

A.M.K.66 by H. Magothi.--- Yes.

He was your co-member on the National Executive of the African National Congress?--- Yes he was although I never had a discussion with Mr. Magothi, nor with any of themembers of the National Executive of the Youth League 5 with the exception of Mr. Reshe, who frequently visited us in the Eastern Cape, but otherwise I do not know the views of the others.

At page 3126 of S.A.M. 9 Mr. Magothi poses the question: "What is the significance of the struggle of 10 the people of Kenya for the Youth and Liberation movement in South Africa?" Then it says "The struggle of the Kikuyu is our struggle. Everyone of the demands of the Kenya African Union is the demand of the democratic people of our own country." It says that this is an analysis 15 made by Mr. W.M. sisulu. It goes on to say that the liberation struggle was a long and protracted one where imperialism, murder and violence became the order of the day, and then "The people must wage the struggle in methods which the oppressor forces upon them". You 20 agree that people are entitled to wage a struggle with methods that the oppressor forces upon them?--- Your reading appears to be wrong. May I have the article please? (Article handed to the witness). You see, again Mogothi goes further here and says in paragraph 3: "The youth 25 should increase their vigilance and raise their political understanding, and should not fall into the easy trap set by the oppressor of associating the sacred struggle of the people for freedom with propaganda about secret societies." I think Mr. Magothi was referring to this secret society 30 known at the time as the Mau Mau and this other one

the Government propogated in South Africa known as the
cheesa-cheesa army. So that the words "The people must
wage a struggle in methods which the oppressor forces upon
them" there Mr. Magothi does not suggest in this that at
any moment the people must use methods like the Mau Mau 5
and the Cheesa-cheesa methods. He refers to methods
which the African National Congress has adopted in the
country just as much as he refers to the methods which the
Kenya African Union adopted. He goes further to say: the
people must not associate the freedom struggle with these 10
secret societies. That is how one should read this article.

Just answer one question: do you agree that an
oppressed people would be entitled to wage a struggle
in methods which the oppressor forces upon you?--- Not in
the manner in which you interpret it. In the manner in 15
which I interpret this article, which I have read.

Do you agree that there was an armed revolt in
Kenya?--- I do not understand you.

Do you agree that there was a revolt ?--- By whom?

By the oppressed people.--- The oppressed people 20
in Kenya, to my knowledge, never revolted.

BY MR. JUSTICE BEKKER: What did they do? --- They were
waging a political battle under the leadership of the Kenua
African Union.

How?--- That is in fact their methods did not 25
differ from the methods adopted by the African National
Congress.

How did they wage their battle?--- That is
through boycotts, strikes, and so on. Not the methods
Mr. Trengrove is trying to suggest they used - the Mau Mau 30
is the creation of the British Government - I have already

said that.

CROSS-EXAMINATION BY MR. TRENGROVE (CONTD):

There was a revolt in Kenya by the oppressed people against Government authority?--- Where do you get that? 5

Do you agree?--- I do not agree. I have told you several times.

Well I want to quote to you from the Presidential address of Mr. Luthuli at the Queenstown Conference in 1953. Referring to Kenya under the heading: "The Rest of Africa and the World" Luthuli says: "There are encouraging signs that the people in some of these territories are becoming politically conscious. We condemn most strongly the imperialistic powers controlling these territories for meeting the progressive of the people by tyrannical suppression. I would cite here the indiscriminate shooting and bombing of the African people by British authorities in Kenya on the pretext of restoring law and order when in fact it is to maintain their imperialistic hold in Africa. The revolt is no doubt prompted by the legitimate aspirations of the African people, and so the extension of freedom to the people of Kenya should be the reply of the British Government, and not bombing and shooting."--- I don't think Chief Luthuli, when he said the revolt was no doubt prompted by legitimate aspirations of the African People was referring to the Mau Mau. I think he was referring to the revolt in the sense that the African people, under the leadership of the Kenya African Union, were waging a political battle against the injustices of the authorities in Kenya. 10 15 20 25

Does...--- (Interrupting) I am interpreting what I think this means to me. 30

Does he say revolt?--- It does not necessarily mean revolt by firearms. It does not necessarily mean that.

I asked you just now whether there was a revolt in Kenya, and you said no.--- That is revolt in your interpretation. I said no, not in your interpretation at all. 5

MR. PLEWMAN: May I point out he said 'Was there an armed revolt'?--- MR. TRENGROVE: My learned friend is entirely wrong. I said armed revolt first, and then I said revolt. 10

WITNESS: Then when you said revolt I said there was no revolt in your interpretation, because what you mean by revolt - I understand you to mean armed revolt.

BY MR. JUSTICE RUMPF: Rather a violent revolt?--- It is violent. That is not my interpretation, it is Mr. Trengrove's interpretation. 15

I think you mentioned firearms just now. A revolt could of course take place without firearms, but nevertheless with violence.

CROSS-EXAMINATION BY MR. TRENGROVE (CTOND): 20

So you say 'revolt' when used by Luthuli there means 'political struggle'?--- What I understand it to be saying there means political struggle. That is all, because Luthuli here says: "I would cite here the indiscriminate shooting and bombing of the African people by the British authorities in Kenya on the pretext of restoring law and order when in fact it is to maintain their imperialistic hold in Africa." That to me again gives me the impression, in fact I would interpret it this way: that chief Luthuli is aware of the fact, that is my understanding of it, that the Mau Mau are in 25 30

existence in Kenya as a creation of the British Government,
with the intention of destroying the Kenya African Union.
What is all that it means to me.

BY MR. JUSTICE RUMPF:

Did you get the impression from that part of the 5
speech that the people who boycotted and went on strike,
that they were bombed?--- That is innocent people?

No. It is alleged 'indiscriminate bombing' -
that is people who should be bombed and people who should
never be bombed?--- Indiscriminate bombing means to me 10
in fact people who did not take part in this Mau Mau fear.

Did you get the impression from that passage that
the people referred to who were bombed were the people who
went on strike and who took part in the boycotting? ---
They were people who sincerely believed and who accepted 15
the leadership of the Kenya African Union.

That is your impression?--- that is the impression
I get here.

when reading that paragraph. who were the people
that were bombed?--- They are the Kenya African people, 20
who had accepted the leadership of Jomo Kenyatta, or of
the Kenya African Union. Now the word indiscriminate
there again to me means exactly that the Government had
not only bombed the so-called Mau Mau, but also these people
who were in the majority. 25

AT THIS STAGE THE COURT ADJOURNS FOR
THE TEA INTERVAL.

18/8/1960NTSANGANIm.B.F. NTSANGANI (Contd.) S.S:

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XXD. BY MR. TRENGOVE (Contd.)

MR. TRENGOVE: My lords, I understand that as a result of some oversight of the transport arrangements my keys are with Tshume; they were not here at the resumption this morning but were subsequently brought down.

5

RUMPF J: Mr. Fischer, who is appearing for Tshume?

MR. FISCHER: I am, my lord, with my learned friends. I really have nothing to say, my lord, I don't know why they were not brought this morning from gaol. I would ask, with your lordships' sanction, that the trial go on in their absence.

10

RUMPF J: I think in terms of the Code you've got the choice of either having the proceedings read over to him, or he could read over himself if he wants to.

15

MR. DISCHER: I suggest, my lord, that either they read them over to themselves, or we will see to it that it is read over.

20

RUMPF J: Very well.

MR. TRENGOVE: Now, Mr. Ntsangani, in a number of speeches that you made Segoni gave evidence as to what you said about Kenya, the situation in Kenya. Now you suggested yesterday that you don't accept his evidence because he wasn't sufficiently knowledgeable in Xosa and English to follow what you said properly; is that correct?-- Yes, that is correct.

25

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Is there any other reason that you can suggest why on the topic of Kenya Segoni consistently misunderstood what you said about the situation there? Can you suggest any other reason apart from his lack of proficiency in Xosa and English?-- The other reason is that he could cope with the speed.

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5

With the speed?-- Yes.

Now you see you said that apart from speed in certain instances he has notes - he puts down statements which you said you never made - 'What is happening in Kenya will happen here'?-- Yes, it is because that again can be a wrong interpretation of what I said; he does not know both languages well enough to be able to interpret me.

10

That's not a question of languages; apart from that, why would he put in something which you did not say - apart from his inability to understand the language? Xosa, English. Can you suggest any other reason?-- I think that's one of the most important.

15

One of the most important?-- There may be others.

20

You don't know?-- Yes.

You see, because whenever Segoni takes down what you said about the Minister of Justice, stating that the police have been told to shoot first and ask questions afterwards, and your statement that the Minister of Justice used to say 'The rivers of the country will be full of blood before the oppressed people achieve their freedom' - that Segoni seems to take down correctly according to your evidence?-----

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30

According to my evidence? 1

Yes, yesterday?-- Did I say he took me down correctly?

You said that his references to the Minister - his references to your speeches where you said that Africans - - the police had been told to shoot first and ask afterwards - - - 5

BEKKER J: Was it not a reference in one particular speech where the witness said 'Yes, I did say something to that effect'?

MR. TRENGOVE: My lord, I'll deal with that separately. 10

MR. PLEWMAN: My lords, I put it to the witness 'Here is a sentence, what does this refer to' and he then said, to a statement made by the Minister of Justice. I don't think the witness ever said Segoni recorded him correctly. He said this must be a reference 'to what I said'. 15

MR. TRENGOVE: Did you on more than one occasion refer to the statement alleged to have been made by the Minister of Justice, that the police had been told to shoot first and ask afterwards?-- Yes, I did. 20

Did you, too, on more than one occasion refer in your speeches to the statement alleged to have been made by the Minister that 'before the Africans achieve freedom the rivers will be full of blood'?-- Several times. 25

Several times?-- Yes.

I want to refer you now to a speech of the 1st August, 1954, which is Vol. 48, page 9541, and you 30

referred in your evidence to the speech of W. Mkwai at
 page 9542. You said that there you didn't accept the
 version of Mkwai's speech because he made the statement
 'If Europeans is hitting you you should him him back'
 and that Mkwai would not say that because that is con-
 trary to A.N.C. policy. It's at line 11, 'If a European
 is hitting you one should hit back'. Is that correct?--

BEKKER J: What page, Mr. Trengove?

MR. TRENGOVE: Page 9543, my lord, page 10 -
 line 10 rather. You said you didn't accept that be-
 cause Mkwai wouldn't make a statement contrary to A.N.C.
 policy, and hitting back was contrary to A.N.C. policy;
 is that why you don't accept it?-- My lords, interpret-
 ing this sentence on its own, 'If a European is hitting
 you, you should hit back', as is written in English it
 may suggest anything, but if one goes back to the lan-
 guage in which Mkwai was speaking, you'll find that
 this is a literal translation of what Mkwai had to say
 in Xosa.

You mean what he wanted to say in English....
 ?-- What he is reported to have said; this is a literal
 translation of the sentence conveyed in Xosa.

Yes; now what would the correct translation
 be?-- Just a moment, Mr. Trengove. Which in Xosa would
 not necessarily mean hitting in the sense of doing it
 physically. That goes to show how inefficient Segoni
 is himself

BEKKER J: No, this was Selana, another Crown
 witness, not Segoni?-- I'm sorry, my lord, it was
 Selane, yes.

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MR. TRENGOVE: It means retaliating?-- It may not even mean retaliating in Xosa; it may mean many things.

Now your speech which follows, you've just dealt with the one sentence which you said 'We are going to say something what is happening in Kenya will happen here'; now you say that you couldn't have said. Now leave that for the moment. The speech starts off, 'We are going to organise the youth to the A.N.C. The men are dying day by day from East to West because the capitalists kicking all the oppressed people.' Now, did you ever in your speeches refer to the fact that the capitalists were attacking the oppressed people both in the East and in the West, and that in the East and the West people were losing their lives as a result of capitalist oppression?-- I think I told you yesterday that I confined myself to South Africa.

BEKKER J: Well, did you say such a thing or not?-- I'm coming to the point, my lord.

Can't you say yes or no?-- May I have the question again?

The question is: did you or did you not during your speeches indicate that people are dying in the Far East to the West because of Capitalists who were kicking all the oppressed people?-- No, I never uttered those words, my lord.

Or words to that effect?-- But I said something which if written in English would mean East and West- meaning the entire world. But then when I conveyed it in Xosa I would be meaning East and West within South Africa.

MR. TRENGOVE:

In South Africa?-- Yes. Again it shows how

inefficient they can be; in fact the whole of these speeches are reported in a way that they read nonsense. Nobody can make sense out of what is reported here.

I'm not asking you that for the moment. It would save a lot of time if you'd just reply to questions?-- I've replied to the questions already.

You never referred to Capitalist attacking the oppressed people in the world as a whole?-- No, because I don't know about that -- I always confined myself to the attacks which we were confronted with in South Africa and to the other countries in the Continent which I have knowledge of.

KENNEDY J: I cannot understand what you are saying if you insist on talking so fast; I have asked you several times to talk slower. It makes it much easier if you talk slowly?-- I'm sorry, my lord.

Will you repeat what you said please?-- I was saying, my lord, that in my speeches I always confined myself to the capitalists as I know them in South Africa and to other countries within the Continent, which I have knowledge of, like Kenya and so on.

MR. TRENGOVE: Did you ever in any of your speeches refer to the fact that after the European people had defeated Germany they came back to this country and started oppressing the people here?-- There again I referred to the Europeans, the South African Europeans.

Did you?-- Yes; after they had visited Hitler.

Yes, and then they came back to this country and started oppressing the people here?-- Yes.

You said yesterday that you knew about Sir

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Percy Sillitoe who was investigating the security position in Kenya; did you ever refer to that in your speeches?-- I didn't say that he was investigating security in Kenya; I admitted having referred to one Sir Percy Sillitoe who was in Kenya at one time.

You did say that?-- Yes.

Now why you say you never suggested what was happening in Kenya is going to happen here, because this Government was quite prepared to resort to the same brutal treatment of oppressed people as the Kenya Government, and this Government was trying to create Cheesa Cheesa army, the same as you say the Mau Mau was being created in Kenya - why would you not say that that same situation would arise here?-- Mr. Trengove, I stated the position quite clearly to you yesterday, that as reported here the sentences convey quite a different meaning to what I had to say at these meetings; so then taking a sentence by itself - on its own - it gives quite a different meaning.

BEKKER J: Can you recall what you said at the meetings?-- As I said, my lord, - - -

First of all let's go step by step. Can you recall what you said at this meeting?-- Not at this specific meeting, my lord, but I do recall what I generally said at meetings, more particularly on this topic.

Do you mind repeating it to-day, what did you say generally?-- I was comparing the situation as it was in Kenya to the situation in South Africa. I referred to the Mau Mau and the Cheesa Cheesa Army in South Africa, and warning the people against accepting this, particularly the Mau Mau as being an organisation repre-

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senting African opinion in Kenya, just as much as the
 Mau Mau in South Africa is a creation of the Government
 the same applied - - just as the Cheesa Cheesa was a
 creation of the Government in South Africa the same
 applied to the Mau Mau in Kenya; so then my line was
 that the people must accept the non-violent methods
 of Congress which would lead them to freedom, not the
 same policies as the Cheesa Cheesa Army which in actual
 fact would lead to a chaotic position, the same as it
 was in Kenya. And I went on further to say that the
 Government is propagating for the existence of the
 Cheesa Cheesa Army with the sole object . . .

Yes, we know that . . .?-- Then, as reported
 here I would have gone further and said if the people
 then do accept things like the Cheesa Cheesa Army which
 do not differ from the Mau Mau, the position in South
 Africa would be the same as it was in Kenya; that is,
 chaotic. And these things the African National Congress
 does not want, my lords.

MR. TRENKOVE: Now I want to turn to a meeting
 of the 5th December, 1954, reported at page 9656, Vol.
 48. You said yesterday that you couldn't remember
 this meeting. I just want to refresh your memory, it
 may come to your mind -- it was a meeting at which you
 were elected as a delegate to go to the Bloemfontein -
 to the Durban Conference of the A.N.C?-- Yes, I've got
 the meeting.

At that meeting you were elected as a delegate
 to the Durban Conference, remember?-- Yes, I was elected
 - I admitted yesterday that I was elected as a delegate
 to that conference.

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Now this is that meeting; do you remember this was the meeting at which you were elected as a delegate to the Durban Conference?-- Yes, I recall I was elected. 1

Yes, but do you remember that meeting at which you were elected?-- No, that is one thing I couldn't remember. 5

Well, will you just read through the speech alleged to have been made by Mayekeso which starts at the top of page 9657 and goes to the middle of page 9658?-- Yes, I've read it. 10

Now I take it you can't remember whether Mayekiso said these things or not?-- No, I don't think I am in a position to remember - there are a few things which he might have said generally not only at this meeting but at other meetings. 15

Would this be the type of speech that Mayekiso as you know him would have made at A.N.C. meetings; is there anything in this that you would say he could not have said?-- Firstly, Mayekiso is a lengthy speaker, and reading this here it only takes a minute, so that this is not a reflection of all he had to say. And again the question of language arises here. 20

Is there any passage here which you think might be out of its context, or wrong?-- Yes, maybe.

What?-- For instance here at page 9658 at line 11 'The Commander-in-chief of these volunteers is Chief Luthuli.' We have no such thing as Volunteer in chief in the African National Congress. Chief Luthuli was known as a volunteer in chief, not Commander in chief. 25

I see.?-- So that Mayikeso could never have 30

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used the word 'Commander'; it's not his word. There
may be many others. 1

Anything else?-- I say there may be many others.

But I'm asking you, is there anything else
which you feel is out of its context or does not give
the proper meaning of what Mayikeso could have said?-- 5
Yes, here for instance at Page 9657 . .

BEKKER J: I think if you turned round we would
be able to hear you better Ntsangani?-- Yes, my lord.

MR. TRENGOVE: Yes?-- This is at line 5 on
page 9657, 'Now 1954 has come to an end and we are now
facing the Annual General Meeting where all branches will
give reports of their work done'. That would not be
Mayikeso speaking in Xosa. Mayikeso speaking in Xosa
would say something like this: 'Now we have come to the
end of 1954, we are looking forward to the Annual Gener- 15
al Conference of the African National Congress where all
the branches will be expected to report on their work
or activities.' More or less that would be correct
of what he had to say. That is in Xosa. Not this non-
sense as written here. 2

I see...?-- That's why I say there may be many
other mistakes.

Then I want to turn now to the meeting of the
9th January, 1955, which appears at page 9663 of the
record. Now this was on the 9th January, after the
Conference in Durban had been held. Did your delegates
come back and report as to what happened at that Con-
ference?-- Yes, the delegates used to report; I take it
this was one of those meetings where they had to report
back. 30

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Now you've seen this document - it's been referred to quite often - the report of that conference, 4.37; it's a report of the Durban Conference in 1954. You know that report, don't you?-- Yes, this looks like one.

Yes, alright. Now in your evidence on this speech you referred to a speech of Mayikeso - of Mkwai rather, at page 9664, have you got that?-- I'm sorry, I said I think this would be one of those meetings where delegates would report back. I don't think that is so, I think this was a public meeting.

Yes?-- Therefore it was not a report back meeting.

Yes, delegates used to report back; I'm not saying they did so at this meeting?-- Yes, they usually reported back.

No, this was a Western Areas Removal Scheme meeting, remember?-- It was not a Western Areas Removal Scheme meeting.

Well, it was in connection with it?-- It was a meeting of the African National Congress, not necessarily for the Western Areas Removal.

Right. Now you referred to Mkwai's speech which starts at 9665, line 6, have you got that?--Yes.

Now just read that passage again, line 6 to 15. Why do you say Mkwai couldn't have made a statement like that?-- Which particular statement are you referring to?

The one you've just read?-- The whole portion?

Line 6 to line 15?-- I say it because you'll find that in line 13 or 14 he is reported to have said 'Even in the Reserves there are no more trust funds to be

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made again! No member of the African National Congress 1
would ever say such a thing.

Is that the only objection you have to that
passage?-- The question of translation again arises in
the same passage.

RUMPF J: No; the question is, is that the 5
only objection you have to the passage?-- Well, at the
moment it's the only one I see.

MR. TRENGOVE: The only reason why you say
Mkwayi wouldn't have made that statement?-- At the moment
it's the only one. 10

Now read the whole of that speech, it goes on
to line 20, to the bottom of page 9666 and 9667?-- Yes,
I've read the speech.

Now is there anything in this speech which you
say Mkwayi, as you know him, could not have said?---- 15
I don't know how I must explain myself on this speech
and other speeches. I have already said I don't accept
the interpretation of these Special Branch gentlemen.
If one takes for instance the speech of Mkwayi sentence
by sentence up to the end, you can take three hours 20
interpreting the meaning of each word. I don't know
whether you want me to do that?

Is there anything in this speech which you
would disagree with?-- Reading this speech myself, and 25
taking my mind back to what I think Nkwayi would have
said in Xosa, not as reported here, there is practically
nothing wrong that Mkwayi had to say, but one may find
something wrong which appears in this speech as it is
reported in English. 30

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Now in this English report, is there any statement which you would not be prepared to agree with?-- To me the speech seems to be quite alright; I am not suggesting that one may not find certain faults with it as reported, however. But I have not come across anything which I would say was wrong.

Yes.. . ?-- It depends on how one interprets this speech.

Yes, I'm taking this English version of the speech; you wouldn't object to any single statement in that speech?-- Well, it's difficult because even the English version - the sentences are incomplete.

RUMPF J: Yes, well, this is on the assumption that the speech was more or less correctly interpreted and on the assumption that the document which you see there before you contains bits and pieces of the speech. Do you follow what I mean?-- Yes, my lord.

It doesn't purport to be the speech from beginning to end; it does purport to be an interpretation of what the speaker said in bits and pieces. Parts have been left out which the speaker obviously couldn't get down - the recorder rather - - so you may have disjointed paragraphs following each other?-- Yes, my lord.

On all those assumptions, that is the question - assuming that?-- Well, one may find then in that case some things which one would never agree with. For instance 'Even in the Reserves there are no more Trust Funds to be made again'; I wouldn't agree with that nonsense.

MR. TRENGOVE: Well, that we've had?-- Then again we have a note 'Apartheid is a policy'

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I wouldn't agree with that nonsense. I wouldn't know what this fellow of the Special Branch had in mind when he interpreted this 'There is no freedom that was ever achieved unless tears and blood have flown'. I would never have made such an utterance - - I would go further than that.

KENNEDY J: I cannot hear what you say?-- My lord, I say I don't know what the Special Branch man had in mind here when he reported Mkwai as having said 'There is no freedom that was ever achieved unless tears and blood have flown'.

MR. TRENGOVE: Now that's interesting, Ntsangani, because that was a phrase that was often used by a man like Luthuli for instance, wasn't it?-- Exactly; that's the point, Mr. Trengove, I've been debating the whole morning. That here again you find a sentence standing on its own like that. A speaker of the African National Congress would explain himself. Then it comes to one point, that these people in the Special Branch cannot give a true reflection of what took place at these meetings.

Alright....?-- Because one is bound to ask himself the question: What does he mean by that? And you'll find reference to speeches which were made by the then Minister of Justice, Swart, to the effect that the African people will never achieve freedom until their tears and blood flow in the country.

RUMPF J: Yes, we've heard that, it does not appear in this speech; we've heard that evidence?-- I think it does appear, my lord.

Are you still dealing with this speech now?--

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I am still dealing with this speech, my lord. 1

Which portion?-- On page 9665 . . .

Well, you've said that, that if this was said
'There was no freedom that was achieved unless tears and
blood have flown', that would have been explained?-- Yes,
that is the point I am trying to make. 5

Yes; go on then?-- Then 'The Government has
given up all your hopes that Chief Luthuli, your Prime
Minister'; there again this goes to show how they can
misrepresent one. I don't know what is the meaning of
this, 'this is not the last trial, there are still some
more to be made'. Then again, 'If you could allow people
to be removed it would be one way of accepting the Bantu
Education". I don't know what all that means. Then,
'The Government started killing them and when they reta-
liated the Government called them Mau Mau' -- the whole
thing is not an easy thing to interpret, to get to the
meaning of what these fellows are reporting speakers as
having said. It's very difficult, my lords. That is
why one cannot accept this interpretation. 10 15 20

MR. TRENGOVE: Did you on any occasion have
reason to disassociate yourself with anything that was
said by a speaker from a platform at an A.N.C. meeting?--
No, because nothing was ever said by any of the speak-
ers which is contrary to the policy of the A.N.C. They
fully explained themselves; they were clearly understood
by the masses. 25

All the speakers from the platforms?--Yes.

They never said anything contrary to A.N.C.
policy?-- Yes. All the meetings I attended. 30

I want now to turn to a meeting of the 27th
January, 1955, at page 9675 of the record. Now at
this meeting you dealt with a speech of V. Mene, at
page 9678. Will you read the whole of that speech start-
ing at page 9678, up to page 9680.

KENNEDY J: Do you want to put specific por-
tions of this speech to the witness?

MR. TRENGOVE: I only want to refer to specific
portions, my lord . .

KENNEDY J: The examinaion-~~on~~-chief on this
speech is that the witness was asked to read the whole
speech from page 9678 to -680; he did read it, he said
he'd read it, he said he didn't refresh his memory in any
way after having read it, except that what Mene said were
likely topics which would have been discussed at such a
meeting.

MR. TRENGOVE:? Yes, I'm sorry, my lord. If that
is the case my note is wrong, my lord. I'll leave it at
that. I turn now to the meeting of the 6th February,
1955, page 9680 of the record, my lords. My lords, I
see that I need not put this to the witness. There was
only one passage - - the whole speech was apparently put
to him. No, my lords, I needn't deal with this meeting
either. The next meeting is the 28th March, 1955, Mr.

Ntsangani, at page 9700 - that is the start of the
meeting - - it starts at page 9701, vol. 49.

RUMPF J: Well, is there anything you want to
put to him?

MR. TRENGOVE: I just want to ask you one
question, Ntsangani, arising out of this meeting. Do you

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know what fascist Government is?-- I think I said yesterday that my interpretation of a Fascist Government would be a brutal, ruthless government. 1

Oh, that's a Fascist government, is it, a brutal ruthless government?-- That's how I would interpret it.

And it is customary to refer to the present Government as Fascist government?-- By me? 5

Well, by the A.N.C and by speakers from your platforms?-- Well, speakers on public platforms in the Eastern Cape never use the term Fascist.

Because that word doesn't exist in Xosa?-- Quite. 10

Is that so?-- Yes.

BEKKER J: The elephant that can't be touched?-- Yes.

MR. TRENGOVE: You use the phrase 'The elephant that can't be touched'?-- And that would not mean Fascist. 15

Not?-- No.

How would you translate Fascist in Xosa?-- There is no translation of Fascist in Xosa. 20

Did you ever try to convey to people that the Government was a Fascist government?-- Not in Xosa.

Never?-- Not in Xosa.

Not in Xosa?-- No.

RUMPF J: Is the convention really that if detectives wrote down a speech in English which was originally made in Xosa, and if in such English translation the word Fascist appears, that that word Fascist was a word put in by the detectives?-- Yes, my lord, it was put in by the detectives. 25 30

NTSANGANI

The word Fascist would not have been used by
the speaker?-- No, my lord. 1

If he spoke Xosa?-- If he spoke Xosa.

Yes. If you speak Xosa and you refer to the
Capitalist, what do you use then?-- The literal inter-
pretation of a capitalist in Xosa would be one who owns 5
bags and bags of money.

Yes, but if in a Xosa political speech you wanted
to refer to a capitalist, wouldn't you use the English
word Capitalist?-- It would be interpreted as meaning
capitalist. 10

No; would the speaker not in the heat of his
speech use the word capitalist?-- Yes, I would say he
would, my lord.

Or he might?-- Or he might, yes.

He might use the English word capitalist?--Yes 15

Might the speaker also not use the word Fascist
?-- Not in English, my lord.

Why not?-- Because it's not known.

Is it any less known than the word capitalist
?-- Yes, very much. 20

Yes, Mr. Trengove,

MR. TRENGOVE: If your Worship will bear with
me, I'm just going through my notes to shorten it.

RUMPF J: Well, if a speaker in Xosa referred
to what in English translation would read as this: 25
'This Fascist Government of ours', how would the Xosa
say it?-- That is, interpreting it from English to Xosa?

Yes?-- Well, he would use the expression 'An
elephant that cannot be touched', my lord, or he would
say 30

NTSANGANI

I'm putting to you, assume the speaker said 'This Fascist Government of ours is oppressing the people', what would he say in Xosa?-- In Xosa?

Yes, literally?-- He would say this brutal government. Or this unjust government.

Yes, well now assume by reading an English interpretation this Fascist Government of ours oppresses the people - - I read that as being the English translation of the Xosa speech. Where would the translator get the word Fassist from? If it is in conjunction say with Government, you see?-- I don't know, my lord, because for instance I'd quote one Robert Matsche who used this term Fascist - he spoke in English at all the meetings; he did not understand Xosa well.

Matchi?-- Yes. As I always interpreted for him, my lord, I used the expression which means 'An elephant which cannot be touched'.

When many meetings are held doesn't it become tiresome to refer to this elephant ?-- No, it doesn't, my lord.

Don't the people realise that what you mean - - I mean after a number of meetings - - that what you mean is a Fascist Government?-- No, they don't, my lord; they would never understand that. You've got to explain to them in Xosa actually what is the meaning of this could be or is.

Yes?-- You've got to bring yourself home.

MR. TRENGOVE: In any event, Ntsangani, it became customary in speeches in Xosa to refer to this elephant that could not be touched, to translate

NTSANGANI

that in English to Fascist?-- Customary with whom?
Not with us, Mr. Trengove.

Well, take this report, A.37?-- That is a report written in English.

Yes, and it refers to Fascist government, it's becoming a Fascist state and so on. When this report is delivered at the A.N.C. Conferences?-- Well, one wouldn't interpret that into Xosa as meaning only an elephant which could not be touched. There are various ways of interpreting it.

Now how would this be explained to members attending this conference, who don't understand English?-- To those who know only Xosa it would be explained as follows: A Government which is vicious, unjust, brutal irresponsible. I'm using the many ways in which it could be explained.

And in that way the idea of a Fascist government would be conveyed to the people?-- No, it would more or less be conveying the idea of what a Fascist government would be.

Now just on this question of the meetings finally, Ntsangani, your meetings were attended by people literate and illiterate?-- Yes, I would agree with that. The majority of them would be illiterate.

And you endeavoured to put across whatever you said in language which these illiterate people could understand?-- The only language they understand is the Xosa language. I would say there was no difficulty with us in expressing ourselves, in conveying any message to the people because they know the language well. They understood what we meant when we said these things.

NTSANGANI

It would only be difficult for one who would for instance interpret from Xosa into English; at one time I found it difficult to interpret - for one gentleman, I've forgotten his name, from Cape Town who was speaking in English. I had to interpret his speech into Xosa and I had some difficulty, because some of the words he used in English do not exist in the political vocabulary in Xosa.

Now, Ntsangani, you accepted the 1949 Programme of Action and the methods of struggle set forth in that Programme of Action to achieve your objects?-- Yes, I accepted the 1949 Programme of Action.

And your object was to establish in this country a true democracy?-- Our object - that is the object of the A.N.C. as I understand it - was that of trying to bring about a change in the system - in other words, all the people must have the vote, and that as I understand it would be called a Peoples Democracy; in other words, a democracy of the people by the people for the people. That's how I understood it.

And that that type of democracy would be the state that one would have if the Freedom Charter is implemented and accepted by everybody?-- Yes, as I understand it.

You accepted the Freedom Charter?-- I accepted it.

And you accepted that the struggle must be directed towards getting a state based on the principles set forth in the Freedom Charter?-- Yes, which is a democratic state.

Yes, and you accepted the position that that

which had to be achieved had to be achieved by unconstitutional and extra-parliamentary action?-- I don't know what you mean by extra-parliamentary and unconstitutional action. 1

Otherwise than through Parliament?-- Yes, we were going to get it by waging the struggle outside Parliament. 5

Outside parliament?-- And inside parliament.

And by the means set forth in the Programme of Action?-- Yes. 10

Now, you also accept the position that the means employed by you - strikes, defiance campaigns, civil disobedience - that those means could endanger the safety and security of the State?-- I don't know, Mr. trengove, because as far as I am concerned in my thinking, and I think my colleagues as well in the Eastern Cape, our approach to the achievement of our aims - - that is the aims of Congress - - was based more on the economic boycotts. 15

Yes, but you accepted that if it was necessary to employ other means in terms of the Programme of Action, that you would be prepared to do it?-- As long as those means would be within the policy of the African National Congress. 20

Now take strike action; do you know what that is?-- I don't know, I may have a wrong interpretation of strike action, but I say yes. 25

Well, look at this document, 'Political organisation'; it was published by the African National Congress, B. 25?-- There is nothing in this document 30

NTSANGANI

to say that it was published by the African National Congress. 1

I didn't ask you that, Ntsangani?-- But you said it was published by the African National Congress.

RUMPF J: You put it to him?-- You said it.

MR. TRENGOVE: Yes, I said it. 5

RUMPF J: Well, then if he disagrees with you he'll say so.

MR. TRENGOVE: Yes, my lord, I didn't ask him whether that document said it was published by the African National Congress?-- You said it was published by the African National Congress, and I said I see nothing in it to indicate that. 10

I see, alright. Well, have a look at this document?-- Which portion?

Read the paragraph dealing with strike action which was put to you when I handed you the document?-- Only that portion? 15

The whole page under strike action.

KENNEDY J: I take it that this document is the same as NRM.30? 20

MR. TRENGOVE: Yes, my lord, NRM 38, 37 and 38.?-- Yes, I've read it.

What is your work in private life, apart from your activities in the A.N.C?-- I am an ordinary worker. 25

You are?-- A worker.

What kind of work do you do?-- I do various jobs; at one time I was a messenger-clerk to a firm of attorneys. At another time I was a despatch clerk to a printing firm. At one time I was a butchery boy. 30

NTSANGANI

At one time I was working in a textile factory some years ago, in East London. I have worked at various jobs.

1

Now that paragraph about the strike action refers to the fact that the strike leads to a clash between the people that strike and the Government. You realise that?-- Well, I don't know, that's something I never came across . . . in fact it is something I never worried myself about, strike actions and such like things. They never came to my mind. I was not very much concerned with strikes and so on, I was concerned with what we were doing in our branch.

5

10

Ntsangani, you said you know the A.N.C. policy and you accept the Programme of Action?-- This document doesn't reflect the policy of the A.N.C. It's an individual document, written by an individual.

15

BEKKER J: I speak subject to correction but I think the evidence given by Mandela was that this was issued in 1952-1953 by the A.N.C, for political education. That's the note I have. But leaving that aside . . .?-- It doesn't appear to me to be a document of the A.N.C. In fact I don't even recall ever coming across a document of this nature in the Cape Province.

20

MR. TRENGOVE: You accepted strike action?-- How can I accept a thing I don't know anything about. I have told you I know nothing about strike action.

25

You've said in your evidence in chief that you accepted the 1949 Programme of Action and the methods set forth in the Programme of Action?-- Yes.

And one of the methods is strike action?-- And up to now the African National Congress has never

30

NTSANGANI

embarked on a strike. 1

I'm not asking you that. Did you accept strike action as a method of achieving the aims of the African National Congress?-- Well, I understand the African National Congress, when it speaks of strike action, to mean a stay at home, such as we have organised since 1950, and I think we are still going to organise more. That's how I interpret it. 5

You don't agree with that document when it says that a strike can lead to a violent clash between the State and the strikers?-- I don't know; that's how it is described, but I don't know it. I have never considered it. 10

You never heard of the Miners strike in 1946?-- Of course I did at one time and another. 15

When lives were lost?-- Yes.

Did you hear of that?-- I heard of it.

How were those lives lost?-- That's something I never went into, Mr. Trengove. I never went into the facts. Speakers who had a wide knowledge about it spoke about it in my presence. 20

And what did they say? How were lives lost there?-- It's very difficult to think back on what they said now.

The Western Areas - I want to put it to you Ntsangani, that you know very well - that's why you are trying to get away from it - that strike action which leads to a clash between the workers and the Government undermines the safety and security of the State?-- That's nonsense, I know nothing about that. 25 30

NTSANGANI

You know nothing about that, I see?-- No. 1

You used to visit the Trade Union offices in Port Elizabeth; was that the S.A.C.T.U offices, the South African Congress of Trade Unions?-- No, the South African Textile Workers Union.

Did you have a branch of South African Congress of Trade Unions?-- Yes, there was a branch in the Eastern Cape. 5

And were you in the Textile Workers Union?-- No.

Did you assist them in their work?-- I may have - duplicating and so on. 10

You went to the office to assist them?-- I went to the office to do duplicating and so on. I may have assisted them in the course of my work too.

You used to urge people to join Trade Unions in order to further the liberatory struggle?-- I used to urge them to join trade unions in order to better their conditions of work and improve their wages. 15

Now, these three lectures that you found at the Trade Union offices, the Textile Union offices, you say you read them at the time?-- Yes, I think I said I read them - - I think I read them but I don't know whether I read all the lectures, or one or portions of them. I cannot recall to-day. 20

And you've heard these lectures being read out in Court here?-- I have. 25

(THE COURT ADJOURNED UNTIL 2.15 P.M)

NTSANGANION THE COURT RESUMING AT 2.15 P.M:MR. NTSANGANI (Contd.) (Under former oath):XXE. BY MR. TRENGOVE (Contd.)

MR. TRENGOVE: Now, Ntsangani, did you know that volunteers had to get political training?-- In what way?

In order to equip them for the liberatory struggle, and in order to fit them to tell the people how they were going to liberate themselves?-- Volunteers to my knowledge, and more particularly in the Eastern Cape - and I may say that this covered the whole of the Cape Province - were well informed from time to time about the various presidential reports, various decisions of the African National Congress, referring to the various campaigns, and the methods to be applied.

BEKKER J: Well, did they have to have political training?-- I wouldn't say that was political training, my lord. I don't know - if one says that is political training, then that's all I know.

Well, you were a volunteer, were you not?-- Yes, I was a volunteer.

Did you get political training?-- In the manner which I have described.

Yes.

MR. TRENGOVE: Volunteers in the Eastern Cape, was any attempt made by the leaders of the Volunteer Corps to train new recruits politically?-- There was no political training, other than what I have already stated, given to new volunteers.

Now, what did that consist of? In the Eastern Cape did you take the A.N.C. National Executive Reports

and the A.N.C. Provincial reports, and on the basis of those reports hold study classes and lectures for volunteers?-- Various reports of the provincial conferences and national conferences which reflected the activities of the various branches throughout the country, were more or less discussed with the volunteers. In other words they were kept informed . . .

At study classes?-- I wouldn't call them study classes.

Where was this done, in the open, at a public meeting, or where was this done?-- At meetings of volunteers and members of Congress.

At private meetings?-- Yes, one may call them private meetings.

Now, who gave you your instruction?-- As a volunteer?

Yes?-- The late Mr. Tshume was then the volunteer-in-chief of the Eastern Cape.

And did he give you your political instruction?-- In the manner in which I have described.

Yes. And did you at any stage assist in the training of volunteers on this basis?-- I did, in the manner which I have described.

Now, give me the dates, names and the documents that you used?

RUMPF J: The dates of what?

MR. TRENGOVE: The dates of the documents, the National Reports, the 1952 National Reports . . . Provincial reports, say 1952 Provincial Report, and so on?-- There I would say all the reports of the African

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National Congress from time to time. If for instance we had a conference in 1952 in the Cape Province, some time in April or May, the decisions of that Conference and also the decisions on the Defiance Campaign -- in fact the volunteers were informed of those decisions.

I want to know what you did and what documents you used?-- I did the same thing; I used the reports.

You used the reports of the National Conferences over the years 1952 to 1956?-- Yes.

Did you use the reports of the Provincial Conferences over the years 1952 to 1956?-- Yes.

You knew and understood those reports well enough to be able to lecture to these volunteers?-- I used them in the manner in which I understood them.

Yes. Did you know that lectures were being issued for the training of volunteers?-- I never knew of any lectures from the African National Congress for the training of volunteers.

Did you know of lectures issued by the African National Congress for the training of its members?-- No, I don't recall any.

Now you see, I want to know, for instance this report, A.37, the 1954 Report, the National Report, page 14 -- this you used to train volunteers?-- I used it to keep them informed about the activities of the African National Congress and the campaigns which the A.N.C. was about to embark upon from time to time.

Yes, and this report says at page 14, in connection with political training, paragraph 2 (c), 'That every freedom volunteer must take a course of political training, political and organisational training for at

NTSANGANI

least one month', and then it refers to the documents
that the branches must have, like Africans' claims and
so on; then it concludes, at the bottom of page 14 -
'Lwctures, reports mentioned above are already available
and Provinces are asked to place their orders'; now
what did you do about that?-- That may have been a deci-
sion of Congress; I wouldn't deny it. But as far as
our Provincial headquarters were concerned we never got
those lectures.

BEKKER J: The question is, what did you do
about that? Did you do anything about that, or didn't
you do anything about it?-- I thought, my lord, I had
replied to the question when I said our Provincial Exe-
cutive never sent us those lectures.

MR. TRENGOVE: But what did you do about it?
Did you ask them to send it?-- Well, we expect our Pro-
vincial Executive to send us any material which they
may think is suitable.

But your expectation wasn't realised; they
didn't send it. Did you ask them?-- We never asked them.

Did you discuss this with anybody else?-- Mr.
Trengeve, that was a decision of the African National
Congress - National Conference. It was not a Provincial
decision.

Well, being a National . . .?-- Just a moment.
And one would expect in that case the National to write
to the various provinces and also to branches.

BEKKER J: Can you remember reading that re-
port or not?-- I recall that at one time there was a
need for political education - that may be one of the
reports I read to that effect.

NTSANGANI

(Witness): But as a branch, I'd say throughout the Eastern Cape, we never used any lectures.

MR. TRENGOVE: Who were the people who were on the Eastern Regional Committee of the African National Congress with you?-- From 1952?

Yes, throughout the period?-- Dr. Ngongwe, the late G.X. Tshume, I think Mr. Matje also - that would be from 1952 up to the time both Mr. Matje and Dr. Ngongwe were banned in 1954; and the late G.X. Tshume, that would be from 1952 to 1953. I don't know of any others in the New Brighton Branch; there may have been others in other branches.

And people from Korsten?-- I don't know from Korsten.

They were on the committee with you; you should know them?-- I told you I was in the Regional Committee from 1954.

Who was representing Korsten from 1954?--- I'm not quite sure, but I think the secretary and the chairman of the Korsten branch represented the Korsten branch on the Regional Committee.

Who were they?-- I wouldn't know offhand.

Nkelepe....?-- I don't recall Nkelepe at one time being a member of the Regional Committee.

And Nkampene?-- Yes, Nkampene was at one time. I should think that's the period . .

When you were there?-- Yes.

Did you ever discuss the question of the political training of freedom volunteers with any of the members of your branch; was that ever raised

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at branch level?-- It was discussed; that is why we
used these reports in fact. 1

Now who were the people you discussed the
training of freedom volunteers with?-- We discussed it
in the Executive of the branch. 5

Would Mene be one of the people you discussed
it with?-- Yes, on how these reports should be presented
- how they should be interpreted to the volunteers. 5

The freedom volunteers?-- All volunteers.

I'm just dealing with freedom volunteers?-- I
thought you were dealing with volunteers from 1952. 10

No, freedom volunteers?-- We used to discuss
with the freedom volunteers means and ways of organising
the people for the Congress of the People, firstly.
Thereafter, the various campaigns. 15

You see, this 1954 Report, the December 1954
Report, talks of volunteers and it refers to Freedom
volunteers, does it not; this National Report?-- Yes,
they were freedom volunteers in the sense that they
had to do the Congress of the People work, and in fact
volunteers would carry on the work of Congress until
we achieve our objectives. 20

Now did you discuss the training of freedom
volunteers at your branch, New Brighton?-- We discussed
it and in practice we used these reports, as I have
said already. 25

The people you discussed it with, would they
be Mene? Myakeso?-- Yes.

Matje?-- Yes.

Mkwayi?-- Yes. 30

NTSANGANI

Tshume?-- Yes. 1

J.G. Matthews?-- No, Mr. Matthews was banned at the time.

Alright. And these people I have just mentioned, did they never raise the question of using the three lectures A.84 to A.86 for the purpose of training the freedom volunteers - the lectures "The World we Live In", "The Country We Live In" and "Change is Needed"?-- No, they never raised that. 5

Never?-- Not in the branch, nor in the Region.

They never mentioned that?-- No, not to my knowledge. 10

These people had some of these lectures in their possession; and you say they never raised them?-- Yes, just as I had I think one or two or the whole set of these lectures in my possession. They never raised them because these lectures were not sent to the African National Congress. 15

What do you mean when you say you also had a set of these lectures?-- I said yesterday I got these lectures from the Trade Union Offices. 20

Did you take them home with you?-- Yes.

Oh, I see. You took them home?-- Yes.

Why? Just as a matter of interest?-- Just like any material I would take home. Not because I was particularly interested in them. 25

Didn't you see at the top of those lectures that they were meant to be studied by volunteers; that's the first statement at the top of those lectures?-- I don't recall seeing that statement, but I wouldn't deny that. If I'd seen it in fact . . . 30

Because, you see, Nkalepe says that these lectures 1
 were being used for the purpose of telling people how -
 what the contents were and how the Liberatory Struggle
 would be conducted?-- I don't think Nkelepe said that.

What did he say, do you remember?--I remember 5
 when Nkelepe gave evidence he said something to the effect
 that he either saw these lectures or he had them in
 possession, as I too had some of these lectures.

And he also said that they would be used....?--
 He never said they were being used. He never said it.

Ntsangani, I put it to you that you know, and in 10
 fact that you used these lectures in the Eastern Cape,
 as a basis of political training of volunteers?-- There
 is no such thing; that statement is without foundation.

Now, how did you expect the Europeans who were 15
 treating the non-whites worse than Satan and Hell, and
 this brutal government, how did you expect them to accept
 the radical changes which are envisaged in the Freedom
 Charter?-- I don't know whether I understand your ques-
 tion clearly.

KENNEDY J: Before you go on to that, may I ask 20
 you a question on the three lectures. My note of what
 Nkalepe said is that he received one, he thought it was
 sent to him by the Eastern Cape Action Committee; he
 had a fleeting glance at it and he was under the impres- 25
 sion that the secretary had many for distribution among
 the Congress members; that he was told to read it in
 order to be able to instruct others about it; did you
 never hear from Nkalepe to that effect?-- No, my lord,
 and I took it that Nkalepe may have got these lectures
 in the same way as I got them. 30

NTSANGANI

Well, he said it was sent to him by the Action Committee of the Eastern Cape?-- I don't know, my lord; it might have been sent to him by the Action Committee as he said, because he was the chairman. 1

I see....?-- If I'm not mistaken, of the Korsten Branch Action Committee. 5

Yes. You say you never received them?-- No, I say I got them from the offices of the Trade Union . .

They were never sent to you for political instruction?-- No, my lord.

And I think the evidence is that Mkwai was found in possession of one of the lectures at any rate. Was this never mentioned to you by Mkwai himself?-- It's possible that Mkwai mentioned it; I don't recall, my lord. But I think Mkwai would have got them because in fact he worked for the South African Textile Workers Union, in the same office where these lectures were sent to - - that is where they were sent, so it is possible that he got the one or two or all of them from those offices, where he worked. 10 15

BEKKER J: This office where you got your lectures, what office was that?-- The African Textile Workers Union Office. 20

In Port Elizabeth?-- In Port Elizabeth.

Can you recall the circumstances under which you got this one lecture?-- That is one thing, my lord, I'm not quite certain about; I'm not sure whether I found them on the table and just picked it up or whether somebody introduced the lectures to me; I don't know, my lords. 25 30

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