

Colonies, and therefore they are Imperial countries, and those lectures are chiefly on Imperialism. 1

I want to know how a reader of these lectures would identify a Peoples Democracy; with what countries he would associate a Peoples Democracy. Now, Mr. Lollan, you tell me a person reading these lectures which plead for the establishment of a Peoples Democracy in South Africa, and which contain an analysis of various European, American and Eastern States - what sort of countries mentioned in the lectures themselves would he be inclined to think was a Peoples Democracy; what do you think?-- My lords, I don't think that the lectures analyse the countries; it mentions them in a small section, and there is a section which says for South Africa what, and a reader would clearly see what these lectures are advocating for South Africa. 5 10 15

Mr. Lollan, doesn't it say for South Africa a Peoples Democracy?-- I cannot remember whether it says so.

Well, let me refresh your memory - in the very last lecture, one of the last paragraphs, it says "The Congress Movement must build for itself a new kind of rule, a new State, a State of Peoples equality and liberty. That kind of State we call a Peoples Democracy," Do you remember that now? Fine. Well, now the next step is you have seen the analysis of various countries, some in which Capitalism rules, some in which it is being banished; the analysis in the lecture mentions the names of the countries. Now I want your opinion; what do you think would be the impression a 20 25 30

reader would get of a Peoples Democracy from these lectures; would he be inclined to think that America or France or Holland or Belgium was a Peoples Democracy, or would he think that Poland, Hungary, Rumania and Czechoslovakia were Peoples Democracies?-- My lords, I could not say what a reader would think because it is clearly shown there that in South Africa if we have equality, and wherever everybody has equality, that would be a Peoples Democracy. I could not say what impression those lectures would have on somebody else.

Mr. Lollan, does the Congress Movement anywhere define a Peoples Democracy?-- We have always understood a Peoples Democracy where everybody has a vote.

BEKKER J: Is there not a definition in the third lecture of a Peoples Democracy?

MR. HOEXTER: I'll deal with that, my lord. I don't want to know what you understood. Does the Congress Movement in a document anywhere define a Peoples Democracy?-- I cannot remember now, my lords.

RUMPF J: I think I asked this question before, of one of the other witnesses. Does the Congress Movement in any one of its documents call Great Britain or Holland a Peoples Democracy?-- I cannot remember offhand, my lord.

MR. HOEXTER: Mr. Lollan, would you not laugh if someone described Western Germany as a Peoples Democracy?-- I wouldn't laugh.

Despite the fact that in the view of a prominent Congress member it is headed by a gentleman called the "Butcher of Bonn"?-- That may be the view of that member, but as far as we know, everybody has got the vote in

Western Germany. 1

Wouldn't you smile if someone described France as a Peoples Democracy?-- If somebody described France as a Peoples Democracy, taking into consideration its Colonies, I would smile, but France itself, France proper, I would say is a Peoples Democracy because everybody has got the vote. 5

BEKKER J: Does that hold in every country, Capitalist countries included? As long as everybody has got the vote it's a Peoples Democracy?-- That is how I understand a Peoples Democracy, my lord. 10

Even though it's an Imperialist country?-- In its Colonies it would not be regarded as a Peoples Democracy because the people there wouldn't have the franchise. People haven't got the franchise in the Colonies. Britain is a Socialist country . . . 15

Is this what you understand by it; England in the sense that everybody has the vote there qualifies as a Peoples Democracy?-- That is so, my lord.

But when you go outside of England and she has a Colony, she no longer qualifies as a Peoples Democracy ?-- As far as that Colony is concerned, because the people there haven't got the vote, my lord. 20

RUMPF J: Then a country may be a Fascist country and a Peoples Democracy at the same time?-- That is correct, my lord. 25

MR. HOEXTER: Mr. Lollan, where did you get your understanding of a Peoples Democracy from? From reading Congress literature?-- Congress literature and other literature.

Is the position then that whenever you see the 30

word "Peoples Democracy", to you it conjures up the 1
image of any country who has the universal franchise?--
That is correct.

Mr. Lollan, I want you to have a look at this
"Liberation" to which you referred yesterday, S.L.11.
Remember, you said this issue modified your view in 5
connection with Moral Re-Armament?-- That is so.

I want you to refer to an article called "The
War that Failed", by L. Bernstein. Do you know Mr. Bern-
stein?-- Yes, I know Mr. Bernstein.

He's a prominent leader of the Congress Movement 10
?-- I don't know whether he was prominent, but he was a
Leader in the South African Congress of Democrats until
he was banned.

And he wrote for the Congress Movement - he wrote
a great deal for the Congress Movement?-- Not for the 15
Congress Movement, my lords; he wrote his own ideas in
"Liberation" and so forth in his own name.

Well, would you look at page 11 of this issue
- the portion I've marked in blue. My lords, this was
not read in; this "Liberation" was dealt with, not 20
under the Liberation series, but under the Exhibit N.A.
12, at page 4438 of the record, and a portion was read
in from this article, but not the portion to which I
refer.

BEKKER J: What's the exhibit number of this? 25

MR. HOEXTER: S.L. 11, my lord. My lords, this
article deals with American intervention in Korea and
the shattered prestige of the American forces. Now, Mr.
Lollan, just read that bit between the two blue crosses?--

"The police action stood revealed for what it was, an aggressive American adventure against the Korean peoples Republic, but this time the Colonial victims of Imperialist aggression did not stand alone. In the Soviet Union and the Peoples Democracies they had friends and allies in their fight for land and liberty."

Now, Mr. Lollan, the reference there to Peoples Democracies, do you think that that's a reference to Great Britain, or France?-- I don't know what this author was writing about; I just read the portion you referred me to.

You remember Korea, Mr. Lollan?-- I do.

Now forget what the author had in his mind. I want to know what impression this phrase creates in your mind, to what countries you think he is referring, Mr. Lollan?-- Countries where everybody has the vote.

Great Britain?-- I don't know what countries he has in mind.

France?-- Possibly.

RUMPF J: Did he say in the Soviet Union and certain of the Peoples Democracies, or does he say "In the Soviet Union and the Peoples Democracies"? -- He says, "In the Soviet Union and the Peoples Democracies", my lord.

Yes.

MR. HOEXTER: Now that phrase, as it stands there, does it suggest any names of countries to you?-- No, my lords.

It just suggests a vague concept of countries that have the franchise?-- That is correct.

Is that your reply?-- That is my answer.

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Now, Mr. Lollan, you've told us, and we know from other sources, that one cannot look to documents like "Fighting Talk" and "Liberation" or "New Age" as the official organs of the Congress Movement?-- That is correct.

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The truth of the matter is that your organisation was encouraged to read these journals in order to learn about the struggle, to have a true report of the struggle, so that the reader could understand what the struggle was about; is that true, broadly speaking?-- My organisation was encouraged?

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Yes, your organisation was encouraged to read bulletins like Fighting Talk and Liberation, and even New Age; your organisation's office kept a stock of these bulletins and encouraged the members of your organisation to read them?-- That is correct, but I don't think we kept a stock of them, these bulletins.

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I want to refer you to the bulletin called "The S.A.C.P.O Rally", do you know that?-- I do know that.

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What was that?-- That was a pamphlet -- I mean a bulletin of my organisation, which was issued twice, I think.

Well, I want to put to you that Vol.1, No.2, says the following: "We have copies of the latest 'Fighting Talk' in the office', and it mentions the price, 'also copies of 'Liberation', get your copy from me now; read about the struggle, begin to understand it, and carry its message to your friends". Well, now, is it fair to say that your organisation, and indeed the whole Congress Movement, was anxious that

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that the people should read "Fighting Talk" and "Liberation" in order to understand about the struggle?-- My organisation and the Congress Movement encouraged the people to read "Fighting Talk " and "Liberation".

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For this reason?-- That is correct.

And the same applies to "New Age"?-- That is correct.

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Well, I'd like to have your impression on a portion of an article in "Fighting Talk", in a "Fighting Talk" found in your possession; this is S.L.12, my lords, "Fighting Talk" of November, 1956; it was read into the record at page 3064. This issue, Mr. Lollan, contains a letter by a man called Lionel Forman; do you remember him?-- I do.

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He was a man prominent in the Congress Movement?-- He was a member of the South African Congress of Democrats.

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And he was a leading figure in the Congress movement as such?-- I did not know him until the beginning of this case, my lords, and I don't know whether he was a leading figure.

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I see. Have you any idea what position he occupied in the South African Congress of Democrats?-- No idea, my lords.

Have you any idea whether he was associated with any newspapers?-- I think he was associated with "New Age".

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Now this article he wrote was "Why do we write and argue so little about Socialism"; it's right at the back of that issue, Mr. Lollan; have you found

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it?-- That is correct. 1

Now, if you turn over the page you'll see that I've marked a very, very brief portion there; just see whether I read it correctly; I want to get your impression on this. "In the first political study class I attended about fifteen years ago our text book asked 'What is the fundamental difference between the Labour Party and the Communists' and answer: 'The Labour Party believes that Socialism can be achieved through gradual reforms by Parliamentary means. Communists hold that Parliamentary power cannot achieve Socialism as long as the Capitalists control the State machinery which can corrupt or forcibly destroy the achievements of Parliament, as for example the Spanish Army was used to destroy the popular front parliament and that therefore Socialism can only be achieved by the revolutionary seizure of a State power'?"-- That is correct. 5 10 15

Now, Mr. Lollan, in your own mind, did you have this idea, this basic difference between the Labour Party's view and the Communist Party's view about how Socialism is to be achieved?-- My lords, that is the view of Mr. Forman, writing in the Reader's View of "Fighting Talk". 20

That we know, Mr. Lollan; the question is whether you had any views on this subject, and if so, whether your views coincided with Mr. Forman's?-- I have no views on this; I have never studied the Labour Party and the Communist Party. 30

Yes; well, the type of State envisaged by the Freedom Charter I suppose you will agree is a form of Socialist State?-- That is correct.

Does the Congress Movement hope to attain that

that State through gradual reform by Parliamentary means
 ?-- The Congress Movement hopes that the people will get
 the franchise, and the people will then decide, and as
 appears from the Freedom Charter you cannot achieve the
 whole Freedom Charter except by gradual reforms. You
 cannot nationalise the mines and everything all in one
 day.

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Mr. Lollan, can you achieve the universal
 franchise in one day?-- Possibly not.

Would you agree probably not?-- Probably not.

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Unless, of course, there was tremendous pres-
 sure exerted on the ruling class?-- One cannot say at
 what stage/^{of}the pressure you will get it, but unless there
 is some pressure exerted on the ruling class . . .

Now we come back to the question of this morn-
 ing; apart from your view, what did the Congress Move-
 ment think: would universal franchise be obtained through
 a gradual process of reforms through Parliament, a conces-
 sion here and a concession there, or would the ruling
 class, the European electorate, withhold all concessions
 until the pressure was so great that it would cave in
 completely? What was the official Congress line, if it
 had one?-- The Congress view was that pressure would
 be brought to bear on the European electorate, and at
 the stage where negotiations take place people negotiat-
 ing there - one cannot at this stage say that they will
 accept this, and reject that, or accept this and reject
 the other . . . you cannot foresee this, my lords.

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Why then, if that cannot be foreseen, did you
 say so categorically this morning that you cannot achieve

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universal franchise through a process of gradual reform? 1
You were very emphatic on that point, Mr. Lollan?--Because
it has been shewn to us that you cannot achieve this
universal franchise - - first the voters in the Cape were
given this franchise but the women were not given the
franchise - - and instead of these rights being extended 5
they were taken away altogether.

But was there pressure, Mr. Lollan, pressure of
the kind envisaged by the Congress movement?-- There was
some pressure.

And why do you say that with reference to the 10
future it cannot be achieved through gradual reforms;
that is what you said this morning?-- What I mean is
that it cannot be achieved through gradual reforms, volun-
tary reforms by Parliament; you cannot get the Nationa-
list Party introducing a Bill immediately, that they will 15
grant the franchise to that section, and that section.
They will only do that by a certain amount of pressure.

Mr. Lollan, in the discussion this morning
pressure was assumed throughout, and it was taken for 20
granted that the concessions extracted wouldn't be given
voluntarily - - on that basis the question was put to
you, "Will the universal franchise be achieved by gradual
reforms, yes or no", and to that your emphatic answer
was "It will not be achieved by gradual reforms"?-- That 25
is my answer; it cannot be achieved by gradual reforms
coming from parliament. You must have sufficient pres-
sure for the government to grant to a sufficient number
of people the vote, so that they will continue to act as
a pressure, and the Congresses will continue to fight
for the universal franchise. 30

You say not through gradual reforms through parliament?-- Not gradual reforms through parliament granting them without pressure.

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Mr. Lollan, throughout we are assuming pressure, heavy pressure; let us assume that there is that pressure - let's not argue about the pressure. On that assumption, on the assumption that there will be pressure, a strong pressure, what is your answer; will it be achieved by a gradual process of reforms, or in one single stroke?-- That I cannot say; I cannot say how much the Government will be prepared to give at any time; with strong pressure coming in, the Government may either decide to grant the universal franchise, or to grant a qualified franchise.

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Yes; a portion of the lectures you did not criticise, Mr. Lollan, was the portion depicting South Africa as a Fascist State; do you remember that? Remember in the second lecture, "The World We Live In", rather "The Country We Live in", there is a paragraph headed 'Fascism' and I don't want to read the whole thing, but the concluding paragraph, Mr. Lollan, just look at that paragraph and read it please?-- Yes?

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Does that coincide with your views of the present stage of our history, that we in this country are living in the last stages of Imperialism - here it is called Fascism - where we have a terrorist dictatorship?-- I don't know in what sense the writer uses Fascism and I don't know that we are living in the last stages of Imperialism.. . that all countries are entering Fascism - - Britain is losing her Empires but I wouldn't say that she is a Fascist country. South Africa never

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had any Colonies. 1

I'm not discussing that; you were asked to criticise these lectures; you didn't criticise this paragraph, did you?-- I criticised the lectures in general. I didn't confine my criticism to any one particular part. 5

Well, now, what do you say about this paragraph 15; do you fail to understand it, or do you understand it and agree or disagree with it?-- I disagree with this paragraph.

Well, just indicate to us with what you disagree?-- I agree that we are entering the last stage in the history of Imperialism; all Colonial countries are giving up their Colonies; but I do not agree that that is the stage when democratic pretence gives way to open terrorist dictatorship. 10 15

Do you think that the present ruling class rules by force?-- That the present ruling class in South Africa rules by force?

Yes?-- That is correct. 20

And you think that in the future they will tend to use force more and more?-- They have been using force more and more for the last ten years; I don't know how much more force they can use.

One last question on the lectures; you suggested this morning that the lectures may have been prepared before December, 1954; have you any date in mind?-- No, my lords. 25

From when to when were you on the National - on the Secretariat of the National Action Council?-- 30

I was on the Secretariat for a short period, round about 1
September or October, 1954, and as I said, I did not
attend very many of their meetings because they were
held during the day.

And up to when did you remain on, on the Secre-
tariat?-- Officially I was on for quite some time, but 5
I did not . . .

That's what I want to know; how long did you
remain on the Secretariat actually as a member, offi-
cially?-- Up to some time in 1955; round about the end
of the year. 10

And in that time the lectures were prepared?--
That is so.

Agreement was achieved that these lectures should
be produced?-- That is correct. 15

Somebody on the Secretary in fact produced the
lectures?-- It may have been one or more than one person
who produced them.

Now let me refresh your memory, Mr. Lollan. In
August, 1954, can you remember the following persons 20
being on the Secretariat: P. Vundla from the A.N.C;
do you remember that?-- My lords, I couldn't remember
at what particular times people were on; I know that
he was at some time or other on the Secretariat.

When would you first have come on to this 25
National Action Council, do you remember that?-- On
the National Action Council?

Yes?-- I think around about May, 1954.

Now you say you can't remember whether in
August Mr. Vundla was on the Secretariat?-- I can't 30

remember at what period any of them was on it.

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Can you remember that he was on the Secretariat at some time?-- Yes, he was.

Can you remember that in August, 1954, Mr. Cachalia of the South African Indian Congress was on the Secretariat? Yusuf Cachalia?-- I think he was, but I'm not sure at what time. I think he was on the Secretariat until he was banned, but I'm not sure.

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Can you remember that during or about August, 1954, Mr. P. Beyleveld being on the Secretariat - he was of the South African Congress of Democrats?-- That may be so.

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Well, can you remember.....?-- I cannot remember at what stage he came on to the Secretariat.

But you can remember that he was at some time on the Secretariat?-- Yes, at some time he was.

Now, apart from those names I have mentioned to you, Mr. Lollan, who else to your knowledge was on the Secretariat at any time?-- You mentioned Yusuf Cachalia, P. Beyleveld, Vundla - - Robert Resha, Mr. Sisulu, Mr. Tambo, Mr. Bernstein. No, I cannot remember who else.

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Unless, and until you can remember further names, would it be fair to assume that these lectures were written by one or more of these seven persons?-- That is so, my lords.

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Now I want to deal for a moment with a speech attributed to Mr. Sejake on which you commented this morning. Did I understand you correctly this morning to say that when you decided at the meeting to have a word with Sejake it was not because of the impression the speech as a whole made on you, but it was simply because you heard the word 'clash'?-- Well, I said that may have

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been the portion I heard; when he said 'clash with the
armed forces' of the State, but I'm not sure exactly at
what point . . . 1

At any rate you say at that stage it was not
your intention to rebuke Mr. Sejake for his speech; you
merely wished to find out what he had in fact said?-- That 5
is correct.

Well, I want to ask you now, on the assumption
that he said what you read this morning, do you think that
he deserved a rebuke at that time, yes or no?-- If he had
only said what was said here this morning - - I mean 10
only that portion - - but afterwards when I read the
whole speech it then seemed clear to me that my first
impression was wrong, that there was nothing in the speech
I could rebuke him for.

So now having seen the whole speech in its con- 15
text, it seems to you that that speech contains nothing
which is at variance with Congress policy?-- That is so,
my lords.

You see, what worries me is this. You were asked
at a later stage this morning what meaning you normally 20
attached to the word "sacrifice"?-- That is so.

And I see that Sejake - - I'm now looking at
page 7576 - before he says "One must be prepared to clash
with the servants of the State, and if the struggle as-
sumes very large and countrywide dimensions one shall 25
have to clash even with the armed forces of the country"
before he says that, immediately before he says that
Sejake is reported to have said "It requires hard ...
work and sacrifice"?-- That is correct.

Now, having regard to the reference to sacrifice 30

immediately before he stresses the necessity for a clash, 1
how do you interpret 'clash' in that context? As a
mere difference of opinion?-- Congress work, - the work
requires sacrifice. I was asked this morning what I
thought of "supreme sacrifice"; by sacrifice, all Con-
gress members have to sacrifice; they have to sacrifice 5
their leisure, they have to sacrifice their money per-
haps to do things that are necessary in Congress;
everybody who works in Congress has to sacrifice.

Would one form of sacrifice be clashing with 10
the armed forces of the State, physically?-- No, Con-
gress policy has never been that there should be a physi-
cal clash with the armed forces.

You say Congress policy; is the position, Mr. 15
Lollan, that your organisation, the Coloured Peoples
Organisation, gave the African National Congress uncon-
ditional support in the liberatory struggle?-- Within
the framework of the policy of non-violence, yes.

Both as to the aims of the struggle and as to 20
the means?-- The means we had agreed upon were non-
violent means.

All the means that were propagated at meetings
by the A.N.C? Did they have your approval?-- Such as
what?

Well, such as for example refusing to leave 25
the Western Areas?-- That is correct.

Can you think of any method of struggle upon
which there existed disagreement between your organisa-
tion and the African National Congress?-- No, my lords,
I can't think of any at the moment. 30

Now, in the speech of Sejake, I'll give it to you if you like, do you remember Sejake described the State as an instrument of oppression?-- No, I would like to refresh your memory. 1

Very well, you may.

RUMPF J: May I just ask you a question on this part of the speech, Mr. Lollan, with which you have just dealt, where the speaker is alleged to have said, "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 countrywide dimensions one might even have to clash with the armed forces of the country". Now, do you have the impression that the speaker here indicated first of all a conflict between the servants of the State in perhaps isolated places, "One must be prepared to clash with the servants of the State and if the struggle assumes very large and countrywide dimensions, one should have to clash even with the armed forces of the country"?-- May I have a copy of the speech, my lord? 5 10 15

I've read it to you; that's all?-- I don't know what he had in mind "clash with the armed forces of the country" - 20

Well, I'm putting you the words, I don't know what he had in mind; I'm putting the words to you as a hearer or a listener would receive them. He assumes the possibility of a countrywide struggle, does he not - he says "if the struggle assumes very large and countrywide dimensions"?-- That is so. 25

Then he says "One shall have to clash with the armed forces of the country"?-- That is so.

If that is what he said, he assumed that 30

in order to deal with the situation the Government has
called out the Army?-- That is so, my lord.

That is the impression one gets?-- Yes.

So he visualises a situation in which the
Government has brought out the Army to deal with the situa-
tion?-- I would like to have a look at the speech, my
lord.

Yes, well, the difficulty is that a listener
might not ask the speaker every time to re-hash what he
has just said....?-- But the listener may not pay much
attention to that part of the speech as well, my lord.

Why shouldn't he?-- A person listening to about
five speeches - - the chances are that he does not remember
even that part of a speech.

Yes. It's at the top of 7577?-- No, my lord,
I cannot say what he visualised when he said that....

I'm not concerned with what he visualised, ex-
cept from what he said one must infer that he visualised
a state of affairs in the country in which the Government
had called out the Army; isn't that the plain meaning
of the words? "If the struggle assumes very large and
countrywide dimensions" - that's the size of the struggle,
the area of the struggle - - "Then one shall have to clash
even with the armed forces of the country". Now, you
say you don't understand it in that way?-- No, my lord.

It doesn't mean that there will be a struggle
on a wide scale, in which the Government has called out
the Army; you say it doesn't flow from this...?-- Another
possibility, my lord, is that if you have a nationwide
stay at home, the Government will call in the Army to do

the essential services . . .

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Yes, well, where is the clash now, "One shall have to clash with them"; if the Army is called out, where is the clash then - if they are to do the essential services?-- I don't know what he had in mind.

Well, has this any other meaning than if there is a wide countryside struggle the Army may have to be called out, and you may have to clash with the army; has this any other meaning?-- It has no other meaning other than that you may have to clash with the army, . . .

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If and when the Army is called out?-- Yes,

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But he puts this as a possibility in the future as possible?-- Yes, my lord, but I don't think he speaks of a physical clash, because at the end of his speech he says "Your powers of resistance are greater even than the atom bomb"; I mean, that to me shows that if a person had an idea of a physical clash you cannot expect people to have powers of resistance greater than the atom bomb.

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Leave aside the end of the speech, I'm on this part; what other clash than a physical clash could he have in mind? It is true that at the end of the speech he may have said, "Well, actually you have powers in yourself which a bomb cannot resist"; that is true, the atom bomb - the powers in your resistance are greater than even the atom bomb. Well, that may mean that even if force is used against you, your powers of resistance are greater than that; even the force of an atom bomb may be used against you, your powers of resistance are greater. But that is at the end. Here, can you suggest any other form of clash than a physical clash?-- Yes, my, lord, as I said - he being a Trade Unionist, and

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Trade Unionists generally speak about "Fighting for better wages", "We'll have a clash with the employers" - that is the language they use, my lord, and he may have used these words in that form. 1

But if you clash with your employer for better wages, how do you clash with the army;; for what do you clash with the army. It's quite correct; you may say "We will fight our employers because they pay us too little" and "We are going to clash with them on this issue" but that doesn't mean that you intend to use physical violence; you may go to a strike, but when you bring in the army how are you going to clash with them in any other way than in a physical form?-- I don't know, my lord. 5 10

Is that Congress policy?-- Congress policy is one of non-violence, my lord. 15

I know, but is that Congress policy, that if the struggle assumes a countrywide dimension, and if the Army is called out, when the final effort is made, there may be a possibility of a clash with the armed forces?-- I don't know what the Government may do; the people may be staying at home and the Government may call in the armed forces to get the people back to work - - that is a possibility, my lord. 20

And then?-- When the people are forced to go back to work? 25

Yes? Would that be the clash?-- That may be; I don't know what he meant by it, my lord.

Well, is that a possibility, that the Congress alliance foresaw?-- That may be a possibility; one can never say what the Government may do. 30

Yes?-- But if the Government should call in the Army to push people back to work the European electorate may feel that that is not the right thing to do; one cannot say what the Government may do at any particular time.

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Yes, but I'm only on the words here "One shall have to clash even with the armed forces of the country" ?-- If the Government called in the Army we cannot say what the Government should do.

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But can you say what you would do?-- We would have our passive struggle - there would be no violence coming from the people.

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What would happen if the Government called out the Army in the event of a countrywide National struggle - called out by the Congress Alliance - - what would you do?-- The Army may come in and take the people by the scruff of their necks and put them in front of the machines - - as long as there is no violence from the people, my lord.

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Well, what does it mean then, "One shall have to clash with the Army"; that is the test, "The clash with the armed forces is the test we must pass" - or let's put it this way: the willingness to clash is the test; is that not how one reads it? You see, I'm asking you because you were present when this speech was made, and as it stands here you say it does not conflict with Congress policy?-- To me it doesn't conflict, my lord.

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KENNEDY J: May I follow up a point on a matter of procedure. Do you remember this meeting?-- I remember this meeting, my lord.

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Did you have a platform, or a table where you as Chairman sat?-- There was a platform with a table where I sat.

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And then you called on certain speakers?-- That is correct, my lord.

And they came up to the platform?-- Some of them were already seated on the platform.

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Yes. I think you said this morning that you were pre-occupied with somebody else while Sejake was talking, and your attention was only really attracted when you heard the words "clash with the armed forces"?-- As I said, my lord, I cannot remember at what stage really my attention was attracted; at some stage my attention was attracted to the speaker . . .

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Now do you remember whether Sejake was sitting at the table with you?-- No, he was standing next to the table and speaking, my lord.

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Yes, and had he come from the audience to speak do you remember, or would he normally be sitting at the table?-- I can't remember, my lord, whether he had been sitting at the table, or whether he came from the audience.

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Yes; and you said that your attention was attracted to the speaker, and your intention was to enquire about the words that you had heard?-- That is so.

But after the next speaker the meeting broke up when the police came?-- The police came and took his notes away . . .

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The point that is worrying me somewhat is this: on the Crown's evidence there were five speakers after Sejake, including yourself?-- I don't know how many

30

there were offhand. The speaker after Sejake spoke, and then we adjourned for lunch . . .

1

Well, the evidence seems to suggest that there was a considerable period during which you had time to look at Sejake's notes if you had wanted to, before. . . ?-- There was one speaker, my lord.

5

One speaker?-- Yes.

RUMPF J: According to the record - the evidence of this witness C.J. Coetsee, at page 7578, you'll see that he said this - in the middle of the page - after the speech of Sejake, "After that the Chairman Stanley Lollan spoke and emphasised the necessity of becoming familiar with the Freedom Charter, and called upon the audience to repeat the section of the Freedom Charter on which Mr. Sejake spoke". Is that correct?-- That is correct, my lord.

10

Which the audience did. Who was the next speaker? and then he goes on to the next speaker, and then there was the next speaker at the bottom of page 7579, and then there is another one at page 7580 . .?-- 7579. . .

15

Yes, at the bottom. The next speaker was an unknown native male speaker. . then at the bottom of 7580 there is Ngome (?) . . . anyway a number of people spoke and then at the bottom of 7581, what happened immediately after the Chairman announced that there would be an adjournment for lunch - - the members of the police present went up to the platform and seized documents?-- - That is so, my lord. My lords, the speakers after Sejake were speakers who spoke on this section on which Mr. Sejake had been speaking. I think they were speakers from the floor, they were not speakers who had been on

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the Agenda to speak; after each section was dealt with speakers from the floor spoke, my lords. 1

Maybe. Anyway, would that be correct?-- That is correct; that would be correct.

Would this evidence be correct?-- That would be correct, yes. 5

MR. HOEXTER: You were chairman up to lunchtime and after lunchtime the accused Resha was chairman, is that correct?-- That is correct.

Would you please look at page 7580, a speech attributed to an unknown male; this speech was made from the floor while you were still chairman, is that correct?-- That is correct. 15

You see, there is a portion where he criticises General Smuts and Mr. Strydom, and then he says "He - that is Strydom - is getting nowhere with his oppression - African National Congress volunteers forward. I have been a soldier since 1941; I do not fear to die any time. I am prepared to spend years in gaol. A man dies once. No man dies twice. When the time is near they will not be able to hold their Sten guns." Mr. Lollan, do you agree with that portion of the speech which also seems to foreshadow some sort of clash, some sort of violent clash?-- No, my lords, because it goes on "We haven't got any guns, but we respect God". 20

RUMPF J: And he says Hitler did the same?-- That is correct, my lord. 25

MR. HOEXTER: Do you remember the speech?-- No, I don't remember the speech, my lord.

But at allevents you don't find it at variance

with Congress policy?-- Well, you find people getting
up from the floor - - he may or may not have been a
member of Congress, and he probably was one who was
urging Congress to believe more in God - that God is
there.

I'm not interested in his membership of Con-
gress; did what he said accord with Congress policy?--
There is nothing in what he said that seems to me to
be against Congress policy.

Did you stay on at this meeting after lunch
when Mr. Resha was the chairman?-- I came back for a
short while after lunch; I did not stay until the end
of the meeting.

(COURT ADJOURNED)

15426.

COURT RESUMES ON THE 30TH JUNE, 1960.

BY ACCUSED MANDELA :

Your Lordships, I have been asked by the Accused to apply for the adjournment of this case until the 1st of August. My Lords, as I indicated yesterday, the Accused have been informed that the state of emergency has been lifted in certain areas, but some of the Emergency Regulations has been withdrawn, and that about twelve hundred detainees will be released in the course of the next two weeks. Now the Accused met yesterday and discussed this development and although the State of Emergency has not been lifted in the main centres of the country, in the opinion of the Accused, these developments might well constitute a prelude to the lifting of the entire State of Emergency, and the Accused feel that in the light of these developments it may not be necessary for the authorities to continue with further arrests and that the whole position as it existed on the 1st of April, when the Defence Counsel withdrew has radically altered.

By MR. JUSTICE RUMPF :

In what way?

BY ACCUSED MANDELA :

In the sense that some of the witnesses whom the Defence intend calling may be released within the next two weeks, and in the sense that in our belief we might have - in our belief, although the state of emergency formally exists, we believe that these development means that it is going to be lifted very soon, and also it has altered because we don't expect that there will be further arrests, and that in any event a large number of people have now been interrogated. Now in the

hope therefore My Lords that these developments mean that the state of emergency will soon come to an end, we have decided to recall Counsel. Now Your Lordships are aware that soon after the Defence Counsel had withdrawn Your Lordship advised us...

BY MR. JUSTICE RUMFFF :

Have you finally decided now to recall Counsel?

BY ACCUSED MANDELA :

We have finally decided that state of emergency lasting or not, we have decided to recall Counsel. Now Your Lordships will recall that after Defence Counsel had withdrawn, Your Lordships advised that we should make a copy of the record available to Counsel in order that there should be no postponement of this case when Defence Counsel return. Now we bore that request in mind, sir, and as a matter of fact everytime the copy of the record became available, we passed it on to our attorney. But we understand from the discussions which we had with our attorney and Counsel yesterday, that Counsel will not be available before the 1st of August, and it is because of that that the Accused ask that the case should be adjourned until the 1st of August. Now Your Lordships are aware that we are conducting this case under very difficult conditions. The Accused in this case have been under defention since the 30th of March, and in spite of all the efforts which have been made by the authorities in order to assist us in preparing our Defence, the conditions have been very, very difficult indeed, and the preparation of this case has been a terrible strain on the Accused, both in regard to our living conditions and in regard to the type of food which

we are supplied in gaol, My Lord. It is no exaggeration, My Lord, and I put this with the greatest moderation, it is no exaggeration to say that the food which is furnished to us in the gaol, My Lord, is with due respect completely unfit for human consumption, and it has been under these difficulties that we have been conducting our case. If the case is adjourned until the 1st of August, it will be of great assistance to us.

BY MR. JUSTICE RUMPF :

In what way will an adjournment to the 1st of August improve the quality of the food?

BY ACCUSED MANDELA :

It will be of assistance in the sense that it will give us much needed rest which we desire.

BY MR. JUSTICE KENNEDY :

If I may put it quite frankly to you, I appreciate of course that you are under difficulties because of your detainee ship, but some of the difficulties have been brought about by yourself, rightly or wrongly, rightly or wrongly, it doesn't matter, but it was the Accused who elected to dismiss their Counsel, and I think it was made clear that the Court desired to proceed with the case. Now it seems quite clear that the additional adjournment for which you ask - I gather there is no dispute about an adjournment until the 18th at any rate. The additional adjournment for which you ask has been occasioned in order to enable Counsel to get up to date once more with the record. I speak for myself, and I say we must go on with the case. You were warned at the of the position, and the reason now advanced to my mind isn't a sufficient one. I say I am voicing my own views, and I am voicing them frankly.

BY ACCUSED MANDELA :

As Your Lordship pleases. My Lord, I do not know whether the question of dispensing with Counsel can be considered quite apart from the reasons which were advanced at the time, rightly or wrongly, by the Accused for taking that step. Now My Lord, as far as the Accused are concerned, it looks to us most strange that people should be detained for three months without any charge being preferred against them. It seems to us, with due respect, that this was an act of deliberate persecution on the part of the authorities...

BY MR. JUSTICE RUMPF :

We have got nothing to do with that.

BY ACCUSED MANDELA :

I am only raising this, Your Lordship, because of the remarks which were made by His Lordship Mr. Justice Kennedy, and I feel that with due respect, I must remove from the impression of Your Lordships that the step which was taken by the Accused was a step which was taken without considering the matter carefully...

BY MR. JUSTICE KENNEDY :

You misunderstand me. I am certain you gave it proper consideration, but at the same time the Court realised that no unnecessary adjournment should arise because of the decision which you made. I am not quering whether you made it rightly or wrongly. You are entitled to do so, but not at the cost of the progress of this case.

BY THE ACCUSED MANDELA :

My Lord, by reason of the ground which I have raised, the question of the strain on the part of the Accused, in the opinion of the Accused a long

adjournment will assist the Accused from the point of view of giving them the rest which, in the light of the circumstances which I have indicated, they sorely need.

BY MR. JUSTICE RUMPF :

Have you got anything to add, Mr. de Vos?

BY MR. DE VOS :

No, My Lord, really only this, that the Crown still feels that an adjournment should be as short as possible under the circumstances. There should be no undue interruption in the proceedings of this case, and that an adjournment from the 1st to the 18th July would suffice, of course subject to what the Court may feel about the position.

BY MR. JUSTICE RUMPF :

We will notify you at half past eleven what our decision is.

BY ACCUSED MANDELA :

Your Lordship, could I raise one other matter, and that is in regard to the application before the Court to adjourn in any case, the application made by the Crown yesterday to adjourn from the 1st to the 18th July. It might be necessary for the Accused to use the Court during the vacation.

BY MR. JUSTICE RUMPF :

That speaks for itself.

STANLEY BASIL LOLLAN, under former oath;

CROSS-EXAMINATION BY MR. HOEXTER CONTINUED :

Mr. Lollan, yesterday when the Court adjourned, we were busy discussing some of the speeches made at the Freedom Charter Committee meeting, and you had

told Their Lordships that you attended that meeting for a short while in the afternoon as well? --- That is correct.

Do you remember that the Accused Resha was the chairman of the meeting in the afternoon? --- 5
That is correct.

You will recall that evidence has been led in this Court and there was a certain amount of cross-examination afterwards in connection with this, evidence of a speech by the Accused Mrs. Ngoyi on this occasion. 10
Do you remember that? --- Yes.

Do you remember at page 7583 of the record it is alleged that one of the things Mrs. Ngoyi said was, "In Europe there are countries which are free because of their liberation fighters. This freedom trip 15
is a very heavy trip. There are some people who are opposing us, but the time will come when they will be taken alive and thrown into the fire." Are you able to say whether you were still at this meeting when Mrs. Ngoyi spoke? --- No, My Lords, I can't remember if I was still 20
at the meeting.

On the assumption that the Accused Ngoyi said this at the meeting, would that accord with the policy of the Congress movement? --- My Lords, I don't know what Mrs. Ngoyi had in mind. Her speech was in an 25
African language and this may have been a metaphor.

I want to suggest to you that the passage I have put contains a threat of reprisal, whether or not it is a metaphor, it is a threat of reprisal, do you agree? --- A reprisal by the Congresses? I don't see it 30
in that light, My Lord.

By whom then? --- Taking the sentence on

its own it says "There are some people who are opposing us, but the time will come when they will be taken alive and thrown into the fire". It doesn't say by whom at all, My Lords.

Do you find anything there which is in 5
conflict with Congress policy in her speech? --- No, My
Lords, in the speech I don't find anything.

Were you still at the meeting when the
Accused Resha spoke? --- When he started speaking, when he
opened the second sessions. 10

Did you not hear his whole speech? --- I
can't remember if I stayed that long.

Let me refresh your memory. Do you recall
a reference in his speech to the fact that the police were
preparing a case of high treason? --- My Lords, it is dif- 15
ficult to remember if it was said at that meeting. It
has often been said at our meetings after the raid,

Did you hear anything in the speech of
Resha with which you did not agree? As a member of the
Freedom Charter Committee? --- My Lords, I can't remember 20
the speech now.

I want you to look at two pages containing
a speech by Resha. First of all page 7582, I have marked
his speech in ink, just read the portion contained on
that page - on that page 7582, do you find anything with 25
which you do not agree as a member of Congress? --- No,
My Lord.

And you personally also agree with those
sentiments? --- I don't find anything I disagree with.

Mr. Lollan would you turn to page 7597, 30
where Resha speaks again. Will you read that page please?
Do you see there the following words attributed to the

Accused Resha : "Our struggle is non-violent, but if there is a pool of blood we shall still have to go through"? --- That is correct.

Is it correct to say that it was Congress policy that whatever Congress' own policy was in connection with violence or non-violence, there might still be a physical clash between the forces of Congress and the ruling class? --- My Lord, I think what he means is that our struggle is non-violent, and a pool of blood is used metaphorically, that whatever difficulties come forward, we still have to go through that. I think there the pool of blood refers to whatever difficulties we may have to face.

Except, Mr. Lollan, that he uses the little word "But". Cannot that sentence mean We don't want violence, but there may be violence along the way? --- There may be violence committed on us which we will still have to go through, that is correct.

Do you find anything on that page of Resha's speech which is contrary to Congress policy? --- No, My Lord.

Now would you look please on page 7585 in which a speech is attributed to the accused Levy - this is still the same meeting? --- That is correct, My Lords.

See whether I am reading the following passage correctly : "It is the desire of all of us to ensure.." this is at line 20 - ".. to ensure that South Africa should become a fully independent state - shall be a fully independent state. We don't want any imperialist to come here and dominate us"? --- That is correct.

"We don't want any imperialist 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 whom we have no quarrel.."- I am sorry - ". with people 5 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." Now stressing Congress policy, can you tell us what countries, according to Congress, the 10 speaker would have in mind when referring to these foreign powers whose intrusion in this country the speaker didn't want? --- My Lords, I am unable to say what foreign countries the speaker had in mind, but this type of phrase "we don't want imperialists in our country", you can pick 15 up from any paper, even the Transvaler every day.

With your experience of Congress affairs, can you hazard a guess as to what countries he had in mind? -- I am afraid not, My Lord.

Will you turn now please to page 7595 26 where you find a speech attributed to the accused Leslie Masina. This speech starts at 7592, and it continues at 7595. Do you find a portion beginning, "The only thing for the Europeans in South Africa is that they don't understand and we must educate them"? --- That is correct. 25

A little further on he says, "Their intentions, comrades, are to exploit us and therefore comrades, we should fight to do away with the exploitation of man by man"? --- That is correct.

"Some of the workers in other countries 30 have proved to us that there is no exploitation of man by man if the workers govern the country", and then he

continues against employers. Now Mr. Lollan, I take it that is Congress policy, that Congress should fight to do away with exploitation of man by man in this country, South Africa? --- That is correct.

And being acquainted with Congress policy 5
could you try to guess the identity of the countries to which the speaker referred without mentioning them, the countries where the workers have proved that there is no exploitation of man by man if the workers govern? --- I couldn't guess, My Lord, but I would think of England 10
where the Labour Party was in power at one time, and it was the workers - it is composed of Trade Unionists chiefly.

Any other countries? Say America? ---

No, My Lords. 15

France? --- I don't know the conditions in France, My Lord.

Pausing there for a moment, Mr. Lollan, this idea of destroying - the abolition of the exploitation of man by man, which you say is Congress policy, that is 20
an idea which is stated very clearly by the lecture The World We Live In, is it not? --- I think so, My Lord.

That is the main theme of that lecture?

--- That is correct.

To save time, I wish to proceed to another 25
meeting, but would you please over the tea intermission have a look at all the speeches made at the Freedom Charter Committee of which you were chairman, because I want to ask you after tea just formally whether there is anything at all that you can find which is in conflict 30
with Congress policy? --- Yes.

That is the meeting with which we have been

dealing, My Lord. Mr. Lollan, you were also a speaker at a meeting on the 24th of June, 1956, the C.O.P. Anniversary Meeting at Kliptown? --- That is correct, My Lord.

Do you recall that the Chairman there was the Accused Masina? --- I can't remember who was the chairman. 5

Can you remember that Masina spoke on that occasion? --- I remember that he spoke there.

I am referring now to page 7835 of the record, My Lord, Volume 40. I want you to look at page 10 7835, and to see if Masina is reported - what Masina is reported to have said about Freedom Day, the 26th of June, at various stages of the liberatory struggle. Do you agree with the sentiments in that part of the speech? --- I do, My Lords. 15

Now turning to page 7836 you will find a passage where Masina is reported to have said, "Today we have to welcome the partnership of the thirty thousand strong South African Congress of Trade Unions, which has declared that the workers of South Africa must work and 20 win. Must work for and win the aims of the Freedom Charter." --- That is correct.

Yesterday it was put to you by one of the Accused whether or not the South African Congress of Trade Unions held the view that the working class should 25 lead the struggle for liberation? --- That is correct.

So far as you know, was not that their view? --- No, My Lords, I don't think even in this sentence it expresses anything that the working class should lead the struggle. It merely says that today "we welcome 30 of the partnership of the thirty thousand strong..."

This sentence apart, as far as you know,

did they hold the view that the working class should lead the struggle? --- Not as far as I know.

By the way, what was the total national membership of the South African Coloured People's Association, roughly? --- Roughly I would say two to two and a half thousand, My Lord. 5

Roughly speaking, can you remember what the figures were for the whole Coloured population during the time of the Indictment? --- About a million

Would you turn please to page 7848, this is portion of a speech attributed to Lilian Ngoyi, at the same meeting. Would you read through that page, where the Accused Ngoyi is reported to have spoken against the passes? Tell us whether that accords with Congress policy as far as you know it? Is that in conformity with Congress policy on resistance to passes? --- There is nothing against Congress policy here, My Lord. 10 15

Would you look at page 7849, that portion where the speaker calls upon certain leaders, Lingishe, Monare, Chief Luthuli, and then he quotes the name of Jomo Kenyatta. "I also call upon Jomo Kenyatta and other leaders who are suffering under the imperialists, you are not forgotten. We are with you. The oppressed people of South Africa, we shall give the last drop of our blood for the liberation of the oppressed people in South Africa". Now the Accused Ngoyi spoke before you at this meeting? --- I think so. 20 25

You remember her speech? --- I remember she spoke there, but I don't remember the full speech.

Sofar as your memory has been revived, do you agree with what she says? On the assumption that this is what she said, that the shorthand evidence is 30

correct, do you agree with her sentiments? And in particular this portion of her speech that has just been put to you? --- I agree with that, My Lord.

Can you remember that the Reverend Thompson spoke at this meeting? --- I think so, My Lords. 5

Did you attend meetings of the Peace Council? --- No, My Lords. I may have been to one or two, I can't remember attending them.

Do you know whether the Cape Branch of your organisation supported the Cape Town Peace Council? 10
--- My Lords, when I said that I did not attend any of the Peace Council meetings, I did not mean that we didn't support peace here, and I think in Cape Town - I think some of our members belong to the Peace Council there.

La Guma? --- I think so, My Lords. 15

In the report of the same speech, would you please turn to page 7857, that is a speech of Gert Sibande. I want you to find the portion which begins "For a long time we have spoken in many languages," line 12. Do you agree that the speaker there was saying that 20
the possibility of further negotiation was hopeless? That was the idea that he was putting across? He says that they have spoken many languages, they have not been understood? --- He doesn't speak about negotiation.

You were the next speaker after Sibande 25
I think. What impression did it create in your mind, this speech of his? What was he driving at? --- He was trying to get people to rededicate themselves to June 26th, the day on which the Freedom Charter was formulated.

What did he have in mind when he told the 30
people that for a long time we have spoken in many languages, and these languages never gained any fruit? --- I don't

know what he had in mind.

Can you guess? --- Possibly it could mean that the people were divided and each section spoke in their own language and now he wants to unite the people and they all speak together. 5

Then turn to page 7858, you see your speech is reported there? --- That is correct.

And then after an interruption, again at page 7859? --- Yes.

Now will you turn at the same meeting to 10 page 7863, and I want you to find the passage beginning "Recently we all attended the funeral of Jebe Nkosi". This is a speech by an unknown speaker from the Eastern Cape, My Lords. Do you remember a speech by an unknown speaker from the Eastern Cape or don't you? --- I can't 15 remember if there was a speaker that was unknown to the police.

Do you know if anybody from the Eastern Cape spoke? --- I don't know.

I want you to read his speech, and per- 20 haps you might be able to help us about the speaker's identity as well, perhaps it may refresh your memory. The portion of the speech beginning, "Recently we all attended the funeral of Jebe Nkosi, a freedom volunteer". --- It does appear as if he came from the Eastern Cape, 25 because he says "When I get back to the Cape".

He says too, "That has left a mark in the hearts of the people that we African people must be prepared to make the supreme sacrifice? --- That is correct, My Lord. 30

"It will not cause us to go back"? --- That is correct.

To save time, Mr. Lollan, is it fair to say that throughout the speeches made by members of the African National Congress, not only their speeches but their official writings as well, there was always this insistence upon the necessity to be prepared to make the supreme sacrifice? --- My Lords, throughout Congress speeches, I think we have also said people must be prepared to make sacrifices, because it is very important when you organise people that they must be prepared to make sacrifices.

10

I am talking more particularly about the supreme sacrifice, which you defined for us yesterday? --- That may be so, My Lord.

Why, Mr. Lollan? Why is it necessary to remind the people about this necessity? --- My Lords, when you want people to follow you, you must make it clear to them that they must be prepared to make all sorts of sacrifices, they must even be prepared to make the supreme sacrifice.

How would the necessity for the supreme sacrifice arise? as seen by the Congress movement? --- My Lords, people can get injured when crowds are being dispersed. As I said yesterday, I have seen women being beaten up at the City Hall in Johannesburg, and that could easily have resulted in the death of somebody.

25

My Lord, now in the hope of shortening my cross-examination, I want to take the witness briefly through some of the periodicals which have been introduced in the evidence. To save time, My Lord, I propose reading from the record, the original documents are next to the witness, should he in any given case wish to see the fuller context of the quotation I am putting to him.

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