

don't know, whether he knows it.

Sergeant, I want to suggest to you that this is a complete afterthought; that you didn't ask the Accused Nokwe whether he claimed the documents or not; is that possible?-- I am quite certain he did claim them. (5

Have you taken part in many of these raids?-- I have taken part in raids for the past 7 years.

Isn't the standard practice just to collect whatever you need to make a list of it, to get it signed and take it away?-- I always ask the person where I make a search (10 for documents, whose they are.

Just let me remind you of one other thing. There was an armed policeman there with a Sten gun, wasn't there?-- Yes, there was.

And he was accompanying Nokwe everywhere he went, to (15 wash.....?-- I did not let Nokwe go out whilst I was doing the search; when he did go out I stopped the search, I discontinued the search.

Well, I don't know, but he was getting dressed, wasn't he? He had to get dressed and he had to get washed?-- (20 He was dressed when he came out. I waited for about quarter of an hour hearing that people were busy inside.

Come, Sergeant, don't you remember quite clearly, he was in pyjamas when he opened the door?-- No, I can't remember that. (25

Can you remember his going to get washed while you were there?-- After he opened the door I was with him always.

Until you left with him, because you arrested him there?-- Yes. (30

But then what were you telling us a moment ago about your ceasing to search every time he went out?-- He did

attempt to go into another apartment, but then I went along with him.

Did you never permit him to go away with the man who was armed ?-- No.

Well, I don't want to take the time of the Court any longer with this. I want to put to you this, Sergeant. That after he had been looked after by the man with the Sten gun, and you had completed your search, there wouldn't have been any room for a friendly volunteering on the part of Nokwe that he owned all the documents including those which had nothing to do with him ?-- He claimed the documents in answer to my question. (5 (10

Milords, the Accused Nokwe wishes to read one or two of the documents.

BY MR. NOKWE: I haven't cross-examined yet, Milords. (15

BY MR. JUSTICE RUMPF: I didn't ask you that, did I?

BY MR. NOKWE: No, Milord.

BY MR. JUSTICE RUMPF: Why do you say so then?

BY MR. NOKWE: I was advised to tell Your Lordships.

CROSS-EXAMINED BY MR. NOKWE: Sergeant, there are two exhibits which haven't been put in by the Crown, Exh. PDN.138 and PDN.139. PDN.138, is Socialist Asia, Vol. V, August 1956, No. 2. I put that in for possession. PDN.139 is Asian Socialist Conference, Planning Information Bureau, Economic Bulletin, published by Adfo, Rangoon, Burma. I put that in for possession. It is dated July 1956. Then I wish to refer to PDN.162, which has been put in by the Crown. It is the report of the 44th Annual Conference of the African National Congress (Transvaal). I wish to read a passage on page 9. The passage is under the article "New World Unfolds." The paragraph on page 9, one paragraph deals with the Bloemfontein Conference, the (20 (25 (30

Interdenominational Minister's Conference, the next paragraph deals with a multi-racial conference.

The resolution passed with such unanimous enthusiasm at Bloemfontein is a stepping stone to achieving even larger unity of opposition to apartheid. The suggestion that a similar conference, but one embracing all races, should be organised in the future, could open up even broader horizons of united opposition to apartheid. Such a conference, initiated by a conference of African people, could initiate active opposition that would be the beginning of the end of the Nationalists and apartheid. We must not neglect this proposed multi-racial conference as the next move in developing our opposition.

That is all I wish to read. (15)

(No further questions)

RE-EXAMINED BY MR. TRENGROVE: Sergeant Dirker, you have been asked about the circumstances in which the Accused Nokwe claimed ownership of the documents. Now, can you tell Their Lordships, where did you find these documents?-- I found some of the documents in a book-case. (20)

Where was the book-case?-- In his bedroom. Other documents I found in a pillow on which a child was sleeping at the time. Other documents I found in a washing-bag under the blankets at the foot-end of the bed. (25)

All in the same bedroom?-- The same bedroom.

Now, in your experience of raids, is that a usual or unusual place to find documents?-- I consider it unusual to find documents in pillows and in washing bags.

When you found the documents in those circumstances, was he present?-- He was present all the time. (30)

And at that stage when you compiled your list, after having found them?-- Yes, after I found them.

Have you got the original of that list that was signed?-- I have not got it.

Where is it at the moment?-- I don't know. (5

I am informed the original list has been lost. Did you give the Accused a copy of the list?-- I did.

You gave it to him.

(No further questions)

GEORGE FREDERICK LAWRENCE, still under oath: (10

CROSS-EXAMINED BY MR. FISCHER: Sgt. Lawrence, I just want to ask you one or two questions about the way in which you suggest that the Accused Nokwe claimed ownership of the documents which you took. How did he do that?-- I asked him who the owner of the documents was, and he said it (15 was his.

When did you ask him that?-- In his house, at the time of a completion of a list of documents which I gave him.

Had you completed the list?-- I did. (20

And then what did you do -- did you let him read the list, or did you let him page through the documents; what did you do?-- The list was completed in my presence, by a co-member of the Force, and after the completion of the list this list was signed by the Accused, Nokwe, as also by the (25 party who completed this list.

Now, it might have been of considerable importance to establish that the Accused admitted that these were his documents, might it not?-- It was, and that is why I asked him whether these documents belonged to him, and he said yes.(30

Then why didn't you put a little note to that effect on

the list that was signed: "Taken by me, the above documents admitted to be the property of so-and-so, signed so-and-so." ?-- This has not been done.

It has never been done, has it ?-- It is not usual.

Have you ever seen it ?-- I haven't seen it; (5

Have you discussed this problem with any of your colleagues as to whether it would have been a good thing to have done this, to have put a note on the list ?-- Merely that he is claiming ownership?

Yes ?-- I have not discussed it with colleagues of mine (10.

Not with a single one of them ?-- Not in my experience.

At no time ?-- At no time.

It might be an improvement of the way in which your work is done ?-- It could be considered that.

But surely, surely Sergeant, you must have thought of it (15 quite long ago, or have you only thought of it recently ?-- No, I have not thought about that before.

But, of course, always you realised it was important, and that is why you asked the question ?-- I asked the question and I thought that was sufficient. (20

Because you thought it was important ?-- The mere fact of him claiming ownership was important.

Yes, of course. But like all the others, you also failed to make a note in your diary, in your note-book ?-- I have not made a note about that. (25

Why, why not ?-- I considered it merely a matter that I could say that he claimed ownership and that was sufficient.

Are you satisfied that in fact all these documents are the documents that belonged to Nokwe ?-- Well, he claimed that it was documents belonging to him. (30

Yes, but now look, Sergeant, we are talking practical commonsense. You would know if he had carefully looked

through the documents and seen they were his, and you would then be satisfied with his admission if he did say that. If he hadn't looked through them carefully, you would be doubtful as to how far the admission took you, wouldn't you ?-- He was present all along when the search was conducted. He assisted in the search, and at the time of the completion of this list, it was only after all documents were found and packed together, and a list was completed, and I asked him whether these documents were his, and he claimed ownership. (10

So then I assume that in your own mind you were quite satisfied that all these documents belonged to Nokwe ?-- I was satisfied.

Do you mind having a look at this letter? I take it, when you pin a letter to an envelope, it means you found the letter inside the envelope ?-- That envelope was pinned to it as it is. (15

You see that this letter is addressed to someone called Regina Twala. It comes from Germany, and it was obviously not from someone in South Africa. (Exh, PDN.118) (20

BY MR. TRENGROVE: My learned friend didn't read out the full address; it is addresssd to Regina Twala, c/o the African National Congress, Rosenberg's Arcade, Transvaal Branch, Market Street, Johannesburg.

CROSS-EXAMINATION BY MR. FISCHER CONTD.: Does that look to you like Nokwe's property, Sergeant ?-- Well, obviously not. (25

So there is some mistake ?-- Unless the address is wrong, it is not referring to him. But yet he claimed ownership of the document.

He claimed ownership of the document, although it wasn't addressed to him ?-- That is correct. (30

Do you really seriously suggest that, Sergeant ?-- That

is the fact.

Is there no possibility of a mistake ?-- Unless he had not gone through the documents properly, but all documents found were the documents listed, and those documents he claimed, and this document was one of them. (5

Now, is there a possibility that he did not go through them properly ?-- Well, there is that possibility.

(No further questions)

NO QUESTIONS BY MR. NOKWE:

RE-EXAMINED BY MR. TRENGROVE: You said you compiled a list (10 of documents which Nokwe signed ?-- A list was compiled in my presence and the Accused signed that.

Is this the list ?-- This is the list.

That is Exh. X.3. It is signed on both pages, the initials on the first page...?-- And the signature on the (15 second page.

Did Nokwe at any stage disavow ownership of any of these documents ?-- He did not.

And do you know whether Nokwe at that stage held a position in the African National Congress ?-- I don't know. (20

(No further questions)

BY MR. JUSTICE RUMPF: Were you only looking for documents on that particular day ?-- For documents referred to in the search warrant.

Did you show the search warrant to the Accused ?-- The (25 search warrant was produced to the Accused, and it was also signed by him after I have made an endorsement.

And then you proceeded to search for documents ?-- Yes.

And you say he assisted you ?-- He did.

In what manner ?-- By taking out documents and placing (30 them on the table, and I have gone through it, and I have taken some of it, and some I did not take.

Did he point out the documents in the bedroom?-- In the bedroom and also the other rooms of the house which he occupied.

In what rooms did you find the documents?-- Except for the kitchen, all other rooms, there were two bedrooms (5 and the main entrance, a lounge.

And I suppose you didn't take all the documents that you found?-- I did not.

Some you left?-- Some I left.

Now, during this process, while you were collecting (10 documents, did he at any time say "Look, that document is not my document."?-- He never did.

BY MR. JUSTICE BEKKER: How many people live in that house -- just the Accused only, or are there other people?-- Just the Accused's family. (15

What does the family consist of, can you remember?-- No, I'm not in a position to say.

(No further questions)

BY MR. TRENGROVE: There is one further witness left, Milords; my learned friend said he wanted certain documents read (20 into the record.

BY MR. FISCHER: I have certain documents, Milords; may I do that after the luncheon adjournment?

BY MR. JUSTICE RUMPF: Yes.

DANIEL JACOBUS ROSSOUW, still under oath: (25

BY MR. TRENGROVE: Milords, this witness at the adjournment on Friday had identified the exhibits to which I will now be referring, and where he found them. They relate to the Accused Mandela.

Milords, the first Exhibit is NRM.20, the annual report (30 of the National Executive Council, 42nd Annual Conference of the African National Congress, at Durban, December, 1954,



This document is the same as A.37. The next exhibit, NRM.21 is a manuscript notebook. The notes have been typed, and they will be testified to by the expert witnesses. I am just putting this on record at this stage, I am not handing in. (5

BY MR. JUSTICE RUMPF: What expert ?

BY MR. TRENGROVE: The experts on Communism.

EXAMINATION BY MR. TRENGROVE CONTD.: May I put it in with permission to the typist to continue with the typing of the notes; it is very difficult to read. (10

BY MR. JUSTICE RUMPF: Yes, we have no objection to that if you want to do it that way.

EXAMINATION BY MR. TRENGROVE CONTD.: The next, Milords, is NRM.26. It is a bulletin, Mayibuye, Afrika. It is the same as A.200. The next is NRM.28A. This document is not (15 in the schedule No. 4, but it is in the policy schedule, at page 8, item 35. It is a Congress Voice, Vol. II, December 1955. Page 1 is the editorial, 1956, Fields to Conquer.

The first chapter is "The People win the Battle for Peace."

The 43rd Annual Conference of the African National Congress was held in Bloemfontein in December at one of the most critical times in the world and in our country. In the world the peace-loving peoples had rallied as never before to stop the arms race, to urge that atomic weapons be banned in order to maintain (25 world peace and avert a world war. Their valiant efforts culminated in the triumphant Geneva Conference, where the big powers, France, Britain, China and the Soviet Union and America recognised that international differences can be solved by negotiation and not by force. (30 The spirit of Geneva was welcomed throughout the world and it was correctly acclaimed at our Conference as a victory for the peace-loving people of the world.

The people of Africa & Asia stand together. During the past year too the solidarity of the freedom-loving peoples of Africa and Asia was cemented at the historic Bandung Conference. The Bandung Conference and the brotherhood it forged will remain an inspiration to the millions (5 of oppressed people in Asia and Africa. The invincibility of this solidarity is clearly demonstrated by the fact that it has evoked among all those who hate the freedom of the people a spate of slander and deliberate distortion. However, the people of the world (10 have not been deceived by these worn out expressions of the oppressors and colonialists. The Bandung Conference is a legitimate alliance of the people of Africa and Asia against colonialism and oppression.

These we must do! What then are our task? The executive (15 report clearly analyses the significance of world peace to us and the maniacal manner in which the oppressors and colonialists for their own gain attempt to plunge the people into mass destruction. Our tasks therefore are firstly to understand the need for world peace, to explain (20 it to the masses of the people, and thus strengthen the forces of peace. In doing so we will at the same time be teaching the people who their friends are and who their enemies are because the enemies of world peace are the enemies of freedom. Secondly, let us make the (25 people truly and warmly conscious of the priceless and inspiring solidarity of the oppressed and freedom-loving peoples of the world and make the resolution of Conference which acclaimed the Bandung Conference something which has real meaning for the people. The situation (30 in our country is similar to that in the world as a whole. During the past year the Nationalist Government

has continued to assault the rights of the people with unprecedented viciousness -- the witch-hunt for an underground communist organisation has continued as a pretext for limiting even further the rights of the people and to smash and silence any opposition to the (5 ruthless fascism which the Nationalists are determined to establish in this country. At the same time, the masses of the people have come together to map out their common path to a new South Africa with a clarity and determination which was hitherto unknown. The (10 historic Congress of the People which adopted the Freedom Charter was the beginning of a new and vigorous offensive against the Hitlerite fascism of the Nationalist Government. In order to halt the march of the people towards a truly democratic South Africa, (15 the Nationalists are destroying even the semblance of democracy which parliament represented. The South African Parliament has become a mockery of democracy and the Parliamentary opposition, the U.P. is miserable, misleading, disintegrating buffoon. The only true (20 opposition to the heartless terrorism of the Nationalists are the people under the leadership of the A.N.C. Work. Study! Think! To achieve their aims of establishing a full-fledged fascist state, the Nationalists have geared their organisational machinery skill- (25 fully and there can be no doubt that it is an efficient fascist machinery. It is therefore essential that the A.N.C. should prepare itself organisationally to meet the ruthless blows of the Nationalists and lead the people to freedom. The executive reports of 1954 and 1955 con- (30 tain the careful analysis of the weaknesses of our organisation and the steps which must be taken to remedy

these weaknesses. It is of the utmost importance that every member of Congress should study these reports and his branch and think-think of the way in which his branch can be strengthened and improved. It is our task as the President-General said 'of making (5 a study of the general organisational machinery with special reference to its fitness for our present situation.' Make 1956 a year in which we work, study and think about our organisation. Make 1956 a year of effective and efficient organisation. (10

Bantu Education, an instrument of destruction.

And then it deals, Milords, with Bantu Education, and at page 2 -

Bantu Education whose function is not only to dehy the people education, but to create a sinister and potent (15 instrument for the destruction of the liberatory movement.

It is the duty....

There is a paragraph "The People Suffer...Our Women too! And it deals with the question of passes, and at the end of that paragraph it states - (20

Let us mobilise thousands of women in the struggle against passes.

And then there is a chapter on "The Nats. are out to destroy trade unionism," and then there is a chapter, "The Charter, our salvation," which refers to the Freedom Charter. And (25 then there is a paragraph "Don't sit and Fold Your Arms." It starts "How can we make the Charter popular and intensify our agitation and contact with the masses of the people?" And at page 4 there is a paragraph "Don't let's forget the peasants." And paragraph 6, a paragraph dealing with money (30 and there is a paragraph "This is your voice." Then finally there is this paper, the A.N.C. Organisation .....

The A.N.C. is an organisation which is recognised throughout the whole world as the leading peoples' organisation in South Africa. When it speaks, it speaks for the millions of people -- the future rulers of this land. But look at its Voice. This is your (5 paper. It is your voice. Read it; discuss it; study it.....

And then at the end of that page there is a paragraph containing a passage from the Freedom Charter. You hand in this document ?-- I do. (10

The next Milords, is NRM.30, it is a copy of the bulletin "Isizwe" Vol. I No. 1. and Milords, I read certain passages which have not been deleted by the Crown. At page 10 of the document, it contains a reprint of the Freedom Charter, and at page 16, there is a paragraph (15 dealing with Winning Millions of Youth to our side.

To many it might seem obvious that the major task of the African Youth Movement should be the building of a mass youth movement capable of playing its part as the vanguard of the national liberation movement. To (20 such people it might appear strange that in spite of a large number of favourable conditions the Youth Movement has failed to organise the mass of working, peasant and student youth into a million strong Youth Organisation. It is indeed strange and dangerous that this state of (25 affairs should be allowed to continue. Apart from the purely objective conditions in the South African set-up, the failure of the Congress Youth League for instance, to build up a huge and active Youth Movement can be ascribed to (i) historical facts and (ii) Wrong methods (30 of work. In 1944 when the Youth League was founded the most urgent need of the African National Congress was to

put an end to the hesitancy vacillation and deputations of the past. To create militancy and a measure of political clarity was conceived to be the major task of the people associated with the birth of the Youth League. This meant that for all practical purposes (5 the Youth League was not a movement of Youth but a kind of pressure group that agitated for the adoption of certain attitudes in the Senior Congress. The role of the Youth League as a pressure group hampered its development as a mass youth movement and this was probably correct at that stage. But today, after Freedom Day in May 1950, after June 26th 1950; After May 7th, 1951 and certainly after the Defiance Campaign and the great Congress of the People the whole approach in methods of work and tactics must change if progress is (15 to be made. The policies and tactics which the Youth League agitated for in its earlier days have either been accepted or left behind by hard facts of experience and struggle. The Youth League today appears therefore to require adaptation to a different role and the tragic (20 fact is that this is not sufficiently realised in the national movement as a whole, hence the present dangerous quiet on the Youth front of the Movement. A million strong youth movement in South Africa has become a great need. The emphasis must be on youth work and the pro- (25 duction of new leaders. Apart from the political tasks of mobilising the Youth behind the policies of the A.N.C. we must develop and widen the scope of Youth League activities so that it becomes truly representative of the Mass of Youth in the country. (30

And then Milords, I omit the next paragraph, except for the last two lines -

In these activities the Youth League must draw upon and learn from the experiences of Youth Movements in other parts of the world which in turn involves close co-operation with the World Federation of Democratic Youth. By loyally implementing the humanitarian and (5 nation building policy of the African National Congress, by linking the struggles of the students with those of the urban and rural working youth, we shall achieve the task of Winning Millions of Youth to our side! (10

And then there is a paragraph "Every man for the Freedom Charter," which deals with the signatures to be obtained the the charter.

The next document is also marked NRM.30, it is a bulletin, Isizwe, Vol. I No. 3, dated January 1956. On (15 page 1, there is a paragraph "1956 the Year of the Charter."

In saluting the New Year Isizwe wishes to affirm its unshakable belief in the policy and programme of the Congress movement as embodied in the Freedom Charter. (20

Then the third paragraph -

The more perceptive amongst the representatives of the ruling class recognise instantly the fact that the victory of the Charter over mens minds means doom to the present regime of racialism and exploitation, (25 and offers to the people a comprehensive and clear programme of new democracy.

If the ruling classes in its numerous agencies are giving no quarter in their efforts to crush the Charter, we must give none in our defence of the Charter and its (30 principles. Everywhere and at all times we must proclaim fearlessly the message of the Charter. The

Charter must be the leader, educator and organiser of the entire movement. We must take the Charter ubiquitous and ensure that where two or three are gathered together in freedom's name, the Charter will be the indissoluble link binding them personally to one another. In all (5 struggles and campaigns whether local or national the relevant sections of the Charter must be reiterated until they become part of the peoples' souls. In conducting political classes lecturers must work on the Charter as a syllabus and elaborate the content and (10 meaning of each section of the document.

Finally -

The people must be won for the Charter by having their signatures inscribed on the role of One Million Promises for the Freedom Charter. Let us therefore gird our (15 loins and prepare to make the year of 1956 a great year of the Peoples Freedom Charter. It can and will be a great year in our freedom struggle, provided we boldly and without fear place the great Charter at the head of our fighting columns act as a symbol and (20 herald of the peoples inevitable victory.

Then, Milords, on the roneod page 3, at thebottom of the page - There is a passage which is struck out, but the Crown at the time put 'stet' next to it.

Thanks to "Liberation" We must salute the journal (25 "Liberation" for the analysis of the Bantu Education struggle in the December issue. The analysis is profound and charts a clear course for the entire progressive movement. We feel certain that if this article were published separately in the form of a (30 pamphlet in all languages it would greatly advance



the struggle against Bantu Education throughout South Africa. Publication of such a pamphlet by the editorial board of Liberation would set the campaign going in all earnest <sup>should</sup> and therefore be done with the least possible delay. Thanks to Liberation. (5

And then on page 6 - It is a page marked 6, 7 is the roneo African Women, a new political force. And the People Shall Govern, Lillian Ngoyi. At the recent mammoth meetings at Port Elizabeth called to register the protest of our women against the Government's intention to saddle them with passes.... (10

And the paragraph deals with the passes and concludes - At all events it is quite clear that whatever is the fate of the two issues for which the women appear to give the only concrete leadership, the Bantu Education and women's passes, the African women will emerge once and for all as a force to be reckoned with. That is as it should be. It is the duty of the entire Congress movement to speed up the process. With the African women on the march no force on earth can halt the dawn of African freedom. Long Live the Congress of Mothers. (20

Then Milord, there is a document NRM.31. It is not in our schedule No. 4. Instructions to organisers. I quote from paragraph 1 -

Firstly you must concentrate on the big towns in your area and take the following steps ... (b) Be absolutely certain and sure of your first contact. He must as far as possible be a reliable person who will not betray you to the police and the local authorities. You must move with the utmost secrecy. (c) Outline briefly to your contact the objects of the African National (30

Congress and its efforts over the last forty years to improve the living conditions of the African people. (Be thoroughly conversant with the Lectures.) (d) Review the Campaign for the Defiance of the Unjust Laws and emphasise the following points: (i) Make a ~~brief~~ (5 review of the 6 laws selected for defiance. (ii) Decision to defy the 6 laws taken unanimously at Conference attended by delegates from the Cape, Natal, Orange Free State and the Transvaal. (iii) Omitted. (iv) Since June 26 more than 7,500 defiers have gone into (10 action in different parts of the country. (e) Ask your contact to enter the fight for freedom by joining the A.N.C. and to volunteer for the Defiance Campaign. (f) .... (g) Tell contact of the far-reaching political changes in places like the Gold Coast, Nigeria, and (15 the national liberation movements in places like Kenya Not far away from our borders. (i) Give them the political course (See Lectures) and explain things simply and ~~thoroughly~~.

The next is a roneod document, typed document, NRM.32, and (20 it is headed "An Address given by A.J, Luthuli, President General of the A.N.C. at the Peace Convention held under the auspices of the Peace Council of South Africa in Johannesburg, October 28, 29, 1956. I read paragraphs 1 and 4 on page 1. (25

Mr. Chairman, Ladies and Gentlemen, I thank the Peace Council of South Africa for inviting me to speak at this Peace Convention. The question of peace is of vital importance to a world suffering from many stresses and tensions as does our world at the present moment. I (30 have been asked to speak on the subject "Africa Needs Peace." Let me at the outset point out that the question

of peace cannot be discussed in a vacuum. Peace is indissolubly interwoven with the question of Freedom, for Peace without Freedom is a mockery and so it would be false to the best aspirations of man; on the other hand, Freedom cannot flower to its best except in a (5 climate of peace. It should then be appreciated how for oppressed people such as we are, it would be futile and unrealistic to speak of Peace outside the context of the Struggle for Freedom.

Then I omit two paragraphs. At the end of the page, para- (10 graph 4 -

In the face of this foreign invasion the African people in many parts of Africa found themselves honour-bound to defend the cause of peace and Freedom which was being assailed by wars of aggression engineered by (15 white invaders with the sole purpose of bringing Africa under White domination from which she has suffered since.

Then paragraphs 1, 2 and 3 on page 2 -

Even where a colonial power had come to recognise (20 the sovereignty of a former dependence we generally find that in subtle ways it tries to continue its domination. This is glaringly seen in the Suez Canal crisis where Great Britain with the assistance of France and America has challenged the sovereign rights (25 of Egypt in her territory. The domination of White Colonial powers over Africa was and still is a threat to Peace in Africa in that it is a denial of Freedom to Africans and in the manner in which this domination manifests itself, it tends to raise the temper of the (30 Africans to fighting mood, and it is with great difficulty and skill that African political leaders manage

to keep down the temper of the people from flaring into violent actions. This domination has perpetuated the enslavement of the people with dire consequences differing only slightly in kind and degree from those of the slave traffic of bygone days. Take as examples, (5 the tragic effects in human suffering of the Master and Servants' Act, the diabolic Group Areas Act, the vicious Native Urban Areas Act and the tyrannical Natives Prohibition of Interdicts Act, to name only but a few of the harsh apartheid laws in the Union of South Africa. (10 Let me quote another example from another territory in Africa. In Kenya we have witnessed a disgraceful slaughter of human life on the pretext of keeping law and order when it was in fact attempts to cover the failure to face the basic causes of the struggle in that terri- (15 tory which were the cry for more land and the cry for participation in the Government of the country. The same situation with the same tragic results obtains in the French territories of North Africa.

The next is a typed document, NRM.34, entitled "The Fight (20 for Democracy in South Africa." Page 1, I read paragraphs 1 and 2 -

The fundamental principle in our struggle is equal rights for all in our country, and that all people who have made South Africa their home, by birth or adoption (25 irrespective of colour or creed, are entitled to these rights. The fight for a democratic South Africa is assuming greater dimensions. Since the 1952 Defiance Campaign, the liberatory movement faced with extreme difficulties, has not again taken the offensive on so )30 wide a scale. Yet the movement is gaining momentum in its general mobilisation of the non-European masses

with the support of a small but determined and growing number of European democrats. The country is in a state of ferment. The racial segregation and racial conflict on which the Europeans have based their government is now reaching unprecedented heights (5 as a result of numerous repressive apartheid laws of the Nationalist Government of Mr. Stirjdom. In dealing with the development of South Africa, it is important to mention two events which will go down in history as the two major turning points, since the end of the (10 frontier wars. The first was the formation of the Union

.....

I omit that, the second was the Nationalist Party coming into power in 1948. I turn to page 5. I read from the first paragraph - (15

The non-European political organisations have grown in strength and in status and have aroused confidence in their ability to save South Africa from the iron rule of the Nationalist Police state. The bitterest battles have been carried out by these organisations (20 since their inception have been on the land question and restriction of movement. Even to the present day, these are still the burning issues, issues which will inevitably bring about continued fierce clash in between oppressor and oppressed until the people have won the (25 right to own land and to move freely without passes. Both the Indian Congress and the African National Congress have struggled against the pass system as far back as the beginning of the present century. The latest struggle on these issues was the Defiance Campaign of (30 1952 and even to the present day a vigorous struggle is being organised around the pass system, Group Areas

Act and restrictions on the Trade Union movement.  
Recently there have been a number of women's demonstra-  
tions, the biggest of which was the 20,000 strong march  
of women to see the Prime Minister on the 9th August,  
1956, in protest against the extension of the pass (5  
system to African women. ....

Page 6 -

Successful All-In Group Areas Conferences have been  
held by the Natal Indian Congress and the Transvaal  
Indian Congress. The people seem to be in no mood for(10  
retreating. Either the Government gives in on the  
peoples demand, or the people fight to the last man.  
The fact that the women have now taken such a firm stand  
in the fight against the tyranny of the Nationalists  
must be regarded as the writing on the wall, the warning(15  
to all those who still have illusions of the permanency  
of White domination. It is true that the youth of  
the country has not yet been organised to take part in  
the liberatory movement but any struggle waged against  
the passes is bound to bring the African youth into the (20  
movement. Foremost in the Freedom Struggle in South  
Africa is the Congress Movement, comprising the African  
National Congress, the South African Coloured Peoples  
Organisation, the South African Indian Congress and the  
South African Congress of Democrats, the Federation of (25  
South African Women and the South African Congress of  
Trade Unions. The Congress Movement having realised  
that the majority of the people were very much concerned  
with the future of their country and in particular the  
solution to the racial problem, convened a Congress of (30  
the People to which political, economic and cultural

organisations of all races were invited to participate in the Congress of the People which was held at Kliptown Johannesburg, on June 25th and 26th, 1955. Among the numerous organisations invited were the Government Nationalist Party and the Official Opposition, the (5 United Party, both of which declined.....

Then at page 7, it deals with the Congress of the People and the Freedom Charter. I turn to page 9, and I read from the second paragraph.

Thus we see two powerful forces crystallising out (10 in the country -- the one represented by the Congress movement and its allies, and the other by the Nationalist Party. As far as the Nationalist Party is concerned, any serious analysis will reveal that it has reached its high water mark. There is no possibility (15 of the Nationalists growing stronger than they are at present. They have played all their cards, but one, namely, the Republican Issue, which itself appears unlikely to arouse any greater enthusiasm for the Nationalists than exist today. Already there are signs that (20 the edge of the Nationalist blitzkrieg is blunted in the face of the determined and growing resistance of the people. On the other hand, the liberatory movement does not only derive strength from the knowledge that the Colonial peoples everywhere are achieving their (25 independence, and that a larger part of the world is hostile to racialism and white domination, but even more than that they derive strength from the fact that their forces are growing, the resentment against oppression is becoming greater every day, and in par- (30 ticular, the Europeans of the country are gradually

(Rossouw)  
(Exh .NRM.34)  
(Exh. NRM.36, 37 ...)

beginning to see that South Africa has no choice, but to follow the road to a multi-racial society free from domination and on the basis of the Charter of Human Rights. The coming year will be decisive in the struggle against the Nationalists. Even the United (5 Party will have to make up its mind. It will be faced with the question of joining with the Nationalists completely and sharing the fate which will face all racialists, or joining with the larger family of the democratic forces against Apartheid. (10

The next is a roneod document, presidential address delivered by Mrs. Lilian Ngoyi, President of the African National Congress Women's League, Transvaal on Sunday, 11th November, 1956. This is the same as F.24. It is NRM.36. The next is NRM.37. It is a roneod document (15 political organisation, and it is the same as B.25. And NRM.38. is a typed copy of that document. NRM.39 is a roneod document, "What Every Congress Member should know," being lectures notes. This is the same as WS.56. NRM.40, is a roneod programme, the 4th Annual Conference (20 of the A.N.C.W.L. Transvaal, on the 11th November, 1956. It states that the official opening is by Advocate D.

Nokwe. NRM.43, is a roneod circular, headed "African National Congress." It is dated 22nd February, 1956, and it is addressed to Branch Secretaries. It states - (25

This directive has been sent to all branches of the African National Congress in the Union and branches are to give this matter all the serious attention there is.

And in the first paragraph - "No Campaign can succeed (30 without money." -



Bail for the heroic women of Winburg was fixed at £50 each, which means £400 for the eight women. To date only a hundred pounds (£100.0.0) has been raised. The women are still in custody, one of them with a baby of eight months. It is our duty to see that these women (5 are out of prison. In addition we have had to employ the services of an advocate. It is therefore necessary that each and every organ of the African National Congress should immediately raise funds. We are aware that there are many local issues in which people are (10 engaged, such as the defence of people in Port Elizabeth, Germiston, Newclare, etc. (Riots.) A lot of money is needed for these cases. The struggle is on. Money is an elementary form of sacrifice. If we cannot contribute generously and selflessly, we can hardly (15 expect to respond to greater forms of sacrifices. ...

And then it says that the money should be sent to O.R. Tambo, Johannesburg. Then on page 2, there is paragraph "New Age." The peoples newspaper is launching a National campaign for funds, and members are requested to give this (20 matter their keen interest. This paper cannot be let down by any one who is for the struggle and the liberation of the working people of this country. Collection lists are available at the office, please call for them.

And then at the bottom of the page, typed in, roneod (25 it says "Yours in the struggle, Mayibuye, Afrika, Afrika, P. Mathole, Provincial Secretary, Transvaal. Then there is NRM.44, a roneod circular, special supplement "Why is the Cult of the Individual alien to the spirit of Marxism-Leninism," which is in under HB.79 and DCT.41, also PJ.94(30 Then NRM.46, is a bulletin "For Peace and Friendship Infor-

mation Bulletin, April, 1956, issued by the S.A. Society for Peace and Friendship with the Soviet Union, also for possession only. The next is NRM.47, it is a roneod document, "Modise Umlazi" and it says "The Congress and the Removal" and pages 1 a, 2 and 3 are in English, and it (5 deals with the Western Areas removal scheme. I put that in for possession. The next is a typed document, NRM.49 and it is stated to be a "Report of the S.A. Delegation which had attended the Fourth World Festival of Youth and Students in Bucharest, Rumania, August 2nd to 16th, 1953." (10 And the first two paragraphs of the document read -

Mr. Speaker, Sons and Daughters of Africa. On the invitation of the World Federation of Democratic Youth in June 1953, nine Africans and Indians left South Africa to attend the Fourth World Festival of Youth (15 and Students for Peace and Friendship which was held in Bucharest, Rumania, from the 2nd to 16th August. Among those who left was Mr. W.M. Sisulu, Secretary-General of the African National Congress, who had been invited to the Festival as a personality and a guest. (20 The others were part of the South African contingent accredited as delegates by the South African Festival Committee. The South African delegation at the Festival was composed of seven Africans from South Africa, two Indians, one Coloured, and 32 Europeans. (25

Then on page 2, I read under the heading "What is the W.F. D.Y.?" -

When the allied anti-fascist forces had retreated and crushed the fascist hordes of Hitler's Nazi Germany and Mussolini's Fascist Italy and imperialistic Japan (30 which had attempted to enslave the peoples of the world, there was spontaneous demand by the common people to se-

cure a lasting peace. The peoples of the World who twice in their lifetime had seen the brutal destruction of life and property and had witnessed a weapon of mass destruction, the atom bomb, rightly demanded that all efforts should be directed to securing international co-operation, international harmony, and international security in order to avert another world war. The demand of the people who had borne the brunt of the war for a lasting peace found expression in the formation of international organisations..... (10

Then at the end of that paragraph, it says "United Nations Organisations," and deals with that. In paragraph 3, the next organisation is the World Federation of Trade Unions.

The World Federation of Trade Unions was formed in 1945 and its function is to discuss the common problems of workers throughout the world in order to strengthen the solidarity of the workers in defending their rights and in their struggle for better living and working conditions. To strengthen their co-operation in defence of world peace. (15 (20

The next organisation is the World Peace Council.

The World Peace Council unites the efforts of all the peoples of the world, whatever their political opinions, religious beliefs or colour, on the sole basis that peace is desired by everybody, and that there are no international disputes that cannot be solved by peaceful negotiation. It organises world wide campaigns to protest against all conditions which threaten world peace and suggest positive methods of lessening international tension. (25

The next organisation is the International Union of Students, (30

The I.U.S. was formed in 1946, its fundamental aim is to unite students on the basis of their common interests and

problems irrespective of their political opinions, religious beliefs or colour. To strive for the international student co-operation and solidarity in order to struggle for better conditions of education and employment after graduation and to make a united contribution to the struggle for world peace. (5

The next organisation (e), the World Federation of Democratic Youth -

The World Federation of Democratic Youth was formed in 1945. Its fundamental aim is the development of international understanding and co-operation amongst (10 the youth of the world, in the fields of economic, cultural, political and social activities in order to develop mutual respect and thus contribute to the world wide struggle for international co-operation. In order to achieve its aims the W.F.D.Y. has a (15 variety of activities one of which is the organisation of festivals of peace and friendship. Once every two years in one of the capitals of Europe. In 1947 the festival was in Prague. In 1949 in Budapest, in 1951 in Berlin. At these festivals youth of dif- (20 ferent social origins, political opinions and religious belief meet differing in many respects, but bound by the common conviction that peace is the common need of all youth. The enemies of peace and friendship in the world have described these festivals as communist fes- (25 tivals, and it is most unfortunate that a certain number of democratic and peace loving people have been susceptible to this propaganda, and have accepted the malicious charge which has attempted to split the people of the world into two hostile camps. These (30 people have accepted this charge without examining the

facts and the source of propaganda. It is therefore important to examine this allegation in detail in order to dispel **the** illusions of the misinformed.

And then it proceeds with a paragraph "Is the W.F.D.Y. a Communist Organisation?" Then I turn to page 9 where (5 there is a paragraph "Who say that the Festival is Communist and Why?" The sources of **slander** are the American capitalistic, monopolistic government and press. The British Imperialist Government and press. The French government and press. Holland, Belgium, Italy, Wes- (10 tern Germany and the South African Government and capitalistic press. It should be noted that the countries of Western Europe which join America's chorus in condemning this festival as a communist activity are the very same countries which have ac- (15 cepted America's colonising dollars in the form of the notorious Marshal Aid, and since their acceptance of this aid they have relied completely on the aid of Americans to think for them and design their foreign policies. It should also be noted that these count- (20 ries are all imperialistic countries. These countries follow the United States of America and have joined in a campaign to divide the world into two hostile camps. They have split the unity of the peoples of the world by withdrawing from all international unions except (25 UNO. Withdrawing from these unions, they have always declared that they do so because these unions are communistic, although they don't produce even a tittle of evidence to substantiate their charge.

And this page says "What is the policy of these govern- (30 ments?" And paragraph 10, then sets forth what the policy

of these governments is. Paragraph 1 on page 10 -

In the United Nations they have opposed the banning of the atom bomb and the disarmament proposals of the Soviet Union, which were supported by the vast majority of the peace loving peoples of the world. Instead of (5) disarming they have grouped themselves in the North Atlantic Alliance which is headed by American generals for the ostensible reason that it is necessary for the defence of Western Europe against the communist menace. Every day it is becoming clearer to the peoples of the (10) world that this is not a defence alliance, but an aggression alliance.

The second point -

They are now attempting to form a European defence community which is intended to revive German militarism (15) under the fascist Adenauer, and to keep Germany divided into two hostile camps.

I omit the rest of that paragraph. The third -

But these supposed very defenders of peace, democracy and freedom have allowed themselves to be swindled by (20) the U.S. monopolistic capitalists into condemning North Koreans as aggressors, when the facts are and the truth is that the war in Korea was begun by the South Koreans under the instructions of Syngman Rhee, the fascist and lackey of American imperialism. The 16 nation satellites (25) of American Imperialism participated in the brutal and unjustified massacre of the peace-loving peoples of North Korea. Against this most barbaric war the heroic people of North Korea with the support of the glorious Chinese volunteers, defended their mother-land from (30) enslavement and delivered a crushing blow to the imperialist adventures of America and her satellites.

This is a clear lesson to the imperialists.

I omit the rest of that page. And page 12, paragraph also dealing with these governments -

They are opposed to all peace movements and they are frantically preparing for war because war means vast (5 profits for the monopolistic capitalists, but for the ordinary person it means suffering and death. The facts show that the American production was on the decline between 1940 and 1949, and there was a sudden rise in 1950, when the war began. This rise continued through-(10 out the war until the beginning of this year when the prospects of peace in Korea caused a sharp drop in the stock exchange prices in New York. The imperialists are ruthlessly crushing the aspirations of the colonial people for independence and freedom because their (15 national independence means to capitalists the loss of opportunity to exploit and the reduction of their profits. All these things are done with the excuse that there is a communist menace.....

I leave out the rest of this -- no, I had better read it (20 In America the communist hysteria of Senator McCarthy has led to the brutal murder of the Rosenberg couple. It is this hysteria, this fear of harmony which makes the imperialists see communist activity in a friendly match between the youth of the Soviet Union and the (25 youth of India.

I turn to page 13. I read from the middle of the paragraph which starts on page 13 -

The oppression and condition of the youth in South Africa usually arouses indignation in the freedom- (30 loving youth of the world. Many youth delegations were keen that other youth should not only hear about

their countries but should actually visit those countries in order to see for themselves the condition of the youth and the peoples of their motherlands. Three of the South African deputation were invited to the Peoples Republic of Bulgaria, amongst the three (5 was Mr. Hutchinson who had reported that from his two-weeks stay in Bulgaria they came in contact and discussed with peoples in various walks of life, and what impressed him was their enthusiasm and their concern for the maintenance of world peace so that they may (10 construct their country, raise their standard of living and are also their deep sympathy to the struggle for liberation of the non-European peoples in South Africa. Mr. Hutchinson wrote an article in which he described the conditions of the non-European people (15 in their struggle. Mr. Ngotyane made a broadcast to the Bulgarian people on South Africa; a group of South African students attended a third world Congress of Students for Peace and Co-operation in Warsaw, Poland, and to the 1,000 delegates from 100 countries(20 Miss Lindiwe Ngotyane, read a paper describing the condition of students in South Africa. The delegates also report that in their discussions with the people of Poland they found enthusiasm for world peace and national independence. Mr. Nokwe made a broadcast (25 statement on the conditions of youth in South Africa. They also report the enthusiasm and courage with which the Polish people are rebuilding their towns; Warsaw, which had been destroyed by Hitler's fascism was most inspiring. Mr. W.F. Sisulu, Secretary of the African (30 National Congress, Mr. E. Mayibula and Mr. Duma Nokwe



were invited to the Soviet Union and China and they report about the Soviet Union that they are amazed by the high standard of living of the people, the incomparable educational and recreational facilities for youth and the high standard of cultural entertainment (5 for the youth of the Soviet.

Then they describe conditions in the Soviet, which I omit, and then on page 15, where that paragraph ends, I read the last four lines -

The keen interest shown by the people of the Soviet (10 Union in the affairs of South Africa manifested itself in the request for articles and broadcast interviews which were given by Mr. Sisulu, Mr. Duma Nokwe and Mr. Ismail Boola. In China the South African delegation was most impressed by the warm hospitality which (15 they had received in this great land of 600,000,000 people. They report the rapid transformation of China from a poverty, famine stricken country where mothers were compelled by exploitation of the feudalists and their lackeys, China-Kai-Shek, to sell their daughters (20 into prostitution, into a prosperous New China which is able to export food, is amazing.

I will not read the rest of that paragraph. The next paragraph -

Since 1949, when the Peoples Republic of China was (25 established, the creative abilities of 600,000,000 people in China have been unleashed and they are all demanding world peace, in order that they may construct their country and raise their prosperity to new heights. As people who have been recently the victims of op- (30 pression and exploitation, they have deep sympathy with

and have taken a keen interest in the struggle of the oppressed people against exploitation and imperialism. On their request, Mr. Sisulu made a broadcast statement to the world and detailed a statement indicating the conditions of the oppressed people in South Africa. (5

There were numerous informal discussions where one or other of the delegates explained the position in South Africa. The Chinese gave as their firm conviction that with the persistent struggle and heroic sacrifice the non-European people of South Africa would be victorious. (10

In England, Mr. Sisulu was able to meet various leaders from Africa and to discuss their problems. He also addressed meetings on South Africa. Value of the visit: Mr. Speaker, Sons and Daughters, the government of this country is spending £83,000 per year on what it regards (15 as publicity for South Africa. In this publicity the people of the world are told how happy the non-European peoples are under the benevolent leadership of white supremacy in South Africa. In this way the Government is able to deceive the peoples of the world and to main- (20

tain its friendship with the imperialist powers to vote or abstain from voting with it at UNO when its<sup>racial</sup> policy is being condemned. During this tour the South African delegates were able (i) to expose the Government and win support and sympathy and friendship for the (25 vast masses of the people in 110 countries. We have no doubt that this is a binding and lasting friendship. The South Africans were able to visit several countries and to observe for themselves the true facts about the conditions of the people and they are now able to refute (30 the distortions and slanders of the imperialists. It is

that this report will be of value for the struggle for liberation in South Africa. Mr. Speaker, Sir, Sons and Daughters of Africa, the South African delegation was honoured to represent the struggling peoples of South Africa and this report represents its efforts (5 to serve the cause of the democracy loving peoples of South Africa. The South African delegation wish to thank you, Mr. Speaker, Sons and Daughters of Africa for the singular honour which was bestowed upon them in presenting a gift to the African National Con- (10 gress from the youth of the world as a token of their solidarity with the African people.

The next document is NRM.50. It is put in for possession only. It is a revised draft constitution of the African National Congress. NRM. 51 and 52 we are omitting. (15 NRM.53, is a meeting of the National Executive of the African National Congress, 19th and 20th November, 1955, at Groutville. On page 1, there appears 'Introduction, Mr. P. Mathole, Transvaal Provincial Secretary. Miss J.B. Mashile, National Clerk." And present: "Chief (20 A.J. Luthuli, Prof. Z.K. Matthews, Messrs. P. Simelane, E.P. Moretsele, R. Resha, A. Hutchinson, P. Mathole, E.T. Tshunungwa and Dr. A. Letele." And then "Minutes read: Motion for adoption of minutes, R. Resha. Corrections: Certain portions to be deleted. Mr. P, Simelane was pre- (25 sent at the last meeting, although not recorded in the minutes...." Then I turn to page 5. There is a paragraph dealing with the report of the national consultative committee, and analysis of the Charter campaign, and under that there is a statement of debts. There is a paragraph (30 which reads as follows -

"Owing C.O.P. £192. N.A.C. should have had records duplicated to avoid confiscation. Money not used properly and never banked. Who was Treasurer?

Mr. E.P. Moretsele, Mr. A. Patel and Mr. Beyleveld.

And then I turn to page 6 - (5

Executive Report: Our people were not represented at Bandung as stated in the report. Alleged representatives were present and put the case of the African at the conference quite well.

When there are discussions, and at the bottom, under the heading "Amendment" (10

Moses and Maulvi were present as observers from South Africa and acted as spokesmen for the oppressed people of South Africa.

The next document is "Fighting Talk," NRM.54. dated November 1956, as much as will be read in under G.1132.

The next is NRM.55. it is a booklet "Marxist Study Themes, Crisis of Britain and the British Empire," and the introductory note states -

This syllabus is meant primarily for use in Branch and group classes over a period of two-three months. (20  
It is divided into five Sessions, but in many cases it may be found more convenient to continue the discussions over a greater number of Sessions. As far as possible the study of it should follow on the study (25  
of Marxist Study Theme No. 6, on Political Economy, as a certain preliminary knowledge of the nature of capitalism and imperialism is necessary to obtain full benefit.

And I omit the next portion of the introductory note, (30  
The Central Education Department of the Communist Party

would be glad to know of any special problems that arise in the course of the study of this Syllabus and will do its best to answer any queries that are sent to it. Central Education Department.

This is still on the schedule of documents set forth in (5 column 2. The next, also on that list, is a document, NRM.56A "New Age, political monthly." February 1954 and it is published by the New Age Printing Press, Bombay, and on the last page of this document, there is a paragraph "For Lasting Peace, For People's Democracy." (10 Organ of the Information Bureau of the Communist and Workers Parties.)

This weekly journal is vitally important to all those engaged in the struggle for peace, democracy and socialism. Every issue of this journal contains arti- (15 cles by the leaders of the Communist and Workers Parties of their experience of the struggle for defending and furthering the best interests of their people, the experience of the functioning of the various units and committees of the Party and the experience of Party (20 education and Party building. The articles on theoretical problems, which appear regularly in the journal, are of immense value in developing and enriching the fundamental tenets of Marxism-Leninism. The journal features vital questions of international life (25 and the fight for peace and democracy against imperialist warmongers. Of particular interest to the Indian readers are the articles which explain the situation in the colonial, semi-colonial and dependent countries and the struggle of the peoples for national (30 liberation. ....

Published by the Peoples Publishing House, Bombay.

The next is NRM.57, which is also a New Age of this type, March 1954, published by the New Age Printing Press, Bombay. The next is also a New Age, NRM.58, April 1955, and it is also published by the Peoples Publishing House Ltd., Delhi. I turn to the back of the ordinary lists (5  
BY MR. JUSTICE BEKKER: NRM.59 and 60 are presumably two separate issues of Liberation.

BY MR. TRENGROVE: Yes, Milord, I am coming to those now.

BY MR. JUSTICE BEKKER: Well, I see in respect of both, as much as will be read in under G.1114. What is G.1114? (10

BY MR. TRENGROVE: Milord, G.1114 is a batch of "Liberations"

BY MR. JUSTICE BEKKER: Covering these?

BY MR. TRENGROVE: Yes, covering these. They will be put in by the printer and publisher of "Liberation," I turn now to that number, NRM.59. That is a "Liberation" No. (15  
16, February 1956, as much as will be read under G.1114.

NRM.60. is "Liberation" No. 18, April 1956, as much as will be read in under G.1114. NRM.61. is a "Liberation" No.  
22, November, 1956, as much as will be read in under

G.1150. NRM.62. is "Liberation" February 1954, as much (20

as will be read in under G.1150. NRM.63. is "Liberation" No. 21, September, 1956, as much as will be read in under

G.1114. NRM.64. is "Liberation" No. 2, April 1953. This falls in a different category. This was not printed, it

is a roneod document, which will not be dealt with under (25

that series. It is "Liberation" No. 2, April 1953, a journal of democratic discussion. Inside the cover page

"Become a Subscriber."

If you want to ensure that you will receive "Liberation" immediately after publication, send your sub- (30  
scription now.

Then there is Mr. D. Xluma, 16 Mylur House, Jeppe Street,

Johannesburg. On the first page there is an article "Epitaph for a parliament." On page 3 I read a paragraph that starts on page 3 -

The United Party knows these facts. Senator Nicholls acknowledged that "tomorrow we shall be virtually in (5 a police state." Yet the United Party, which claimed and still claims to have democratic pretensions, failed to oppose this law, as it has always failed and always will fail to defend democratic principle, because the bourgeois backers of the United Party are interested (10 not in principles but in super-profits from the exploitation of cheap labour. Senator Nicholls sees the choice, either a real democracy, or a police state. And he chooses the latter. The lesson is too plain to be misunderstood, except by those who are hopeless- (15 ly blinded by the spectacles of white Chauvinism and colour prejudice. "European authority" (that is the maintenance of political and economic privileges in the hands of a racial minority; the degradation and impoverishment of the majority) is incompatible in (20 the long run with the preservation of any sort of democratic rights, forms of ideology -- even in respect of the whites themselves. A nation which oppresses others cannot itself be free. The rights and the future of the peoples of South Africa, European and (25 non-European, can never be advanced or defended by the colour bar United Party, by the colour-bar Parliament, or for that matter by those self-proclaimed "liberals" who seek to conceal their own moral cowardice and subconscious Chauvinism by dishonest chatter about (30 a "qualified franchise." The task, the duty and the honour of defending the cherished liberties of the

South African people must fall on other shoulders; on the broad and worthy shoulders of the masses of non-European workers, peasants and middle-class people, and upon that honourable minority among the Europeans which boldly and uncompromisingly takes up (5 its stand for equality of rights and opportunities for all men and women in our country. These classes, organised in the African National Congress, the Trade Unions, the S.A. Peoples Congress and other democratic militant organisations of the people can alone take up (10 the banner of popular liberties and the defences of the people which Parliament has dropped into the mire. Then I turn to page 7, there is an article "The American Threat in Asia," by A.M. Kathrada. I turn to page, there is an article "War Against Kenya," by Hilda Bernstein. (15 It deals with the situation in Kenya. I next turn to page 23 where there is an article "Stalin and the National Question," by D. Tloome.

Joseph Stalin was a man of great intellectual ability, a profound thinker. He had the greatest love for (20 human beings. There is <sup>not</sup> a single sphere of the life of the people which escaped his attention. One of these was his famous work on the National and Colonial question. Joseph Stalin was born a member of an oppressed nationality. He was a Georgian, and under the Czarist empire (25 the Georgian people were treated with the same sort of contempt and bitter persecution which we non-Europeans are familiar with in South Africa. He was, therefore, particularly interested in the problems of national emancipation. But Stalin did not approach these (30 problems as a nationalist. His loyalty was to the



working class of all countries, and he examined the problems of nationalism from the point of view of their relationship to the international labour movement. Nations, he said arose from a particular period of history -- the period of capitalism. But not all (5) nations were equally developed. Those which were more advanced, colonised and oppressed the people of other countries. Basing himself on the theory of Marx, that "no nation which oppresses others can itself be free," Stalin declared that the labour movement in the domi- (10) nant countries must positively ally itself with the national liberation movements in the colonies. They had a common enemy - imperialism. But to form such an alliance the working class had to adopt a positive policy on the whole question of relations between (15) nations. Imperialism. Imperialism cannot live without violence and plunder, without bloodshed and shooting, wrote Stalin. That is the law of capitalism -- to beat the weak and backward. The wolf law of capitalism. You are backward, you are weak, therefore you are in (20) the wrong, therefore you can be beaten and subjugated. Then at page 24 of the same article, it refers to a quotation from Stalin's classic work "Economic Problems of Socialism in the U.S.S.R." which I omit, and then follows the following paragraph - (25)

Considering current events in Kenya, we may remember Stalin's words of 1927 on the occasion of the British backed coup d'etat of Chiang Kai-Shek. 'British capitalism has always been, is, and will continue to be the most vile executioner of popular revolutions.' (30)

Then there is a chapter "Labour Imperialists."

Stalin sharply attacked and exposed the type of

Labour and Socialist leaders in Britain, France  
and elsewhere who supported imperialism in oppressing  
4 colonial peoples.

Then he deals with what Stalin says in this regard. And  
I turn to page 25, and read the last paragraph only. (5

Stalin left no room for doubt about the need for  
national equality in all forms -- language, schools  
etc., -- as an essential element in the solution of  
the national problem. In this respect he strongly  
asserted that a state-law based on complete democracy (10  
in the country was required, prohibiting all national  
privileges without exception, all kinds of disabilities  
and restrictions on the rights of national groups.

And at the end - Printed and Published by D. Tloome, who  
is also responsible for all political matter not other (15  
wise acknowledged, .... The next is a "Liberation,"

NRM.65: Liberation, November, 1953, as much as will be  
read in under G.1150; Liberation 9 of 1954, as much as  
will be read in under G.1150, NRM.66. NRM.68? IS "Libera-  
tion" of the 20th August, 1956, as much as will be read (20  
in under G.1114. NRM.69, is "Liberation" of the 14th  
November, 1955, as much as will be read in under G.1114.

NRM.70, is a "Liberation," No. 17, March, 1956, as much  
as will be read in under G.1114. NRM.71, is "Liberation"  
December, 1955, as much as will be read in under G.1114. (25

Then I turn to list referring to Column 2, the document  
on that list, NRM.72, policy towards nationalities towards  
the Peoples Republic of China, published by the Foreign  
Languages Press, Peking in 1953. NRM.73, is a booklet,  
Mai Tse-Tung, Report of an investigation into the pre- (30  
sent movement in Hoonan." Published by the foreign lan-  
guages Press, Peking, 1953. NRM.74, is a booklet, Mai-

Tse Tung, Combat Liberalism, published by the Foreign Languages Press, Peking, 1955. NRM.75, is a publication from the Little Lenin Library, Lenin and Stalin on the State. Published by Lawrence Wishart, and this will be put in under NRM.1. I am just placing it on record. (5

The next is NRM.76, it is a Little Stalin Library Publication on Lenin, speeches and articles by J. Stalin, published by Lawrence Wishart, London. The next is NRM.77, it is a publication Little Lenin Library, Vol. 24, Lenin and Stalin on Propaganda, published by Lawrence Wis- (10

hart. And the contents (I) Lenin Speaks, (ii) Propagandist and Agitator. (iii) Winning the Masses. (IV) Political Education of the Masses. (V) Communist Work Among Women, (VI) The need for a paper. (VII) Slogans and Dialectics. and then there is an appendix, G. Dimitrov on the Use of (15

Language. It is a 1942 publication. The next is NRM.78 it is a booklet, J. Stalin, from the Little Stalin Library on the National Question, published by Lawrence Wishart, 1942. NRM.79 is a booklet, G. Malenkov, Report to the 19th Party Congress on the Work of the Central Committee (20

of the C.P.S.U. Foreign Languages Press Publication House, Moscow, 1952. NRM.80, is a booklet, J. Stalin, Economic Problems of Socialism in the U.S.S.R. It is a Foreign Languages Press Publishing House publication, Moscow, 1952. The next is NRM.83, and there is a mistake on the (25

title of this on Your Lordships list. It is not "We are Many,"/is <sup>it</sup> "The Threatened people," published by S.A.C.O.D. It is the same as C.268. And then finally, there is a book NRM,84. It is "J. Stalin, Problems of Leninism, " published by the Foreign Languages Publishing House, (30

Moscow, 1945. That concludes the evidence in chief of this witness.

BY MR. FISCHER: We will be able to cross-examine immediately after lunch, Milords.

BY MR. JUSTICE BEKKER: Mr. Trengrove, are there any other witnesses dealing with N.R. Mandela or not?

BY MR. TRENGROVE: Yes, Milord, there is another witness. (5  
If it would be more convenient for Your Lordships, we could call that witness now.

BY MR. JUSTICE BEKKER: If you could do it, it would be convenient.

ROELOF ADRIANUS DE VRIES, JANSBURG. duly sworn (Speaking Afrikaans)(10

BY MR. TRENGROVE: Milords, there is just one matter in connection with the evidence of this witness. This witness searched premises at 8115 Orlando, Johannesburg, on the 27th September, 1955. This witness is unable to say of his own knowledge that this was the residence of Accused (15  
No. 6, N.R. Mandela. We have another witness who will testify to that effect, but he is not available at this moment. That is why I didn't want to call this witness at this stage. But if that portion of the evidence could stand over, we can proceed with this witness, and the other witness will (20  
give evidence on the fact that on the 27th.....

BY MR. JUSTICE RUMPF: Yes, we don't want to hear the evidence, we know what the position is.

EXAMINATION BY MR. TRENGROVE: You are a detective sergeant in the S.A. Police,, and where are you stationed?-- (25  
At Hospital Hill, Johannesburg.

Now do you remember the 27th September 1955?-- I remember the date.

And did you under authority of a search warrant search certain premises on that day?-- Yes. (30

What were those premises?-- 8115, Orlando West.

And what do these premises consist of ?-- Ordinary residential house of a native.

And was anybody present when you searched the premises ?-- Yes, a Bantu woman, Patricia, was present.

And how many rooms do these premises consist of, can (5 you remember ?-- I am not certain, I think 4.

Do you remember what they were, kitchen, so on ?-- I think two bedrooms, kitchen and a lounge.

And when you searched the premises, except for this Bantu woman who was present, was anybody else present ?--(10 Yes, a native detective and another European detective.

Now, you have before you certain documents ?-- Yes.

Would you just have a look at the documents -- firstly there is a document marked NRM. 1, is that correct ?-- Yes.

Then there is a document NRM.2 ?-- Yes. (15

Then NRM. 5. 6 and 7; NRM.9. NRM. 11, NRM.12. NRM.12A. B, C and E; NRM.13. NRM.14 and NRM.15; NRM.16. NRM.17 AND NRM.17A ?-- Yes.

Now, where did you get those documents ?-- I found the majority in a bookshelf. (20

Where was the bookshelf ?-- Inside the lounge.

Did you find documents anywhere else ?-- Yes, I found documents in other places too.

Other places where ?-- In the different rooms, I can't remember exactly where. (25

And these documents that you have now testified to are some of the documents which you found there on that day ?-- Yes, that is correct.

You hand in those documents ?-- Yes.

NRM.1, is a booklet "Little Lenin Library, Lenin & (30 Stalin on the State." Published by Lawrence Wishart, stamped, apparently with another stamp on the outside

cover "Young Communist League, P.O. Box 4598, Johannesburg,"  
The same stamp is in the inside, and inside there is a  
page pasted in, Young Communist League, Johannesburg  
District Library, Johannesburg. This book must be re-  
turned on the latest date when it may be renewed for a (5  
further 15 days. The next document is a booklet, NRM.2,  
Council of the World Federation of Democratic Youth,  
Peking, 9th to 15th August, 1954, and it is published by  
the World Youth Magazine, Organ of the World Federation  
of Democratic Youth. Handed in for possession only. (10  
The next document, is NRM.5, it is a notebook with manu-  
script notes, and it starts off page 1, Manifesto of the  
Communist Party. These notes have also been typed and  
will be dealt with at a later stage. I hand in for pos-  
session only. The next document, NRM.6, is a bulletin (15  
New Life in China by Ruth First, with a foreword by W.M.  
Sisulu, January 1955, we are merely relying on possession.  
The next document is NRM.7, it is a booklet, South  
Africa's Way Forward by Moses Kotane, an advance study  
document published in May 1954, and it is the same as (20  
B.79. The next document is "Fighting Talk," July 1955,  
as much as will be read in under G.1132. The next docu-  
ment is a roneod document, NRM.11. It is a presidential  
address delivered by A.J. Luthuli, President General,  
African National Congress, at the 41st Annual Conference (25  
of the African National Congress, assembled at Queenstown,  
December 1953. This appears on the schedule of policy at  
pages 18 and 24. At page 3 of this document, the last  
paragraph, under the heading "Some Significant trends in  
our South African situation." Then there is a sub-para- (30  
graph "Deterioration in healthy human relations." And the  
last paragraph of that page, under that heading -

Apartheid laws are being enacted in great haste and impatience and being implemented in the same tempo and ruthlessness with studied utter disregard for human feelings and sufferings of the people affected, who happen to be the voteless and, therefore, voiceless (5 and defenceless non-Whites. It is precisely because the vote is the key to the security of an individual in a state that the African National Congress unequivocally demands full democratic rights now, during our lifetime and not in infinity. I shall now refer spe- (10 cially to a few apartheid laws to show how by their objects and nature they must arouse the anger and disgust of the people affected by them.

Then page 4, the speaker then proceeds to do that, and page 5, portions have been deleted by the Crown, and there (15 is a heading "The Union of South Africa becoming a fascist state." And under that heading -

The non-violent Defiance Campaign against unjust laws has helped to show up most convincingly that the Union of South Africa under the Nationalist regime is fast (20 becoming a dictatorship. The Nationalist Government of Dr. Malan will go down in history, not only as a government, that has made the most tyrannical laws with sweeping dictatorial powers such as we find in the Suppression of Communism Act, The Public Safety Act, (25 Criminal Laws Amendment Act, but as a most ruthless government in dealing with opposition to it. In and out of parliament it has shown the tendency to crush anyone opposing it. On the pretext of fighting communism and the non-violent Defiance campaign it has banned (30 many leaders of political and trade union organisations. It has deposed chiefs who have tried to oppose government

measures. On behalf of the African National Congress I would like to express our sympathy to all who in any way have become victims of the ruthlessness of the Malan government in suppressing free speech, free association, due to a guilty conscience of the public(5 wrongs it has committed against those who have sought the welfare of the Union of South Africa in ways different from their own. As President-General of the largest political organisation in the Union, I call upon all freedom loving people to regard no sacrifice (10 too great in opposing the fascist government of Dr. Malan before it is too late.

Then at page 6 - The Growth of the Liberatory Movement among non-whites.

It is well for us to note that the African National (15 Congress and the South African Indian Congress, whilst retaining their full identity as national organisations in their own communities respectively are no longer isolated organisations but together with other national organisations that may come in, are partners in our (20 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-White on the basis of quality and no other and extend to them full democratic rights so (25 as to enable them to share in the government of the country. Further we must regard our liberatory movement in the Union as part of the liberatory Movement in the whole of Africa. In this connection I am happy to say that the African National Congress is already int- (30 eresting itself in the proposition of a Pan-African Conference. We welcome the interest taken in this



matter by the Prime Minister of the Gold Coast, Mr. Nkrumah; the President of Egypt General Naguib and the Prime Minister of India Mr. Behru. The African National Congress has played a noble in setting in motion the liberatory movement. It can well regard (5) itself as being the vanguard of the movement in the Union. Contrary to the criticisms of some of our critics it was the African National Congress that took the initiative in inviting other national organisations in the Union to discuss the matter of jointly (10) prosecuting a militant programme against the oppressive measures by the present rulers of the Union. It was in 1949 that this militant took shape and received the approval of the Annual Conference of the African National Congress. It is well to point out that in this (15) programme of action, many forms of carrying on the militant programme of action were agreed upon in principle. Non-violent Passive Defiance Campaign of great fame was only one of the forms of militancy.

Then page 6 goes on to deal with "Some Significant events (20) in the Union of South Africa. (i) "The Non-Violent Campaign for the Defiance of Unjust Laws. And the speaker then deals with the non-violent campaign for the defiance of Unjust Laws organised and jointly launched in 1952 by the leading organisations among non-Whites. And then I (25) omit the first paragraph on page 7, and I go to the fourth paragraph -

The campaign has so sharpened the political issues in the country as to leave no room for middle-of-the-road individuals or groups. Hence the dissension in the (30) great Smuts party, the United Party and in the Labour Party of S.A. Hence also the silence of some leading

people in our own communities. One has to accept the justice of the claim of the non-whites for freedom and work unreservedly and openly for its realisation or be guilty of directly or indirectly assisting the Nationalist party in its relentless and unmitigated (5 oppression and suppression of the non-white peoples in their claim for freedemocratic rights. In a word, the non-violence Defiance Campaign has caused much heart searching among some people and much ire and violent reaction with others in all communities. Much (10 to the discomfort of the present rulers of the Union the searchlight of the world has been focussed on the Union of South Africa, more than ever before by the campaign. Racial discrimination has become an international issue, and no amount of talk about domestic (15 jurisdiction will deceive the world regarding its true nature and effect.

What About its effect on the non-whites as a whole? It is no exaggeration to say that the effect of the campaign on the non-White peoples as a whole, espec- (20 ially those who took an active part in the campaign, has been profound and beneficial. It 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 (25 forcefull brought them a new awareness of the potency of United and Co-operative Action among all oppressed people irrespective of colour of class. The co-operation of the non-White groups in the political sphere has come to stay whatever lying propaganda may be made (30 against it. Prudence on our part demands its continuation. I must at this point, on behalf of the African

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