

has now become a reality. The minority Government of this country is bent upon establishing a police state on the lines of Hitler's Nazi regime complete with all the beastility characteristic of the fascist set up. The master race ideology is repugnant to the (5 dignity of all human beings the world over as was illustrated only a few years ago when freedom loving people throughout the world rose to defend the dignity and worth of human life. Hitler was destroyed, but at what cost? Millions paid with their blood and mil- (10 lions made the supreme sacrifice. Who can deny today that S.A. slowly and inexorably is moving towards the hated fascist set up? Who can deny then that the people of S.A. stand on the brink of disaster?"

Then there is a paragraph "Fascism marches on" There is (15 a paragraph "Is there no hope?" which reads as follows :

Is there no way out of this seemingly hopeless situation in which the people of S.A. find themselves? Is there no effective answer to the fascist onslaught that is daily made upon the lives and liberties of (20 the people? These are the questions that torment the minds of all freedom loving South Africans. Are the vast masses of this land forever to endure the status of hewers of wood and drawers of water? Will it be for ever freedom for some and slavery for the (25 vast majority? To each of these questions we answer in the negative. No people have forever endured the shackles of slavery nor is the present plight of the people peculiar or unique in any way. People the world over have fought and overthrown fascism colonialism (30 exploitation and oppression and the people of S.A. can be no exception. We are quite convinced that

fascism in South Africa can be fought and democracy achieved because it is not fascism that the people desire but democracy for the simple reason that democracy is in the interests of the people and not fascism." (5

Then a paragraph "Who can achieve democracy?"

"But how is democracy to be achieved and by whom? It is patently obvious that the Nationalist Party cannot achieve democracy in South Africa for their apartheid is the very antithesis of the concept of (10 democracy. The United Party obviously cannot achieve democracy for their economic integration and social segregation policy is no more than an appeasement of the Nationalist Party's fascism. Can the Liberal Party achieve democracy for South Africa? The ans- (15 wer is in the negative because they aim to establish democracy by bringing about the most elusive spontaneous "change of heart" in the white electorate which in essence means that it is the white electorate that will sooner or later establish democracy in (20 South Africa. But it is 44 years since Union and the mirage of the change of heart has receded further and further. In fact if the recent elections, Parliamentary, Provincial and Municipal are any indication the change of heart has been in the reverse (25 direction. The forces of fascism have gained. The swing of the white electorate is towards the anti-democratic end; So to come back to the question: Who can achieve democracy for South Africa? The answer stares us in the face. The one and only (30 force that can achieve democracy is the mighty force of the vast majority of the people of South Africa,

White and non-White, African, Indian, European and Coloured. Any attempt to establish democracy that does not take into account this fundamental fact is doomed to failure. From a realisation and appreciation of this simple yet nevertheless profound (5 truth comes into being the Congress of the People embracing all those who subscribe to the ideal of 'a government of the people, by the people for the people.' The C.O.P. represents therefore the first concrete step to unite all those individuals (10 irrespective of race, colour or creed who cherish the goal of a truly democratic South Africa."

And then there is a paragraph "What is the Congress of the People?" which sets out how it was formed, and then on the last page, in dealing with the Congress of the People (15 and the Freedom Charter, the paragraph closes :

To this patriotic task the C.O.P. calls upon the people of South Africa to dedicate themselves.

This call of the C.O.P. has already found a response in numerous places in the country. In the Trans- (20 vaal and the Cape, in cities and in dorps work has already begun in Natal too, at Durban and in the Northern Districts the work of the C.O.P. has commenced. To the people of the Natal Midlands we now issue this call to join in this great task."

You hand in this document ?-- Yes.

COURT ADJOURNS:

(CONTINUED ON PAGE 1190)

THE COURT RESUMES.

BY THE PROSECUTOR :

My Lords, just at the time of the lunch adjournment, the Court was dealing with the document -
"A Call to the People of the Natal Midlands", issued by 5
the Natal Midlands Regional Committee of the Congress of
the People. His Lordship, Mr. Justice Bekker, has asked
us to indicate where a document occurs in the Schedule
relating to the policies of organisations

BY MR. JUSTICE BEKKER : 10

No, just really the violent.....

BY THE PROSECUTOR :

That side, My Lord. Now, this document handed in under B.30, doesn't appear in this Schedule under that number, but in order to enable Your Lordships to connect the various documents, if Your Lordships refer to the Violent Schedule, page 26 - right at the bottom of the page, there is a document, No. 35 - the exhibit number is S.D.N.62. Now, the Crown will show, My Lords, that those two documents, B.30 and S.D.N. 62, are the same - B.29. And by way of illustration, My Lords, if Your Lordships would now turn to page 65 of that Schedule, Your Lordships will find there, in the end of that portion of the Schedule, 'the Crown repeats and incorporates herein the particulars of the documents already 25
quoted in paragraph 384, Part A, and offers the following reference numbers, 21 to 35.' Instead of repeating the documents in respect of each organisation by name, they have from time to time been incorporated by reference. 30

1191. (B. BUYTENDAG)
(B.31)

BAREND BUYTENDAG, under former oath;

EXAMINED BY THE PROSECUTOR (CONTINUED) :

My Lords, the next document is B.31. Captain Buytendag, what is that document, B.31? --- "Welcome Freedom Volunteers." 5

My Lords, that is referred to in the Schedule, at page 96. Captain Buytendag, would you just read the introductory paragraph on page 1 of that document? --- "We welcome you to the ranks of our Volunteer Corps! We welcome you to the ranks of those who carry on their shoulders the great task of bringing into reality the 'Congress of the People'. We welcome you to the ranks of the active organisers and leaders of our peoples fights for liberty and equality." 10 15

Then, would you just read the titles of the various paragraphs, on the following pages, until you get to page 3, the paragraph "A Volunteer must Teach"? --- "A Volunteer is something Special"; "Therefore, a Volunteer must be a Disciplined Worker"; "Therefore, A Volunteer Must learn to Lead"; - on page 2 - "A Volunteer must Organise"; - on page 3 - "A Volunteer Must Work": "A Volunteer must Teach". 20

Yes, now will you read that paragraph? --- "A VOLUNTEER MUST TEACH!" 25

He must teach people that the road to freedom lies through unity with their fellow-men in the struggle led by Congress. He must teach them that their freedom will only be won through their own efforts, and that their strength lies only in unity and organisation. He must teach them to see, in all their little struggles and campaigns, seeds of 30

the great national struggle for freedom which is going on and moving towards victory. He must spread amongst the people understanding and knowledge, by distributing to them the Congress leaflet and pamphlets and the publications like New Age, Inyaniso, 5 Fighting Talk and Liberation which support Congress aims. But to do all this, the volunteer must himself study, learn and discuss. He must study with his group the study notes which will be issued to volunteers" - and on page 4, My Lords : 10

"He must discuss with his group the problems which he meets that arise from the lives of his people. He must listen to the opinions of others and learn from them, so that he can become an expert in the field of organisation for freedom, and pass on to others 15 the understanding which will help them to go forward. A volunteer is a student and a teacher of freedom.

It is not given to everybody to have the high qualities of a volunteer. That is why we say that a volunteer is something special. He is a leader 20 and organiser of his people, who sets the cause of freedom higher than his own comfort and well-being.

Our volunteer movement was started to build the 'Congress of the People'. This is the first and greatest task we set before all volunteers. Into 25 this work, our volunteers must fit all the other daily, urgent tasks - the fight against Group Areas, Rent Increases, Bantu Education - like individual bricks in the building of a great wall. What are the special tasks of Volunteers in the campaign 30 for the Congress of the People - the great wall of freedom we are building."

Then there is a paragraph - "There is the Call"? --- "There is the Call."

And page 5? --- "The Local Congress of the People Committee".

Page 6? --- "The Freedom Charter." 5

And then, will you read at page 7, at the conclusion of this paragraph dealing with the Freedom Charter - the passage : "Let us be able to say:.."? ---

"Let us be able to say :

'All my life and all my strength have been given 10
to the greatest cause in the world - the liberation
of mankind'.

This is the spirit of a real volunteer. With such a spirit, our victory is certain. Let us work together for freedom!" 15

Yes, and the next paragraph? --- "What is the Congress of the People?"

It deals with that. Can you move on, Captain Buytendag, to page 8 - bottom of the page, and read from the paragraph "Can we Succeed on such a Scale"? --- 20

"CAN WE SUCCEED ON SUCH A SCALE?"

The main burden of this campaign of national awakening will fall on the politically conscious and active people who make up the membership of the National Liberation Movement." - page 9, My 25

Lord :-

"They carry the message of the Congress of the People and the news of the Freedom Charter to every corner of the country. To do that they must understand the radical changes that such a 30
campaign can make in South African way of life, the spirit of self-sacrifice and discipline,

which was the hall-mark of the Defiance Campaign, must be created. People must once again come forward, volunteering to give up their holidays, weekends and spare-time, without pay, to carry the burden of the campaign. 5

A corps of freedom volunteers will be built. They will be the heart of the Campaign, ready to do whatever work they can whenever they are required. We will arouse such enthusiasm for the Freedom Charter and the Congress, that the volunteers themselves will be ready to pay the cost of their representatives journey to the Congress." 10

Do you hand in that document? --- Yes, My Lord.

The next document is B.32. My Lords this refers to page 71. What is this document? --- "Speaking Together. Congress of the People Bulletin, No. 2. End of August, 1954." 15

On the first page there is an article - "What it means to be a Volunteer", and as it had been quoted in this Schedule, the Crown proposes to read it :- 20

"Chief A.J. Luthuli, President-General of the African National Congress has called for 50,000 Freedom Volunteers for the Congress of the People. Many thousands in different parts of the country have already answered the call. Many more are volunteering daily. 25

Coming so soon, when the tasks of the heroic Defiance Volunteers are still fresh in the minds of the people, there is bound to be some misunderstanding as to the tasks of the Freedom Volunteers. And in their desperate attempts to discredit and 30

disrupt the movement, the enemies of the Congress of the People go to all lengths to spread deliberate lies and distort the real meaning of this great movement.

Firstly, it should be made quite clear that while the Congress of the People came about as a result of the radically changed political situation caused by the Defiance Campaign, the present campaign is NOT the continuation of the Defiance Campaign.

We realise that the entire South African political situation has changed; we must meet it with changed tactics and methods. Therefore, the tasks of Freedom Volunteers would be quite different to those of the Defiance Campaign.

The word VOLUNTEER is retained, firstly because it has become a word of honour in our struggle for freedom; secondly, because though they will have different tasks and duties, the Freedom Volunteers will be volunteers nevertheless, in the same struggle."

Then there is a paragraph "Volunteers are the 'Shock-Brigade' :-

We can't enumerate all the tasks Freedom Volunteers will be expected to carry out. But simply stated, their task will be to act as the 'Shock-Brigade' of our non-violent army of Freedom."

and then it details the duties of the Volunteers, much the same way as it had been done in other documents, My Lord. I omit one paragraph, dealing with the organisation, and it continues :-

"They will carry the message of light and truth to areas and to people who have for years and years

been kept in deliberate ignorance and darkness.
They will educate the masses about the dangers of
the Bantu Education Act, the Group Areas Act,
the Native Resettlement Act, the Native Labour
(Settlement of Disputes) Act, and about every 5
other Act that is insulting to our dignity as hu-
man beings and that aims to maintain the jack-
boot of oppression on our backs till eternity.

They will speak to people, study their con-
ditions, make careful note of their grievances and 10
demands, and ensure that the smallest of these is
conveyed to the organisers so that they can be ex-
pressed in the Freedom Charter.

They will bear in mind all the time that their
foremost aim in carrying out their tasks as volun- 15
teers will be to strengthen the National organisa-
tions of the people.

They will ensure that by their work, propaganda
and careful explanation they will educate the people
sufficiently not to be provoked into violence which 20
will be constantly attempted by the enemies.

Freedom Volunteers will carry out their tasks
with courage, discipline and utmost devotion, with
the realisation that their tasks will end only when
our country, South Africa, is free from the bondage 25
and oppression under which it has suffered for so
long."

Then, My Lords, on page 3, under the heading
"National Organiser on Tour", there is a paragraph - it
says :- 30

"A National Organiser for the Congress of the
People has been appointed. He is Mr. T.E.

Tshunungwa, and already he has visited many centres and reported on the enthusiasm with which the whole idea of the Congress and the Freedom Charter has been greeted."

Do you know a person by the name of T.E. Tshunungwa? --- I have heard of him, My Lord, but I do not know him. 5

Then, My Lords, at page - the back page of this bulletin, there is a paragraph which says : "15 Regions in the Transvaal." :- 10

"A full meeting of the Transvaal Action Council was held on 21st August. In addition to Action Council members, branch secretaries of sponsoring organisations were invited. The meeting endorsed a detailed plan of campaign for the Transvaal, and agreed to the division of the Transvaal into fifteen regions. The regions with their main towns are given below. If you know anybody in the various towns, or have suitable contacts, please inform Head Office." 15 20

Then, the names of the regions and the towns falling under each region, are given. My Lords, I take it, it won't be necessary to read all the various towns set out in this, my learned friend agrees that it stands on the back of this document. There are fifteen different regions into which the Transvaal has been divided. I understand my learned friend, Mr. Fischer, that the Defence will admit that it does occur on that page. 25

BY MR. FISCHER :

It is admitted. It can be taken as read. 30

EXAMINATION BY THE PROSECUTOR RESUMED :

Then, My Lords, on the front page, there

is a column dealing with the tasks of volunteers, which sets out that the volunteers will mobilise resistance to the Apartheid policy by campaigning against a number of Acts, which are mentioned here, and that the demands of the people must be obtained to be put into the Freedom Charter. Do you hand in this document, B.32? --- Yes, I Do, My Lord.

The next document, My Lord - what is that document? --- B.33 - "Speakers Notes on the Congress of the People."

And would you read paragraph 1? ---

"1. WHAT IS THE CONGRESS OF THE PEOPLE?

A. The Congress of the People is to be a gathering to representatives of the people of South Africa....."

That sets out the nature of the Congress of the People, doesn't it? Is what the Congress of the People is? --- Yes, My Lord.

And Paragraph 4.A. and B? --- "How will we Prepare for the Congress?"

That deals with the organisation for the Congress of the People - paragraph 4.A and B - is that correct? --- That is so, My Lord.

Put in that document please? --- I hand this in, My Lord.

Then, the next document is "Report from National Volunteer Board" - B.35? --- Yes, My Lord.

Now, would you read the preamble to that?---

"A). PREAMELE:

'We call for a great nation-wide campaign to rouse the people against Apartheid and to prepare them for decisive steps to defeat it and root it

out from the seat of power.....

We call on the citizens of South Africa to take part in the campaign we have launched. We call for 50,000 South Africans to volunteer for active, intensive work in our campaign, mobilising a spirit 5 of resistance to Apartheid and carrying to every corner of the country the message that we must stand and fight till Apartheid is defeated. Our Volunteers must raise to new heights, greater even than during the Defiance Campaign, the spirit of our 10 people of all races to win freedom by their own efforts....

Our volunteers must carry throughout the country the message of the coming Congress of the People and must gather in the demands of our people for the 15 Freedom Charter which will be adopted at the Congress of the People.....

Our volunteers must meet the reckless violence and reliance on force of the Nationalist Government with discipline, a refusal to be provoked and a 20 determination to carry on their struggle till our liberty is won.....

We call upon those who love liberty! LET US HAVE 50,000 VOLUNTEERS, NOW, TO DEFEAT MALAN. LET US GO FORWARD TOGETHER, TO FREEDOM!" 25

Now, under "Organisation", read paragraph 1? --- "B). ORGANISATION :

1. Freedom Volunteers: All volunteers are to be known as 'FREEDOM VOLUNTEERS' and they will owe their allegiance to their respective organisations. 30

2. National Volunteer Board: Every sponsoring

organisation must appoint a Volunteer-in-Chief. These Volunteers-in-Chief will constitute a National Volunteer Board which will be responsible for all organisation and activity of the volunteers.

Where the Volunteer-in-Chief is not resident in Johannesburg the organisation must appoint a deputy, resident in Johannesburg. The National Volunteer Board will have the power to make further rules and regulations from time to time. 5

3. National Volunteer-in-Chief: The National Volunteer-in-Chief will be Chief A.J. Luthuli. 10

4. Provincial Volunteer Boards: Every organisation must appoint one representative to a Volunteer Board in each Province. The chairman of this board will be the Provincial Volunteer-in-Chief. 15
The Provincial Board must appoint regional and local boards as required. The Provincial Board will be responsible to the National Board, for the direction of the volunteers in each Province.

5. Procedure for Enrolment : 20

(a) Volunteers must sign an application form as per Annexure A.

(b) Volunteers must take the pledge at a special meeting. Pledge as per Annexure B.

(c) In addition to taking the pledge at this special meeting, all volunteers must take the pledge at a public meeting. The National Action Council recommends that Sunday, August 29th be observed as a National Day of Pledge throughout South Africa. This day should be the occasion for numerous local meetings." 25 30

The next page - 2? --- Page 2, My Lord :-

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