

① LK M 10.

The Congress of the People

the policy and programme of government

1. The essence of good government is that ~~it~~^{its} must be an expression of the will of the people. This arises out of the simple fact that the government of any country exists for the country and not the people for the government. In the last analysis ~~any~~^{any} the government is ^{merely} an instrumental reality — it is a means to an end, a means for achieving not its own ends but the ends of the people. ^{This is what is implied in the well-known dictum} It is a "Government for the people by the people". ^{for the people} It is a violation of this principle that ^{the} ~~an~~ ^{Regimes} ~~undoubtedly~~ ^{undoubtedly} ~~have~~ ^{undoubtedly} existed in the past ~~where~~ ^{where} the attempt was made to carry on government on the basis of the expression of the will of one person or a group of persons representing only a section of the people ^{subject to} ~~from~~ ^{subject to} that such government existed. But although such regimes have endured for a season, they have not been able to survive for long. Sooner or later the people have asserted themselves and have ~~reasserted~~ ^{re-affirmed} the principle ~~that~~ ^{that} the will of the people must prevail if stability is to be achieved by any regime. The voice of the people cannot be stifled indefinitely. The people will ~~and~~ ^{will} speak, and we be unto ^{any} ~~the~~ ^{any} regime which tries to ignore the voice of the people.

No one who

2. When we examine the situation in South Africa in the light of these fundamental principles will deny that as at present constituted the government of South Africa is not based upon an expression of the will of the people. None of the governing bodies of the country — from Parliament through the Provincial Councils down to the smallest local authority, rural or urban, is based upon an expression of the will of ^{all} the people. A minority of the population has arrogated to itself the right

to govern by taking into account the will of only a section of the population. The vast majority of the population is denied any voice in the Council of State.

3 Moreover, this situation is not the result of any ^{accident or} ~~one~~ error of judgment. It is a matter of deliberate intention design. The government of the country is avowedly based and unashamedly based on the principle of the denial of a voice in the affairs of the country to the majority of the people. The dangers ~~implied~~ inherent in this situation have been pointed out in and out of season both by the leaders of ~~the~~ ^{the} voiceless majority and by serious minded leaders of thought among the privileged minority. All these have thus ^{far} been like voices crying in the wilderness completely unheeded by the powers that be.

4. In the meantime the relations between the different sections of the population have been ^{at a rapidly increasing rate.} deteriorating. Suspicion and mistrust, frustration and fear -- all factors which undermine the spirit of mutual understanding and co-operation -- are stalking the land. The country is rapidly being divided into two mutually antagonistic groups -- the ^{dominant} whites whose political faiths are almost completely set on as far as their ~~own~~ policy is concerned -- and the ^{subjugated} dominated non-whites whose impatience with the status quo is rapidly being exhausted.

5. ^{Signs} There are not wanting signs, however, that thinking people in South Africa are becoming not merely concerned but alarmed at the ever widening gulf between the peoples of the country due to the continued disregard by the government of the ~~own~~ interests of vast sections of the population. Today it is not only the African who has to continuously contend with the despotism of the government. The legislation that is being placed on the

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The need for a new approach to the problems of South Africa has become urgent. As far as political parties are concerned this need has given rise to serious doubts as to the need for a re-alignment of political parties combined with a revision of outmoded policies and programmes which have outlived their usefulness. The emergence of the Liberal Party and the Federal Party, the defections from the United Party, the more radical outlook of the Labour Party all show that time for a thoroughgoing re-examination of the relationship between the different sections of the population and the South African body politic is long overdue. But the questions with which the country is confronted go beyond the sphere of political parties whose membership is confined to one section of the population. ^{The} ~~A~~ ^{broad} ~~national~~ ^{will} ~~basis~~ of the people of South Africa requires calls for a much wider basis than that. — x

statute — the Public Safety Act, the Criminal Law Amendment Act, the
 Customs Amendment and Suppression of Communism Amendment Bill, the
 Removal of Values Bill, the Industrial Conciliation Act Amendment Bill —
 all to show that the Government is becoming more and more reckless
 in its ~~disregard~~ flouting of public opinion. Trade Unions, peaceful gatherings,
 the Courts, the Churches, the Schools — through all these institutions
 which normally should provide means for the expression of the will
 of the people are in danger of being converted into mere instruments
 for the suppression of the will of a political junta of self
 appointed politicians.

6 The time has arrived for the people to speak and ^{to say} that in no
 certain terms: "thus far and no further." | already various
 organisations have suggested the summoning of national
 conventions in which representatives of all sections of the
 population might participate with view to discovering
 what can be done to draw together again the peoples
 of this country who have been so divided by the policies
 followed by successive South African governments.

The Dutch Reformed Churches have undertaken to ^{summon} ~~convene~~
 a conference of church leaders of all racial groups at which
 the question of the application of Christian principles in our
 multi-racial country will be considered. ^{under their auspices} ~~already~~ a
 preliminary conference of white leaders has already been ^{held} ~~convened~~
 held, ^{to be followed next year by one to which church leaders of different racial groups will be invited.} ~~but the nature of this conference whose value must~~
 not be underrated ^{will be} ~~was~~ confined to church leaders and,
 important as the churches may be in our national life,
 they do not speak for all sections of the population.

The Institute of Race Relations also has in hand
 plans for the ~~the~~ summoning of a national convention
 to which representatives of organisations operating
 among all racial groups are to be invited. That
 Convention, when it is held, will undoubtedly prove a

fruitful, but ~~small probability~~ without being ^{unjust} ~~confined~~ to the sponsors of that Conference it is probably ^{fair} ~~true~~ to say that it will not be a true reflection of the views of all sections of the population as it is likely to be dominated by representatives of organisations and public bodies in which non-whites are ^{either} not adequately represented, ^{or not represented at all}. No conference is likely to provide realistic answers to our problems unless the ^{views} ~~voices~~ of the non-white sections of the population are properly fully and fully ventilated and given serious consideration.

7 The African National Congress, the premier political organisation of the African people, at its last annual Conference held at Queenstown in December, 1953, passed the following resolution:—

The Conference instructs the National Executive Committee to make immediate preparations for the organisation of a "Congress of the People of South Africa whose task shall be to work out a "Freedom Charter" for all peoples and groups in this country." To this end Conference urges the A.N.C. National Executive to call a meeting of the National Executives of the South African Indian Congress, the Coloured People's Organisation, the South African Congress of Democrats or any other democratic organisation for the purpose of placing before them the plan of Congress and obtaining their co-operation in creating a truly representative "Convention of the people of South Africa."

The implications of this resolution are as follows:—

- (a) The African National Congress has undertaken to sponsor a Congress of the People of South Africa
- (b) In this gigantic task the A.N.C. National Executive has been instructed to seek the co-operation of other

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"democratic organisations", i.e. organisations which subscribe to the principle of full citizenship rights for all. Specific mention is made of certain organisations which are known to subscribe to this principle

(c) The A.N.C. and any other sponsoring organisation are directed to take steps to see that the Congress is "truly representative" of the people of South Africa. The plan which the A.N.C. ~~is~~ ^{is} Director is asked to submit to a meeting of joint executives of the sponsoring organisations must be based upon the democratic principle so as to ensure that persons attending the Congress are representatives of the people i.e. the people must be given an opportunity to elect representatives to this Congress

^{main}
(d) The task of the Congress will be to draw up a "Freedom Charter" for all peoples and groups in South Africa

How is it proposed to give effect to this resolution?
The A.N.C. National Executive has already ^{expressed} ~~expressed~~ its ^{opinion} ~~opinion~~ of assent as ~~well~~ ^{well} as the feasibility of this dynamic in ~~to~~ ^{to} be considered.

The following suggestions are put forward for the consideration ^{of} the sponsoring organisations, once the principles of the Congress ^{has} ~~has~~ been accepted

(a) A ^{public} announcement by the sponsoring organizations that it is their intention to hold such a conference on a specified date

(b) That for the purpose of electing representatives to ~~constitute~~ the Congress of the People every person over the age of 21, without distinction as to race or sex shall have the right to vote.

(7)

(c) To this end the sponsoring organizations should undertake to draw up a common roll of voters for the Congress of the People

(d) That the sponsoring organizations should appoint a Delimitation Committee to draw up divide the country into constituencies each of which shall return one member to the Congress of the People

(e) When the ~~Roll~~ ^{drawn up} Voters Roll has been completed and the Delimitation Committee has completed its work, a date should be fixed for a general election in which all adults should participate on an equal basis should be held for throughout the country (with a nomination day and a polling day)

(f) This would be followed by the holding of the Congress at a date and place to be decided upon.

It would be difficult to overestimate the significance which such a gathering would have if properly organized.

MEMORANDUM ON THE CONGRESS OF THE PEOPLE SUBMITTED BY THE AFRICAN
NATIONAL CONGRESS TO THE CONFERENCE OF THE SPONSORING ORGANISATIONS
ON 21ST MARCH, 1954.

1. The essence of democratic government, as commonly understood, is that its policies and programmes of action must be an expression of the people. This arises out of the simple fact that the government of any country exists for the people and not the people for the government. In the last analysis any government is merely an instrumental reality, a means for achieving not the ends of the person or persons who happen to manipulate the machinery of government, but the ends of the people. This is what is implied in the well-known dictum 'government of the people, but the people, for the people'.

Regimes have undoubtedly existed in the past where the attempt was made to carry on the business of government on the basis of the expression of the will of one person or a group of persons representing only a section of the people subject to such governments. But although such regimes have endured for a season, they have no-where been able to survive indefinitely, for the simple reason that sooner or later the people have asserted themselves and have taken action to restore to its proper place of recognition the fundamental principle that the will of the people must prevail if stability is to be achieved by any regime. The Voice of the People cannot be stifled indefinitely. The people must and will speak in the end, however long they may have remained silent in the past. Human history shows that it is disastrous for the Voice of the People to go unheeded for too long.
2. No-one who examines the situation in South Africa in the light of these fundamental principles will deny that, as at present constituted, the government of South Africa is not based upon an expression of the will of the people. None of the governing bodies of the country - from Parliament through the Provincial Councils down to the smallest local authority, urban or rural, is based upon an expression of the will of the people. A minority of the population has arrogated to itself the right to govern by taking into account the will of only a section of the population. The vast majority of the people of the country is denied any voice in the councils of State by whose decisions their vital interests are affected, a state of affairs which they are not only expected to endure, but in which they are expected to acquiesce.
3. Moreover this situation is not the result of any accident or error of judgement. It is a matter of deliberate intention and design. The government of South Africa is avowedly and unashamedly based on the principle of a denial of a voice in the affairs of the country to the majority of the people. The dangers inherent in this state of affairs have been pointed out in and out of season, both by the leaders of the voiceless majority and by serious-minded and forward-looking leaders of thought among the privileged minority. All these have thus far been like voices crying in the wilderness, completely unheeded by the power-that-be.
4. In the meantime relations between the different sections of the population have been deteriorating at a rapidly increasing rate. Suspicion and mistrust, frustration and despair, fear and insecurity - all factors which undermine the spirit of mutual understanding and co-operation which ought to exist between fellow countrymen - are stalking the land. The country is rapidly being divided into two mutually antagonistic groups - a dominant white minority group, whose political parties are almost completely at one as far as their colour policies are concerned, and a dominated non-white majority, whose patience with the status quo is rapidly becoming exhausted.

5. Signs are not wanting, however, that thinking people in South Africa are becoming not merely concerned, but alarmed at the ever-widening gulf between the peoples of the country due to the continued disregard by successive South African governments, but more especially by the present government, of the interests of vast sections of the populations. Today it is not only the African who has to content with the despotism of the South African government. The legislation that has found its way to the Statute Book - the Public Safety Act, the Criminal Law Amendment Act, the Riotous Assemblies and Suppression of Communism Amendment Bill, the Removal of Natives Bill, the Industrial Conciliation Amendment Bill, etc., all go to show that the government is becoming more and more reckless in its flouting of public opinion, white as well as non-white. Trade Unions, peaceful gatherings, the Courts, the Churches, the schools - all these institutions which normally should provide means for the express on of the will of the people are in real danger of being converted into mere vehicles for the expression of the will of a junta of self-opinionated politicians.
6. The time has arrived for the people to make their voice heard and to say in no uncertain terms: "thus far and no further." The need for a new approach to the problems of race relations in South Africa has become urgent. This need has been reflected in the re-alignment of political parties at present in progress combined with their attempts at the revision of policies and programmes which have outlived their usefulness. The emergence of the Liberal Party, the Federal Party, the defections from the United Party, the changed outlook of the Labour Party all show that the time is long overdue for a thorough-going re-examination of the place of the different sections of the population in the South African body politic. But the questions with which the country is confronted go beyond the competence of political parties whose membership is confined to one section of the population. The broad will of the people of South Africa calls for a much wider basis than that.
7. Already various organisations have put forward suggestions for the summoning of national conventions in which representatives of all sections of the population might participate with a view to discovering what can be done to draw together again the peoples of this country who have been so divided by the policies of successive South African governments.
8. The Federal Missionary Council of the Dutch Reformed Church has undertaken to summon a conference of church leaders of all racial groups at which the question of the application of Christian principles in our multi-racial country will be considered. Under its auspices a preliminary conference of white church leaders has already been held, to be followed some time this year by the larger conference to which church leaders of different racial groups will be invited. But this conference whose value and significance must not be under-rated will be confined to church leaders, and important as the Churches may be in our national life, it is no disparagement of this to say that they do not speak for all sections of the populations.
9. The Institute of Race Relations also has in hand plans for the summoning of a national convention to which representatives of organisations operating among all racial groups are to be invited. That Convention, when it is held, will undoubtedly be marked by fruitful deliberations, but without being unjust to its sponsors, it is probably true to say that it will not be a true reflection of the views of all sections of the population as it is likely to be dominated by representatives of organisations and public bodies in which non-whites are either not adequately represented or not represented at all. No conference is likely to provide realistic answers to our problems unless the views of the non-white sections of the populations are fully and freely ventilated and accorded serious consideration. Already the South African Indian Congress, in reply to a request from the Institute for an expression of its views on the question of the holding (by the Institute) of a National conference of all the people of South Africa, which would review and analyse the position of the non-European peoples has pointed out that "this is a question which is primarily and in the first place the concern of the non-European people themselves, who are most directly affected and who form the majority of the population."

In other words it would be most appropriate that the initiative in this regard should have been taken by the non-European peoples themselves. The lead in this connection has been given by the African National Congress.

10. The African National Congress, the premier political organisation of the African people, at its last conference, held at Queenstown, in December, 1953 passed the following resolution:

"Conference instructs the National Executive Committee to make immediate preparations for the organisation of a "Congress of the People of S.A", whose task shall be to work out a "Freedom Charter" for all peoples and groups in this country. To this end Conference urges the African National Congress, National Executive to call a meeting of the national executives of the South African Indian Congress, the Coloured Peoples' Organisation, the South African Congress of Democrats and any other democratic organisation for the purpose of placing before them the plan of Congress and obtaining their co-operation in creating a truly representative "Convention of the People of South Africa."

11. The implications of this resolution are clear.

(a) The African National Congress, the premier political organisation of the largest section of our population, has resolved to take the lead in working for a fresh start in search for a truly South African policy, which will safeguard the fundamental rights of all sections of the population. The African people must bear their proper share to responsibility for working out the salvation of the people of South Africa.

(b) In this gigantic task which is obviously beyond the capacity of any single group to tackle successfully, the National Executive Committee of the African National Congress has been instructed to seek the co-operation of other democratic organisations i.e. organisations which subscribe to the principle of full citizenship rights for all. Specific mention is made of certain organisations which are known to subscribe to this principle.

(c) The African National Congress and any other sponsoring organisation are directed to take steps to ensure that the "Congress of the People" is "truly representative" of the people of South Africa. If we are going to mobilise the opinion of the people of South Africa and to release their thwarted energies and secure their full co-operation in working for a New South Africa, we must ensure that the persons attending the Congress are truly representative of the people, which means that the people must be given an opportunity to elect their representatives at this Congress.

(d) The main task of the Congress will be to draw up a "Freedom Charter" for all peoples and groups in South Africa. From such a Congress ought to come a Declaration which will inspire all the peoples of South Africa with fresh hope for the future, which will turn the minds of the people away from the sterile and negative struggles of the past and the present to a positive programme of freedom for all in our life-time. Such a Charter, properly conceived as a mirror of future South African society, can galvanise the people of South Africa into action and make them go over the offensive against the reactionary forces at work in this country instead of being perpetually on the defensive, fighting rear guard actions all the time.

12. How is it proposed to give effect to this epoch-making resolution? The A.N.C. National Executive has already summoned a conference of the executives of certain organisations at which the feasibility of this dynamic proposal is to be considered. The following suggestions are put forward for the consideration of the sponsoring organisations:-

- (a) Once the principle of holding the Congress has been accepted, the sponsoring organisations should make a public announcement of their intention to hold the Congress on a specified date.
- (b) For the purpose of electing representatives to the Congress of the People every person over the age of 21, without distinction as to race, colour or sex, should have the right to vote.
- (c) To this end the sponsoring organisations should undertake to prepare in various centres throughout the country a common roll of voters for the Congress of the People.
- (d) The sponsoring organisations should consider the appointment of a Delimitation Committee to divide the country into constituencies on the basis of the Voters' Roll and to decide on the question of the representation of the various constituencies.
- (e) Once the Delimitation Committee has completed its work, a date should be fixed for a General Election of Representatives to the Congress in which all adults shall participate on an equal basis.
- (f) This would be followed by the holding of the congress at a date and place to be decided upon by the sponsoring organisations.
- (g) The sponsoring organisations should, without delay, appoint a representative "Ways and Means" Committee to work out details.

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RECORDS RELATING TO THE 'TREASON TRIAL' (REGINA vs F. ADAMS AND OTHERS ON CHARGE OF HIGH TREASON, ETC.), 1956 1961

TREASON TRIAL, 1956 1961

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