

people towards equality, and even retards the very development of the country. What strengthens Strijdom, strengthens imperialism; and what strengthens imperialism, strengthens Strijdom.

Thus it can be seen that the Nationalist Government 5
of Strijdom, Verwoerd and Swart is the representative
of the dying forces of reaction both at home and
abroad. The alliance under Strijdom of the industrial
and mining monopolists, and big farmers with foreign
imperialism cannot lead South Africa forward into a 10
secure and prosperous future. It can only lead to
everdeepening bitterness and racial strife at home
and militaristic adventures abroad which may cul-
minate in the horrors of war. The very distortion
brought about by the apartheid policy emphasises 15
that the social and political relations between the
peoples and classes of South Africa no longer corres-
pond to the productive relations between them. In
such a situation, only a decisive break-through by
the progressive forces - headed by the working 20
class, can lead a country to a higher stage of
development, can remove the obstacle which is
blocking the road to freedom.

What, then, must be done? It is clearly futile
to expect the Nationalists, or the United Party 25
Opposition, or the Conservatives or the Liberals
or any other possible combination of the Parlia-
mentary parties to implement the Freedom Charter.
Despite the fact that the Charter does no more
than translate into South African terms the basic 30
principles of human brotherhood and co-operation
on which alone a civilised and humane society can

can be founded, not one of these parties - not even the Liberal Party - will agree to endorse it; for they all, in one way or another, stand for the perpetuation of white domination. Clearly then, another solution must be sought. This solution must 5 be the creation of a people's democracy in South Africa, in which political and economic power will be vested in the people on the lines laid down in the Freedom Charter. This long term aid of the progressive movement must ever be borne in mind when 10 considering the immediate programme of action which must now be drawn up.

What are the forces which can introduce the people's democracy? First of all, since the vast majority of South Africans would benefit from the establish- 15 ment of a people's democracy, it is reasonable to expect that at some stage or other they can be drawn into the struggle to achieve it.

The aim of progressives should be to create a united front of the various national organisations of the 20 people, together with the trade unions, women's organisations, youth organisations etc., headed by the working class, which alone is capable of mobilising the vast masses of the people for political action on the scale which is required to defeat the 25 Nationalist Government and place in power a people's democratic government. Some tentative steps have already been taken towards the creation of such a united front. The first foundations of unity were laid in the historic Defiance Campaign of 1952-1953, 30 during which....."

And then it goes on, My Lord, to say that the four

Congresses were responsible for drawing up the preparations for the Congress of the People and for the drawing up of the Freedom Charter. I then continue reading the last couple of lines of the second last paragraph I

"The experience of these struggles have shown that 5
the people of South Africa are waiting to be mobilised for an all-out struggle against fascism and for full democratic rights for all.

Unfortunately, it must be admitted that the people's organisations themselves have not yet displayed 10
either the clarity of policy, or the militancy, or the required degree of organisation to consolidate the unity which has already been achieved."

The next portion, My Lord, is really organisational up to page 13, and I am starting to read again from the 15
third line on page 13 :

"Those who conduct the campaign must make it clear that the Freedom Charter is not just another document, just a formal set of pious hopes. The people must be convinced that only the implementation of the 20
Charter will make it possible for all to live the good life in South Africa; that failure to implement the Charter will mean the continuation of their life of serfdom and oppression under the iron heel of the Nationalist Government. The Charter must be 25
given meaning in terms of the day-to-day experience and struggle of the people. Pass raids, Bantu Education, the rounding up of the Coloured people, under the Population Registration Act, the arrests of African women in the Cape Peninsula, the persecu- 30
tion of the Indian people in Natal, the denial of passports - all the sufferings and strivings of the

people must be given new significance in the light of the Charter. The frustration and anger of the victims of apartheid must be converted to organised struggle to win the Charter. Only when the people are given an aim and a perspective, and the hope and courage to achieve it, will it be possible to build the instrument capable of defeating the Nationalist Government, or any other colour-bar tyranny, and placing in power a people's government. 5

The core of the progressive movement of resistance to the Nationalist Government, of the fight for democratic rights, will continue to be the united front of the workers of South Africa, White, Black and Brown, organised in the A.N.C., S.A.I.C., S.A.C.F.O., C.O.D., trade unions and led by the working class. Unremitting efforts must be made to cement the unity and solidarity of these organisations, to bring to the fore their common interests, to demonstrate that the things which unite them - hatred of Nationalist tyranny, love of freedom - are far greater than the things which divide them. At the same time, other elements of the population must not be neglected. 10 15 20

There exists at the present time...."

I stop on page 13, My Lord, and I am now reading from the middle of page 14 : 25

"No real leadership in the struggle for democracy for all can be expected from the United Party or any of these other organisations which share the basic aims of the Nationalists to maintain the profit system, the connections with imperialism, 30

the basic inequalities of capitalist society, the colour bar. Their quarrel with the Government stems from their fear that the Nationalists will use their state power to oust them from their formerly dominant positions in the economic and social life of South Africa, that they will gradually be squeezed into the position of second-class Europeans. The dispute is more over the methods than over the madness of apartheid itself. Nevertheless, the progressive movement, must take advantage of every split in the ranks of the ruling group. Indeed, on many issues, the stand taken by some of these anti-Nationalist groups is a progressive one. Under the circumstances it would be wrong to stand aside from the struggles which are being waged by these groups. Where it is possible to support them in principle, progressives should come forward and frankly offer their assistance. Similarly, the assistance of these elements should be sought in furthering particular campaigns which have their origin in the progressive movement. It should be possible on this basis, and without sacrificing basic principles, to build a united front on local issues - as, for example - was built in the case of the campaign against the Western Areas removal and is still possible in the campaign against Bantu Education. Continual work and propaganda on these lines will serve to convince more and more of the wavering elements among the Europeans particularly that no solution can be forthcoming from the parties which they formerly supported, and that the only road to progress in South Africa lies in full association with the progressive movement

headed by the working class and Congress alliance for the implementation of the Freedom Charter." Then I proceed, My Lord, to page 17, at the bottom of the page referring to S.A.C.T.U. :

"S.A.C.T.U. has made a courageous start, but there 5
is still a tremendous amount of work to be done.
It can still be said that the vast bulk of non-European workers are untouched by trade union organization, and therefore completely at the mercy of the capitalist class and its agents in the Government 10
Labour Department, and the Department of Native Affairs. Yet the spate of recent strikes in the Transvaal and Natal shows that the non-European workers, and in particular the most poorly paid amongst them, the African workers, are not content 15
to accept the present state of affairs and are determined to fight for an improvement of their conditions. S.A.C.T.U. and the progressive movement as a whole have not kept pace with these workers, who in many cases have had to struggle on their own 20
against the bosses and the Government's officials, and have often been cruelly victimised as a result. Since many of these disabilities facing non-European workers stem directly from the Government's apartheid policy, it is of the greatest importance that 25
the necessary spade work be done to organise the unorganised workers of South Africa. The creating of a strong, disciplined trade union movement, including in its ranks the majority of the South African workers of all races, is an indispensable 30
pre-condition for the implementation of the Freedom Charter."

I continue at the top of page 19, My Lord, the first paragraph E

"South African capitalists - like all capitalists - are trying to place the burden of the crisis on the backs of the workers. Mr. Sidney Buchanan, senior vice-president of the Cape Town Chamber of Commerce, speaking at a meeting of the Junior Chamber of Commerce in Cape Town on August 30, warned that South Africa's overseas markets were being threatened by severe competition. 'Competition is coming and is going to hit us for a six', he said. 'We are not ready to face it yet'. There was a scarcity of manpower in South Africa, and if overseas conditions of employment could apply in the Union, it would be better for all. 'It would compel us to be efficient and keen in what we do'. The report of Mr. Buchanan's speech in the Cape Times the following morning then reads as follows...."

I then continue on the last paragraph of that page :

"The capitalists class naturally has no suggestions to make about the need to curtail profits. The crisis must be solved at the expense of the workers, not the bosses. In the coming crisis, the skilled worker will be hit as hard as the unskilled. Only the organised strength and unity of all sections of the trade union movement will be able to beat off this assault and defend the interests of the workers. It is the responsibility of S.A.C.T.U. to carry this message to all sections of the trade union movement, and to work ceaselessly for the achievement of the greatest possible state of unity with other

trade union centres in defence of the rights and interests of the whole working class."

Then I am reading from the last paragraph on page 21 :

"South African democrats must now make the same choice - either to live in ever-deepening shame and misery, or to make a break now, to oppose Nationalist tyranny, to lay the foundations of the new South Africa in which all will enjoy equal rights and the evils of race hatred and discrimination will only be a hideous memory of the past. Above all, the South African working class must now live up to its responsibility for providing the leadership which will give South Africans the confidence that a people's democracy on the lines laid down in the Freedom Charter can be established, not in a thousand years, but today, in our lifetime. Only the working class has the vision and the organisational ability to provide this leadership. The time has come for the best elements of the working class to come forward and lead the South African people into the future of their dreams."

That concludes this document, My Lord.

(CONTINUED ON PAGE 2459)

The next, My Lord, is L.B. 3, a typewritten document, with a manuscript "at our departure". And the typewritten, "Federation of South African Women, Lilian Ngoyi, South Africa. To the General Secretary and the Secretariat of the W.I.D.F." It is undated, My Lord, 5 and the words "of the W.I.D.F." is also in manuscript. I am only reading the eight last lines on the first page :

"In brief, I still say thanks to the W.I.D.F. for having made it possible for us to go and see China. I think - for us to go and see China, which is now 10 within a period of five years is known as New China. I think this was the best time for us to see it while it is still shaking itself from dust into purity. This has shown us that, if we do our work amongst our people, especially the masses known as workers 15 and peasants people who are heavy laden with sorrow, poverty and hunger, we shall do one day speak as countries like China, where people sayb'our government'.

My Lord, the rest of the document is praising conditions 20 in China and in Russia. The next document, My Lord, is L.B. 4. It is typewritten, "Greetings Comrade Volunteer". My Lord it is the same as B.31, and the Crown relies on as much as was read in in B.31. L.B.5 is the "Call to the C.O.F." My Lord, this is the same as A.140, and 25 the Crown relies on as much as was read in in A.140. L.B.6 is the lecture, "The Country we Live In", which is the same as A.85, and the Crown relies on as much as was read in in A.85. L.B.7 is the "Draft Memorandum of the Congress of the People". My Lord, this document 30 forms portion of the A series, A.37 and A.38, and is contained in the Report of the African Nzational Congress

to the 1954 Conference, and the Crown relies on as much as was read in in that document, A.38. L.B.8, My Lord was omitted under the C.group, My Lord, so it is omitted here. My next is L.B.10, My Lord. It is a roneod document, "The Road to Liberty". On page 3 appears the name L. Bernstein in type. This, My Lord, was read in as C.52, and the Crown relies on as much as was read in in C.52. It appears My Lord on page 87 and - page 87, item 4 of the Policy Schedule, page 91, item 4 of the Policy Schedule and page 94, item 3 of the Policy Schedule. 5 10

L.B. 11 is a roneod - is omitted, My Lord, it is the same as L.B.4. L.B.12 is the lecture "A Change is Needed", lecture 3, and it was read in as A.86, My Lord, and the Crown relies on as much as was read in under A.86.

L.B. 13 is the lecture "The World we Live In", and that is the same as A.84, and the Crown relies on as much as was read in in A.84. My Lord, L.B. 14 is a Schedule 4, Column 2, document, My Lord. I am sorry, there is an error, and it is the Statement of Mr. Molotov, Chou-en-lai and Kim-il-Sung. It is a supplement to the "News", No. 8, April 15th, 1953. L.B.15 is "Liberation", No. 12, September, 1955, and My Lord, this will be dealt with under the series G.1114. L.B.16 is "Resolutions and Recommendations " of the World Peace Council, Extraordinary Session of the World Council of Peace, Berlin, May 24-28 1954. It is a Schedule 4, Column 3 document, My Lord. L.B. 17 is a leaflet," Constitution of the Peoples' Republic of China, Report on the Draft Constitution of the Peoples' Republic of China by Leo Shao-Chai. Report on the work of the government by Chou-en-lai." This is a Schedule 4, Column 2 document, My Lord. 15 20 25 30

L.B.18 is "Soviet News", August 12th, 1955, London, and

is a Column 4, Schedule - sorry, Schedule 4, Column 2 document, My Lord. L.B. 19 is "Fighting Talk" - L.B.19 to L.B. 26 are eight copies of "Fighting Talk" of various dates, My Lord, dealt with under G.1131 and 1132.

L. B. 27 is a Schedule 4, Column 3, document and it refers 5
to the World Peace Council My Lord, and it is a "World
Assembly for Peace", supplement to the bulletin of the
World Council of Peace, May 25th, 1955. L.B.28 is a
typewritten document, "Report on the Status of Czechoslo-
vak Women and Children on the Tenth Anniversary of the 10
Liberation of Czechoslovakia". My Lord, this is a
Schedule 4, Column 2 document. L.B. 29 is "Documentary
Material", Vienna, June 10th, 1955, a Schedule 4, Column
3 document, My Lord. It is the - it refers to the World
Council of Peace. L.B. 30 is the bulletin of the World 15
Peace Council, September 15th, 1955, a Schedule 4, Column
3. The same applies to 31, 32, 33, and 34. They are all
bulletins. My Lord, the next is a set of lectures
which I am not going to read, My Lord. They are lectures
by Dr. H. J. Simon, being lectures delivered at the 20
Summer School organised by the Durban Study Circle from
the 5th to the 13th January, 1954. Durban Study Circle,
6 Pembroke Chambers, 420 West Street, Durban, and it gives
the telephone number. This will be dealt with, My Lord,
by the experts. L.B.36, My Lord, is a number of cuttings 25
from "Fighting Talk" of various dates and is handed in
for possession only, My Lord. L.B. 37 to 43, My Lord,
are a set of "Liberations" and this will be dealt with
My Lord under the series G.1150, except L.B. 43 which
will be dealt with under W.M.2. and L.B. 40 which will 30
be dealt with under E.626, I am not sure, but I am put-
ting it in at this stage.

BY MR. JUSTICE RUMIEFF :

You are putting in "Liberation" No. 4,
L. B. 40 for possession only?

BY MR. VAN NIEKERK :

As Your Lordship pleases. L. B. 44 is 5
omitted. L.B. 45 is "Liberation" No. 2 of 1953

BY MR. JUSTICE RUMIEFF :

Just before you go on, what happened to
L. B. 43? Is that also under G.1150?

BY MR. VAN NIEKERK : 10

I am sorry, My Lord, this must be dealt with
now, My Lord. L. B. 43 "Liberation" No. 3, page 1, there
is an article "After the Election, What Next?". At this
stage I put it in for possession only. L.B. 45 is
"Liberation" No.2, and My Lord, this was dealt with under 15
E.625. L.B. 46 My Lord is Schedule 4, Column 2 document,
"China Reconstructs", August 1955. L.B. 47 is "Workers
Unity" Volume 1, No. 3, July 1955. It was dealt with
as D.28(c) and the Crown relies on as much as was read in
under 28(c). My Lord, the next, these little booklets that 20
I am going to deal with now are all Schedule 4, Column 2
documents. L.B.48 is "The National Question Solved" by
C.H. Astranova, Foreign Languages Publishing House, Moscow,
1939. L.B. 49 "Soviet Far East" by F. Ossipenco, Foreign
Languages Publishing House, printed in the Union of Soviet 25
Socialist Republics. L.B.50 "Folk Arts and Crafts of
U.S.S.R.", Professor A.B. Bachushinsky, printed in the
Union of Soviet Socialist Republics, Foreign Languages
Publishing House, Moscow. L.B. 51, "How Soviet Workers
spend their Leisure" by I. Korobov, Foreign Languages 30
Publishing House, Moscow, 1939. L.B. 52 "The Stakhanov
Movement on Soviet Railroads" by F. Kribinos, Foreign

Languages Publishing House, Moscow, 1939. L.B.53 "Soviet Youth at Work and Play" by Sobolev, Foreign Languages Publishing House, Moscow, 1939. L.B.54 "Industrial Progress in the Soviet Republics of the non-Russian Nationalities" by Papyan, Foreign Languages Publishing House, Moscow, 1939. L.B.55, "Socialism and War" by V.I. Lenin, Little Lenin Library, Volume 3, London, Lawrence and Weichardt, Limited, and inside is stamped "This is the property of F.S.U. Reference Library". L.B.56, Little Lenin Library, Volume 2, "The War and the Second International" by V.I. Lenin, London, Lawrence and Weichardt, Limited. L.B.57, Little Lenin Library, Volume 20, "War and the Worker", a lecture and an article by V.I. Lenin, London, Lawrence and Weichardt, Limited. L.B.58, Little Lenin Library, "Lenin and Stalin on the State", London, Lawrence and Weichardt, Limited. L.B.59, "National Income of the U.S.S.R." by Sautin, Foreign Languages Publishing House, Moscow, 1939. L.B.60, "The Czechoslovak Radio in War and Revolution" published in Prague. L.B. 61, "Public Education in the U.S.S.R." by O. Leonova, Foreign Languages Publishing House, Moscow, 1939. L.B.62, "Socialist Farming" by K. Borin, Foreign Languages Publishing House, Moscow. L.B.63, Little Lenin Library, Volume 22, "Opportunism and Social Chauvinism", London, Lawrence and Weichardt Limited. L.B.64, "Introduction to Marxism" by Neil Burns, London, Lawrence and Weichardt, Limited, 1952. L.B.65, "World Review in Defence of Peace", Volume 19, published in Paris, My Lord. L.B.66 is omitted, My Lord, it is the same as L.B.65. L.B.67 "Karl Marx 1880-1883 for the Anniversary of his Death, 14th March, 1883", London, Lawrence and Weichardt Limited. L.B.68, "Lenin and Stalin on the States", it is the same

- My Lord, as L.B.58 but the Publisher's Note differs.
- L.B.69, "Women in the U.S.S.R." by M. Figodina, Foreign Languages Publishing House, Moscow, 1939.
- L.B.70, "Lenin and Stalin on Propaganda", London, Lawrence and Weichardt, Limited. 5
- L.B.71, omitted, as it is the same as L.B.57.
- L.B.72, V.I. Lenin, "Two Tactics of Social Democracy in the Democratic Revolution", Foreign Languages Publishing House, Moscow, 1947.
- L.B.73, "The Dangers of Rearmament" by D.N.Fritt, Q.C, 10
President, British Peace Committee. My Lord, this is a
Schedule 4, Column 3 document.
- L.B.74 is omitted.
- L.B.75, "Marxism and the Individual", by the Dean of Canterbury, 1943, Lawrence and Weichardt, Limited, London. 15
- L.B.76, "Work and Wages in the Soviet Union" by Goodhope, Foreign Languages Publishing House, Moscow, 1939.
- L.B.77, "Notes of a Delegate and Class and Party", J. Stalin, London, Lawrence and Weichardt, Limited.
- L.B.78, "K. Marx Critique on the Programme", 20
Foreign Languages Publishing House, Moscow, 1947.
- L.B.79, "New People of the Soviet Countryside" by Kovardak, Foreign Languages Publishing House, Moscow, 1939.
- L.B.80, "Can the Bolsheviks Retain State Power", by V.I. Lenin, London, Lawrence and Weichardt, Limited. 25
- L.B.81, "Allies for Freedom", Report of the Second Conference of the Communist and Workers Parties of Countries in the Sphere of British Imperialism, held in Caxton Hall, London, April, 1954. Printed by Far East Press Limited. 30
- L.B.82, "Labour Conditions in U.S.S.R.", Soviet News Booklet No. 16.

- L.B.83, "On Organisation", J. Stalin, London, Lawrence and Weichardt, Limited.
- L.B.84, "The Part of Negro Liberation" by D.J. Davis, published by New Century Publishers, New York.
- L.B.85, "Children in New China" printed in Teking, 1955. 5
- L.B.86, My Lord, is a booklet, "South Africa's Way Forward" by Moses Kotane. My Lord, this book has been dealt with as B.79, and the Crown relies on as much as was read in under B.79.
- L.B.87, a booklet "The Communist Party Eighteenth Congress, 20 November, 1945. Resolutions and Agenda" printed in - printed by Farley Press Limited, Beachwood Works, Beachwood, Watford, Berkshire (?). This is a Schedule 4, Column 2 publication, My Lord.
- L.B.88, "Soviet Union and the Toles", Election Speeches 15
by Molotov, Malenkov, , Borishilov and Mikoyan,
Soviet News Booklet, printed by Soviet News, London, 1950.
Also a Schedule 4, Column 2 document, My Lord.
- L.B.89, "Mass Technical Training in the U.S.S.R." by
Theodorova, Foreign Languages Publishing House, Moscow, 20
1939.
- L.B.90, "Communist Review", April, 1947, published by the
Communist Party in London, April, 1947.
- L.B.91, "The Communist", May, 1948, Monthly organ of the
Communist Party of India, printed in Bombay. 25
- L.B.92, "Economic Planning in the U.S.S.R." by Joffe,
Foreign Languages Publishing House, Moscow, 1939.
- L.B.93, "Vishinsky at UNO, Speeches at the United Nations
Political Committee," December, 18-19-21, 1951, Soviet
News Booklet, London, 1952. 30
- L.B.94, "Marxist " No. 8, by Agikari, Volume 8,
Peoples' Publishing House, Bombay.

L.B.98, "Soviet Students" by Kafchanov, Foreign Languages Publishing House, Moscow.

L.B.99 is omitted.

L.B.100, is "The Teachings of Karl Marx" by V.I. Lenin, London, Lawrence and Weichardt, Limited. 5

L.B. 101, "The Threatening Catastrophe and How to Fight It", including also the Russian Revolution and Civil War by V.I. Lenin, London, Lawrence and Weichardt, Limited.

L.B.102, "Science for Peace and Socialism" by J.B. Bernel, and Morris Cornwall, London, no date, My Lord. 10

L.B.103, "Foundations of Leninism", J. Stalin, and stamped inside "F.S.U. Library", and London, Lawrence and Weichardt.

L.B.104, is a special issue of "The Call" which was dealt with under B.95, My Lord. It was handed in by the witness who only handed in three documents yesterday afternoon, 15 Mr. Lemmer, My Lord. My Lord, the following documents are all Schedule 4, Column 2.

L.B.105, "The Industrial Might of the U.S.S.R." by Bardin, Foreign Languages Publishing House, Moscow, 1939.

L.B.106, "In the Role of the State in the Socialist Transformation of the Economy of the U.S.S.R.", Foreign Languages Publishing House, Moscow, 1951. 20

L.B.107, "Economics of Capitalism" by Dolk, published by the Marx Memorial Library and Workers School by Lawrence and Weichardt Limited, London. 25

L.B.108, "On the Eve of October" by V.I. Lenin, London, Lawrence and Weichardt, Limited.

L.B.109, "The Chance of the Proletariat in the Revolution", by V.I. Lenin, London, Lawrence and Weichardt.

L.B.110 is omitted. 30

L.B.111, "Why you should be a socialist", John Strachey, London, Victor Gollant, Limited, 1938.

- L.B.112, "Marxist Mecellany", Volume 6, by Agikari, People's Publishing House, Bombay.
- L.B.113, V.I. Lenin, "What the Friends of the People are and How they Fight the Social Democrats", Foreign Languages Publishing House, Moscow, 1946. 5
- L.B.114, "Stalin and the Red Army", by Voroshilov, Foreign Languages Publishing House, Moscow, 1941.
- L.B.115, V.I. Lenin, "Imperialism, the Highest State of Capitalism", Foreign Languages Publishing House, Moscow, 1947. 10
- L.B.116 and 117 are omitted, My Lord.
- L.B.118, "Advancing to Communism", Foreign Languages Publishing House, Moscow, 1950, the author Gypkovetsky.
- L.B.119, "The British Road to Socialism", new Edition, 1952, published by the Communist Party, London, April, 1952. 15
- L.B.120 is omitted, as well as L.B. 121, 122, and 123.
- L.B.124, "I see a New China" Tovok, Left Book Club Edition, printed in London, 1945, Victor Gollance, Limited.
- L.B.125 is omitted, My Lord, it is the same as L.B.86. 20
- L.B.126 is "The Russians", by A. R. Williams, printed in London, by the Stewart Printing Company, (Pty.) Limited, Cape Town and distributed by the South African Friends of the Soviet Union, Commissioner Street, Johannesburg. This is a reprint by permission of George Harrap and Company, 25 London.
- L.B.127 and 128 are omitted, My Lord.
- L.B.129 is a booklet, "The Food Industry of the U.S.S.R." by Shemshishina, Foreign Languages Publishing House, Moscow, 1939. 30
- L.B.130 is omitted.
- L.B.131 is "The Constitution, Fundamental Law of the

- Union of Soviet Socialist Republics" Ogiz State Publishing House of Political Literature, 1938.
- L.B.132 is "Marx on China" articles from the New York Daily Tribune, 1853-1860, 1951, Lawrence and Weichardt, London. 5
- L.B.133, "Political Economy" by Leonid, Lawrence and Weichardt, Limited, London.
- L.B.134 is "Selected Works of Mao-tse-tung" Volume 2, Lawrence and Weichardt, London, 1954.
- L.B.135 is "Selected Works No. 2 of Lenin," "The Struggle for a Bolshevik Party 1900-1904", Lawrence and Weichardt, Limited, London. 10
- L.B.136, "Memories of Lenin" Trotskaya, printed by Hardy Press, Limited, Bournemouth, England.
- L.B.137, "Stalinskampf (?)" by Stalin, Publishers, London, Limited, no date. 15
- L.B.138, "Leninism" by Joseph Stalin, London, Lawrence and Weichardt, Limited.
- L.B.139 "Selected Works No. 5 by Lenin", Lawrence and Weichardt, Limited, London. 20
- L.B.140 is "Communist Review", March, 1946. It is a booklet, My Lord, containing Communist Reviews for the year 1946.
- L.B.141, "Karl Marx, Selected Works, Volume 1", Foreign Languages Publishing House, Moscow, 1946. 25
- L.B. 142, "Joseph Stalin - A Short Biography", Foreign Languages Publishing House, Moscow, 1951.
- L.B. 143, "History of the Communist Party of the Soviet Union Bolsheviks", Foreign Languages Publishing House, Moscow, 1939. 30
- L.B.144 "Selected Works of Mao-Tse-Tung", Volume 3, London, Lawrence and Weichardt, 1954.

L.B.145, "Works of J. Stalin", Volume I, Foreign Languages Publishing House, Moscow, 1952.

L.B.146 "Stalin's Works", Volume 3.

These My Lords, are a set of Stalin's Works, Russian Edition, published by the decision of the Central Committee of the Communist Party of the Soviet Union, Bolshevik. 5

L. B. 153, is "Stalin's Works", No. - Volume 11, the reference is the same in all these cases, My Lord, The Foreign Languages Publishing House, Moscow, 1954. That is from L.B. 147 to L.B. 153, we have the volumes 10, 9, 8, 7, 5 and 4, My Lord. 10

BY MR. JUSTICE RUMFITT :

I beg your pardon? You say from 147 to 153 you have got the numbers 11, 10, 9? It is the other way round. From L.B.145 you have got "Stalin's Works", 15 - these Volumes of his works, 1, 3, 4, 5, 7, 8, 9, 10, 11, and they are numbered L.B.146, 147, 148, 149, 150, 151, 152 and L.B.153. Is that it?

BY MR. VAN NIEKERK :

That is correct, My Lord. My Lord, from 20 L. B. 153 I go to L.B.180.

L.B.180, "The Manifesto of the Communist Party" by Marx and Engels, London, Lawrence and Weichardt, Limited, a Schedule 4, Column 2, My Lord.

L.B. 181, is "Second World Congress of the Defenders of Peace, Acts and Resolutions of the Congress of the World Peace Council Elected by Congress", this is Schedule 4, Column 2 document. 25

L.B.182 is "The Dictionary of terms and quotations compiled from the works of V.I. Lenin" by Thomas Bell, 30 London, Lawrence and Weichardt, Limited.

L.B.183 is omitted.

L. B.184, is "The State and Revolution" by V.I. Lenin, published by the International Bookshop (Proprietary) Limited, Melbourne.

That concludes the documents of this witness, My Lord, excepting those that have been held back, one or two of them. 5

NO FURTHER QUESTIONS.

CROSS-EXAMINED BY MR. FISCHER :

Just to complete the documents which I wish to place before the Court, you also took, Sergeant, 10
L.B.99, "The Workers Charter" which hasn't been put in. I want to put that in for possession only, My Lord. This is described as "The condition of the working classes", and it is a translation of the " of Pope Leo XIII". Is that what you took, Sergeant? --- That is 15
correct, My Lord.

Just one or two words about your actual search. You started at Bernstein's office, you told the Court? --- That is correct, My Lord.

And it was in a large drawing office of an architect's rooms? --- That is correct. 20

There were about seven or eight desks in the room, drawing desks? --- That is correct.

And there were that number of people working there, correct? --- Correct. 25

And at the end of the search Bernstein refused to sign the list of documents and photos which you had taken? --- That is correct.

That was because he had not been present? --- He did not give that as a reason why he would not sign, My Lord. 30

What do you say he gave as a reason? --- He said he was not present, and he said that I had no authority to take those documents and to say that they belonged to him.

So he refused to sign? --- He refused to sign. 5

As a matter of fact he was only there for the last part of that search? --- That is what happened.

And then you left for his house, and I think you arrived there at about 11 o'clock in the morning? --- It could be that, My Lord. 10

You know he is a married man with a family? --- That is so.

His wife, Mrs. Bernstein, is also known as Hilda Watts? --- I don't know that, My Lord.

You know that she is a journalist? --- I don't know that either, My Lord. 15

Do you know that she edits a very well known magazine which deals very largely with problems of women and children, and the magazine is called "Childhood"? --- I don't know that. 20

You don't know how much of the material which you took belonged to her? --- No, I don't.

You started the search at about 11 or 11.30 in the morning at the house, didn't you? --- That is correct. 25

And at about 5.30 you were just about finishing the lounge? --- That is correct.

And you then asked whether there were other books? --- Yes.

You were told there were a lot of books in the passage and in the bedrooms and in the diningroom? --- I don't know whether there was the diningroom, but 30

there were other rooms where there were huge book shelves.

And you took one from the diningroom I think and one from the bedroom? --- It is possible.

By that time the day had come to an end, so you left...? --- It is not really that the day came to an end, but I had a small little Anglia to convey all these things, and it was just about packed full up to the roof. 5

And probably you had taken something like a twentieth of a thirtieth of the books that there were? --- That is possible. 10

Books on every possible topic, political, artistic, otherwise, architectural, dealing with women and children, etc. etc.? --- It is possible, I did not go through the other books, I don't know what the contents were. 15

As a matter of fact you even took a whole big batch of journals called "The New Statesman and Nation". Do you remember that? --- Yes.

NO FURTHER QUESTIONS. 20

BY MR. FISCHER :

My Lord, there is not very much else which I wish to ask this witness, except that I must have a little time to read the first few documents which were put in, and if I could possibly do that on Tuesday morning, My Lord.... 25

BY MR. JUSTICE RUMFITT :

Yes, that will be quite in order.

BY MR. VAN NIEKERK :

My Lord, if Mr. Fischer wants to read in portions of documents into the record, it is not necessary, as far as the Crown is concerned to have the witness back to come and stand and listen to that. It can be done by 30

consent.

BY MR. FISCHER :

I certainly agree to that, My Lord, it would be a mere formality to have the witness back.

JAN GROBLER, duly sworn;

(Preparatory Examination Record - page 1013)

EXAMINED BY MR. VAN NIEKERK :

Are you a Detective Head Constable, South African Police, stationed at Johannesburg? -- I am, My Lord.

On the 5th December, 1956, did you go to an address, 154 Regent Avenue, Yeoville? --- I did, My Lord.

Do you know who resided at that place? --- Mr. Bernstein.

Do you know Mr. Bernstein? --- I saw him that day for the first time.

Do you know whether or not he was an accused at the Preparatory Examination? --- He was an accused.

Did you have a search warrant? --- I did, My Lord.

Did you search the house under the authority of that warrant? --- I did, My Lord.

Would you have a look at the following documents : L.B.154? --- Yes, My Lord.

L.B.155, L.B.157 to 160? --- Yes, My Lord.

Did you seize those documents? --- I did, My Lord.

And you hand them in? --- Yes, My Lord.

My Lord, L.B.154 is "Hungary, Poland and U.S.S.R." published by the South African Society for

Peace and Friendship with the Soviet Union. I hand it in for possession only? --- Yes, My Lord.

It is the same as B.267.

L.B. 155 My Lord, is a typewritten document, unsigned, undated, headed "A Boycott as a Political Weapon". 5 I am reading from page 2, My Lord :

"Up to the present day this is the programme of the N.N.C. The N.R.C. was the first target of this programme. In terms of the same programme, the Council of Action was appointed, whose task was also 10 to determine which body should be boycotted, which implies that the boycott action was to depend on the amount of work done at each stage. Quite clearly this approach was realistic. It is not mechanical, the boycott had to depend on the concrete condition 15 and the attitude of the masses. Soon after the attack on the N.R.C. by A.N.C., more advanced forms of struggle than the boycott were embarked upon, e.g. political strikes, Defiance of Unjust Laws. Naturally these forms appealed to the masses and 20 aroused the great consciousness of the people. At the same time the fascist government was making strides in suppressing people's political movements, in particular under the Suppression of Communism Act of 1950 and has passed many repressive measures 25 since then, the aim being to render incapable the national liberatory movement to struggle against the tyrannical Government of the Nats.

Under these conditions, it becomes imperative for the leadership to examine the political situation in 30 the country objectively and to adopt more suitable methods of struggle dictated by the conditions under

which the people live. The boycott weapon has been successfully used, boycotting the buses for instance in 1944 to the latest Evaton unique bus boycott, economic boycott has been successfully used in the Cape, but has not been a success in other 5 centres even when it was tried. Boycott of"

BY MR. JUSTICE RUMIFF :

How long is this document?

BY MR. VAN NIEKERK :

About three pages, My Lord. 10

BY MR. JUSTICE RUMIFF :

I have a feeling this has gone in before. Carry on with the next one, and check up whether this one hasn't gone in before.

BY MR. VAN NIEKERK :

15

My Lord, the next is 157, which is a type-written article, undated and unsigned. There is no heading, My Lord. I am reading from page 1 :

"War has been waged since the end of the last world war, although it has been localised in the sense that 20 it has been confined within the borders of certain countries.

But it was war, nevertheless, and war fought with devastating modern weapons. And in every single case, it has been war against peoples struggling 25 for, or claiming, liberation from colonial rule, direct or indirect.

When "Western" leaders speak of the need for building armaments and military blocs against the menace of some future mythical military onslaught, 30 or against the so-called menace of 'communism' and the Soviet Union, they are deliberately blinding

their people to obvious and proved facts: that their preparations for war is in fact against the advance the challenge of the popular movements of people in vast colonial or semi-colonial territories; against the people of Korea, when they resisted 5 Rhee's 'March to the North'. Against the peoples of Malaya, Viet-nam, Greece, Algeria, Kenya.

In spite of these interventionist expeditions and wars, they have not been able to halt the march forward to liberation. China won through to freedom 10 in 1949; Korea and Vietnam resisted and defeated all attempts at subjugation, even though the unification of their countries has still to be achieved; the subsidised Middle East dictatorships and puppets are succumbing, or can count on only a limited lease 15 of life; all Asia moves forward; and Africa stirs, from end to end.

But war can immeasurably prolong our struggle and set back advancement. The people of North Korea are rebuilding some of their devastated cities, replan- 20 ting their burned and ruined countryside. But their constructive efforts can never bring back the dead, never restore the families destroyed, never efface the bitter suffering. In Kenya, 'order' may have been restored; what the African people have suffered 25 is still not fully known, and to what extent their struggle for liberation has been set back cannot be assessed for many years.

Two Wars.

Perhaps we use the terms 'war' and 'fight' and 30 'struggle' in too many different ways. We are fighting against modern war, with all its horrifying

2477.

(J. GROBLER)
(L.B.157)

modern weapons of destruction. At the same time, we are fighting another war - 'the struggle for the elevation of mankind, to develop the natural resources of the world, to make great industrial and scientific advances available to enrich the lives of all. These two struggles are linked together. Modern warfare must be defeated if man's struggle to raise himself and those around him is to succeed. Nowhere is this more clear than on the continent of Africa'.

COURT ADJOURNS.

CASE REMANDED TO THE 8TH SEPTEMBER, 1959.

COURT RESUMES ON THE 8TH SEPTEMBER 1959.

APPEARANCES AS BEFORE.

Accused Absent : Accused No. 11, M. Moolla.
Accused No. 28, T. Tshume is back in Court.

JAN GROBLER, under former oath;

EXAMINED BY MR. VAN NIEKERK :

My Lord, the documents that I have dealt with on Friday morning, at the adjournment was document L.B.157. I had finished reading the first page of that document, and I was going to refer to page 2 on the list, but I am only reading the last two paragraphs of the last page, My Lord, which reads as follows : 5

"But the choice must be made - now. We must now choose between the alternatives of nuclear annihilation and nuclear prosperity, for there is no middle course. Each one of us must realise that there is now no scientific reason whatever why any country or any person need go short of the power needed to achieve a full and happy life. 10

Our struggle to make the Freedom Charter a reality must surely take a great spurt forward, when we consider it against such a background. With such understanding we are armed with new determination and new strength, for now we know better not only what may be lost, but what we stand to gain." 15

Then My Lord, I dealt with L.B.155. I have read page 1, when Your Lordship the Presiding Judge said that it had a familiar ring, My Lord. Well, My Lord, this document has not yet been read. I am reading, My Lord, from page 2, starting in the middle of the page - I am sorry, I am starting on page 2, the first two paragraphs. 20 25

"Up to the present day this is the programme of the ANC. The NRC was the first target of this programme. In terms of the same programme, the Council of Action was appointed, whose task was also to determine which body should be boycotted, which implies that 5 the boycott action was to depend on the amount of work done at each stage. Quite clearly this approach was realistic. It is not mechanical, the boycott had to depend on the concrete condition and the attitude of the masses. Soon after the attack on 10 the NRC by ANC, more advanced forms of the - more advanced forms of struggle than the boycott were embarked upon, e.g. political strikes, Defiance of Unjust Laws. Naturally these forms appealed to 15 the masses and aroused the great consciousness of the people. At the same time the fascist Government was making strides in suppressing people's political movements, in particular under the Suppression of Communism Act of 1950 and has passed many repressive 20 measures since then, the aim being to render incapable the national liberatory movement to struggle against the tyrannical Government of the Nats.

Under these conditions, it becomes imperative for the leadership to examine the political situation in the country objectively and to adopt more 25 suitable methods of struggle dictated by the conditions under which the people live. The boycott weapon has been successfully used, boycotting the busses for instance in 1944 to the latest Evaton unique bus boycott, economic boycott has been 30 successfully used in the Cape, but has not been a success in other centres even when it was tried.

Boycott of Bantu Education schools has been used which has been partially successful but a failure in the greater part of the country."

Then I am reading from page 3, My Lord, from the middle of the page to the end of page 4 :

5

"A political struggle does not depend on the wishes of individuals but depends on the conditions being created for the abolition of the old order and its substitution by forces of progress. To do this requires political clarity, sober political analysis 10 of the situation and taking of decisions based on the realities of the situation, and the use of correct strategy, correct political tactics at all times, the judges of correctness or other ways of any political line are the masses themselves, yet 15 this does not mean blindly following the masses without giving them political education. The experience of the most advanced liberatory forces in many parts of the world teach us that although you may dislike reactionary institutions, although 20 they are created to serve the ruling class it is proved fruitful to elect militant freedom fighters into these institutions for the purpose of agitation and propaganda for the purpose of combining parliamentary and extra-parliamentary struggle. This does 25 not mean borrowing unsifted methods from other countries and applying them blindly to one's own country, but it does mean studying the general principles. Thus one finds that it is politically childish to continue with the boycott slogan even though the 30 conditions are no longer suitable. I submit that the general application of a boycott weapon in all

differential political institutions is inconceivable in the present day. South Africa and can only be accepted by political imbeciles. It is necessary to work with the reliable forces elected and chosen by us to serve in these institutions whilst ceaselessly 5 trying - ceaselessly carrying on a mass struggle. It is necessary to put across to the masses of the country our policy and to discredit the present system in these very platforms created by the ruling classes, that is what our people should now 10 examine, the decision to boycott in 1949 was correct but that it is no longer applicable to all cases in the present day struggle. We should participate in the parliamentary elections and the Advisory Boards. The boycott of each institution must be 15 considered on its merits. It is not incorrect to decide to boycott this year and change your boycott tactics next year. Of course it is easier to declare a general boycott on everything but much more difficult to explain the change of tactics. 20 That is the fear many of our people have, if we once told people that we are boycotting, how can we go back and tell them we are no longer boycotting? You cannot get freedom by taking easy ways, it is by following the correct and sometimes the most 25 difficult path, that one finally succeeds in achieving one's objective. The principle of rejecting differential institutions can never be changed by all sane politicians, that means the rejection of white domination but the tactic of 30 what tactic to use to achieve this objective is quite another matter, a matter of practical politics."

Then My Lord, the next document is L.B.158, what appears to be the framework of a document "The New World", which was read in as B.259. Then the next, My Lord, is a short document, L.B.159. It is a manuscript document, undated, unsigned :

5

"New para. in galley 2.

They publish in flaunting headlines fantastic rubbish about Soviet troops shelling a children's hospital, about 'plague spread by Mongol soldiers'. And they bury in an insignificant corner the statement by the Italian diplomat in Port Said that 150,000 people are destitute and 50,000 homeless in that city as a result of Anglo-French bombing. They kee repeating the silly lie that 'Red China' supports the Hungarian counter-revolution, and deliberately suppress such statements as that of the Peking newspaper Jenminjihpao that 'the standpoint of the Soviet Union with regard to events in Hungary is the absolutely correct standpoint of proletarian internationalism'. They have suppressed the important Soviet Government declaration of November 4, declaring readiness to discuss steps to eliminate 'any possible violations of the principle of national sovereignty' in relation with the Socialist countries, including the withdrawal of Soviet advisers and forces."

15

20

25

Then My Lord, the last document I am dealing with under this series, L.B.160 is a typed document, two half pages, undated, unsigned, My Lord. The first page, My Lord, refers to various newspapers and then it goes on :

30

"For truth has its price. It is not easy to find. Only through discussion, study and effort may we

discover the truth of what is going on around us, and so decide on our own clear politics - on our clear policies and actions.

In searching for these truths, 'Liberation' as a journal of democratic discussion, plays an essential role. It is not easy to keep 'Liberation' alive. It depends entirely on its readers for financial support. 5

You can help 'Liberation' to appear regularly by sending a donation; by introducing 'Liberation' to your friends, and obtaining new readers, new subscribers; by contributing to the vital discussions in 'Liberation'. 10

We depend on YOU for our existence. Make what effort you can - remembering that truth is not found easily, and has its price." 15

Then the second page, My Lord, is an article "Peace and the Atom" and it reads as follows :

"When the cold war was at its height, we all felt the urgent need to propagate for peace. War breathed down our very necks, and we knew the struggle for peace was a vital and urgent one. 20

But after Geneva, when a new world atmosphere began to develop, our peace activities slackened. The cold war was eased. The very fact that world opinion had brought about a meeting between the big powers caused a falling-off of effort. 25

Increased trade and cultural exchanges between the Soviet Union and Britain and America brought within them an increased sense of security and removal of immediate danger that had been absent since 1947 when the 'cold war' was launched. 30

Perhaps we in South Africa cannot be blamed sometimes for feeling that the peace issue is - if not remote - at least not so urgent as the immediately practical fight against apartheid with which we are faced. The error that we make is threefold : first, is separating the question of peace from the struggle for liberation; secondly, in believing, or letting others believe, that there is any security against war until we have removed forever the factors which tend to bring about world war; thirdly, in neglecting the immediate dangers that confront us - even without war - through the A- and H-bomb tests, through the armaments burden." That concludes, My Lord, the series L.B. dealt with by this witness.

NO FURTHER QUESTIONS.

CROSS-EXAMINED BY MR. FISCHER :

Mr. Grobler, I wonder if you will just have a look at these last few exhibits which have been handed in, L.B.155 and 158 are done on different typewriters, are they not? --- It appears to have been, My Lord.

And L.B.155, judging from what my learned friend read out, looks as if it was an article - a draft article for some journal? --- Correct.

Apparently someone who disapproved of the boycott weapon in certain circumstances? --- Yes, My Lord.

Then if you would have a look at L.B.159, that is all in manuscript, and also obviously some sort of amendment to an article? --- Yes, My Lord.

You don't know whose handwriting that is?

--- No, My Lord.

And L.B.160 appears also to be some form of draft article? --- Yes, My Lord.

NO FURTHER QUESTIONS.

5

BY MR. VAN NIEKERK :

My Lord, a matter was left over from last week, this book L.L.17. That is the Minute Book of the Transvaal Peace Council. The Defence have agreed that the portions that the Crown wants to rely on can be read 10 without the witness being present, My Lord, the witness who found this book. My Lord, I had dealt with a few of these items. I am dealing now with the items, My Lord on the 10th August, 1953 :

"Minutes of the Transvaal Peace Council Committee 15 Meeting, 10th August, 1953.

Correspondence.

1. Two signed cards received from M.P.'s.
2. Natal Peace Council - various matters.
3. Natal Indian Youth Congress re sending 20 delegates.
4. Natal Indian Congress re Resolutions passed at last meeting."

My Lord, then on the 31st August, 1953 :

"Arising out of Congress. 25

The Secretary reported on the recommendations from the Executive Committee of the S.A.P.C.....

7. Additional members from Transvaal to be appointed to the General Council. Conference should be held to elect new committee. "Newsletter" should 30 become national publication and a new secretary or

secretarial assistance required.

It is agreed that Conference should be called for Saturday, 19th September at Kolvert House. Peace Workers, Branch members and Transvaal Peace Council members to be invited. Agenda of Conference will be : 15

Election of new Council Executives; additional members to be appointed to S.A.P.C.; Financial work and future work in the Transvaal."

Then My Lord, "Minutes of the Transvaal Peace Council Meeting of the 8th November, 1954," the last paragraph reads as follows : 10

"Secretary's Report.

The secretary reported that very successful meetings had been held in Dube, Phomolong and Orlando White City, where Miss Ruth First spoke on her trip to China, etc." 15

My Lord, then "21.10.53", the list shows "31.10.53", it should be "1.10.53" :

"The Minutes of the First Meeting of the Transvaal Peace Council, 1st October, 1953. 20

Election of Executive Committee of eight members. The following eight members were elected to the Executive Committee :

Harmel, Joseph, Kramer, Szur, Nkadimeng, Salem Salee, Maseko and Resher." 25

Then the branch representation, My Lord :

"In order to establish the closest liaison between branches and E.C. it was agreed that every branch not represented on the Executive Committee should send one representative to every meeting of the Executive Committee. The Secretary should implement 30

this decision immediately and advise all members to take steps to send a representative."

Then, My Lord, "16.5.55", which is "The Minutes of the Meeting of the Transvaal Peace Council, 16th May, 1955".

Under the caption "Congress of the People" the following appears :

"On a suggestion from the secretary, it was agreed that a Peace Pavilion be erected on the site at which the C.O.P. is to be held. The Secretary stated that he had consulted an architect and promised to draft the plans and furthermore had discussed the matter with someone who had informed him that the Congress - that the cost would be approximately £10."

Then at the end :

"The Secretary was directed to discuss the matter with the Secretary and Executive Committee in connection with Peace Week - Executive Committee of the A.N.C. together with Mr. Hlabokani (?). Mr. Horvits undertook to contact the Transvaal Indian Congress".

My Lord, and then the last is the Minutes of the General Meeting of the Transvaal Peace Council, 19th June, 1953.

I am reading page 1, My Lord :

"Secretarial Report.

In the Chair : Rev. D.C. Thompson.

Meeting attended by about 100 members.

The growing desire for peace on the part of Britain and the other Western European countries has led to a campaign for negotiation and not war, which is a continuation of a campaign for Five Power Peace Pact.

This desire for peace was illustrated by the failure of the engineered uprisings in Eastern Germany and the misfiring of the Korean prisoners of war issue.

The forces of war are becoming weaker and consequently more desperate and will try to stir up trouble over the Persian oil issue, or will heighten world tension as they try to keep the Chinese Peoples' Republic out of UNO. The failure of their aggressive 5 plans in Korea has forced the anti-peace bloc to look around for new trouble spots in which to interfere, such as lending support to the French in Indo-China, and supporting the French against the people struggling for freedom in North Africa. The anti- 10 peace bloc may interfere in the hidden war in Kenya and Nyasaland, North Africa is considered a safe area for supply bases, and America is pumping more and more supplies into these bases. In Kenya there is a plan for an oil refinery, supposedly to be used 15 for Middle East defence, but in reality to be used in the case of internal stress. The negotiation campaign must be adapted to South African conditions. The fact that South Africa is mining vital war materials should be brought to the notice of the 20 public. Churches should be asked to protest, the workers in factories, the shop stewards and the trade unions must be approached and brought into the struggle for peace in our country. The Government should be asked for an assurance that the 25 uranium mined here is to be used for peaceful purposes only. Since 1951 the Peace Movement in South Africa has grown until now we have South African Peace Council branches in three provinces, and the prospect of a fourth branch soon. However, 30 there has been setbacks to the movement on the part of the Government. In 1952 three members were banned,

and now within the last month the Secretary and five other prominent members have also had banning letters. Thus South Africa is falling into line with the anti-peace forces as dictated by America. The only way to overcome it is to gather more and more support amongst the people for peace and not war." 5

Then, My Lord, paragraph 2, page 2, "Suggestions" :

"An appeal should be sent to all workers in the uranium mines telling them of the dangers of uranium mines for atomic warfare. Mr. Hyman moved that these suggestions should be referred to the Executive Committee because of difficulties attached to approaching African mine workers." 10

My Lord, then on page 3 : "Election of new Peace Council":

"Mr. T.N. Naidoo was elected chairman." 15

I am only reading the names of the persons alleged to be accused or co-conspirators :

"Mr. Kathrada, Mr. Nkadimeng, Miss First, Mr. Levy, Mrs. Joseph, Mr. Resha",... And the following members were elected additional members to the South African Peace Council : Mr. L. Levy, Mrs. Joseph". 20

This is apparently signed by Wolpe, My Lord. That concludes the portions to be read from this book, My Lord.

BY MR. FISCHER :

My Lord, the Defence considered this, and perhaps it would be of assistance to the Court if some short minutes were read consecutively to show what business was transacted. I start with the minutes of the 8th October, 1953, and I will pick out some of the business which continues throughout : 25 30

"Arising out of Secretary's Report.

The following details were noted : Peace Sunday.

1. The Swedish Lutheran Churches have responded favourably to our request to participate in the Peace Sunday, and were waiting for a date on which same was to be held.

3. The following religious bodies were to be con- 5
tacted re the above : African churches and missions,
Synagogues, Catholic Churches, the Dutch Reformed
Church and Indian religious bodies."

A month later, on the 11th November, there are the Minutes of that meeting, and under the heading "General Meeting of 10
the 14th November, 1953" the following appears :

"Item 2.

The following items were to be proposed at the meeting with regard to the furtherance of peace activities in the Transvaal : 15

- (a) A panel of speakers to be established to visit various organisations and discuss peace work;
- (b) Furtherance of the negotiations campaign with regard to extending peace cables to suburbs, townships and locations, and 20
- (c) Closer contact with other organisations such as Churches, sporting associations, National Council of Women, Memmbers of Parliament, etc."

The negotiation campaign, My Lord, I am instructed was the campaign for the signature of a petition calling on 25
the big powers to negotiate for peace settlements.

Then My Lord, on the 24th November, business is discussed under "General":

"A peace poster.

It was agreed that a peace poster be printed for 30
the New Year campaign. The Secretary was directed to undertake the publication".

And then there is :

"Peace Branches were to be formed and a Secretary's meeting was to be held".

In December, a month later, there was a meeting of the Council again on the 22nd December, and these matters were 5 taken up under the heading "Arising" :

"Closer contact with other organisations. Circulars to all organisations explaining the aims and objects of the peace movement to be issued requesting that permission be granted to us to send speakers and 10
2. Trade Unions. Secretary to contact various trade union officials with Mrs. Graham and Mr. Nkadimeng."

Just two other items, My Lords. One is arising from the Minutes of the 10th April, 1954 : 15

"Draft Circulars re Hydrogen bomb read and it was agreed that the same should be sent to churches, trade unions, branches and other organisations."

And finally, on the 27th September, 1954. The Secretary reported as follows : 20

"Minister's Conference. 75 invitations had been sent out to Ministers, and that Rabbi Rabinowitz, Reverend Blackswell, and Reverend Huddleston had agreed to attend. The date of the conference will be on the 27th October at 10 a.m." 25

That is all that the Defence wishes to read in, My Lord.

BY MR. VAN NISBERK :

My Lord, there is only one matter that was left over from last week, and that is Exhibit D.29 to 38, 30 My Lord. They were handed in for possession only, at that stage, My Lord. They will be dealt with, My Lord,

after we have had an indication from the Defence about the summary that was prepared in one lecture, My Lord, but they will be dealt with in another set, My Lord. And then there is the document B.62 which was handed in for possession only, which was a manuscript document. That concludes, My Lord, the evidence on this issue - on the group that was left over. 5

MR. VAN DER WALT TAKES OVER AS PROSECUTOR.

WILLEM ADRIAAN WILLERS, duly sworn;

EXAMINED BY MR. VAN DER WALT : 10

You are a Captain, South African Police? ---
I am.

Stationed at Marshall Square? --- Yes, My Lord.

On the 26th June, 1955, did you attend a meeting of the Congress of the People at Kliptown? --- I did. 15

And did you search a person there? --- I searched an Indian male, Fred Adams.

Can you identify him? --- (WITNESS IDENTIFIES ACCUSED NO. 1) 20

You took certain documents from his possession? --- I took certain documents from him.

And there are a number of documents now before Court. You have examined them? --- I have. 25

The documents are marked F.A.99, F.A.102, F.A.103, F.A.105,- F.A. 105 to F.A. 109, F.A. 111, F.A.116 and F.A. 117. Did you find those documents in the possession of Accused No. 1? --- I did.

Now the first document is F.A.99. What is it? F.A. 99 is a press statement issued by the Natal 30

Action Committee of the Congress of the People, and I am reading from page 2 :

"History of Resistance.

'People must appreciate that in the struggle for Freedom and the development and growth of democratic thought in action over the last half century', continues the statement, 'the oppressed people in South Africa have demonstrated in no uncertain terms against the vicious laws in this country through the anti-pass law campaign, 1944, the Passive Resistance Campaign, 1946, and the Defiance of Unjust Laws Campaign, 1952. These people who forged a new unity in the dynamic history of South Africa are now moving forward to form a unity among all four racial groups through the campaign for the Congress of the People. It is only through united action as is envisaged in the campaign for the Congress of the People can Nationalist tyranny be forestalled and true democracy result in South Africa. More than ever ..."

Then I am reading from page 3, the last paragraph, My Lord :

"In a special joint appeal....

Milestone in the Struggle for Liberty.

In a special joint appeal by Dr. Wilson Conco and Dr. G. M. Naicker the people are called upon to speak out for freedom and to speak in the defence of their moral and legal and just right to live in this country in a happy and peaceful South Africa. And to co-operate to their utmost to make the Peoples Assembly and the Freedom Charter a historic milestone in the struggle for liberty".

You hand in Exhibit F.A.99? --- I do, My Lord.

You now look at Exhibit F.A.102. What is it?
 --- "Minutes of the S.A.I.C. Executive held in Durban on
 the 2nd May, 1955 commencing at 12 noon."

I am reading from page 1, My Lord :

"Present: Transvaal : Salim.... 5

Natal : Dr. N.M., NT., and Hurbans."

On page 2, under the heading "Congress of the People" :

"Patel reported on work done in Transvaal - progress
 reported.

NT stated work in Natal has been going slowly, but 10
 machinery how being speeded up. Interest has
 been aroused in Natal."

You hand in Exhibit F.A. 102? --- I do, My Lord.

Will you look at Exhibit F.A.103. What is
 it? --- The heading is "Natal Indian Congress", and it is 15
 a circular.

Who issued it? Look at page 2? --- Reputed
 to have been signed by N.T. Naicker, General Secretary.

The circular is dated, My Lord, the 5th May,
 1955. It reads as follows : 20

"Dear Friend.

Herewith find list of Conference Resolutions which
 you are required to submit at your next branch meeting
 for general discussion.

Your Branch is expected to use theresolutions as a 25
 guide, and basis for future Branch activities. The
 resolutions..."

Then under "Political" there appears :

"The resolutions may be classified under the following
 sub-heads : 30

1. Political: Which is the main task of your branch.

Chief issues under Political are :

(a) C.O.F. : Organisational work must be linked with this campaign. When Congress emerges from the campaign it must emerge organisationally stronger.

(b) Bantu Education Act : Your branch must send a message of goodwill to the ANC on these campaigns 5
against this measure."

You hand in Exhibit F.A.103? --- I do, My Lord.

F.A. 105, is a press statement issued by the Natal Action Council of the Congress of the People? ---

That is right, My Lord. 10

I am reading from page 1 :

"Forward to the Congress of the People." paragraph 2 :

"The vast majority of people of South Africa are now constrained to choose between tyranny and perpetual oppression on the one hand and enlightened, new 15

democracy which transcends racialism and petty prejudice on the other hand. During the decade of the new industrialism after the last war in South Africa, two sharp substantial portions have emerged, one based on a narrow concept subscribing to the 20

doctrine of apartheid, segregation and the colour bar, based on racialism, and the other a broad concept resolved to bring about harmonious living, removal of discontent and dissention, eradication of racialism in all walks of life, the creation of 25

a common society which will guarantee mutual interest, understanding and respect for the development and growth of each and every person, irrespective of his belief, colour, creed and race. The narrow force, in its endeavour to maintain power 30

is carrying out its policies by the application of a threat of force, if not complete force, and the

undermining of the rule of law. Its entire policy is founded on white man's supremacy. The pretext of protecting white civilisation and its fear and hatred for the natural and true human aspirations of the oppressed people in South Africa. It is a policy which lacks morality and respect for dignity of man and was bound to fail in the face of the broad concept which is the hallmark of true democracy and which will form the ultimate bulwark against fascism and complete tyranny under the Nationalist Government."

You hand in Exhibit F.A. 105? --- I do, My Lord.

Will you look at Exhibit F.A. 106. What is it? --- This is Exhibit F.A. 106.

This is the Resolutions passed at the Eighth Provincial Conference of the Natal Indian Congress held on the 25th, 26th and 27th March, 1955. This document is handed in here for possession. It will be dealt with fully under Exhibit N.I.C.94. You hand it in? --- I hand it in.

F.A.107 is the "C.O.P. Agenda". Is that correct? --- That is so, My Lord.

This was dealt with under C.M. 42, My Lord. You hand that in? --- I do.

F.A. 108, a document "Draft Resolutions", is that correct? --- Correct.

And the Crown relies on it as much as was read under C.M.44, My Lord. You hand that in? --- I do.

F.A.109, is that a Draft Freedom Charter? --- Correct, My Lord.

You hand that in for possession only? -- I hand it in.

F.A.111, is that a Delegates Card to the

Congress of the People, June 25-26, 1955. You hand that in? --- Yes, My Lord.

F.A.116, is a handwritten document, is that correct? --- Yes, My Lord.

I am reading from page 1, My Lord :

5

"In a statement to the press the N.C.L. Action Committee of the C.O.P. declared that South Africa today was at the crossroads in a critical phase in the developments of its social, political, economic and cultural life. Over the past twenty years the history 10 of South Africa has been a history of political colision, of broken promises and systematic and consistent denial of elementary and basic human rights. Since the last war and in the wake of new industrialism the - two sharp forces have emerged, one based on a 15 narrow concept and colour bar. In its endeavour to retain power and carry out its politicly by the application of the threat of force, if not complete force, and the undermining of the rule of law. Its entire political was founded on white man's supremacy on 20 the pretext of protecting white civilisation and the fear and hatred of the natural human aspirations of the large majority of people in South Africa, who have little or no share whatsoever in the shaping of the policy and Government of the country." 25

You hand that in? --- I do.

Exhibit F.A.117 appears to be a press statement, it is a handwritten document? --- Yes.

You hand that in? --- I do, My Lord.

NO FURTHER QUESTIONS.

30

CROSS-EXAMINED BY MR. FISCHER :

Except for the last two documents, I think all these documents are issued - purport to be issued by a Natal organisations, don't they? The Natal Indian Congress, Natal Action Committee, Natal Action Council, 5 resolutions of the Natal Indian Congress, Agenda - that doesn't say. The others are all Natal? --- That may be so.

You went up to the table - I think you got these documents from a table, didn't you? --- No, I got it 10 from the accused himself.

He was at the table? --- It was on a platform, he was sitting at the side, the table was in the centre of the big platform, about 20-25 people on it.

There were a number of people there? --- 15
Yes.

And there may have been some Indian or Indians from Natal, may there not? --- I don't know, there might have been.

And when you say you took it from the 20 Accused No. 1, do you mean it was lying in front of him on the table? --- No, he didn't have the chair where he was sitting - he had some in his hands and some were in his pockets.

Can you remember which was in his hand and 25 which was in his pocket? --- No, I can't.

Did you notice a file? Were some in a file? --- No, there was no file there as far as I can remember.

You see, the Accused No. 1.....? --- I would have kept the file. 30

Accused No. 1, do you know him as a Transvaal Indian? --- That was the first time I ever saw him.

So you didn't know him at all? --- From other documents I found in his possession, I took it that he was a Transvaal Indian.

You see, he says that his recollection is that these documents that have been put in, were in a file on the table? --- I would have kept the file if it was in there. 5

Then, as far as you can recollect, some of them were lying on the table and some were in his pocket? --- No, there was no table where he was. He had it on his person in his hands or in his pockets. He was sitting right at the end of the platform, on the right hand side. 10

And just holding a bunch of loose documents like this? --- Yes.

He will deny that, but in any case, you wouldn't be prepared to say that these are his documents, would you? --- Well, I found it in his possession. 15

You wouldn't be prepared to say that they belonged to him. I just want to read one of these documents, F.A. 103, it is a document which was read out in part, which is a circular to branch secretaries. There are just two paragraphs which were omitted. No. 2 is headed "Local Issues (Very Important) : 20

"Houses; Hospitalisation, Civic Amenities; Beach Apartheid. 25

You must take up local issues consistently and direct them to the right channels for instance the City Council, etc."

And then 3, Education :

Oppose malpractice of collecting entrance fee in platoon schools; 30
press for accommodation in primary and secondary

Collection: 1956 Treason Trial
Collection number: AD1812

PUBLISHER:

Publisher:- Historical Papers, The Library, University of the Witwatersrand

Location:- Johannesburg

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