

BEKER J: Was freedom not achieved on that day?

MR. TRENGOVE: Not on that day, my lord. They hold out the incident - and they give details of the incident - - that is what they hold out to the people. We are not concerned, my lord - the Crown is not concerned with whether that incident is factually correct or incorrect; we are concerned in trying to determine what was in the minds of these people, and why do they choose that example as an example to be held out to the youth and the people? Take this situation in Korea, my lords, in 1953. My lords, it has been said in evidence over and over again that the Korean campaign - the struggle between Korea and North Korea was a struggle on the one side of forces of South Korea acting on behalf of the United Nations; in North Korea the North Koreans were assisted by the Chinese Communists. And now the outcome of the struggle in Korea is held out to the people as a resounding victory against the forces of imperialism.

And, my lords, then the article applies



much of what has been said to South Africa. "What are  
the experiences of youth in colonial countries? Speaking  
as I do, to the Democratic Youth of South Africa, I need  
not describe in any detail the bitter experiences of  
inhuman hardships to which youths in colonial countries  
are condemned. By making use of deceptive slogans  
the Nationalist Government of South Africa has managed  
to convert our country into a police State and to inten-  
sify the exploitation and oppression of the people.  
It is most shocking to hear how the Prime Minister can  
speak of this country as being one of the most democra-  
tic in the world when trade unions are almost illegal,  
when brave opponents of the Government's policy are  
deprived of freedom to speak their mind and go where  
they please, when the Government is every day banishing  
leaders to obscure and distant corners, when the Govern-  
ment commits robbery and violence in broad daylight,  
when the youth is every day kidnapped to work for brutal  
farmers in Bethal and Groblersdal, when education has  
been completely destroyed and schools are being replaced  
with gaols and concentration camps."

And then, my lords, at page 319 he makes the  
point again that "The special problem which confronts  
the youth today in our country is the problem of raising  
our political consciousness and the political conscious-  
ness of our people. The struggle for national independence  
and peace is ever more closely accompanied by more and more  
active work for the defence of the rights of the youth and  
an interest to solve and satisfy the most urgent needs of  
the youth."

And he concludes the address at page 321,  
 line 12, by saying: "The peoples of the world are  
 uniting more firmly and isolating the common enemy  
 of mankind. The peace movement is growing stronger  
 and stronger. The recent Afro-Asian Conference is a  
 sign that the giants of Africa and Asia are awake.  
 The growing unity of the youth of the world throughout  
 the world, through the World Federation of Democratic  
 Youth and its manifold activities, these things ensure  
 the victory of our struggle and freedom in our life-  
 time. Long live the A.N.C.Y.L. Long live the F.D.  
 Y. Long live the A.N.C.".

Then there is a resolution, my lords, on  
 this Executive Report, at page 321 of the record  
 which says "This Conference of the Transvaal African  
 National Congress Youth League, meeting at the time  
 when the warmongers led by the United States are pre-  
 paring to throw the world into . . . ." My lords,  
 this exhibit also contains a draft resolution sub-  
 mitted to the Congress on this occasion and, my lords,  
 according to the "African Lodestar", Exhibit H.17, and  
 JN.1 - H.17 and JN.1 are the same, my lords, and  
 according to those bulletins read in at page 1984 of  
 the record -- that bulletin "African Lodestar" shows  
 that the resolutions attached to Exhibit A.9, draft  
 resolutions, were actually adopted at this Conference.  
 I'll just refer to the resolution as it appears in A.49,  
 my lords: "This annual conference of the Transvaal  
 African National Congress Youth League meeting at a  
 time when the warmongers led by the United States

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Government are preparing to throw the world into an atomic war by reviving German militarism in Europe, forming war alliances like the NATA, SEATO; etc., around the countries of the Peoples' Democracies and interfering in the domestic affairs of the Chinese people who want to liberate their country, Taiwan, from the bandit, Chiang Kai-Shek, (a) supports the demand of the World Peace Movement and the South African Peace Council for the banning of all atomic weapons of war and the reduction of all weapons of war; (b) pledges itself never to participate in any war for the benefit of the imperialists; (c) conference salutes the coming 5th Festival of Youth for Peace and Friendship arranged by the World Federation of Democratic Youth and the International Union of Students as an important contribution of the youth of the world in the struggle for peace." That is at page 321, my lords.

RUMPF J: Is that the end of the resolution?

MR. TRENGOVE: That is the end of the resolution.

RUMPF J: I think it will be convenient to adjourn until tomorrow morning.

(COURT ADJOURNED).

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COURT RESUMES ON THE 9TH NOVEMBER, 1960.APPEARANCES AS BEFORE.MR. TRENGOVLE :

My Lords, it appears, as I said yesterday from an Exhibit H. 17, which is an African Lodestar, which was referred to in the record at page 1968. This African Lodestar was taken at the Congress of the People on the 26th of June, 1955 by Detective Head Constable van Papendorp, in the enclosure. He removed certain documents in the H. series, including this document H. 17. It is also the same, My Lords, as a document J.N. 1, which was also removed at the Congress of the People from the person of the Accused J. Nkadimeng, also by van Papendorp. The reference in the record is 1997, page 10. My Lords, this bulletin contains an editorial, The Forthcoming Congress of the People, and portions of it were read into the record at page 1982. In the concluding paragraph, after referring to the forthcoming Congress the People, the editorial states : "Side by side with the toiling masses of the youth of all races who suffer from all kinds of oppression the youth will be charged with the fundamental responsibility and duty to perform in the liberatory movement of the oppressed people of their motherland and will be called upon to and broaden their united fronts for a better future for the entire youth." It talks about the participation of the youth with other youth in the fight against the evils of the reactionary forces of colonialism and fascism in our motherland and to identify their struggle with the youth of other countries to secure

a better future for the existence of humanity. And then this report contains a resume of the Conference of the Youth League held in Sophiatown on the 29th May, 1955, the Conference of which A.49 is the Report, and at page 1982 the resume states that Resha was a speaker at the Conference, and he introduced Moretsele, and then it gives, My Lord, a resume of what happened at this Conference, that Mr. Nthithe read the Executive Report and Mr. Makgothi delivered the Presidential Address - that appears at page 1983 - and Molaoa, this resume was prepared by him, P. Molaoa. Then the Resolution, My Lord, to which I was referring yesterday is contained at page 1984, published in this bulletin.

MR. JUSTICE BEKKER :

I am a bit puzzled. To what extent is a report in this bulletin proof of the fact that these resolutions were adopted? Are you going to deal with that later on or not?

MR. TRENGOVE :

I'll deal with that immediately, My Lord. This is an official publication of the African National Congress Youth League, the African Lodestar. Your Lordship has A. 49, an exhibit found in the possession of the African National Congress, which shows that the Conference was held and which shows that a certain draft resolution was going to be proposed. Now the Youth League organ itself reports on its own conference and gives a report of what happened at that Conference.

MR. JUSTICE BEKKER :

It is hearsay, strictly speaking.

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MR. TRENGOVE :\_\_

No, My Lords, it may be hearsay...

MR. JUSTICE BEKKER :

Basically it is hearsay. The newspaper says something happened at a Conference.

MR. TRENGOVE:

But this isn't a newspaper, My Lords, it is an official publication of the organisation that held the Conference.

MR. JUSTICE BEKKER :

Isn't it on par with a person who is present at a Conference, and says well at that Conference I heard this that and the other take place?

MR. TRENGOVE :

If this report is intended for the purposes of being merely narrative, then it would be inadmissible, except against the parties to the report, it is merely narrative. But if this report is published for the education of its members, to tell them, to prepare them for the struggle, this report is executive. It has been published in order to advise the Congress Youth League members to educate them, that is the object of this report, and that is the object of the African National Congress Youth League bulletin, the Lodestar. I referred to the passage that these bulletins are being used to educate the members.

MR. JUSTICE BEKKER :

I am not quarreling about that. What is contained in that report, that is one thing, but can you use that Report to prove as a fact that what it says took place at the Conference?

MR. TRENGOVE :

I am proving this to show that the African National Congress held out to its members that that resolution was adopted.

MR. JUSTICE BEKKER :

I have no quarrel with that, if it is to that extent only I understand the position.

MR. TRENGOVE :

They tell their members look, this is what we adopted at our Conference and this is our policy. My Lords, the resolution is as follows, at 1984 : "The historic conference of the African National Congress Youth League which met at Sophiatown on the 29th May, 1955, unanimously adopted four important resolutions which are enumerated herein below and discussed briefly. 1. This Annual Conference of the Transvaal African National Congress Youth League meeting at a time when the warmongers led by the United States government are preparing to throw the world into an atomic war by reviving German militarism in Europe.....(inaudible) ..... Conference took a direct stand on the side of the forces of peace and progress and condemns the efforts of the mad people who want a third blood bath (??)." And then we show, My Lords, that this report, at page 1985 of the record, on the resolution bears the signature of H.G. Makgothi, in the Lodestar, the name. And then at page 321 there is a reference to the draft as it appears in A.49. My Lords, on comparison, in its essential terms, it is exactly the same. Now My Lords, there is just one other reference in A.49 to which I want to refer and that is in the Executive Report itself at page 317 of the record, not the resolution but the Executive Report, it states that

"the stand of the African National Congress Youth League was further made clear on the 20th March when jointly the T.I.Y.C., C.O.D.Y.O. and the S.A.C.P.O. celebrated the international day of solidarity of youth suffering under colonial rule and passed resolutions condemning colonialism and the feverish preparations of imperialists for war to enslave and divide the peoples." Now My Lords, the next document is B.259. This document, My Lords, was found in the possession of the Indian Congress, I gave the references yesterday. My Lords, the document consists of the programme of the 44th Annual Conference of the A.N.C. Transvaal, held on the 3rd and 4th November, 1956, and then it sets forth the programme. It also contains, at page 1334, a portion of the Presidential Address referred to. The heading states, "Presidential Address delivered by E. P. Moretsele, President of the A.N.C. Transvaal, at the Annual Conference of the A.N.C. on the 4th October, 1956." This was read into the record at page 1334, and a further portion was read in at 1334-5, and then My Lords, this document contains further portions read in at 1335 and 1336, and 1337. The end of the Report bears the typed name of E. P. Moretsele, President of the African National Congress, Transvaal. Then attached to that, My Lords, there is a document attached to that, a document headed "New World Unfolds", portions of which were read into the record at pages 1337 to 1339, and a further Annexure is the Executive Report which was read in at 1339, portions of that at 1339 and 1340, and attached to that, My Lords, is a document headed Memorandum on Anti-Pass Campaign, and portions of that were read in at 1340 and 1341. Now My Lords, this document was put to the Accused Resha and he identified the Presidential



Address of E. P. Moretsele, and he says that the annexure, A New World Unfolds, together with the Secretarial Report were distributed at the Conference. That is the effect, My Lord, of his evidence in the submission of the Crown, page 17142. My Lords, the Crown will also give the Court some other references showing that this document was also found in the possession of members of the African National Congress which of course includes the statutory provision which renders that admissible against the organisation. My Lords, I want to refer to one or two passages in this document, A New World Unfolds. My Lords, a portion was read in at page 1337. It says "Each year that passes brings promise of a more hopeful future nearer to us. We cannot look at the world today without realising that everything is in our favour. Once we saw justice, liberty, education and advancement against almost hopeless odds. The world balance was set against us and we knew there was immensely long roads ahead. Today the claims we make have already been won in other parts of the world by millions, and are universally recognised as just. For the balance of the world has changed. The dominance of imperialism, of imperialist ideas is dying out. Half mankind has emerged in the years since the war either from dependence on imperialism or direct colonial subjection. And the change continues. Liberation is on the agenda of every country where the people is oppressed. The imperialists are in a minority. Not only a minority but in steady retreat. Liberation comes not as a gift. Where people have achieved their independence, however, it has been a hard won battle. Independence, liberation are not a gift from the formerly ruling powers. The Indian

people were not given the right to self government by benevolent Britain. Their struggle was long and bitter, lasting through several decades and achieved only through great sacrifice. And so it is whenever the people demand freedom. They are called terrorists. They are accused of being agents of foreign powers, subversive ideas, warfare is waged against them as in Malaya and Algeria.

Armies are sent thousands of miles from their countries at tremendous costs to fight against so-called terrorists who are fighting in their own country with local support and leadership. On the African continent, in North Africa, in the Middle East, Suez, the intervention of outside forces is becoming more and more obvious and unwelcome. The road to advancement can no longer be blocked in Africa. In South Africa where our struggle for liberation is set constantly against this world background of the advance of all mankind." My Lords, it is a relevant factor for Your Lordships to consider why that type of document is being distributed at an A.N.C. provincial conference. The next document, My Lords...

MR. JUSTICE BEKKER :

What is your submission on that?

MR. TRENGOVE :

My Lords, I'll be making my submissions at the end. My submission on this is that this shows once again that the African National Congress is expecting the people that have the power, the people that have to be overthrown, is expecting that they will unleash against them all the furies that were unleashed against the people in their liberatory struggles in other countries. It doesn't come as the result of benevolence, it comes as a result of a

hard fight in which the person seeking to maintain his position is said always to resort to force. The quote Malaya, My Lords. Malaya was a revolt. The Defence witnesses said it was a revolt, a revolt by the oppressed people. There was war in Malaya, and it was a violent revolution. That was said by the Defence witnesses, My Lords, and it was also said in the A.N.C. publications. It was referred to in New Age, Advance and Fighting Talk, Liberation. I am not concerned now, My Lords, whether the people in Malaya did revolt. That is how they presented it to their people. And now in this report, New World Unfolds, they hold out to the people that in this struggle for freedom, of course you must be prepared for death (?), a hard struggle, for sacrifice, because the duly constituted authority was going to resort to force. It won't abdicate unless it is forced to the bitter end.

Now B.115, My Lords, also a document found in the possession of the Indian Congress, and it bears the signature of P. Mathole. It is a message, headed African National Congress, Transvaal, a message on the occasion of the anniversary of the People's Republic of China. One doesn't know to whom it was sent, My Lords, but it bears the signature of Philemon Mathole in his capacity as Provincial Secretary of the Transvaal, and the signature was identified as being that of Mathole My Lords, by Conco, at page 11100. I believe Dr. Conco is now back in Court, My Lord. My Lords, Dr. Conco in his evidence relating to this document said he agreed generally with the statement and he also admitted that the Chinese people, the People's Republic of China came into being as a result of a violent revolution. Now My Lords, it was

also relevant in this connection that the African National Congress had in its possession the constitution of the People's Republic of China. In the preamble of the Constitution, the history of the republic and its coming into being is set out, and the Introduction says that the struggle was led by the Chinese Communist Party, and it is quite clear that it was a violent revolution. Now My Lords, B. 115 was first read into the record at page 1300, and it was subsequently put to a number of witnesses, including Dr. Conco at page 11,100. This document states, My Lord, "Upon the occasion of the celebration of the Seventh Anniversary of the People's Republic of China, the African National Congress salutes the people of China, and congratulates them in their fight for freedom and their brilliant efforts which have led them to the total liberation from the clutches of imperialism. The African people are not unmindful of the fact that not very long ago the masses of the Chinese people were down-trodden and exploited in the same way as the African people are in this country, but because of their faith in their struggle and unfailing support, their organisation, they are today standing side by side with the free people. We recognise the fact that the people of China have routed the imperialists and established the social order in which human dignity has been restored and exploitation of man by man has become a practice of the past, an order which allows all individuals, irrespective of their status and social origin, to attain the highest that they are capable of in all spheres of life. The A.N.C. extends its hand of friendship to the Chinese people and places on record its appreciation of the role played by the People's

Republic of China in the struggle for peace and friendship. The struggle for human rights continues despite the machinations of warmongers, who are daily finding new excuses for disturbing world peace in order to perpetuate their lust for domination. Prominent people are however confident that the day is not far distant when humanity will rid itself of all the evils of oppression and conditions that are responsible for human misery. Long live the People's Republic of China." My Lords, it is not only that the Chinese people become, as this document says, become a free and independent nation. One doesn't know My Lord what the Chinese People's Republic was before it was a Chinese Republic, whose colony it was or what colonial power ruled the People's Republic of China. But the point made in this document is that it congratulates them on their fight for freedom and their brilliant efforts. Those brilliant efforts, My Lord, are not the object but the means, "and the brilliant efforts which have led them to total liberation from the clutches of imperialism". So it was also part - so it was also a fight, My Lords, to be free from the scourge of imperialism. And My Lords, what the Chinese People have achieved after having freed themselves from the clutches of imperialism, is they have established a social order in which human dignity has been restored and in which the exploitation of man by man has become a thing of the past. And then it lauds the People's Republic of China as being - as playing an important role in the struggle for world peace, which is being disturbed by the war mongers in their lust for domination. My Lords, the Crown is not alleging that every single document by itself proves the allegation the Crown is making.

But the Crown will eventually ask the Court to consider the effect of this attitude of the African National Congress as being a very important factor in arriving at what these people had in their minds, whether they had in their minds merely a few amendments to the constitution, or whether they had in their minds the establishment of a new state; whether they had in their minds - whether it was going to be by persuading the electorate or whether they had in their minds and foresaw the possibility that they might be involved in a violent conflict. Everyone of these documents, My Lords, is relevant in that regard. Now this document was put to the witness Luthuli, but he was not prepared to accept it as indicative of the Congress view towards China. And My Lords, then arising out of his attitude there, a further document was put to him. That was Exhibit A.9, at 13688, and Exhibit A.9 My Lords, is a document found in the possession of the African National Congress, and it is headed The Significance of World Youth Day. He was asked to express his opinion on this document, and he didn't want to do it, My Lords. He tried to get out of the document by explaining that he didn't know much of the World Federation of Democratic Youth to which this document refers. And then it was put to him that it was difficult to understand why he didn't know much about the W.F.D.Y. because he attended a Colonial Youth Day Rally of twenty thousand people - the evidence is that that rally was attended by twenty thousand youths in Johannesburg on the 5th February, 1953. My Lords, we will lead evidence as to that meeting and Mr. Luthuli's attending that meeting - we have led evidence, My Lord. We show that

18531.

Luthuli was there, and we are going to argue, My Lord on Luthuli's position that it is difficult to understand how Luthuli as the leader of the African National Congress can profess ignorance of this organisation, as we will argue the effect of his evidence was. The World Federation of Democratic Youth and this Colonial Youth Day Rally, is the rally organised by the Colonial Youth Day Committee,<sup>of</sup> which Resha, Kathrada and Shall were members, They were doing that as part of the Colonial Youth Committee which was affiliated with the World Federation of Democratic Youth, and Luthuli was their guest of honour. Now this document, My Lords, A.9, is the same as a document T.T.33, which was found in the possession of Tshume, 4262. This document, the Significance of World Youth Day, was read into the record at page 154. My Lords, we don't know who published this document. It is a roneod document that was found with Bertha Mashila, a clerk in the offices of the African National Congress - sorry, Janet Mashile, on the 27th September when those offices were searched by Moeller. It was read into the record at page 154. My Lords, if there is any difficulty as to whether the fact that it was found in the possession of this clerk in the African National Congress offices, Exhibit A.222 is the same as A.9. At page 89, where Moeller was handing in documents, the record states, "My Lord, the next bunch which has been omitted I should point out to Your Lordships, that A.222 is omitted because it is the same as A.9". That was the document entitled the Significance of World Youth Day, and it was dealt with right at the beginning. My Lords, at page 154 this Exhibit is read in, A.9, and it deals with the celebration of World Youth Day.

18532.

The date is approximately 1954, because it says, "Only five years ago the great Chinese people threw off the shackles of feudalistic and imperialistic bondage and have established the highest form of democracy ever evolved by mankind, namely People's Democracy", and then it deals, My Lords, with various events which are celebrated on Colonial Youth Day, such as the victory in Indo-China, Korea and it refers to Kenya and Malaya, where the people are still being murdered by the imperialists. In the same strain, My Lord, as other documents we have had in regard to the liberatory struggle.

The next document, My Lords, is a document headed A.102. It is a document which was found in the possession of the African National Congress by Moeller, - I am dealing with these documents now to show that also in the effect of the official documents, the effect was such that it found its way into the lesser publications of the African National Congress. My Lord, it is no answer to say that this is a bulletin of the African National Congress Youth League, one cannot have regard to it, this is Isizwe or this is that, or this is that, My Lords. We establish through the official documents and show what the leaders of the African National Congress were wanting their people to think, and we show, My Lords, how in their publications, how those thoughts develop, how the youth understood it, and how the youth educated their own people in the light of that policy. Now My Lords, this is a document A.102. It was found in the possession of the African National Congress. It was found under the cover of the 1954 Report, it is not the Report, it is a typed document, A.102, and it was



read into the record at page 691, and it is the same My Lords, as a document L.L.M. 97, page 3371, and it is also the same as a document J.D.M. 23, page 3156, found with J. D. Matlou, co-conspirator No. 11. It was also found elsewhere, My Lord, but it is not necessary for the present purposes to burden the Court with that information. My Lords, the document is headed People on the March to Freedom, paragraph 691. "In every part of the world the former subjects of colonial powers are well on the way to independent nationhood, asserting their right to take part in human society as complete equals. Discrimination against people based on race and colour has received its death blow in the greater part of Asia and many parts of Africa are not far behind. In those colonial areas still ruled by foreign powers, the struggle for national liberation is being intensified. There can be no doubt that in our lifetime millions of oppressed throughout the world will govern themselves freely." Then in the following paragraph, under the heading Struggle has Made Advance Possible, it says, page 691 to 692 : "Colonial people have suffered centuries of oppression and brutal treatment, but nowhere have colonial powers voluntarily abdicated their possessions. Nowhere has freedom come independently of the people's struggles. In the ten years since the Second World War, has seen savage wars waged against the colonial people to keep them in subjection. These years have also seen the maturing in many countries of the people's liberation movement, the birth of new militant methods of struggle and the determination of the people to sacrifice and contribute all for freedom". And then My Lords, there is

a reference to the Bandung Conference, - I made reference to that yesterday, My Lords, they are much on the same lines, - it was a Conference which pledged to fight until the last vestiges of imperialism and colonialism are wiped off the face of the earth. And then, My Lords, on the heading The Way Opens to Peace and Freedom, this document states : "Liberation and peace are brothers. War and colonial oppression are born of the same family. We who fight for freedom also - fight also to maintain world peace, the only atmosphere in which we can advance and our people prosper." Just My Lords as the people of Malaya, Korea and Kenya are fighting for world peace. Then My Lords, there is - just by way of illustration of how this policy went out - Exhibit S.A.M. 9. It is an African Lodestar, called the Colonial Youth Day Issue, and it was probably My Lords - the date according to references made in this document, the date was probably May, 1954. Now this document, was read into the record starting at page 3126. It was found in the possession of S. Masemola, alleged to be a co-conspirator No. 68, on the 5th of December, 1956. The evidence is that he claimed it as his property, page 3124, and My Lords, this document is the same as W.S.LL. This document was put to Conco and also put to Luthuli and Resha, certain passages from the document. My Lords, the Lodestar, the Colonial Youth Day Edition, starts off with an open letter to Sir Winston Churchill. This was read into the record at page 3126. My Lords, I just ask Your Lordships to - it has been read into the record, I won't spend too much time on this letter to Sir Winston Churchill, it is an attack on imperialism again. It is the attack on morally

degenerate people who came to this country to rob as they went elsewhere in the world. It says at page 3126, referring to the colonial development and imperialism, it says : Having seen and . . . . all this, we the African Youth emphatically declare that we desire to see no extension of that rotten kind of life to any other people in the world. We would therefore you leave the people of Korea, Vietnam, Malaya and Guiana in peace. Further we deem it no recommendation to your uttering, an old man like yourself who ought by now to know better, still propagating and defending the rotten way of life that has plagued the world for the last five centuries." Then it refers, My Lord, to the situation in Kenya, and after referring to that, the record says at page 3127, "As mere human beings you can be forced to terms, and the world of the oppressed is just doing that and more. They are shaking the imperialist shackles from their bruised, bleeding wrists and ankles", and it states then My Lords, "To the youth of colonial countries we say whether or not in old age our last days of life will be spent in the jungles of Malaya, the swamps of Vietnam, in the hovels and slums of Algiers and . . . . . , or the forests of . . . . . , or the alleys of Vrededorp or the . . . . . of Moroka, it depends on our efforts and our efforts only." That is the introductory article to this Colonial Youth Day bulletin. The next, My Lord, is an article which also has been referred to quite often throughout this case, and that is the article Is It Genocide. My Lords, it deals with Kenya, page 3128, and the opening paragraph reads : "And so the

war in Kenya still goes on. The history of this legalised murder of innocent Kikuyu people should always be borne in mind, particularly by the vanguard of the struggle for liberation in this country. It shall be a lesson about the dirty tricks to which the imperialists descend in order to destroy the struggle for freedom and teach us all to be on the alert". My Lords, Exhibit Z.K.M. 6, the National Executive Report, with the other reports that we have had on Kenya, official reports, the same thing, My Lords, that the history of the people of Kenya must be a lesson, and it must be a lesson of the dirty tricks to which the imperialists will descend in order to destroy the struggle for freedom. The struggle for freedom in South Africa is against imperialism. The struggle for freedom, that is the lesson in Kenya. It goes on, My Lords, and then the passage that was read into the record at page 3128, which says this - this is what they want the youth to know : "History is being made in Kenya. It is indeed the history of White civilisation. It is the history of brutality and blood, it is damp bloodstained page in British history, which in the humane society in the future will make sad reading. It is the history of imperialism in decay. How are the defenceless people of Kenya defending themselves against this barbarism set loose? They are using all methods that a people in their position must necessarily resort to, retaliation, strikes, boycott of business, the people are fighting back. This is the story which imperialist organs will never reveal." Now My Lords, this passage was put to Conco, page 11,109 and he was asked, "Would you agree that in a situation like in Kenya

where the people are oppressed by the government, and where the government resorts to violence to suppress them, the people are entitled to retaliate?". And he asks, "In their situation?", and the question is "Yes, in their situation?". Then he says "Now why do say..." - the question then is "Why do you say they are entitled to retaliate in that way, doctor? Why is it justified?". "Well, in the first place the basis of Kenya is regarded as being - the British police refusing to - rather the Kikuyu people clamouring for their rights, and in their situation the Kikuyu find themselves, having to wage a violent struggle. That is the rebellion which involves shooting." And then he says, "But whether that justifies the methods used by the A.N.C., in the A.N.C. we justified the objectives of the Kenya people, and we don't justify the methods in view of our policy." Now the effect of of Dr. Conco's evidence there is that he reads this passage as anybody reading this document would read it. He says, what the writer is trying to convey is that in Kenya, where the Kikuyu people were struggling for liberation, they came up against the government which was refusing to liberate them, they came up against a government which was employing force, and in those circumstances retaliation, the use of violence on the part of the first people is excusable. But he says, one can't apply that to the African National Congress because the African National Congress can't resort to violence in view of their policy of non-violence. Now My Lord, on this Kenya situation, I would in this connection also just like to quote what the witness

Resha said, Resha at 16907 was asked a certain question in connection with the Exhibit T.T.28, and he was asked a question on the statement that the African National Congress really evolved new methods of struggle, this policy of theirs of non-violence, and then the question is "Now can you tell me, Mr. Resha, why do you say that was new?" - the non violent method. "In what way did the African National Congress show the world that there was some form of extra-parliamentary or unconstitutional struggle which could be employed and which didn't use or rely on force or violence. How was that new?". The answer is -: "The method of the Defiance Campaign, the method of stay at homes, the method of economic boycott, methods which do not involve violence are in keeping with the policy of the African National Congress, which is a policy of non-violence". Question : "But in recent years is there any place in the world where an oppressed people resorted to violence to further their struggles?" "Yes". "Where was that?" "Malaya". "Did the oppressed people in Malaya use violence?" "There was a bloody revolution in Malaya". "By the oppressed people?" "Yes, by both groups". "Elsewhere?" "Tunisia, Vietnam". "Vietnam and elsewhere?" "There may be others, but I can only remember those three at the moment". And he was then questioned about Kenya. "What about Kenya?" "No, Kenya does not fall in that category". Question : "Does Kenya fall in the same category as the African National Congress, non-violent methods are being used?" "Yes, insofar as the national organisation of the Kenya people is concerned, the Kenya Africa Union, yes".

"And the Kenya African Union, apart from them, are there any other people engaged in the liberatory struggle in Kenya that resort to violence to overthrow the government?" "Not as far as I know". "So that the struggle in Kenya, as far as the oppressed people are concerned, is being waged in the same way as the struggle of the African National Congress in South Africa?" Answer : "The struggle in Kenya as led by the Kenya African Union are along the same lines as the African National Congress in South Africa". Question : "That is the only struggle that was being waged in Kenya? There wasn't any other group that was waging a violent struggle was there?" "Not as far as I know, My Lords". Question : "So that in spite of the Kenya Africa Union and the peaceful methods that it was employing, there was neverthe less a massacre of people and a war?" "That is so, engineered by the British Government." Question: "Engineered by the British Government?" "Yes". Question: "And the White people were being killed in Kenya. How do you suggest they were being killed?" He asks the question "How do I suggest they were being killed?" "Yes, how do you suggest they were being killed". Answer : "How do I suggest? Why should I make suggestions". "I am asking you to make a suggestion". "Why?" "Because you are in the witness box giving evidence". Answer : "I am no expert on the killing of Europeans in Kenya". "Mr. Resha, do you read the newspapers?" "I do, very well, but now that I am detained I do not read newspapers". "Did you read in the newspapers that in Kenya people Black and White, on both sides of the

struggle people were being killed". "I read in the newspapers that was the position". "How do you think the White people were being killed?" "The White people were killed according to reports by the so-called Mau-Mau group". "And who were they according to reports?" "According to reports these were Africans". "Struggling for liberation?" "Yes". "As part of the liberatory struggle?" "Not at all, not as part of the Kenya Africa Union which is a national organisation of the African people in Kenya". "I understood you to say that there was only one". "I still say so". "Only one liberatory struggle?" "I still say so". "And who were these Mau-Mau? Were they having a private war of their own?" "Apparently". "What is your information?" "That is so according to my information". "So that the A.N.C. was doing nothing new?" "It was already being done by the Kenya African Union." "What is that?" "In their struggle these peaceful methods of liberation, I have no record of the Kenya Africa Union having Defiance Campaigns, neither have I any record of the Kenya Africa Union having economic boycotts?" "It may well be so, but to my knowledge I have no such information". And then, My Lords, he is referred to S.A.N.9, I first put the article about Winston Churchill to him, and he says he would agree with that, and then My Lords at page 16912 where the article on Kenya is put to him, he is asked to comment on these paragraphs to which I have referred, at page 16913 he says - the question is : "Mr. Resha, just have a look at this article and read the first paragraph starting 'And so the war in Kenya still goes on'. Do you agree with that?" "I do".



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