

examination. The fraud of 'Apartheid' has been too often exposed to require further belabouring. In 1948, as in 1953, Dr. Malan came to power by the defiance even of whatever vestige of Democracy have existed in South Africa. This is the simple 5 point which those who never tire of declaring that Dr. Malan was returned by a minority of the white electorate never seem to appreciate. It is not difficult to predict that by the time it begins to dawn upon them, they will be lying prostrate at 10 his feet. The second point which must be properly understood, therefore, is that nothing but the power of Congress stands between Malan and his final triumph. The African people know what is in store for them as long as South Africa is ruled 15 by a minority of tyrants; that knowledge will steel them to the endurance which offers the promise of victory.

Now we must understand why Dr. Malan was successful, and why the United Front was so bitterly 20 defeated. And also, must recognise the sacrifices which victory will entail and pay the price which it will exact. More and above, we must realise that the Maticnalist Party based their hopes of victory on a legitimate gamble, because the 25 United Parted acquiesced in the rise and consolidation of their power.

Dr. Malan and his clique are the outcome of historical forces which are not of today or yesterday. The causes which have led to their victory 30 are deep-seated in our Society. There are some pathetic individuals who believe that the election

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(A.203; A.204)

was lost because Strauss replaced Smuts. This pitiful defeat - and we do pity Mr. Strauss - was not consummated because a handful of arrogant and incompetent politicians exploited the once glamorous name of a pitiful old man in their 5 haste to save what they could. The trouble is that for 300 years, the white people have clung with tragic faithfulness to an outmoded system. Particularly in the last 5 years, the United Party have been deaf to the African victims of Malanite 10 tyranny; and it is only now, alas, too late, they seem to appreciate and anticipate their own suffering. As someone in the columns of this paper has pointed out, there is a neurotic type of logic which passes in South Africa as healthy 15 realism, by which people are persuaded to believe that to the extent that the Africans are suppressed and enslaved, to that extent are the white people free and secure. Yet nothing in the nature of Malanites has changed; the only difference is that 20 the ambit of their malevolence how encompasses their (the rest of the anti-Malan camp) own fortunes, whereas until very recently, they had hoped that it would not consume them."

That is all that I'm reading out of this document. 25
Mr. Moeller, do you hand in that document? --- I do, My Lord.

The next is document A.204. That is a fairly lengthy document, My Lord.

THE COURT ADJOURNS FOR TEA.

30

THE COURT RESUMES.

EXAMINATION BY THE PROSECUTOR RESUMED :

My Lord, the next document, A.204? --- My Lord, this is also a roneoed document - "African Lodestar", found in the same offices, My Lord.

Official organ of The African National Congress Youth League (Transvaal)? --- Yes, My Lord. 5

And is it the issue of May, 1954, Volume 6, No.5? --- That is so, My Lord.

There are two duplicates attached to this - is that correct? --- That is so, My Lord. 10

My Lord, I want to read from the top of page 3 - on the top of page 3 - the heading:

"RESOLUTIONS ADOPTED AT THE FIFTH ANNUAL CONFERENCE OF THE A.N.C.Y.L. HELD ON THE 4TH & 5TH APRIL 1953. Conference wishes to issue a warning against provincial and local branches of the League which imagine that they can formulate their own individual policies. The policy of the Youth League is that which is formulated and declared at National Conference from time to time. In between conference the National Executive is the sole guide and repository of Youth League Policy. 15 20

That this conference recognizes the need for the C.V.L. to form strong links with other progressive movements in Africa and in other parts of the world who are engaged in struggle against colonialism and national oppression. That the incoming executive is hereby instructed to do all in its power to foster, advance and strengthen such relations." 25 30

My Lord, I'm reading on page 4, an article :

"SUBJECTIVE LIBERATION - An Immediate Necessity.

It is probably accepted as an axiom by most advanced political thinkers that objective conditions produce not only the need but the desire for change. This thesis does not imply a negation of the role that the subjective plays in any progressive movement. 5
On the contrary, by cutting across the obscurantist views of the idealists, which merely serve to camouflage the true nature of reality, this formulation renders more concrete and lends content to the oft-stated truism that subjective liberation 10
is a prelude to objective freedom.

When a people discover that they are living under conditions that militate against any further advance or progress; in other words, when they are conscious of the objective realities of oppression, 15
economic exploitation; sickness; starvation and violence, they have taken the first step in the 10,000 mile journey to liberation. It is not sufficient, however, for them to recognise and be conscious of the conditions of the world around them. 20
They must proceed to see the need for change - for a new society; to plan the destruction of the old and the creation of the New System.

The combined realisation of the badness of the old society and the need to change it and create 25
another is referred to as political consciousness (that much abused expression). Depending on the extent to which subjective factors are linked with constant, and above all, revolutionary activity on the part of the mass of the people, 30
their political consciousness will be heightened and developed. At this stage, political consciousness

(which is a subjective factor) itself becomes an objective fact which must be taken into account. Thus the almost complete rejection of the Liberals by the masses in present-day South Africa can be attributed to the higher level of political consciousness. In other words, this Political consciousness, which is an attitude of Mind has become an important objective factor. 5

The ruling class in each country will of course move heaven and earth to ensure that the people remain at a low level of political understanding. All kinds of methods are employed by them to prevent the people and their leadership from developing a high degree of political consciousness. 10

Illusory goals such as are implied in the expressions 'Partnership', 'Trusteeship', 'Civilised leadership', 'Leadership through merit', are placed before the people and their leaders to divert attention from the real objectives of the struggle. Obscuratism in place of Science, Mysticism in place of reality, red herrings, and will 'o the wisps will be and are used by the ruling classes to camouflage the true nature of their rule in order that the people might remain content with their lot. Imaginary, remote enemies are provided to fill the minds of the oppressed to make them forget the Real Immediate enemy that is in front of them. 25

The African people have for centuries been the most oppressed and despised of all humanity. The entire resources at the disposal of mankind have been used to justify the slavery and oppression of the African people. 'History', 'Science', 30

"Literature', and radio have all been used with a frightening thoroughness to show the African to be essentially of a lower breed, that never had nor could develop a complicated culture; that cannot and should not be free." 5

Page 5 :

"For the African more than for any other people this cultural imperialism has been a vital weapon of the imperialists in their plan to maintain our subjection forever." 10

Our fight to free ourselves subjectively has thus been and is a hard fight, which will have to be fought with the same ruthless determination as the imperialists have sought to instil 'mental slavery' into our people. 15

We will have to build up a hard granite attitude that accepts nothing that emerges from the oppressor without the most suspicious and close scrutiny. This is particularly so in our examination of the written and spoken word. Whether it is novels, 20 magazines, 'scientific' journals, or newspapers we must learn to look at them twice, thrice and a hundred times before we accept what they describe as 'truth'. As a people we must learn, as a general rule to reject spontaneously anything derogatory of the Africans as a people. To all things 25 our outlook must be one of 'Testing' for concrete truth all the time.

The task of freeing ourselves subjectively is not a theoretical problem. It is practical and 30 urgent. Take for example our attitude to the Soviet Union or to NewChina. Automatically,

without any attempt to study independently, supposedly intelligent persons amongst us will adopt the standpoint of our colonial and imperialist masters, as gleaned from their books, newspapers, radio programmes, etc. The servile manner in which our 'Intelligentsia' swallows impressions from the oppressors about these countries is one of the most amazing examples of mental dependence on our enemies and oppressors. Quite unconsciously otherwise sincere African intellectuals will be worried by the fact that the Secretary-General of the A.N.C., W.M. Sisulu is in China and not in Great Britain or America. We are so lacking in intellectual freedom that some of us feel it is wrong to visit a 'Communist Country', that is not in the way of our freedom, but that it is correct to visit a capitalist country that is helping to oppress us and is determined to keep us in colonial servitude. We will religiously purchase the daily newspapers 'Star', Rand daily Mail, 'Daily Despatch', and be shy to read the 'Advance'. We will find nothing wrong with a man in Congress associating with all sorts of curious imperialist organisations such as the M.R.A. and we shudder when we hear that someone attended a conference of the 'Peace Movement'. What is criminal is that these things are done and are described as being 'loyal to the principles of African Nationalism'. Good Cracious.

Genuine patriots, true African Nationalists, must take seriously to heart what we have said here. As a people, we, the Africans have a great deal

to learn from other peoples. We want to learn and we are going to learn from all peoples who have something valuable to offer us in their social, political and economic organisation. But let us learn about other people OURSELVES. Let the studying, analysis be done by us INDEPENDENTLY. Let us get the facts first hand and not second hand from the oppressors literature. Our stand must be on getting our information from the ORIGINAL SOURCES. We must not be satisfied to hear or read about this or that. We must read what the man himself says and reach our conclusions. It is only on this basis that we will be justified in describing our stand as Independent. Only thus can we ensure a balanced, rational, scientific, dialectic approach. Even if we are oppressed, fellow Africans, we can possess a mind free from obscurantism and mysticism. FREEDOM OF THE MIND WILL LEAD RAPIDLY TO LIBERATION AND DEMOCRACY IN FACT."

Then a quote :

"What I have to offer you is fatigue, danger, struggle, death... Forced marches, dangerous watchposts, and the continual struggle with the bayonet against batteries: Those who love freedom and their country may follow me. GARIBALDI. (Great Italian Patriot)."

I go on to page 6, My Lord :

"STATEMENT BY PROVINCIAL EXECUTIVE OF THE A.N.C.Y.L. TRANSVAAL. Johannesburg 11th May 1954. The view expressed in the Article contained in the 'Bantu World' of Saturday 1st May 1954, under the title 'Loballo Calls for A.N.C. Purge' are a

"denunciation of the policy and leadership of the A.N.C. and A.N.C.Y.L.

The allegation, that the members of the A.N.C. who attended the Fourth World Festival of Youth and Students for Peace and Friendship and who visited the Soviet Union and People's Republic of China are 'Eastern Functionaries' is false. This malicious allegation, is extremely dangerous to the Liberatory Movement as it is calculated to arm the Government with an excuse to single out and proscribe leaders under the pretext of Suppressing Communist Agents.

The rapid Chauvinism which Mr. Potlake Leballo labels 'African Nationalism' and 'Pure Africanism' is a negation of the sane and progressive African Nationalism which is the policy of the A.N.C. so clearly enunciated by the President)General at the 41st Annual Conference of the A.N.C. Chief Albert Luthuli said, 'Some of us hope and believe that African Nationalism shall remain broad, democratic and progressive in keeping with the declared policy of the A.N.C.

The declared policy of the African National Congress towards other people and organisations in South Africa, and the rest of the world flows directly from this 'broad, democratic and progressive African Nationalism'. Chief Luthuli said: Our interest in Freedom is not confined to ourselves only. We are interested in the liberation of all oppressed people in the whole of Africa, and in the world as a whole'. This accounts for our taking active part in the Pan African Conference

Movement. Our active interest in the extension of Freedom to all people denied it makes us ally ourselves with FREEDOM FORCES IN THE WORLD.'

The policy of the A.N.C. towards other organisations was also clearly stated by the President-General. 5

'We maintain the policy of working with other National organisations accepting our objectives and programme. In this connection I must specially mention the most active and effective co-operation between us and the South African Indian Congress. 10

'Our general stand is that we are prepared to cooperate fully on the basis of equality with any National political party or organisation provided we share common objectives and common methods of achieving our ends. The co-operation would always be on the basis of equality and mutual respect, for the individual identity of our organisations.' 15

The President-General gave a clear warning to Chauvinists and isolationists by saying that: 'In general we should not give respite to the government and those who support it by indulging in a dog-fight with other groups provided those groups, by word and deed do not stand on our way'. 20 25

In discussing the growth of Liberatory Movement among non-whites, the President-General said of the South African Indian Congress, which Mr. Leballo condemned as a 'self interested' organisation: 'It is well for us to note that the A.N.C. and S.A.I.C., whilst retaining their full identity as national organisations in their own communities 30

respectively are no longer isolated organisations but together with other national organisations that may come in are partners in our liberatory movements, whose object is to awaken the political consciousness of the non-white and white masses and to get the present rulers in the Union to accept the non-whites on the basis of equality and no other, and to extend to them full democratic rights so as to enable them to share in the Government.'

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The struggles of the A.N.C. have been conducted on the basis of this policy and it has been proved to be correct and in the interest of the liberatory Movement in South Africa. In appraising the Defiance Campaign the President-General said:

15

'It (the Defiance Campaign) accelerated greatly the political consciousness of the people. It gave them a new feeling of courage and confidence in themselves as a people. But even more profound it forcefully brought them a new awareness of the potency of UNITED and CO-OPERATIVE ACTIONS among all oppressed people irrespective of colour or class.'

20

The resolution of conference which envisages a convention of the PEOPLES OF SOUTH AFRICA which will be convened by the efforts of the A.N.C., SA.I.C., Congress of Democrats, Coloured People's Organisation and other democratic organisations, to work out a FREEDOM CHARTER for all peoples and groups in the country, is a further indication of the concrete translation of the policy of the A.N.C.

25

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"The experience of the liberatory movement in South Africa teaches us that the growth of unity between all democratic forces is necessary and in the interests of the liberation of the people. The A.N.C. accepts this experience and formulates its policy 5 on it.

The President-General said in his call at Conference:

'I call upon all Africans who truly desire to see these disabilities removed to join the A.N.C. to 10 fight in the comradeship of other oppressed people for the attainment of FREEDOM which is the key to the removal of man-imposed disabilities.

Mr. Leballo rejects the rich experience of the liberatory movement, denounces the policy of Congress, 15 despises the President-General's call and makes a counter-call to 'halt' the growth of unity and so weaken the Liberatory Movement.

The South African Peace Council is an organisation which supports and assists in the struggle for world 20 peace and national independence.

On the question of World Peace the President-General said: 'Africa likes to enjoy peace and prosperity and freedom and would like to ally 25 itself with forces of peace and freedom and so does not like to be made a war zone in any war that warmongers may plunge the world in. It is in the interest of the Liberatory Movement to unite with all the forces of peace throughout the world'.

The African National Congress leads the Liberatory 30 Movement in S.A., and the A.N.C.Y.L. accepts the leadership of the A.N.C. without reservations.

The task of the A.N.C.Y.L. is to mobilise and educate the youth in order that they should participate in the struggle as lead by the A.N.C.

The A.N.C.Y.L. at its Annual Conference held at Johannesburg in 1953, adopted a resolution which 5 directed the National Executive to affiliate to progressive International Organisations. The National Executive accordingly affiliated to the World Federation of Democratic Youth, one of whose activities is the organisation of Youth Festivals, 10 to develop mutual understanding and respect amongst the Youth of the world. The Youth Festivals which have been organised in the Transvaal and other provinces are supported by the Youth League and other democratic youth organisations. The success 15 of these Festivals strengthens the Youth Organisations, consolidates the unity among the youth of different colours and is a direct Defiance to Malan's Apartheid Policy.

Criticism and self-criticism is an indispensable 20 principle in any liberatory movement. But all criticism which is in the interests of the organisation must be based on facts and must be discussed in a proper members' meeting. Groundless statements such as those made at Mr. Leballo's 25 Youth League Public Meeting are nothing but malicious slander which is intended to wreck rather than build the organisation. The groundless and unashamed slander of the Provincial Executives of the A.N.C. (Tvl) is an indication of the utmost 30 lack of discipline, respect and allegiance to the A.N.C. Mr. Leballo's Youth League Public Meeting

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(A.204) (A.205)

should have resulted in mobilising and educating the youth to follow the leadership of Congress and to encourage them to participate in Youth Activities. Instead, he propounded an African Nationalism which is reminiscent of the National Minded- 5 bloc, Supreme Council and Bantu National Congress. This type of nationalism is the breeding ground of fascism and will find ready support from the fascist Government and none from the A.N.C."

That is the part I'm reading out of that document, My 10 Lord.

Mr. Moeller, do you hand in that document?

--- I do, My Lord.

The next document, A.205. Where did you find that document? --- This, My Lord, was also found in the 15 offices of the African National Congress on that day. It is a roneoad document - a copy of the "African Lode-star", Volume 6, No. 1, dated January, 1954, Official Organ of the African National Congress Youth League, Transvaal. 20

Page 1 :

"It is normal procedure at the beginning of each year to take stock of the events of the preceding year, the triumphs and victories, disappointments and broken hopes. In other words, it is customary to hold a post 25 mortem and present the findings of the relevant and interested parties. But I shall do no such thing, for to do so in this journal would be to underrate the effect of an ancient past on an unhappy position in which we find ourselves. Also, there is a view covering 30 only the immediate past year, would have to be counter-balanced by a vision extending only to the end of the

present year. Let us then, sons and daughters of Africa, hold a post mortem upon the whole sordid history of colonialism and imperialism in our beloved Motherland, in order the better to be able to counter-balance the path of inspired vision of a distant future when the sacred soil should have gone back to the tiller. Glancing back in the past, delving back into the far+off past, we can picture the South Africa of 302 years ago. It was only 1 year and 9 months since Johan van Riebeeck had landed at the Cape, ostensibly to erect only a refreshing and replenishing station with no ulterior motive, seeking not to enslave and rob any man of what is his, but to cultivate fresh vegetables and 'buy sheep and cattle from the savages with no fixed abode who roamed the country by the great sea-waters'. Thus one of the numerous talons of the octopus, that is, white civilization, found a foothold on our beloved motherland, Africa. Thus began an era of plunder usurpation, of looting and robbing, of deceit and deception, as ever the world has known or is likely ever to know. Throughout two centuries the greedy and bloodthirsty nations of Europe, led by the Islands of Britain, unleashed a campaign of subjugation that Africa never shall forget. It was against countries far ahead in the science of war and disregard for human life that Africa was initiated into a new way of life. Resistance to tyranny and refusal to be wiped out of existence as a people. This tragedy and drama that is Africa's history, becomes the more remarkable when we consider the fact that in the old order

of African society, when a man was a man, and as such had his duties, responsibilities and obligations to his fellow-men, it was the tillers of the soil, the herdsmen and shepherds, who pitted their strength against the armies who killed and battled, not for 5 the freedom of mankind, nor for the prosperity of all humanity, but to loot and plunder and a few pieces of silver and gold per day. It was against these paid murderers, coming from generations of professional debased human beings, the renegates 10 and moral refuge of England, Spain, Holland, Portugal, Prussia, Belgium and France, that the sons of Africa took up arms to preserve their way of life, their homes and families and their religion, their green pastures that teemed with wild game. Even, 15 when cold logic, superiority of arms, the never-ending stream of missionaries, decreed that Africa shall be destroyed, its inhabitants shall be enslaved, its way of life shall die, the people by their resistance declared that 'I will not die, I 20 will live' In this year of 1954, 302 years since imperialist contamination defiled our sacred motherland, we have a rich and glorious past to draw inspiration from. Our task is by no means an easy one. This year, more than the past, will see an 25 intensified effort on the part of the ungodly to make yet another concentrated effort to render a deathblow to our aspirations for brotherhood and comradeship of mankind. The renegade, the coward, the loyal Natives amongst us, those out of whom 30 years of oppression and corruption have knocked out all sense of manhood, will call from the

wilderness for compromise, for respite, for bargaining with the enemies of Africa and all that she stands for. From their ivory towers they shall extoll the people to take the sacred 'sic' promises of the unsacred. No one of the slightest knowledge 5 of the tragedy that has befallen compromisors and relenters, can fail to appreciate the futility and danger of placing any trust in the word of those who hurt us 'for our own good'. The Youth will have to give a straight-forward and practical answer 10 at this conferance, not only by passing the resolutions, but by painstakingly translating those resolutions into hard facts, thus giving our reply to Mr. W.M. Sisulu's injunction to 'make 1954 a year of mass youth activity, to wipe out fascism 15 from the country of our birth.' The answer of the youth to the challenge of 1954 is simply this, to refuse to admit the existence of the word 'impossible', expunge it from the dictionary, and because they refuse to admit it, make the otherwise 20 impossible fact, freedom in our life-time, veritable."

I'm skipping the quctation, My Lord, and then I go on to the last paragraph on page 2 :-

"When I chose the subject, 'let us march together to freedom', I intended to say words of encouragement 25 to those who are actively striving for freedom for all in our country, especially along politicalfronts, for our respective Congresses are primarily and foremost political organisations and not social or cultural bodies, but I also desire 30 to appeal deliberately and strongly to those who while they might love and cherish freedom, but

either through fear or ignorance, or a false sense of security, or a honest doubt of our method of striving for freedom, are sitting on the fence, or practically acquiescing in the status quo. I warn them of the great danger of their own responsibilities of this state of indecision. A.J. Muthuli." 5

On page 3, My Lord, I'm reading - I'm skipping - this is - the head note is 'The Struggle for Southern Africa - Report in a series of articles by W.M. Sisulu' - I'm skipping the first three paragraphs, 10 My Lord, and I go on to the last paragraph :

"THE MOVEMENT OF THE PEOPLE :

During and after the second World War, the people showed their impatience and intolerance of various effects of oppression. These found expression in various spontaneous movements, such as the so-called 'squatter's movement', the boycott of means of transport, the defiance of Government restriction by the peasantry, and the workers' struggle against the intolerable conditions. Particularly significant in their regard, mainly because of their effectiveness, are the defiant occupation of land by houseless people under the leadership of Mr. J.S. Mpanza, the Alexandra Bus Boycott, the Witzieshoek resistance and the Pretoria Municipal Workers protest. 15 20 25 30

It must be noted with deep regret, that no political organisation, worthy of the name, rose to the occasion and utilised the grievances of the people to co-ordinate the struggle to the benefit of national liberation. The new era begins. To follow in the next issue of African Lodestar."

I'm skipping the rest on page 4, My Lord, and I am reading from page 5 - the first three paragraphs :

"The Task of Youth Movements in South Africa today.
Duma Nokwe.

The youth of South Africa, like the youth of any 5
other country, are a constituent part of the people
of South Africa. The conditions under which the
youth live, are the conditions under which the people
of South Africa live. The interests and aspirations
of the youth are inextricably bound up with the in- 10
terests and aspirations of the people of South Afri-
ca. Therefore, the fundamental task of the libera-
tory movements today, must be the fundamental task
of progressive youth movements. Apart from their
common interests with the people, the youth have 15
special characteristics and interests from which
special tasks arise, but if these special tasks are
fulfilled on a basis of a principal task, and they
can be, then there can be no conflict between the
fundamental tasks and the special tasks. In fact, 20
fulfilment of the special tasks could be a great
contribution to the fulfilment of the principal
task. Thus a correct formulation of the task of
the youth movement, must include both the principal
tasks of the liberatory movement, and the special 25
tasks of the youth. The vast majority of the people
of South Africa live in abject poverty, insecurity,
humiliation, and through racial discrimination, not
more shamelessly imposed by Dr. Malan's Nationalists,
the Non-Europeans have been deprived of the most 30
elementary democratic rights. Under these condi-
tions the principal task of the people's liberatory

organisations, led by the African National Congress, South African Indian Congress, South African Coloured People's Organisation, and the South African Congress of Democrats, is to mobilise the people of South Africa - Africans, Indians, Coloureds and Europeans - to resist the march of the fascists in our country, to stop the humiliating exploitation of the vast majority of the people, to wipe out racial discrimination and to establish true democracy, racial harmony and prosperity for all the peoples of South Africa. As this is the principal task of the people's liberatory movement, it should also be the principal task of progressive youth organisations in South Africa. Progressive youth organisations must unite with the people's liberatory movement if they expect to achieve democratic rights. They must also accept and follow the leadership of the people's liberatory movement if they are expected to keep a correct line. The principal tasks of the youth in these respects are : 1. To mobilise and raise the political consciousness of the vast masses of working, peasant and student youth, in order that they faithfully carry out decisions of the A.N.C. and the S.A.I.C. and other democratic organisations, to educate and train cadres to assist in the work of the people's liberatory organisations."

I am omitting the next paragraph, My Lord, and the first four lines on page 6. I am reading from the fifth line on page 6 :

"The advantages of organising youth activities are as follows : The youth activities will easily attract the vast masses of youth and thus will

serve as a basis of uniting the working, peasant and student youth of all races, in this way : Youth Organisations can have contact with the vast masses of youth, and the youth will develop confidence in the progressive youth organisations. If cultural 5 activities are properly organised, not only can they be an affective weapon to resist the importation of the degenerate aspect of the American culture, but they can be affective means of raising political consciousness of the youth and the peoples." 10

That is subsections (a) and (b), My Lord. I am omitting sections (c) and (d) - I proceed in the middle of page 6:

"Progressive youth movements must intensify the organisation of youth activities."

Under the heading : 15

"The Youth, the Unity of the African, Indian, European and Coloured Youth :

The struggle against fascism and apartheid require the utmost unity between the African National Congress and its allies. The organisational form 20 of the alliance depends on the concrete conditions prevalent at the time. The Defiance Campaign has developed a unity of the liberatory organisations. Africans, Indians, Coloureds and Europeans defied together and shared the rigours of prison. The 25 people's liberatory organisation emerged from the defiance campaign more united than ever and there is no doubt that this unity will develop and grow stronger as the peoples prosecute the struggle together. This growth of unity has occurred in the 30 youth organisations and it must be encouraged and developed. The idea of having one youth organisation

should not be imposed upon the youth from above.
 We should build the unity of the youth organisation
 step by step on the basis of complete joint youth
 activities and taking into consideration the condi-
 tion of the people's liberatory organisation, joint 5
 youth committees should be established for joint
 youth activity, and according to the requirements
 of the activity - those joint committees may be
 permanent or temporary. Committees like the South
 African Festival Committee should be permanently 10
 established. Some form of co-ordination of work
 is also necessary, between all youth organisations
 which are affiliated to the W.F.D.Y. Another joint
 activity could be the issuing of newspaper. Apart
 from uniting the youth of South Africa with the 15
 people of South Africa, it is the important task of
 the youth organisation to educate the youth in the
 principles of international youth solidarity and
 the struggle for peace. Youth must know that just
 as radical isolation is dangerous in South Africa, 20
 so too is the isolation of the South African youth
 unhealthy in the world."

The article continues on page 9, My Lord - the 'Tasks
 of Youth Movements' continued :

"Workers already begun on these lines with the affi- 25
 liation of youth organisations to the W.F.D.Y. and
 activities like the Festival and Youth, Colonial
 Youth Day Celebrations. There should be more soli-
 darity activities organised, for instance, celebra-
 tion of Chinese Youth Day, May Day and other Youth 30
 Days. Study groups should be organised where the

struggles of youth in other countries could be discussed. In all these activities there should be more preparation and actual participation of youth. The youth movement should also take a more active part in mobilising and educating youth about the struggle for world peace. The youth movement must become mass youth movements, which organise and win the confidence of the workers, peasants and students. Up to now, not much has been done to organise working and unemployed youth in the urban areas; The peasant youth in the rural areas and reserves and the student youth in the schools. These youths must now be organised, activities must be sponsored on the basis of the interests of youth. The tasks therefore, of the progressive youth organisations are, firstly, to unite the different classes of youth, secondly, to unite the youth for the people's liberatory movements, and finally, unite the youth of South Africa with the peace-loving and the democracy-loving youth of the world. If the youth movements fulfilled their tasks, then they would be making their due contribution to the struggle for liberation in South Africa. They are great tasks which can only be properly executed, if the youth organisations have a number of fulltime cadres. The youth organisations should make plans to have full-time cadres."

I omit the next - oh, My Lord, then : "Read Fighting Talk, Liberation, and, of course, Lodestar."

I omit the next portion. Then : "Watch out for Colonial Youth Day, February 21st, Information and watch out for Easter Youth Festival Youth. Prepare early."

Did you hand in those documents? --- I did.

The next document is A.206? --- This document was also found in the same offices, My Lord.

"African Lodestar", Official Organ of the A.N.C.Y.L. Transvaal. 5

Showing the contents? --- Yes the contents - 5

1. 1955 Year of Decision; 2. Bantu Education; 3. Report of Conference; and 4. Message from W.F.D.Y. &c.

I am reading from page 1, My Lord :

"A populace never rebels from passion for attack, 10

but from impatience of suffering - Burke. 10

1955 - THE YEAR OF DECISION.

The decision of the Nationalists to carry on with the removal of the Western Areas and to enforce the notorious Bantu Education, has ushered in a new situation in this country; a situation characterised by : 15

(a) The sharpening of the contradictions between the oppressive group headed by the Nationalists on the one hand and the oppressed masses headed by the Congress Movement on the other hand. 20

(b) The tremendous upsurge of political consciousness amongst the masses. 20

These conflicting tendencies - progressive and anti-progressive could not but be intensified at such a stage - when the Nationalist bandits have set at top gear their repressive machinery; when their full-fledged police-state with its terror and violence has become a hindrance to the further development of the country, and when the masses of the people have reached a point of NO RETREAT. 25 30

The elimination of the Nationalist fascists -

hangmen of the people, is the major task of the day - it is a just cause in the interests of human dignity, justice and peace. But it will take the best sons and daughters of this country to do it.

What then are the obvious tasks of a militant Youth Movement in such a situation - in a situation when 'protests' and 'demonstration' can be more or less regarded as impotent; when to speak of 'opposition' without following up by action' has become meaningless? 5 10

The new tasks facing the Youth are inseparable from the demands of the situation. We will only be able to stand the only when we can analyse and appreciate the day to day changes and orientate our actions accordingly. 15

Hence today arise the burning need, firstly to be in a state of preparedness for the approaching conflict between the progressive and retrogressive forces, and secondly the need to keep in pace with, and develop the ever-growing political consciousness of the masses. These two tasks are in fact closely inter-related - one can never improve the organisational state of preparedness without arousing the political consciousness of the people. Up to now our organisational weakness lies precisely in the fact that we have the tendency of lagging behind the masses. Such issues like the fight against rent increases are clear example of tailism on our part, i.e., the attitude of leaving the fight in the hands of opportunistic 'anti-rent' committees. We must always be in the vanguard and take up all issues without, of course, 25 30

necessarily eliminating alliance and co-operation of Non-Congressites. Only by so doing will we be able to gain the confidence of the people - will we be able to isolate opportunists and careerists.

The specific role of the Youth will be fully fulfilled only if we fight on two fronts: On the one hand serve as the spear-head and shock-brigade of the Liberation Movement and on the other hand broaden as wide as possible the base of the Youth Movement itself. It is only a broad, disciplined Youth Front which can successfully serve as propagandists, agitators and organisers for the Liberation Movement.

Verwoerd's 'Bantu Education' and the slave-labour Youth Camps provide good agitational platforms to rally the broad masses of the Youth and Students. The response which the students and nurses are showing in the fight against segregated and inferior education must be exploited and developed. The high-school students, in particular, must be used as organisers for the withdrawal of children from Verwoerd's schools, whilst the introduction of Apartheid to the Universities can be used to rally and link up the struggle against fascism with the participation of even non-African students. The fight against the Youth Camps - the twin brother of Bantu Education as applied to the working Youth must go in hand with the fight against the Pass -- the Pass is, in fact, the key-factor in determining the functioning of such labour camps --- It enables the police to 'pick out' the 'unemployed' which means in fact smelling

out of the so-called 'foreign natives - 'foreign to decent standards of living.

My emphasis on the need for fighting specific issues, to start with of course in conflict with the sensationalist attitude of 'fighting the whole 5 system'. The first step as far as we are concerned is to show the masses that the 'removal scheme' is robbery raised to the second power - then to show the people how the 'Group Areas' have been deliberately coined to rob the people of property 10 rights thus rendering them propertyless victims to be pass-ganged into the army of cheap labour. They will link up for themselves the function of the Pass, the beer-raids in this general oppressive machinery. 15

Let us realise therefore, friends, that the success or failure of the onward and upward march will depend non only on courage and militancy but also on our ability to maintain iron discipline, and to have the broadest links with the people. Let us 20 realise that we shall achieve all this by getting out of the offices, by seeing to it that committee meetings are of a reportage nature. Let us go to the people. The masses of the Youth in the locations are ready to throw away the 'reference books'. 25 They are only waiting for our lead. "

ON THE IDEOLOGICAL FRONT.

The most urgent problem which faces the democratic youth of our country is the problem of raising their political understanding. 30

Many of our youth, particularly the student youth and the intellectuals, find it difficult to

participate fully in the struggle of the people because they find it difficult to solve the ideological problems which sometimes confront them in the struggle. Some of our working youth, who are our best cadres and activists, sometimes fail to 5 show a proper understanding of the nature of the liberation movement. Many of our youth still shout for action, believing that if we have action today, tomorrow will see the establishment of true democracy in our country. But this is not so. The fight 10 for liberation is a long and difficult task, particularly because it must be waged on many fronts and it must solve many problems. The imperialists and their fascist lackeys are fighting a desperate battle on all fronts today, precisely because they 15 are fighting with their backs to the wall.

Vigilance is therefore an essential characteristic of those who are politically conscious.

What then, is the position on the ideological front? Ideas and ideologies do not come from nowhere or from some mysterious source. They are 20 closely related to the society from which they spring. In fact the dominant ideas in any society are the ideas of a particular group, i.e., the dominant group in that society. 25

The most dominant ideology in South Africa is the ideology of Apartheid. Its most uncompromising and racist advocates are the Verwoerds and the Strijdoms. But although the voices of this clique are the shrillest, these men are by no means 30 soloists. For their song is echoed in a more or less discordant style by the Strausses, some

ministers of religion, buffoons and downright criminals. This is indeed a mixed gathering, and it is exactly its colourfulness which exposes the emptiness and utter bankruptcy of this ideology of Apartheid. All this crowd, however dissimilar 5 they might appear, are united in upholding Apartheid as the last word in Western Civilisation, although each has his own idea as to what Apartheid really means.

Of course, these parasites have a vital interest 10 in a philosophy which justifies the enslavement of the African people. Make no mistake about it - the destruction of the evil philosophy of Apartheid means the destruction of these.

It is interesting that there is an extension of 15 this philosophy even among Non-Europeans and Africans. I am referring to those persons, who, before they became careerists, formed the right-wing of the liberation movement - the national-minded bloc - or pur African Nationalists. These are the 20 people who have suddenly discovered that the African people have gone Red, that the African National Congress is a Communist-led organisation. From this position of pure African Nationalism, these men and women find their words coinciding remark- 25 ably with those of the police and the Swartses. Naturally enough, these poor dupes always end up as spies and political pimps.

Then there is the ideology of Liberalism and the Liberal Party. For all their tearfulness 30 (Cry, Cry, the Beloved Country) and sympathy, the Liberals do not really believe that this system

under which the people live and which has given birth to Apartheid, is evil and should be destroyed. The Liberals are a very hard-working people with a healthy eye for facts and yet more facts. They have produced some really valuable literature both 5 factual and fictitious. They have a good understanding of the miserable lives of the Africans.

And yet the Liberals are not interested in changing and destroying the system under which the Africans live. They are only interested in reforming 10 it. Instead of no representation, they want Africans to be represented by six white men in Parliament. Instead of the 'Verwoerd Prayer Book Pass' they would have 'exemption Passes'. The Liberals seriously believe that the Africans must wait patiently 15 whilst they, the Liberals, reform the system. The Liberals want the African people to look on whilst the Liberals argue about the oppression of the African people with the fascists of South Africa.

The Ideology of Liberalism is doomed to fail. 20 It will fail because it is wrong; it is wrong chiefly because it is out-of-date. It is a political anachronism. It is a pipe-dream."

I am omitting the rest on that page, My Lord, and I am going on to page 6, My Lord: 25

"ANTI-BANTU EDUCATION ACTION COMMITTEE CONFERENCE HELD AT MATHABE HALL, SOPHIATOWN ON SUNDAY THE 9TH JANUARY, 1955."

I am reading from paragraph 5:

"5. FRATERNAL GREETINGS. 30

(a) CONGRESS OF DEMOCRATS: Dr. Press brought

the greetings and amongst other things assured conference that they, together with other people overseas were with us in our struggle for liberation. He told conference that they also saw 'in the Bantu Education Act the wish to enslave..."

5

That is all I have on this document - My Lord I'm reading from page 5 :

"NEW YEAR MESSAGE FROM THE ORGANISING AND PROPAGANDA OFFICER OF THE ANCYL: J.P. Manne:

In the name of our MOTHERLAND, I greet you suffering youth of our land. In the fervent hope that the forces of reaction shall soon be put in for repairs, I bid you, loyal sons and daughters of Afrika, take courage and fight the good fight with all your might. Remember that if we go back we die, and if we go forward we die - better go forward and die. 15

The youth of other countries which have known oppression have been cogs in the machinery of their liberatory movements. What is wrong with the youth of our country? Are you not imbued with great love for your motherland? Are you not freedom-loving? It is silly to imagine that you are not. One thing I know is that the youth of Afrika is prepared to defend its MOTHER AFRIKA. When is the youth of Afrika going to declare with one voice that the days of the eagle of tyranny are numbered and very soon will be obliged to abdicate in favour of the DOVE OF PEACE AND FREEDOM? 20 25

Who will sound the death-knell of the fascist Government of our day? Obviously it is the youth 30

of Afrika. How will you bring this about? This
you can only bring about by uniting and speaking
together....." - continued on page 2, My Lord :
".....together of FREEDOM under the banner of the
African National Congress Youth League. As soon 5
as the youth of Afrika realises that it is its car-
dinal duty to organise everyone around it, and also
preach the gospel of the African National Congress
to all people will Afrika be a free country.

Sons and daughters of Afrika, you must not rest 10
until starvation, tyranny and oppression have been
outlawed - in fact, until FREEDOM sets foot on our
shores.

Start now. The March to freedom has begun. 15
Prepare to answer to Afrika's bugle-call to freedom.
Mayibuye. Freedom in our life-time.

Youth, enrol one and all as members of the
African National Congress Youth League. THEREIN
LIES YOUR SALVATION AND THE RESTORATION OF A HAPPY
AFRIKA. Parents give the Youth your undivided 20
support.

Do you hand in this document? --- I do, My
Lord.

MR. HOEXTER TAKES OVER AS PROSECUTOR.

EXAMINATION BY THE PROSECUTOR RESUMED : 25

My Lord, I shall now deal with exhibits
A.207 to A.253. I may just indicate that there are
documents that will be omitted, My Lord, A.207, A.212,
A.213, A.214, A.218, A.219, A.220, A.221, A222, A.223,
A.226, A.229, A.241. The rest all go in, My Lord. I 30
begin then with A.208. Where did you find this document,
Mr. Moeller? --- This document was also found in the

offices of the African National Congress, My Lord.

Hand it to me please. My Lord, this is a roneoed bulletin "INYANISO", No. 1, 1954. I propose referring to two portions of it. The first portion on page 1, under the title : "THE PRESIDENT SPEAKS." I 5
read a portion of paragraph 3 :

"In a few weeks time on April 6 - we shall call to mind again that it was on that day, in 1952 that the African National Congress set on foot the historic campaign in which deeds of our fellow country-10 men reverberated throughout the world. Remember on that day what we owe to those who have gone ahead, and dedicate yourselves afresh to the tasks that lie ahead."

Then, My Lords, on page 2, I propose reading portion un- 15
der the title : MAINTAINING CONTACT WITH THE PEOPLE THROUGH THE NEWSPAPERS.

BY MR. JUSTICE BEKKER :

As a matter of interest, what happened on that day, Mr. Hoexter. 20

BY THE PROSECUTOR :

That will be a reference, presumably, to the Defiance Campaign, My Lord. Portion under the heading on page 2 : "MAINTAINING CONTACT WITH THE PEOPLE THROUGH THE NEWSPAPERS." It says : 25

"Although for many years the A.N.C. has realised the need for a vernacular Newspaper that could disseminate the truth about our struggles to all the people, it is well nigh impossible to establish a newspaper from scratch today. This is due large-30 ly to the great monopoly of Newspapers in South Africa, and the difficulty of owning our own press

etc. There is also the matter of technical difficulties due to the many African languages.

There is, however, one newspaper that is owned by the people, depends on them for its existence and not from the Capitalists. That Newspaper is 5
the "ADVANCE" which stands for the Congress policy of democracy, progress and peace. This newspaper carries on a lone fight against all the propaganda and the lies of the white press and their stooges, 'Bantu World', 'Umteteli', 'Ilanga Lase Natal', etc, 10
which are owned by the Chamber of Mines and other Capitalists.

Although at present it is only published in English, the 'Advance' is a people's paper and must be given full support. Every African must buy it 15
weekly and make sure of obtaining his/her copy by subscribing. All African readers must send letters, views and news to ADVANCE and must keep the paper going by sending any financial support--- every penny counts. If we make the ADVANCE a powerful 20
newspaper, we will be able to start a vernacular version of ADVANCE; but this can only happen if the present English edition is given full support.

There are great campaigns scheduled for this year and the people must obtain the right news and 25
views. To this end... we must ensure and help... and see that ADVANCE has a circulation of one hundred thousand in the Cape... Ten thousand could easily be circulated and sold in New Brighton alone, and why not? The youth must volunteer to 30
sell the paper, read it and obtain as many subscribers as possible.

Meetings are going to be more difficult and we will have to depend on leaflets and the ADVANCE for the reflection of the policies of the CONGRESS MOVEMENT. So that the strength of the CONGRESS MOVEMENT will be reflected in the sales of the ADVANCE in all the Cape areas. Remember that a Newspaper is a powerful instrument for a nation fighting for freedom. 5

We must also begin if we are not doing so already, to publicise all periodicals which support the CONGRESS POLICY; such as: 10

1. Fighting Talk (Which is obtainable from P.O. Box 1355, Johannesburg...)

2 Liberation.

3. Inyaniso. 15

The ADVANCE offers allows a commission of nine pence on every dozen copies sold and on this basis a full time job is available to an energetic member of our organisation who could be appointed agent by the paper ... the ADVANCE ... provided of course that the sales justified such a step. WRITE TO FRED CARNESON : P.O. BOX 436, CAPE TOWN." 20

and then, at the foot of the page:

"Inyaniso is issued and cyclostyled by the African National Congress (Cape). All inquiries must be made to P.O. Box 48, New Brighton. Mokxotho Matji. Secretary (Cape) A.N.C." 25

Do you hand in this document, Mr. Moeller?

--- I do MyLord.

The next three documents, My Lord, A.209, 210 and 211 - they all involve translations by the future 30

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(A.209, 210, 211,215)

witness, Solomon Dunga to whose translations the Defence objected, and before the translations are not admitted, I ask that these be handed merely. Reference will - they will have to be proved in the proper fashion at a later stage. 5

BY MR. JUSTICE RUMPF :

What is handed in now?

BY THE PROSECUTOR :

Three exhibits, A.209, A.210 and A.211. All of them require translations from the vernacular. 10

BY MR. JUSTICE KENNEDY :

Mr. Moeller were these all found by you in the same offices? --- If I could see the exhibits, My Lord?

EXAMINATION BY THE PROSECUTOR RESUMED : 15

Where did you find these documents, Mr. Moeller? --- A.209 in the offices of the African National Congress, on that day, My Lord.

Do you hand it in? --- I do, My Lord. The same applies to A.210, My Lord, as does A.211. 20

Do you hand them in? --- I do, My Lord.

The next document, My Lord, is A.215. Mr. Moeller, where did you find this document? --- In the offices of the African National Congress, My Lord.

My Lord, this document is a typewritten document. A Press Release, issued by the National Action Council of the Congress of the People, dated 29th March, 1955, Johannesburg, and - Mr. Moeller, will you look at it - it is signed by somebody for Congress of the People Secretariat - will you see whether you are able to read the signature? --- The signature is in ink - O.R. Tambo, My Lord. 25 30

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(A.215 ; A.216)

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

The next document, My Lord, is A.216. Mr. Moeller where did you find this document? --- In the same offices, My Lord. 5

My Lord, A.216 is a typewritten document - or copy of a typewritten document. It is signed in ink - O.R. Tambo, Acting Secretary-General, African National Congress. It is undated, and it is entitled : "The Significance of the Afro-Asian Conference". It is a short document, My Lord, and I propose reading it in its entirety. It says : 10

"The unique Afro-Asian Conference which is being held in April in Indonesia will be watched with great interest by the entire world, perhaps by different peoples for different reasons. To the vast majority of the Asian-African peoples it will certainly be a source of inspiration. It will be regarded as paving the way for good things to come, and a step in the direction of meeting the aspirations of the vast majority of mankind, particularly the oppressed peoples of Asia and Africa. 15

The main purpose of the Conference is to devise ways and means of securing and maintaining peace by eliminating all causes and sources of war. 20
These representatives of more than two-thirds of the world's population are moved by a common desire to cultivate mutual understanding and seek a common approach to the most burning issues of the day, namely, War and Imperialism, which are the world's thorniest problems. 25 30

This Conference meets at a time when the whole

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(A.216)

world has been angered and disturbed by the American moves to provoke a general war by her stubborn and unreasonable determination to interfere in Chinese affairs, by her refusal to admit the only Chinese representative government, and by her intrigues in 5 Asian countries.

The significance of this Conference, therefore, lies in the fact that the sponsors and the people who are meeting have themselves been for centuries the subjects of exploitation and foreign domination 10 by Western colonial powers, and have now decided to take the destiny of their people and their countries unto themselves. It is logical to expect people who themselves have so long been persecuted, oppressed and humiliated, to be strongly conscious 15 of these evils and more realistic in their approach to them since they have no other designs, save to see the end of exploitation, colonialism and racial domination. They want to see permanent independence in their newly-founded democracies and the freeing 20 of those who are still under the yoke of foreign domination and racial oppression.

Another significant point to us in South Africa is the fact that this very important Conference meets in Djarkarta, Indonesia, the original home 25 of the Cape Malays - one of the oppressed national minority in South Africa whose forefathers came to this country as slaves brought by the then Dutch colonisers and whose descendants have forcibly 30 installed themselves as masters of South Africa.

Representation at this historic conference is on a governmental level, and, therefore, the people's

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(A.216; A.217)

organisations will not be directly represented. Nevertheless, representatives of African countries, official and otherwise, will undoubtedly benefit from it and will be inspired to even greater efforts in preparing for the forthcoming Pan-African Congress⁵ which has similar aims to those of the Afro-Asian Conference, namely, the preservation of peace and opposition to imperialism and racial domination."

Do you hand in this document? --- I do, My Lord. 10

My Lord, the next document is A.217. Where did you find this document, Mr. Moeller? --- In the offices of the African National Conference, My Lord.

My Lord, this exhibit combines two separate documents. The title in each case is the same. The first one is a handwritten manuscript, the second one is typewritten, and there are strong correspondences between the two. The language had been altered - some parts had been taken out in the second typewritten copy. I propose reading the manuscript document, merely. At the foot of the manuscript document, the following has been written in ink : "Submitted by T.X. Makiwane." The heading of the manuscript is - of both : "The Afro-Asia Conference - a Bulwark of Peace and Independence", and it reads : 15 20 25

"The Prime Ministers of Burma, Ceylon, India, Indonesia and Pakistan meeting at Bogor in Indonesia, decided to convene an African-Asia Conference under their joint sponsorship. For the first time in history the representatives of the Africans and Asians, peoples long oppressed and 30

subjected to foreign rule, will sit and discuss things of common interest and mutual benefit. For the first time the African and Asian people will determine their own destiny without outside interference. For the first time Africa and Asia, which 5 between themselves contain more than half the world's population, will demonstrate their sacred desire for Peace and National Independence. The Afro-Asia Conference is of great historic importance. It enjoys the approval of lovers of peace and freedom 10 the world over. It receives warm and enthusiastic support from all African patriots.

The joint communique issued by the five Prime Ministers states that the Conference has the following aims : (a) To promote friendly co-operation, 15 neighbourly relations among the Nations; (b) to discuss social, economic and cultural problems and relations of the countries represented. (c) To discuss problems affecting National sovereignty and of racialism and colonialism. 20

In all 24 countries excluding the Union of South Africa will take part in the deliberations of the conference.

The patriotic youth of Africa could not but support these noble objectives of the Conference. 25 It is to our vital interest to support all efforts aiming at frustrating the war efforts of the imperialists. For it is the Youth who are conscripted and pressganged into the Imperialist Armies and shipped away to suppress liberation Movements 30 in other countries. Yet we realise that the Imperialist can only be able to build war bases in

our territories, use our youth as cannon fodder, so long as our countries are under their iron heel. The youth therefore fully realises that the fight for Peace is inseparable from the fight for independence. Our slogan is 'Eliminate Colonialism and you shall have eliminated war'. 5

We in South Africa are extremely satisfied to notice that the racist Strijdom has not been invited. This clearly shows how much understanding our neighbours have for our problems. At any rate, 10 how could Strijdom fit in such civilised society - " The portion I read now has been pencilled and the word 'Dont' inscribed over the pencil mark :

"....could Strijdom fit in such civilised society - in the presence of the Nehru's and the U Nu's. The 15 Indian and Indonesian people would remind of what happened to the British and the Dutch - kicked because they could not behave!! A small timer like Strijdom could never sit side-by-side with Chinese Chou-en-lai, Premier of 600 million, who recently 20 routed John Foster Dulles at Geneva.

The peoples of Africa and Asia are on the march. Foster Dulles, working incessantly has failed to sabotage the Conference....." - there are some pencil notes here as well. 25

"....The days of the imperialists of dominating the colonial world are numbered. Their criminal attempts to instigate Asians against Asians, Africans against Asians, brother vs brother, have been exposed. Not even the Hydrogen bomb can halt the 30 march of half the world's population.

Long live the solidarity of the African and Asian

and in the whole world."

Then, as I remarked : "Submitted by T.X. Makiwane."

Do you hand in this document? --- I do, My Lord.

My Lord, of the next bunch that has been o- 5
mitted, I should point out to Your Lordships, that A.222
is omitted, because it is the same as A.9. That was the
document entitled "The significance of World Youth Day"
- it was dealt with right at the beginning; and A.223 is
omitted because it forms part of A.37, which has already 10
been dealt with. The next exhibit, My Lord, is A.224.
My Lord, before I deal with this document and a few of
the other documents which will be handed in, reference
should briefly be made to page 43 of the Particulars,
bearing on the alleged violent policy of the organisation. 15
At the top of page 43 Your Lordships will see, that one
of the facts relied upon is: (b) The A.N.C. had in its
possession the documents set forth under the name of
the A.N.C. in columns 2 and 3 of Schedule 2 to the Sum-
mary of Facts. Your Lordships will recollect that in 20
Schedule 2 - I read from the introduction : "3. As re-
gards the document set forth in column 2 hereof, the
Crown relies upon the possession of the said documents,
merely as showing possession by the respective organi-
sations of documents containing Communist matter or 25
propaganda. 4. As regards the documents set forth
in column 3 hereof, the Crown relies upon the posses-
sion of the said documents by the respective organi-
sations merely as showing association with any or one
or more of the following Communist sponsored organi- 30
sations, and the nature and activities of the said
organisations." And then the organisations are set

forth - World Peace Council, the World Federation of Democratic Youth, and so forth. Now My Lord, that the documents to which reference will now be made, are in fact either Communist propaganda, or the organisations from which they emanate, are in fact Communist sponsored or- 5
 organisations, will have to be proved in the proper at a later stage. But inasmuch as these documents feature on page 43 of our Particulars, I propose handing them in at this stage, subject to proper proof of the fact that I have mentioned. The first document then, is A.224 10
 My Lord. Where did you find this document, Mr. Moeller - this is a document which features in column 3 of the Schedule? --- This was also found in the offices of the African National Congress on that day, My Lord.

What is the title of the document? ---"Reso- 15
 lutions of the Executive Committee of the World Federation of Democratic Youth (Stockholm, January 25-28, 1954)", My Lord.

Your Lordships will see in column 3, A.224, WFDY - indicating the source of the document. Do you 20
 hand in that document? --- I do, My Lord.

The next document, My Lords, is A.225. Where did you find this document? --- In the same offices, My Lord.

My Lord, this document is a typewritten do- 25
 cument, headed : "The Alliance of the trade union movement and the Liberatory Movements in Africa." My Lord, it seems to be something prepared, with a view to publication. The evidence of another organisation will show that this article did appear in finished form in 30
 a journal, and therefore, at this stage, My Lords, I merely propose reading into the record, the type-written

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(A.225; A.227; A.228)

notes - titles ; "The Alliance of the trade union movement and the Liberatory Movements in Africa", found in possession of the A.N.C. You hand in this document?
--- I do, My Lord.

The next document, My Lords, is A.227. Where 5
did you find this document, Mr. Moeller? --- In the offices of the African National Congress, My Lord.

Just read the heading of that document?
My Lord, this is a Schedule 2 document again - column 3?
--- The document, My Lord, consists of pages 5, 6, 7 - 10
to 13, My Lord.

Just give it back to me, please? My Lord,
Your Lordships will see in Schedule 2 that this is listed in the 3rd Column, with the words WFDY. There is not an appropriate title, however, My Lord. I merely 15
hand in the document at this stage, without any qualifying description at all. You hand in this document?
--- I do, My Lord.

The next document, My Lords, is No. A.228.
Where did you find this document, Mr. Moeller? --- In the 20
same offices, My Lord.

Hand it to me please? This exhibit consists of some six foolscap pages, My Lord, containing manuscript notes - some in ink, some in pencil. I propose to quote from the first two pages only. The ink- 25
written notes are entitled : "WORLD WAR NO.3?" The note say :-

A delicate situation has arisen in the East over the question of Formosa. The U.S. adventurers have failed to fan the flames of war in Europe for 30
the time being because of the achievements of the Geneva Conference and the rejection of the European

Defence Community. Now that they have failed in the West, they are taking a chance in the East.

The U.S. has signed a so-called Mutual Security Treaty with Chiang Kai-shek, so as to divide China and to legalize the forcible occupation of Formosa, 5 and convert it into a United States military base. This Treaty is in line with other treaties made by the U.S. in the East, like the Manila Treaty, in order to provoke war.

That Formosa is China's territory is beyond 10 question. The Japanese surrendered the island in 1942 to the Chinese. Various international treaties like the San Francisco Treaty gave recognition to the fact that Formosa is China's territory, and various British and American statesmen recognized 15 this in their speeches. In Premier Chu-en-lai's words, the Mutual Security Treaty which the govt. of the U.S. has signed with Chiang-Kai-shek, the enemy of the Chinese people, is null and void. Of course it is not the first time that the govt. of 20 the U.S. has seen fit to conclude Treaties with international gangsters and fascists. The Treaty which it has signed with Franco, the Spanish Fascist and the notorious govt. of the Nationalists at home, and the shameless intervention in the 25 affairs of Cuatemala - these things prove that the United States govt. is the enemy of all peace-loving and freedom loving people of the world.

The Chinese people are determined to liberate their country Formosa. Their struggle of the 30 Chinese people against the U.S. Chiang Kai-shek alliance is really a struggle to defend their

Motherland and their national independence. It is a struggle to defend peace. It is a struggle in the interests of all the peoples of the world who love peace and oppose war. And because it is a just struggle, it is invincible, and victory will 5 certainly be on the side of those struggling for it."

Do you hand in this document? --- I do, My Lord.

BY MR. KENTRIDGE :

My Lord, in the case of this document too, 10 we object to it on the ground that it is on the face of it irrelevant. It is not alleged to be Communist propaganda, nor is it alleged to show connection with any overseas organisation. It does not appear to relate, My Lord, to anything that we can see in the Summary of Facts 15 and I consequently submit that it is irrelevant.

BY THE PROSECUTOR :

My Lord, with submission, the argument on behalf of the Crown is that it reveals exactly the same trend of thought as that revealed in the two documents, 20 whose admissibility were questioned earlier this morning. Again the emphasis is on the division of the countries of the world into two broad camps. Again the reference to the improper motives of the one bloc headed by the United States, eager to plunge the world into devasta- 25 tion of wars, the description of the other bloc as being very anxious to preserve peace - the same general tenor, My Lord. If necessary, one can analyse - I am ready to analyse the document sentence by sentence, but the same submission is advanced that was advanced earlier this 30 morning, My Lord.

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(A.228)

BY MR. JUSTICE RUMPF :

Well, we think that the document is in recognition of the Particulars supplied, and the document will be admitted.

THE COURT ADJOURNS UNTIL 2.15 P.M.

5

THE COURT RESUMES.BY MR. HOEXTER :

My Lord, before I carry on with the documents not yet handed in, may I, with Your Lordship's permission 5 refer again to A.197. Your Lordships will recall that this was the booklet in connection with which the Defence was considering admission. Agreement has been reached between the Crown and Defence as to the nature of the admission regarding the article and I ask my learned friend, 10 Mr. Kentridge to record them.

BY MR. KENTRIDGE :

My Lord, in the case of that exhibit, the Defence admits that the article headed : "Soviet Workers" praises working conditions of factory and other workers 15 in the U.S.S.R. and praises the facilities for recreation and for religious worship. The Defence admits that the article headed : "Freedom of Nations", praises the treatment of Asian peoples in the U.S.S.R. and their cultural development. The Defence admits that the article 20 headed : "Soviet Education", praises education in the U.S.S.R. and the Defence admits that the article headed: "Building the Future", praises building techniques and achievements in post-war rebuilding in the U.S.S.R. and the Defence further admits, My Lords, that the two ar- 25 ticles, "Soviet Workers", and "Building the Future", it expressed the view that the inhabitants of the U.S.S.R. desire peace and not war. My Lord, that covers 22 printed pages.

THEODORE EMIL EDUARD MOELLER ; under former oath; 30BY THE PROSECUTOR :

I then hand in A.197, My Lord, covered by

896. (T.E.E. MOELLER)
(A.230, 231, 232, 233,234)

by the admission. The next document, My Lord, is exhibit A.230. Where did you find this document, Mr. Moeller? --- In the offices of the African National Congress, My Lord.

My Lord this is one of the documents mentioned in column 2 of Schedule 2. It is apparently given out by the New China News Agency. Do you hand this document in? --- I do, My Lord. 5

The next is A.231. Where did you find this document? --- This document was also found in those offices, My Lord. 10

And this one is also a New China News Agency Document? --- That is so My Lord.

Do you hand it in? --- I do, My Lord.

The next one is A.232. Where did you find this document, Mr. Moeller? --- In the same offices My Lord. 15

This one is headed "Democratic German Report"? --- That is so My Lord.

You hand it in? --- I do My Lord. 20

The next one is A.233. Where did you find this document? --- In the same offices My Lord.

And this one is also headed "German Democratic Report"? --- Yes My Lord.

Do you hand it in? --- I do My Lord. 25

The next document, My Lord, is A.234. Where did you find this document? --- In the same offices My Lord.

What is it called and by whom is it printed? ---"New Hungary", My Lord, it is called. 30

And look at the foot of that cover? --- Hungarian News and Information Service, My Lord.

897.

(T.E.E. MOELLER)
(A.235, 237 - 240;
242, 243)

Do you hand that in? --- I do My Lord.

The next is A.235 My Lord. Where did you
find this document? --- In the same offices My Lord.

This also a Hungarian - by whom is this one
given out? --- Hungarian News and Information Service, 5
as well My Lord.

Do you hand it in? --- I do My Lord.

My Lord, I did not mention A.236 as among
the documents omitted. In fact there is a newspaper
called "Rural Youth", which might fit A.236, but it 10
does not appear to have been identified, so omit that.
There is no A.236. The next one is A.237. Where did
you find this document? --- In the same offices, My
Lord.

This is "Agerpres Information Bulletin"? 15
--- It is My Lord.

You hand it in? --- I do My Lord.

Then, the next two are A.238 and A.239.
Where did you find these two documents? --- In the same
offices My Lord. 20

Do you hand them in? --- I do My Lord.

The next is A.240. Where did you find this
document? --- In the same offices My Lord.

This one is called "British Rumanian
Bulletin"? --- Yes My Lord. 25

Do you hand that in? --- I do My Lord.

The next one is A.242. Where did you find
this document? --- In the same offices My Lord.

You hand it in? --- I do My Lord.

The next document is A.243. Where did you 30
find this document? --- In the same offices My Lord.

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