

86.

five pounds if you loose your job, if you are kicked out, and it has happened everywhere, in Western Native Township, and they don't give you time till next month you must pay now, that is what they say.

So that in fact you will be leaving a small house for a big house but one which you might not have after a while.

It is like a man who buys a third class ticket and then goes into a second class compartment and sit down and is kicked out. So what about these four roomed houses in Meadowlands?.....

Sons and daughters of Africa, show your worth. I want to put a very pertinent question to you. If I say you will not move, what will you say?

You will say you will not move and by saying that you mean you will sit down, you will not move. But a man who is determined to move you, will lift your body and soul and put you outside and what will happen then?

I can answer that question or perhaps

you/.....

you will answer it for me. I can answer that question, yes, but I cannot decide for you, you must decide for yourselves. Personally I have satisfied myself and if you ask me what is my answer, I say you shall not move. The white man considers himself next to God and when he says move, he expects you to move.

Therefore, friends, the decision you must take, must be one you defend to the bitterest end.

Yesterday Mr. Prinsloo, Chief Information Officer of the Native Affairs Department, telling lies as he usually does, said that if you fail to move on the date stated on the notice it is an offence. He is lying, it is not an offence. Or perhaps even if it is an offence and the Magistrate say six months, what then? But it is lies. I want no answer from anybody, I have answered it for myself, I want no bluffing. I want to show you, sons and daughters of

Africa/.....

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Africa, that you can go to goal for six months. How many Africans are serving goal sentences for kissing European women, serving perhaps fifteen years for that. So what, if you serve six months for your own property. Why is it that we see today the Police have seen fit to have two-way radio cars in Sophiatown - a few days before the removal, why is it that every day your houses are being searched for dangerous weapons every day - every night? Ask yourselves, friends, why is this big police barracks built? Why is it that the Europeans come and write down on Sundays what we dirty Natives say? They do it to kill you and rob you of your own properties. We have been running away for three hundred years, we must turn back and face it. And the only difference will be that we shall see their backs for a turn. The second difference will be that whilst their bullets are coming towards us, we shall be getting nearer and/.....

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and nearer. They may bring all the police they like to Newlands but we will not be outnumbered, we the African people must stop running away.

You must be determined and say if I die I must die for a good cause, otherwise every man will despise me.

Many people say Congress is wasting time, they are lying. I have met many young men playing dice instead of coming to this square. Yes, yes, friends we have been wasting time, we have been wasting time because it was never our intention to attack anyone, but Africa's freedom is being attacked. I want to agree with the sons who say Congress is wasting time, but I and you will now go into action. But I want you to understand, no stone throwing and running away, standing on corners and throwing stones at Police vans. No, Congress will show the way. We will go to the enemy in broad daylight and face them. I have

lived/.....

lived long in Sophiatown and know what material we have here.

Dr. Verwoerd did not tell us what he is going to do, so we are not going to tell him what we are going to do and on what day. I shall be there, my friends, and if I am arrested it does not matter.

When you go back to your houses, you must mark in red ink from the first of February. February will show whether in fact the Africans are cowards. Some time in February it will be decided whether South Africa is going to be a white man's country or whether for us. If the Government succeeds in moving us, we must do something to make us remember Sophiatown."

The next is the speech made by Resha on the 30th January 1955, also at Sophiatown to which Detective Coetzee testified. Resha said:

"....Friends, if you say (No!), then you must mean it, and if you say No!, then I am inclined to believe that/.....

you mean it. Then you must agree that the Removal of the Western Areas means that it will be decided once and for all whether South Africa will remain a White man's country or whether it is going to be a country where everybody can live. Yes!..."

"The Government will have lorries on the day of the removal, so, if the Africans fight, they will have to fight Africans, their own people. That is what they want to do. Big Rascals! You will have to fight the African drivers of the lorries.....

.....  
"I stand here to ask you to defend your homes to the bitterest end, to the last ditch.....Friends, we have no guns. Friends, we have nothing with which to attack the white man, not because we cannot get them if we want to. The white man must realise that if we want guns, we will get them from them today. Because if we decide to do so, every European who has/.....

has a gun will have to give it to us because we can take it by force. So it is simple. It is, because we have decided not to kill the Europeans, that is why we do not take their guns. It is quite simple. And if there is bloodshed on the day of the removal, it will be because of the ignorant police boys.

We know that Congress does not believe in violence, but what are we going to do when we defend our homes and other people shoot us?.....I want to tell you what you must do as from tomorrow. Every man, every woman and every child must be ready to meet the enemy at the gate. When your enemy meets you in your own house, then you are placed in difficulties because you don't have enough space to move about. We are going to meet this Dutchman in the street....."

Finally I refer to Reshas speech on a Colonial Youth Day Rally, in Sophiatown on the 20th March, 1955, where according to Detective Coetzee,

Resha/.....

Resha said:

".....Sophiatown is going to be very important in the history of South Africa, for it is here that the Nationalist Government of South Africa has decided to practise its legalised robbery of the homes of the people of South Africa. It is here in Sophiatown that the vileness and the inhumanity of apartheid are being exposed. It is here that the forces of democracy on the one hand, and the forces of fascism on the other hand, meet."

".....Strijdom has to follow those people whom he succeeded. But where is Botha, Hertzog, Malan, Smuts? Dr. Malan said he will remove the people from Sophiatown but the people of Sophiatown have removed him from the throne. My people, I want to assure you that long before you leave Sophiatown, Strijdom will be removed not by us, but by his own people....."

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It has been pointed out that the Government had fixed the 12th February 1955 as the date on which removals would be started. It decided however to anticipate that date by three days and accordingly commenced its operations on the 9th February, 1955. At the same time it declared a state of emergency in the Western Areas.

On the 8th February however, when it became known that the Government would commence its operations the next day, O. Tambo, the Acting Secretary General of the organisation prepared a document, Exhibit ORT. 66, which according to Resha, was a press statement, issued as a directive to the people. The document states:

"The African National Congress strongly deprecates the action of the Minister for Justice in banning public meetings in Johannesburg and Roodepoort.

The allegation that hostility will be created between Europeans and non-Europeans if public meetings are held is a calculated inaccuracy on the part of the Minister designed to obscure the fact that the oppressive policies

of/.....

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of the Nationalist Government and more particularly the forcible removal of the people of the Western Areas, has already created acute racial tension of an extremely dangerous kind. In registering our strongest protest against this despotic action, we wish to place on record our unshakable determination to oppose and fight the removal scheme, notwithstanding the severe ordeals this decision might entail. The struggle, like all others will be concluded in a disciplined and peaceful manner and the people are called to remain calm in the face of provocation. Any disturbance or violence which may occur will have been initiated by the Government or its agents....."

I should also point out that at or about the time when the organisation had first decided to launch its two major campaigns, Luthuli issued a call for 50,000 Freedom Volunteers to assist in the campaigning. On the day 9th February, 1955, when the Government embarked on  
its/.....

its removal scheme, a number of volunteers were present in the area. Luthuli was asked what they were doing there and he said:

"You would expect volunteers to be present on the scene in order to be able...in fact they had to see in so far as the African people of that area was concerned, they would not do anything that would....I mean anything that would arise, the volunteers would be there to see to it."

"Did you expect trouble to arise?---  
My Lords, I think in a situation like that one would say that it would be possible for someone to riot, but one's education and the very presence of volunteers do all in their power to see that nothing amiss is done."

The assertion by Tambo in Exhibit ORT.66 that "...the forcible removal of the people of Western Areas" contributed particularly to "an acute racial tension of a dangerous kind" was echoed back in Exhibit A.162 (supra) the Review prepared by the Secretariat of the Working  
Committee/.....

Committee on the Western Areas Campaign.

It was there said that:

"....The people have had to be moved by force of about 3,000 and a state of emergency had to be declared in Johannesburg and Roodepoort because the hostility of the people against the removal was growing."

Resha was questioned on this statement appearing in the review - to which he had been a party - and he agreed in his evidence that a State of Emergency had to be declared to suppress the hostility of the people, who he said were indeed hostile 'because they had been robbed of their rights.' He claimed that it was an achievement on their part that the people had become so hostile that the Government regarded the proclamation of a state of emergency as necessary as it indicated "to the people of South Africa, black and white, that the Government was prepared to do anything to force its will on the people of South Africa."

A further document which casts some light on the campaign is Exhibit A.102, a roneoed document found in the possession of the

organisation/.....

organisation's office in Johannesburg inside a cover of the 1954 Annual General Conference, and copies of which were found in the possession of two members of the organisation namely one J.D. Matlou (cf. Exhibit JDM.23) and of the accused Masina (cf. LLM.23). It is headed: "The People on the March to Freedom" and after dealing at length with various activities of the organisation, under a chapter headed - "Learning from Mistakes" it proceeds to state:

"....our propaganda against the removal, for instance, did not take sufficient account of the different interests of the people in the area. Congress issued the same appeal to both landlords and the tenants as if their interests were identical. While the landlords were affected by the loss of their freehold rights, the tenants in the majority of cases lived under bad housing conditions and longed for decent accomodation. The offer for alternative housing was therefore very tempting to a great number and could only be resisted by those/.....

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those who were more politically conscious. This factor could not be overlooked. The purpose of the campaign was to oppose removal and to show that even if the people did move, the removals were carried out by the Government force and not by the free will of the people. The impression was created in propaganda that come what may, the people would not move, and this did not take into sufficient account the fact that the Congress was not sufficiently organised and the people sufficiently prepared to physically oppose removal. We must recognise that the campaign is by no means over. In fact it has just begun. The majority of people are still to be removed....."

"While we are not opposed to better housing for the people and this is one of the aims of Congress, the people must shew in a manner that none will doubt that they are against the removal of the Western Area as part of/....."

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of the Apartheid plan; that they go against their will."

Before proceeding to take stock of the Western Areas Campaign as revealed by the evidence there are further and no less important matters to which reference must be made. The African National Congress Youth League members of the Orlando Branch, who later left the organisation to form the Pan Africanist Society, issued a news bulletin from time to time known as 'The Africanist.' In the issue "Volume 1, No.3" of May, 1955, (Exhibit AAC.39) it criticised the African National Congress in the following manner:

"The Congress of Democrats.....  
is there to apply the brakes to Congress.  
Read the statement of Patrick Duncan during the Defiance Campaign. The Congress of Democrats will ally itself with Congress so long as she limits herself to a policy of non-violence, and what does this mean? It means pacifism, making doormats of us. Non-violence is an expensive commodity for the African in South Africa. What is the use of calling  
on/.....

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on the people of Sophiatown to resist  
the removal non-violently? How is  
this possible? Is it not a  
contradiction in terms one either  
resists violently or submits unwillingly  
and the Congress of Democrats knows  
this very well. A liberatory  
movement should stop at nothing to  
achieve its independence. And since  
white domination is maintained by force  
of arms, it is only by superior force  
of arms that it can be overthrown...."  
"....A classic example of a national  
liberatory movement is the Mau Mau  
in Kenya. Here the Africans are  
engaged in a life and death struggle  
to overthrow foreign domination  
and beg for no allies and seek  
nobody's approval of their methods.  
Unfortunately the same cannot be said  
of Congress. She is wedded to the  
Congress of Democrats and the Indian  
Congress, the aspirations of both of  
which organisations are different  
from those of Congress. The Congress  
of/.....

of Democrats exists in order to steer the liberatory movement along constitutional paths of struggle and non-violence. In other words to put a break on the struggle....

Congress is not yet a liberatory movement."

In so far as the Western Areas Campaign itself is concerned I must here also refer to Luthuli's call for volunteers to assist in that and in the campaign for the Congress of the People. In making his call at the meeting of the Natal Action Committee of the Congress of the People held at Durban on the 5th September 1954, he said:

"I would at the outset of my talk reiterate with all the force at my command my call for 50,000 Freedom Volunteers.....an army of non-violent volunteering organisers and propagan- dists whose twin task is to be to interest and enrol people for the Congress of the People meetings, and, under the call of 'Resist Apartheid', the volunteers will educate the  
people/.....

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people on the evils of apartheid....

I must however enjoin our people in words, actions and attitudes to respect the policy of non-violence wisely adopted by our Congresses.

Non-violent resistance in any provocative situation is our best instrument."

In the Western Areas itself, the evidence of speeches made at meetings held there shews that speakers from time to time made mention of the organisation's 'non-violent' policy. Indeed Resha himself reminded his audience thereof at the meeting held on the 30th January 1955 - which I have dealt with earlier on. He stated:

"We know Congress does not believe in violence but what are we to do when we defend our homes and other people shoot at us."

If this is to be construed as an invitation by Resha to the people to retaliate, it would on his own shewing amount to one to depart from what he said Congress believed in, namely, non-violence.

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It is also necessary, I think briefly to state what occurred in the Western Areas on the 9th February, 1955. According to Reshas' evidence, which was not challenged in this connection, about 2,000 armed policemen invaded Sophiatown; at the corner of Meyer and Victoria Roads, where the Volunteers usually foregathered, he found a crowd of 3,000 to 5,000 people, with about a score of policemen in attendance. A police officer asked him to direct the crowd to disperse. After reading Tambo's directive (Exhibit O.R.T.66) "in summarised form", he told the people to go home and<sup>to</sup> do nothing until they were given further instructions from the African National Congress. The people complied with his request. Volunteers were then instructed to advise the people not to congregate in the area where people were being moved but to remain in their homes. The police succeeded in removing 150 families without any incident. Resha said that the volunteers

"when they saw what the situation was, instead of instructing the people to remain, they felt it was better

for/.....

for the people to get into the lorry and go, because of the number of police that were there and the intimidation that was being displayed by the police."

Now although it would be possible to refer to the Western Areas Campaign in much greater detail, the foregoing references, I think, will suffice to enable one to follow the argument which Mr. Trengove based on this campaign.

The speeches and documents shew very clearly, he said, that the minds of the leaders in the African National Congress were not running along lines of persuasion or legitimate pressure or a change of heart on the part of the electorate; their minds were running along the lines of unconstitutional action, illegal action, coercion and intimidation; they were aware of but indifferent to the likelihood of a violent conflict and the consequences thereof. Counsel contended that although the Western Areas Campaign was not necessarily directed towards a violent overthrow of the State on the day of removal, it was, in the minds of the leaders, a prelude to a struggle

on/.....

on a higher level both as to the scope and the forms of action to be taken throughout the country in order to achieve their ends.

With reference to this argument it seems to me that the evidence does shew that the African National Congress, whilst recognising - in the words of Luthuli himself - that the Government had the undisputed right to enforce its laws and whilst it believed from the inception of the campaign that the Government would implement its scheme, regardless of the consequences, nevertheless exhorted and encouraged the inhabitants of Western Areas to resist the removal scheme to the bitter end and in an attitude of indifference to the question whether such resistance on the part of the individual would constitute unlawful conduct. Indeed Luthuli accepted the position that a refusal to obey a Court order directing the individual to vacate would be unlawful.

This attitude justifies in my view that part of the argument of Mr. Trengove that the policy of the organisation was running along the lines of illegality as envisaged by the 1949 Programme of Action and with the object of coercing the

Government/.....

Government to abandon its removal scheme.

In developing his argument as to the likelihood of a riot and violence occurring in the Western Areas, and the reckless or indifferent attitude on the part of the African National Congress towards such an occurrence, counsel contended that the following were considerations which the Court should bear in mind:-

The organisation sought to aggravate an existing 'tense' situation prevailing in the area by planting further seeds of hatred amongst the inhabitants through medium of its propaganda; it vilified the Government and condemned the Removal Scheme in various superlatives of language; it sought to compel the Government to use 'force and intimidation' against the householder to secure his removal; it exhorted the householder to resist to the 'last ditch' but left the method and degree of resistance to his own discretion; it desired the whole population in Western Areas to 'stay at home' on the day of removal and well knowing that Africans regarded any show of force on the part of the Government as an  
act/.....

act of 'provocation' towards them, the organisation sought to compel the Government to make use of a maximum number of armed policemen to secure the removals. Finally, counsel pointed to the fact that both Luthuli and Resha admitted that the possibility of a riot occurring was present to their minds and could not be excluded.

These factors, it was submitted, could lead to only one conclusion, namely, that as a natural and probable consequence of the manner in which the campaign was conducted, not only a possibility but a probability of violence arose, and that it would be idle for the African National Congress to suggest that this result was not intended since it is deemed in law to have intended the natural and probable consequences of its acts.

Even if it is to be assumed for purposes of argument, that because of the manner in which the campaign was conducted, violence might have ensued as a natural and probable consequence, the question which arises is whether the evidence justifies a conclusion that as a matter of policy, or whether in terms of any conspiratorial plan/.....

plan, present to the mind of the African National Congress in May, 1954 when it decided to launch the campaign, or at anytime thereafter, it intended the masses to retaliate by violence if the State should seek to secure the removal of inhabitants by compulsion and force. Unless there is evidence to shew that such had been the policy or the plan of the organisation, it would not be safe to conclude simply from the suggested result that such indeed was the prior 'policy' or the plan for reasons which follow immediately:

The evidence to which we have referred shews that during the years 1954 and 1955, when the campaign was at its height, the theme of non-violence was expounded by the African National Congress in various parts of the Union, including the Western Areas itself, as a result of which for example, the organisation brought on itself the criticism offered by the 'Africanist' (supra). These facts I cannot reconcile with a 'policy' or 'planned' intention that the masses should retaliate by violence. If such had been the intention, the mere fact of advocating non-violence to the masses would in itself have tended to defeat  
the/.....

the plan.

As has been pointed out the National Executive Committee delegated the duty of conducting the campaign to the Working Committee and it, in turn, appointed a Secretariat to work out the methods to be adopted. Even if some or all of the individual members on these committees should have been aware of the natural and probable consequences of their actions, that fact does not afford sufficient proof, in the circumstances mentioned above, that the 'non-violent' exhortations in Western Areas and the rest of the Union amounted to a 'ruse' a 'misrepresentation' or the like and that the 'policy' or the 'plan' of the organisation was to encourage the masses to retaliate by violent means.

Furthermore, the aim of the organisation was to compel the presence of the maximum number of armed forces possible on the day of the removal which could only have had a damping effect on any desire or enthusiasm on the part of the inhabitants to retaliate by violence. These considerations, which I cannot reconcile with a 'policy' or 'plan' that the organisation intended

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the masses to retaliate with violence, renders the contention advanced by Mr. Trengove unacceptable.

I accordingly pass on to consider the campaign for the Congress of the People.

The idea of convening a congress of the people first occurred to Professor Matthews. On his return, in 1953, from a visit to America he discussed the matter with Luthuli. It was agreed that steps should be taken to put the idea into practise.

It was thought that as the Defiance Campaign had come to an end, a campaign of this nature would serve the purpose of "keeping the political field alive" and of reminding the people of the aims and objects of the organisation. Accordingly Professor

Matthews suggested the launching of such campaign during the course of his Presidential address at a Cape Provincial Conference held in Cradock in 1953. Thereafter the matter was taken up by the National Executive Committee and a scheme was worked out. It was decided to issue invitations to various congresses and political parties in the Union to join in the campaign. In response thereto, the South African Indian Congress, the Coloured Peoples Organisation and the Congress of Democrats joined in the campaign; and whilst --

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at a later stage - the South African Congress of Trade Unions also allied itself with the other organisations, the Nationalist, the United and the Liberal Parties refused the invitations.

The Campaign had as its object the calling of a national convention of the people of South Africa to consider demands to be included in a 'Freedom Charter' and thereafter to propagate and popularise these demands amongst the masses. In order to enable the people to present demands, it was regarded as a pre-requisite that their political 'consciousness' and education should receive close attention and be raised to a higher level. To this end many public meetings throughout the Union were called where speakers addressed their audiences on a variety of political and other subjects; it was also decided to issue a call for 50,000 Freedom Volunteers, (to which I have referred previously) in order to have at the disposal of the organisations, a body of persons who, after having received political education, could in turn move amongst the masses and explain the objects of the campaign and the principles involved and to gather such demands as the people might then put forward.

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In addition it was also decided to make use of bulletins and pamphlets and printed matter to educate the masses and popularise the Campaign. To this end a bulletin named "The Call" was issued and the people were encouraged to read it and other publications which enjoyed Congress support such as "New Age", "Fighting Talk", "Workers' Unity", "Liberation".

In the course of the campaign mention was made of the Bantu Education Act, the Western Areas Removal Scheme, Pass and other laws, in order, as Luthuli explained, for all aspects of "apartheid" to be considered. In so far as the organisational aspect of the Campaign was concerned a body known as the National Action Council for the Congress of the People was created, with various provincial, regional and local branches all over the Union. On the national and provincial and local bodies, representatives from the various Congress movements were appointed as office bearers; Luthuli however, was appointed the president and volunteer in chief of all these bodies. The various branches gathered in the

demands, attended to the political education  
of/.....

of the masses and arranged for the holding of meetings and the dissemination of propagandist material. Eventually, the demands were coordinated and were set forth in the Freedom Charter which was duly adopted by the Congress of the People, held at Kliptown on the 26th and 27th of June, 1955.

The facts set out above explain how the Campaign came to be launched and what was sought to be achieved. As far as the prosecution is concerned, it made use of this campaign for two purposes: firstly, to prove that the Congress Alliances intended to replace the existing state by a new and fundamentally different form of state. The extent to which it succeeded in this direction I shall deal with later on in my judgment. It also relied on this campaign in its endeavour to persuade the Court that it was the intention of the organisations ultimately to overthrow the State by violence. The argument proceeded on these lines:

The propaganda and speeches which were made were intended to create a mental attitude of hatred towards the State which would not baulk as its overthrow by violent means/.....

means if necessary. Constant reference was made, so it was argued, to other countries in the world where 'Freedom' had been obtained by violent means e.g. Russia, China, Vietnam and Korea and it was argued that this was in effect an invitation and a suggestion to the masses, that such means should be employed by them to achieve their own 'freedom'.

Again, the general trend of the speeches and propaganda made followed the same pattern in all the provinces namely - a condemnation of Western Democracies, including South Africa, and laudatory remarks passed in respect of other forms of Governments where 'Freedom' had been obtained by the struggling masses; the need for determination to fight for the achievement of the demands, to make sacrifices and to spare no effort to advance the liberatory movement, were common themes.

By way of example I turn to consider a few of the speeches. These speeches were all based either on the evidence of a shorthand recorder, or were taken down on tape recording machines. These speeches furthermore, were all

made/.....

made at meetings to advance the cause of the Campaign for the Congress of the People or to popularise the demands which had been adopted at the Kliptown meeting.

The first meeting to which I turn is one held at Pietermaritzburg on the 5th December, 1954 where Resha said:

"Friends we are meeting here today at a crucial time in the history of mankind. We are meeting at a time when the world is divided into two hostile camps. On the one side are the forces of progress, freedom and democracy, advancing day by day in their noble fight for laughter in the world, while on the other side the forces of reaction, oppression and fascism determined as they are to wage war notwithstanding the threat of extinction with the world's safety as the result of the existence of atomic bombs and hydrogen bombs. The latter forces of course are shrieking for response. On the occasion, on occasion like this, we must not overlook the masses of people  
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of Asia who have succeeded in driving imperialists out of their country and show solidarity with those who are still engaged in struggles to uproot imperialism in action, for through their victory, humanity stands to benefit. Even now the freedom-loving people of China are threatened with another war by the Imperialist America, under the pretence that they are defending a stooge, a criminal Chiang Kai-Shek. We hope and pray that wiser counsel will prevail and that America will stop interfering with China. If, of course America is still....what happened to their forces in Korea will be repeated by the people of China in greater force, for let us be assured friends that there is no force in the world to stand before the marching force of the forces of freedom. While they rejoice over the victories over the people of Asia and other continents, and disregard their/.....

their struggle for freedom and national independence, let us also realise that the driving away of the imperialists from Asia and other places will place into grips the markets of Africa with imperialists.....Already America is building war bases in many parts of Africa. France is definitely trying to destroy the liberatory forces in Tunisia and Morocco. Britain has for quite a year undertaken a war with our brothers in Kenya. It is here that some of the worst crimes have been committed by the British soldiers under the pretext that they are combatting the so-called Mau-Mau terrorists. A great son of Africa, Jomo Kenyatta and other leaders of the people are now languishing in gaol. Thousands of innocent souls are in the concentration camps, boiling water has been poured on breasts of women because they refused to admit that their husbands were, belonged to the Mau-Mau.

Children/.....

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Children have been shot. All the atrocities are committed of course in the name of democracy, for by democracy the imperialists mean the oppression of the Colonial people.....

In South Africa the people are facing a crisis. Throughout their period of government the Nationalists have shattered completely in frantic determination and implemented their policy of destroying every vestige of human rights which the African in particular, ever possessed. It's of the non-European people has taken the Nationalists nearer to their goal of crushing all the people of South Africa under Fascist terrorism.

During the last six years of the Nationalists rule in this country, we have witnessed unprecedented racial discrimination, and sessions of parliament have been characterised by the pattern of legislation designed to oppress the non-Europeans to suppress their aspirations and their  
legitimate/.....

legitimate demands, and finally to...

one who do not accept apartheid.

At the end of this process of course

South Africa will be a full fledged

Fascist State, along the lines of Hitler's

Germany. This....suppression of

Communism Act which has had us in

suppression of the liberatory movement

in this country, many of us here have

fallen victims to this damning piece

of legislation They have been

prescribed banned from attending

gatherings, banished and confined

to certain areas...."

At another meeting, held on the 12th  
of June 1955, Resha again addressed a gathering

in these terms:

"We are meeting at a time when great

powers are deciding whether it is

wisdom on their part to use atomic

bombs for the destruction of mankind.

We are meeting at a time when the

oppressed peoples throughout the

world are marching ahead in a manner

unknown in the history of mankind.

The/.....

The forces of oppression and reaction are shrinking. Yes, we are meeting in a crucial time in the history of our mother country, South Africa. We are meeting at a time when a minority group in this country has brought in a Government, a Party which is determined to make South Africa not only a Police State but a fully fledged Fascist State. (~~L.H.F.~~).....

.....  
At this stage I wish to project before you Chief Luthuli, by quoting his words. In his presidential address in this hall last year when he said: 'Freedom comes only to those people who are prepared to pay dearly for it.' Freedom will never come to people who will stand in the middle of Grey Street and ask them to go without it.....

I want to close with the words of my leader, for I want the Government to know this, that wherever we meet in the meeting places or halls of

South Africa/..

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South Africa, I always think of Chief Luthuli. The Government of this country is going to regret when the people of South Africa will one day decide to move forward and before them will be passing Chief Luthuli for when people move forward without their leaders, no one knows what they are capable of doing. The Congress believes in non-violence, but if the Government is going to take them away from us then we shall not stand responsibility for what the people will do in the absence of their leaders, and I want to say it is not any absence of Chief Luthuli which will discourage us, but it is his absence which will make us forge ahead.....

Chief Luthuli says that the highest relationship between God and men is the preparedness of the man to work and die in the service of his people

Another speaker Dr. Motala, an office bearer in the organisation said:

Now/.....

123.

"Now the all-important question arises: who is going to change the state of affairs? Well, I must say that this is not a condition that is unique to South Africa itself; the people of Asia and throughout the world have suffered under similar conditions, only as recently as ten years ago: but those days, so far as India, so far as Burma, so far as China - and a number of other countries, not excluding the Gold Coast - those things are past, and who is it who brought it, those things, about in those particular countries? The people themselves. That is the answer. We must be convinced that the power of disturbing the status quo, the power to change the type of society lies within ourselves. I have no doubt whatsoever in my own mind that the non-Europeans are quite capable of changing the status quo in South Africa. They have the means, they have the power."

On/.....

124.

On the 18th September 1955 after the Freedom Charter had been adopted, and at a Freedom Charter Committee Meeting, held in Johannesburg, one N. Sejake made a speech to which the prosecution invited particular attention. Amongst other things, Sejake, whilst addressing the audience on the subject of "The people shall share in the Country's wealth" said:

"The proletariat must fight not only from the political platform, because this merely explains the situation, but they must also create a theatre, and they must fight capitalism in actual manoeuvre, and employ a definite amount of energy for the freedom to come. This will give us some guarantee that the road to the re-division of land amongst those who work it, has been found....."

"They say our wives must carry the same devil - that will be the day. The period seems to be fast arriving when (all the people) will join the liberatory movement in this country, and/....."

125.

and finally all workers who are in the grinding mill of misery and poverty should join hands for the determined achievement of the peoples' freedom. This part of the struggle cannot be won early enough, whilst there are other sections of the people who for one reason or another enjoy certain rights or concessions and feel they must stand aloof to protect and maintain their privileges, whilst the rest are perpetually injured. It is all very well to say the state shall recognise the right and duty of all to work - and to draw up full employment benefits, but we have got to make the state do these things, It requires hard practical work and sacrifice. One must be prepared to clash with the servants of the state, and if the struggle assumes very large and country-wide dimensions, one shall have to clash even with the armed forces of the country. That is the test we must pass before we can/.....

126.

can have work and security. Apparently the major opinion, that we must - that we are oppressed, and must be emancipated is crystallising in the minds of the people - the working class understands - the working class is ready - the necessary conditions have arisen - the time is becoming more and more opportune - someone must step forward in the presence of the Police and the armed forces. Friends, don't fear the police, don't fear even armed forces - your powers of resistance is greater than even the atom bomb, freedom in our lifetime."

At the same meeting Resha said:

"The more Police there are, the nearer we are to our freedom. We will live to see them tried before the bar of history.....we know that the Government of this country remain in power in order to suck the blood of the people....It is the duty of the Freedom Volunteers to impose freedom and/.....

127.

and friendship in South Africa against the forces that are against it. Our struggle is non-violent, but if there is a pool of blood, we shall still have to go through."

Leon Levy, an accused in the present trial also addressed the gathering in the following language:

"I have been given the honour to speak about this section of the Freedom Charter which representatives of the people of South Africa at Kliptown on June 25th and 26th 1955 pledged themselves to work for and to win. And that section is, friends, that there shall be peace and friendship. Those words 'There shall be peace and friendship' are really the aims and the hopes of all freedom fighters, in South Africa as well as all over the world. It is the desire of all of us to ensure that South Africa shall be a fully independent State. We don't want any Imperialist to come here and dominate us. We don't want any Imperialist to/.....

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to come and exploit our workers, and rob us of our food or minerals or rights. We don't want any Imperialist to use our soil for war bases, or to force us to buy armaments to kill others with, or for that matter to buy warships or military equipment. We don't want to be forced into wars with people with whom we have no quarrel. What we want is South Africa to be free so that all our peoples can develop our country in peace. We wish to be free of all interference from Imperialists; we want to live peacefully and to respect other nations."

"...We in South Africa know that the soil of Africa is rich; it is rich with minerals and gold; we know it very well because many of us have dug it. We know, too, that as in our country there are freedom fighters; they are oppressed - there are oppressed people all over Africa who are daily fighting for their liberation. They are/.....

129.

are fighting for self government and independence. And we salute them for their efforts, we draw enthusiasm and courage and encouragement from them. We want to co-operate with all the peoples of Africa: we wish to make the Freedom Charter known to the people of Africa, so that they will see that we recognise the right of all the people of Africa to independence and self government. The Freedom Charter is the greatest peoples' document in South Africa's history. It is South Africa's greatest contribution to peace, because it speaks of freedom and friendship. Friendship is the twin sister of peace, without which freedom cannot be won. Africa."

One Hutchinson a further speaker said:

".....The people have spoken, another milestone has been reached, the path is short for the racialists - the people must crush them aside on the road to freedom - the people must crush them/.....

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