

The chairman was Stanley Lollan. Do you know Stanley Lollan? --- I do.

He is Accused No. 4 is he not? --- He was the chairman. And Alfred Hutchinson? Do you know him? --- I do, My Lord. 5

He was a leading member of your organisation? --- He was an executive member.

He spoke. Do you know Dr. Press? --- I do.

He was a leading member of the South African Congress of Democrats? --- I don't know what position he held in that organisation. 10

Well, of what organisation was he a leading member that you know of? --- I said I do not know what position he held in S.A.C.O.D.

Do you know Nimrod Sejake? --- I don't. 15

Well, he was called upon at that meeting, to address the meeting on "The people shall share in the country's wealth, and the land shall be shared amongst those who work it", the clause we have been dealing with now, and during the course of his speech, in Volume 38 at page 7575, he says at line 8 : "This ownership of land becomes meaningless under the present system in South Africa, and you and I must correct it. If you don't, God will not, for He has nothing to do with your conditions and omissions. He is not responsible to you, you must sit down and form the machinery for freedom." And then he says that the one million signatures alone are not sufficient, and he continues : "One million signatures alone are not sufficient. Action is the correct dose. The proletariat must shout not only from the political platform, because this merely explains the situation. But they must also create a 20 25 30

theatre and they must fight tactfully in actual manouvres and employ a definite amount of energy for the freedom to come. This will give us some guarantee that the road to the redivision of land amongst those who work it has been found." And then he deals with a number of his 5 specific complaints, and he continues at page 7576, referring to the clause that "there must be work and security for all", he says : "The period seems to be fast arriving when all the people will join the liberatory movement in this country," and finally "all workers 10 who are in the grinding mill of misery and poverty should join hands for the determined achievement of the people's freedom. The start of the struggle cannot be won early enough, whilst there are other sections of the people 15 who for one reason or another enjoy certain rights and concessions and feel that they must stand aloof to protect and maintain their privileges whilst the rest are perpetually injured". And then he talks of the need for the workers to join trade unions, and he goes on : "But we have to make the state do these things. It 20 requires hard practical work and sacrifice. One must be prepared to clash with the servants of the state and if the struggle assumes very large and countrywide dimensions one shall have to clash even with the armed forces of the country. That is the test we must pass 25 before we can have work and security." And he concludes his speech by saying : "Friends, don't fear the police, don't fear even the armed forces. Your powers of resistance are greater even than atom bombs. Freedom in our lifetime." So that I put it to you that at this 30 meeting, Mr. Luthuli, Congress movement told the people that in order to achieve the aims of the Freedom Charter

they must be prepared to clash not only with the police, but even with the armed forces of the country, once the struggle assumes country wide dimensions. I put it to you that that was the attitude of the Congress in regard to the implementation of the Freedom Charter? --- No, My Lords, that is not correct. If by clash with armed forces the Prosecutor reads violence, very definitely that would not be African National Congress, and if the speaker meant that, I would without hesitation condemn it. But I think, My Lords, I have indicated that sometimes it is difficult with these words to be categorical. One has said that the state will use armed forces, and the fact that the state uses armed forces should not in any way lessen the determination of the people, not necessarily in the sense of oppose them with violence, and I have made that quite clear. 5 10 15

BY MR. JUSTICE BEKKER :

Mr. Luthuli, may I ask you this. You qualify your answer by saying "if by clash with armed forces" the Prosecutor reads violence, that is not the policy of the A.N.C.? --- Yes. 20

Is it incorrect do you suggest to read in that phrase that that is suggestive of violence? You say "if" it means that. Does it mean anything else do you suggest? --- My Lords, I wouldn't say that it is incorrect, but I was putting also the other possibility that it could mean for an example, My Lords, with the state coming with armed forces, then you mustn't because they are armed forces give up the struggle. But if one read into that - I wouldn't say that you would be altogether wrong, and therefore I say in that sense I condemn it, but in some of these things one finds great 25 30

difficulty, the differences are not so clear for one to be categorical, and therefore My Lords, I must always say that where it is quite clear that it is violence, then the person would not be speaking the A.N.C. language, definitely. 5

That I understand, yes. I am rather interested in the phrase used by the speaking, "One must be prepared to clash with the servants of the state. If the struggle assumes very large and country wide dimensions, one shall have to clash even with the armed 10 forces of the country. That is the test we must pass before we can have work and security"? --- Maybe, My Lords, it would be correct to say, having regard to the word "clash", it might be more on violence, but on the other hand I think that we cannot altogether rule out 15 the possibility of merely meeting, but there is a greater leaning I think towards violence maybe in the meaning of the word "clash".

BY MR. TRENGOVE :

Why does the Congress movement get speakers 20 to address the public in this language if the basis of the struggle is non-violent and ultimate negotiation? --- My Lords, I have said that when a person is put on the programme to speak, it is expected that he would speak within policy. It is expected. But at the same 25 time, My Lords, one cannot guarantee what people will say on the platform, and people do on the platform say things which are contrary to A.N.C. policy and to that extent they are wrong.

And what does the A.N.C. do? --- I have 30 indicated My Lords that where it would come to the attention of the leadership, the leadership would take steps

to reprimand that person and say that you are not speaking.

BY MR. JUSTICE BEKKER :

What do you include in the leadership? ---  
I am speaking My Lords for an example of - well, I 5  
shouldn't even say executive members only, because it  
could be some leading member or at branch level or at  
regional level who would say to the person, either imme-  
diately or if it is a very serious incitement to violence  
and it comes to high levels, a person would be repriman- 10  
ded.

BY MR. TRENGOVE :

Well, Mr. Luthuli....? --- I mean you can't  
guarantee what a person will say on the platform.

Do you know Lilian Ngoyi, Accused No. 14? ---15  
I do, My Lords.

She was the President of the African National  
Congress Women's League at that time? --- Yes.

She was a member of the National Executive?  
--- That is correct. 20

At that time. Now I just want to show you  
how she responded to this speech. She also spoke at this  
meeting, the same volume, page 7583 her speech starts,  
and she refers to the liberatory struggle and the sol-  
diers of liberation, and then at page 7584 at line 3 25  
she says : "In Europe there are countries which are  
free because of their liberation fighters. Their  
freedom trip (?) is a very heavy trip. There are some  
people who are opposing us, but the time will come when  
they will be taken alive and thrown into the fire. 30  
I think about an example in Germany under Hitler.  
Strijdom, the Lion of the North, the same will happen to

him. I am not to make a speech today, the time is now to work together." And then she attacks the Afrikaans speaking section of the community. Now that is a violent speech too is it not? --- I would condemn that.

BY MR. NOKWE :

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May it please Your Lordship. Did I hear Mr. Trengove correctly when he said she attacks the Afrikaner people?

BY MR. JUSTICE RUMPF :

He concluded his quotation by summarising that part, and he says "and then she attacks the Afrikaans section of the community", that is his own summary.

BY MR. NOKWE :

My Lord, I am afraid that with that summary we can't agree.

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BY MR. JUSTICE RUMPF :

That is not relevant at the moment. Yes, Mr. Luthuli, what were you saying? --- I was saying My Lord that I definitely condemn the last part because as I think I have already said in some other connection there is no question of reprisals, it isn't a question of when we get freedom then we shall hold court and say now you did so and so and so and so, so I condemn it.

BY MR. TRENGOVE :

Can you explain, if the policy is non-violent, why the leader of the Women's section and a member of the National Executive would make a speech like this? --- My Lords, I have indicated that even if the President-General of the African National Congress were to make a violent speech, that would not alter the policy.

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Can you tell us why a member of the National

Executive and a leader of the Women's Section, why, if that is the policy, why she would make a speech like this? --- I think that question would be answered...

You can't explain it? --- I think it is the one who made the speech who would be able to explain. 5  
I can't explain.

It is only consistent with a policy of violence, is it not? --- That particular remark, yes.

Now finally at that meeting, Mr. Luthuli, Resha spoke, and you have told us what his position is. 10  
At page 7597, he was in the chair, and he had called upon a certain old lady to speak. "I had to give a chance to the old lady, the old lady is in this position because of oppression. If our mothers are like this whilst we live, if we are going to run away from the struggle 15  
and put our mothers up in front, friends, remember our struggle is now. Our struggle is non-violent, but if there is a pool of blood we shall still have to go through. It is my prayer that in five years time there shall be no old ladies like this one moving about and 20  
having no food. These are things which make some of us feel like revenge. These are some of the things which make us pledge for freedom, that it must come in our lifetime". And then he continues with his speech.  
Now is it correct, Mr. Luthuli, that even if it meant 25  
going through a pool of blood to get freedom, the African National Congress had decided to go through that pool of blood to get its freedom? --- My Lords, the construction that I put into that when the Prosecutor read, was when Resha started off by saying the policy of the 30  
African National Congress is non-violent, and then went on to say that even if you have to pass through a pool

a blood, you must. This was the construction I put into it in my immediate reaction, that even if it meant that you had to meet brutality resulting in death, do not run away from the struggle. The part My Lords that I would condemn in this speech strongly, and goodness 5 knows the particular speaker has been guilty of some strong violent speeches, but in this one as I have said that is the construction I would put. But of course when he starts to speak again of revenge, I condemn it.

And this suggestion of his that he hoped 10 that in five years oppression would be a thing of the past, is that a view generally held? A number of speakers - this hope, really, not a view? --- My Lord, I have tried to explain the meaning and import of that expression. It is to gear people to work harder, not say well 15 alright I will leave it for the next generation and so on, but work hard now so that you get freedom during your lifetime. I think that the question of the interpretation of that is rather important, and I think the construction the prosecutor is putting into it isn't the 20 correct one, in the sense of five years being a programme set out. But naturally, if we get it in one year, we would be happy, but the expression is intended My Lord to gear people, don't start postponing or slackening your struggle. 25

I just want to put this to you finally on the Freedom Charter, that the whole Congress propaganda, the documents and the speeches, were directed towards conditioning the people to accept that your freedom was not going to be achieved through parliament, that 30 your freedom was going to be achieved through a seizure of power in this country when the time was ripe? --- There

is nothing in the Freedom Charter that suggests that.

BY MR. JUSTICE KENNEDY :

Mr. Luthuli, did you know the constitution of the Freedom Charter Committee? Is it comprised of all the congresses, do you know? --- Yes, My Lord, I 5 wouldn't know the persons, but it would be constituted of all the Congresses.

BY MR. TRENGOVE :

Mr. Luthuli, Congress documents say that your freedom was not going to be achieved through parlia- 10 ment. Congress documents say that you were not expecting the White man to agree to your demands? --- Without pressure.

And Congress - one Congress document says that you were aiming at a seizure of power. I put it to 15 you that...? --- That one document would be wrong if it meant seizure of power without trying to bring pressure so that the electorate changes.

Do you accept the position that Congress didn't expect to get the change through parliament? --- 20 I don't accept that proposition. I think I have already explained myself insofar as that is concerned.

If Congress documents say that, are they wrong? --- My Lord, it really would depend upon the context of a particular document. 25

Mr. Luthuli, I mentioned this to you before, I just want to put the document to you now so that you can see it for yourself. This document relating to the seizure of power, "Memo on the Draft Constitution", E.F.M. 29, and that is the same as a number of other 30 documents, My Lord, it is the same as L.I.N. 30 , G. S. 18, B.E.N. 4, W.C.20, T.A.M. 7 and F.M.M. 22.

Have you got the paragraph marked there? ---  
I have, My Lord.

Just read it out? --- "We have got to realise  
that we are aiming at the seizure of power over the  
whole country and thus should be out outlook. In our 5  
programme we have achieved this, but not in our organisa-  
tional thinking."

Now that document, according to Dr. Conco  
was a circular from the A.N.C. offices on the Draft  
Constitution, a memo. Now that seems to be consistent 10  
with the speeches made at the Freedom Charter Committee  
meeting, do you agree? --- My Lords, I cannot agree  
because I wouldn't know the speeches made at the ...

Well, these three speeches that I haveread  
to you now? --- And also My Lord, I would not agree 15  
that this would represent the Congress viewpoint.

BY MR. JUSTICE RUMPF :

Mr. Luthuli, apparently the evidence is that  
this document came from A.N.C. headquarters or the  
Secretariat? --- My Lord, I wouldn't know that. 20

Have you seen that document before? --- No,  
I haven't seen that document before. Well - one might  
have to read it to say yes or no, but I don't think I  
have read the document. But My Lords, may I say this,  
I think it is relevant. At the time when there was this 25  
draft constitution, there were so many documents that  
were about by different people, so that really I do  
not know the author. It may have come from the offices,  
or not, I don't know, as I say.

BY MR. TRENGOVE :

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Mr. Luthuli, I now want to step off the  
Freedom Charter and put one or two other matters to you.

BY MR. JUSTICE BEKKER :

Just before you go on. Mr. Luthuli, you recall you stated that if certain things came to the notice of the leadership, then action might be taken. Now having regard to the position of the Accused Ngoyi 5 and Resha, would they qualify in your view as falling under the category "leadership"? --- Yes, they are in the leadership, My Lord, they definitely are.

BY MR. TRENGOVE :

Mr. Luthuli, the other morning I handed you 10 a document, A.J.L. 7, a letter from the Liberal Party addressed to the Chairman of the Cape Western Region of the African National Congress, and you said you couldn't identify this letter as having been taken from your possession. Just have a look at it again? Now Mr. 15 Luthuli, at the Preparatory Examination record, at page 1603, a document marked A.J.L. 7 and described as a letter from the Liberal Party to the Cape Western Region - that was admitted by you as having been found in your possession, and taken in your presence. I put it to you, 20 that very document? --- My Lords, I don't know, but I think that I did say if I didn't make myself clear, then I must make myself clear, that I wasn't disputing the fact that it was found in my possession, the very fact that I think it has - but I don't dispute that at 25 all. What I meant was that I didn't know how it came to me. Even now I can't explain the nature, I don't think I can dispute the fact that it was found in my possession. I may have said I didn't recall the document, but I wouldn't dispute that it was found in my possession. 30

At any rate, you are prepared to stand by that admission that was made at the Preparatory Examination?

--- Yes.

But you can't remember how it came into your possession? --- That I don't recall.

It must have been brought to you by somebody, Mr. Luthuli? --- Either it must have come - there 5  
are only two possibilities. Either it was sent to me  
by the chairman himself after reading it, or by the  
Liberal Party members themselves. I cannot explain  
really.

And I take it if it came into your possession at the time, that you read this letter? --- Yes, I  
would have read this letter. 10

Now I want to refer you to paragraph 3,  
they deal with why they are dissatisfied with the Congress  
of the People Campaign, and they want to withdraw. It 15  
says in the third paragraph : "In joining the Congress  
of the People, we received the full assurance of its  
leading sponsor that the movement would confine itself  
to the important struggle for freedom in South Africa,  
and that it would in no way concern itself with affairs 20  
outside the Union. On this assurance we joined. But  
now a sponsoring organisation known as the World Council  
for Peace has taken the liberty of distributing its  
propaganda at C.O.P. meetings. This propaganda, in  
the guise of a noble motive, confines itself largely to 25  
an all out attack on Western nations such as Britain  
and the United States. Now getting bolder, this organisation  
has taken to proposing resolutions showing a strong  
inclination to one side in the international cold war.  
We refer of course to the resolution passed in Cape 30  
Town on Sunday, October 31st, condemning the re-arming  
of Germany. Such a resolution has absolutely no bearing

on the struggle of the Congress of the People and can only divide the people working in the movement." And then they say that they can't associate themselves with such an outrageous resolution and they want to withdraw from the movement. Now Mr. Luthuli, you said the other 5 day that you didn't really know what the complaints of the Liberal Party were. If you read this letter, as you said you did, you must have been aware at this time that this was one of their complaints? --- My Lords, I would strongly suggest that that letter deals with a local 10 situation and I cannot explain, My Lords, the position in that area. It is quite apparent according to that letter that there was some misunderstanding.

I am not asking you to explain the difficulty. I say that you knew that this was one of the objections 15 of the Liberal Party. Did you do anything about it? --- No. I couldn't do anything about it because it was a local matter. The other day when I made reference to that was with regard to the Liberal Party as a whole. When I said they were represented, the Liberal Party, at our 20 meeting in Tongaat.

Do you agree with this criticism of the Liberal Party, that the Congress of the People meetings were being abused...? --- How could I agree, because I am not in the Western Cape, I don't know. I can only 25 say if that was the case, if they were using that platform for some other purpose, that would be wrong. But surely you can't ask me to explain a thing of the Western Cape.

Would the spreading of Peace Council propa- 30 ganda at C.O.P. meetings, would that be an abuse of C.O.P. meetings? --- Normally My Lords, in Congress

meetings that would not be an abuse. Now it would depend upon the agreement between us and the Liberal Party, but inasmuch as the Liberal Party did not come in, because the Liberal Party did not come in, then there would be nothing wrong insofar as the Congress movement is concerned.<sup>5</sup> But where, My Lords, there was an understanding with the Liberal Party, and then that particular group as apparently might have happened in that case started to do so, then that would be wrong.

Do you know why this letter was referred to 10 you? --- I don't know, I have already said I don't remember how that letter came to me and so on. I just don't recall. Whether it was for my information or what I do not recall. I may have replied to it, I don't recall. Quite frankly I don't recall. 15

But Mr. Luthuli, at the Congress of the People Assembly on the 26th June, 1955, the Peace Council were given a special stall where they distributed all their literature and sold it amongst all the people. Would that be an abuse? --- My Lords, I have already 20 said that in Congress meetings it is not an abuse. But if there would have been an understanding between us and the Liberal Party, then it could have been an abuse, but then the Liberal Party didn't come in. Apparently then in the case as one reads that letter, there must have 25 been some understanding between the Congress movement in the Cape and the Liberal Party, and if there was that understanding, then that would be wrong.

You say you know nothing at all about it? --- Absolutely nothing at all. 30

And you didn't enquire into the matter after you received this letter? --- My Lords, I may have

even written a reply, but quite honestly I don't recall my reaction to that letter. I may have written that, I just don't recall at all. But it is a fact that it was a local issue, it has nothing to do with our relationship with the Liberal Party as a whole. 5

My Lords, I beg leave to hand in this letter, A.J.L. 7. Mr. Luthuli, there is another letter that I just want to ask you one question about, and that is E. 376, a letter which we have already referred to, it is a letter by you to the Johannesburg Peace Council, in 10 which you say that you cannot accept the invitation to attend the Peace Congress in Europe, and one of your reasons is that "it could be used to disastrous effect amongst our less politically educated Africans by our reactionary enemies, especially the government." Now 15 how could your attending a Peace Conference in Europe, how could that be used with disastrous effect amongst the less politically educated Africans? --- My Lords, I did indicate somewhere in my evidence, that government propaganda takes the line that the Peace Council or 20 Peace Movement is under communist control. That is generally the government view and propaganda, and there My Lords I was saying this that although it is not that so far as I know, yet if one went there, the government would increase its propaganda saying now look, 25 your President has gone to attend a meeting of communists, and in fact they call us communists. That is all I was trying to say, My Lords, no more than that.

But the government was already calling the Congress movement a Communist movement? --- That is cor- 30 rect.

How would your attending the Peace Congress

worsen the position? --- It would worsen it because that would be a concrete truth insofar as the government is concerned, with its propaganda amongst the people. To say look here you are, he has attended such and such a meeting. 5

And you felt that your people would be inclined to accept that type of political propoganda? --- Well, some people are taken up by propoganda.

You didn't want the people to think that you were in any way connected with what might be a 10 communist organisation? --- That is correct.

Mr. Luthuli, there are two further speeches that I have to put to you - no, three, two of which you attended yourself. The first was the Colonial Youth Day on the 22nd February, 1953, at No. 2 Square, Alexandra. 15 Now do you remember attending that meeting? --- I do, My Lord.

And you will remember that Robert Resha was the chairman and you were the guest of honour, remember? --- Yes, I was the guest of honour. I wouldn't have 20 recalled who the chairman was, but now that you remind me, I don't dispute it.

You remember that Sydney Shall spoke? --- I don't remember the speakers, really.

Do you know Sydney Shall? --- I do. 25

What organisation was he connected with? --- I think it is the C.O.D., I am not sure.

Wasn't he also on the Volunteer Board? --- I wouldn't recall.

Now, I take it that you wouldn't be able to 30 remember his speech. I just want to put one or two references to you and see if I can refresh your memory.

I don't recall his speech at all.

He refers to the struggle in Kenya and Malaya, and he says "we support the Kenya people", and he refers to the - he asks the audience to show solidarity with Kenyatta, and he says that "if Kenyatta will be free, we would also be free". Would you agree with those sentiments? --- I do, My Lord. 5

The next speaker after him was Kathrada. Now you know Kathrada well? --- I do, My Lord.

He was a fulltime employee of the liberatory movement, is that correct? --- Well, My Lords, I wouldn't know that detail, but of course he is connected with the South African Indian Congress and he could have been employed by the South African Indian Congress.

But you don't know that he gave all his time to the liberatory struggle? --- He could have. As I say he would be employed possibly by the South African Indian Congress or the Transvaal Indian Congress. 15

You don't know? --- I wouldn't know whether he was fulltime or not. 20

Did you know - do you know whether or not he was a communist? --- That I wouldn't know.

Do you know whether or not he was a member of the Executive of the World Federation of Democratic Youth? --- No, that I wouldn't even know too. 25

Do you know that he spent more than a year overseas as part of his training for the liberatory struggle? --- I know that he spent some time overseas, but I wouldn't know what his activities were.

Do you know where he spent that time? --- No, I wouldn't recall, but I wouldn't be surprised if it was Hungary. 30

Yes, I think you are correct, Mr. Luthuli. Now he refers to the struggle in Kenya and Egypt, and he refers to the struggle in Korea and the killing of three million people by Americans, and then he says that they demand full democratic rights in this country, and 5 he says that people have been shot in this country because they demand full democratic rights, and he refers to Denver, Kimberley, East London and Port Elizabeth where people have been killed by the police because they demand these rights, and he concludes his speech "Let me con- 10 clude to you, Mr. Swart, we like to live but not to die. We want to make everybody happy. In order to achieve this we are preparing to do anything. If death is the price we accept it." Would you agree with those sentiments? --- No, My Lords, the last part in particular 15 - with the first portion it is so difficult, but the last part where the speaker says "do anything" and becomes indefinite, that could be a dangerous statement to make. It could leave the impression well, do anything, apart from your set policy. It could have that import, 20 and to that extent I think it is a dangerous expression.

Do you remember that Nokwe spoke there, Mr. Luthuli? --- Yes, I remember Nokwe spoke.

That is the accused Nokwe? --- Yes.

He talks about the struggle in Korea and 25 he salutes the courageous Korean people who are dying defending their people, and he says they stand with the people of Malaya. He says at page 8771, "In Korea the people fight for true freedom and history is on the side of the Korean people. In South Africa people also fight 30 for their freedom. We pray for the success of the people of Kenya, Tunisia and all people fighting for world peace."

And then he says that these wars are being waged because the capitalists wage the wars for their own benefit. Do you agree with the statement that the African National Congress was praying for the success of the people of Kenya because they were fighting for world peace? --- 5

My Lords, I think it depends upon the construction that one puts onto that expression, fighting for world peace. If it is in the context of where there is oppression, well, as I indicated earlier - sometime back, wherever oppression existed, then you have a condition that is not 10 conducive to peace. But where you seek freedom, you are in a sense working for peace. So in that context I would not disagree, My Lords. However, one does not know exactly what the speaker might have had in mind when he used that expression. 15

And then Resha also spoke, page 8764, and he gives the history of Colonial Youth Day, the same fact that we have already referred to in that A.N.C. bulletin, how Colonial Youth Day started with the riots in India, do you remember? He gave those facts? --- I recall. 20

Now Mr. Luthuli, if you were at this Colonial Youth Day meeting, how do you explain your ignorance of what Colonial Youth Day was and what it stood for when you were questioned about it last week? --- My Lords, I still stand by what I said, namely that Colonial Youth 25 Day I took to be a day when the youth speak on the oppression by colonial powers, congratulating those who are free and urging upon those who are not free to fight on. And with that general view, of colonial Youth Day, I addressed it and I would still address it. I did not 30 know - quite frankly I did not know the details of the origin, but the fact that the origin is as indicated by

what you read, would not deter me from addressing Colonial Youth Day meetings in the sense that I have already indicated. I don't accept the proposition My Lord, that because a certain event happened and it was connected with violence, therefore you blot it out of history, 5

I am not suggesting that, Mr. Luthuli.

COURT ADJOURNS.

COURT RESUMES.

ALBERT JOHN LUTHULI, under former oath; 10

CROSS-EXAMINATION BY MR. TRENGOVE CONTINUED :

In this same Volume 44 at page 8870, it is an A.N.C. meeting at Alexandra, a public meeting, addressed inter alia by Tennyson Makiwane. Do you know him? --- I do, My Lord. 15

What was his position in your organisation? --- I think he was in the Youth League, I don't know what position he held in the Youth League.

At page 8870 he says "Africans, Sons and Daughters of Africa, in fact I did not prepare myself 20 to speak, the time for speech is past. All over the world we hear of revolutions. All over in Indo-China, Kenya, Malaya, Gold Coast, people are fighting. The cause is that the people demand their rights. These people have shown us the way. Indian fought out the British. The 25 war in Indo-China, they do not read about it, when the war of Kenya started the British said it was only a mere fight of gangsters, but today it is already two years. The people of Kenya have shown the British that the Black man can fight. We are not lagging behind in 30 South Africa. There are preparations being made about the Western Areas, the Volunteer Corps are prepared.

Now Mr. Luthuli, in that same connection I want to refer to your speech and the speeches of Resha and Mkwazi at the Uitenhage Conference in 1954. Do you remember you attended the Uitenhage Conference? --- I do, My Lord.

The proceedings are reported in Volume 48, 5 page 9637. Before referring to your prepared speech in your opening remarks, you said "It does us good to know that we are one chain all around the world". Do you remember that? --- I wouldn't recall that, but it is possible that I said it, I don't know. I wouldn't run 10 away from it at all.

And that one chain around the world, I take it, are all the people engaged in the liberatory struggles in the various countries around the world? --- That would be correct. 15

And then at the same Conference, Resha makes the speech, reported at page 9644, line 24, in which he refers to the division of the world into two hostile camps, and the forces of freedom struggle on the one side and the forces of hostility on the other. And he refers 20 at 9645 to Malaya and the fact that British capitalists were chased out of Asia, and then he says "The people in Africa as in other countries want freedom. They are prepared to sacrifice even their lives to achieve freedom". And he says, "We see our brothers in Kenya 25 fighting for freedom". And then he gives these details that we have had in other documents about hot water being poured on women by the British, women being raped by British soldiers, women being shot by British soldiers and so on. And he concludes his speech as follows : 30 "The time has come for all youth to stand and fight for freedom. Those who stand in our way, we shall tramp on them.

Those who come to work against the A.N.C.Y.L., to work against us, we should march out.- should march out. The time is not going to be long when no detective will come and take notes from our meetings. These dogs come at daylight and show what their work is. We call upon 5 those Africans who are on the other side of the river to come to us before the river is in flood. It will be a pity when we march to the country of freedom. We shall tramp on you. When Malan's bullets come, will destroy you also." And then on the next page Mkwai says : 10 "If we could organise all non-European youth before March, 1955, J. Kenyatta would be out of gaol, and we in South Africa would take over in 1957". Now there is one other document that I want to put to you in this same connection, and that is B. 13, a Report of the Transvaal 15 Indian Congress, the Report of the Secretary, 3rd April, 1955. It is recorded at page 1116 of the record, Volume 6. At page 2 he says : "Our struggle for liberation in South Africa is not an isolated struggle. It is an Africa wide struggle and indeed a world wide struggle for 20 freedom. It is a direct link between what has happened in the Western Areas of Johannesburg, the Copper Belt of Rhodesia, the highlands of Kenya and the opposition of the people of Morocco and French Tunisia to French imperialism. These are different facets of major 25 onslaughts on the part of the people of this continent against oppression and the right to express themselves fully and to restore human dignity." Now I just want to put this to you, Mr. Luthuli, that howevermuch you deny that there was a world liberatory movement, the African 30 National Congress during this period held out to its people and to the masses that the struggle in South Africa

was part and parcel of this world wide struggle being conducted in these other countries. Do you agree? --- My Lords, the Crown started by saying, no matter how much I deny or may have denied that the struggle here is part and parcel of the struggle in other parts of the world, 5 but the Crown says our speeches indicate that. I think I have explained, My Lords, that...

Do you agree....

BY MR. JUSTICE RUMPF :

I think the witness wants really to say 10 that he didn't dispute that there was a liberatory struggle. I think his evidence was that from the organisational point of view the A.N.C. was not part of the struggle? And that as far as sentiment is concerned, it regarded it favourably? --- That is correct, My Lord. 15

That is what you originally said? --- I was just going to repeat the same thing, My Lord.

BY MR. TRENGOVE :

And this direct link between what happens in the Western Areas of Johannesburg, the Copper Belt 20 of Rhodesia and the highlands of Kenya? What is that direct link? --- My Lords, there is no organisational link, as I have been trying to say all along! I think that the words taken in their context, and in the light of my explanations, would merely mean what I have 25 already said. There was no direct link at all.

I put it to you Mr. Luthuli, that the direct links with these - were these world organisations to which the Congress movements were affiliated and which they supported? --- No, My Lord, but how could that be 30 because in the first place the Congress movement, apart from certain people going to those organisations and the

Youth League being affiliated to the Youth aspects of those organisations, the Congress movement as such has no connection whatsoever with these world movements, none whatsoever.

And ...? --- It would come to me as a surprise to be shown that it is an - that there is an organisational link. 5

And that the whole purpose of these references to the other countries, Mr. Luthuli, was to make the people realise that they would have to be prepared to resort to the same means to achieve their freedom? --- No, My Lord. The people in those countries were struggling in their way, and Congress had decided on its way and it was pursuing that way and is pursuing that way. 10

Finally in this regard I put it to you that what you were doing is what is said in the concluding portions of the report signed by Mqota, the report V.M. 15, where it concludes, after referring to this world wide struggle - My Lords, it is to be found in the record at page 3989, Volume 20. It is a report to the - the Secretariat Report to the Annual General Meeting of the African National Congress Youth League, My Lords, at Port Elizabeth. It concludes with a quotation from Mao-Tse-Tung, "When the enemy advances we retreat. When he retreats, we pursue and when he is tired, we attack". And that was the state of affairs that you were trying to create in this country, preparing the people for the time when you would by violent revolution seize power in the country? --- No, My Lord, but we were definitely pressing our liberatory movement here to the point where the government would by pressure, either itself or through the electorate, see right (?). That was our 15 20 25 30

stand, that is our stand.

Mr. Luthuli, there are a few points, I don't want to refer to specific speeches, but I just have to put them to you. There are a number of speeches made by Congress members at Congress meetings, the African National Congress and others, in which the violent acts committed, the Crown will submit that the proper construction of the speeches in which the violent acts committed by the oppressed people in their liberatory struggles in other countries are lauded and approved of, that you say would be in conflict with Congress policy? --- My Lord, if after referring to a particular liberation struggle that was violent, then the speaker proceeds to laud the method...

BY MR. JUSTICE KENNEDY : 15

I think you have said several times, Mr. Luthuli, that while you may condemn the means, you laud the purpose? --- Yes.

BY MR. TRENGOVE :

Mr. Luthuli, then there are a number of speeches in which the African National Congress speakers refer to people who don't support their campaigns as traitors, sellouts, pimps, - would that be language approved of by the African National Congress? --- My Lords, I would put that language as not...

Those sentiments? --- My Lords, I can't answer just in one sentence. Firstly, we naturally don't approve of people who oppose in ways that are not in our view legitimate. Like for example I have indicated some people who would side with the government and so on. Now, coming on to that - the question My Lord of language does become a matter of individuals. You know, I mean,

some people wouldn't use that strong language of that nature. You can't say is this Congress view. There can be no Congress view in language used.

Would that be consistent with your policy that you want to achieve it ultimately by negotiation, to call 5 other people traitors, sell outs and pimps if they don't agree with you? --- My Lords, we have no objection to open, frank opposition to the African National Congress. But I think that the reference there, My Lord, would be to people in our view who side with the government, 10 people who side with the government, to us, at in the other camp.

Are traitors? --- Are in the other camp.

Mr. Luthuli, there are speeches in which speakers tell the people that these traitors and sell- 15 outs would be tried before a people's court. That I put to you is inconsistent with your policy of negotiation? --- In fact, we don't approve of that. I could never be a party to that, I have already indicated that Congress has never expressed the view that after freedom there 20 will be a court to try people who didn't agree with us.

And finally on the speeches, there are many speeches which are directed towards creating feelings of hostility between Whites and Blacks, and between employers and employees. I put it to you that that is 25 inconsistent with your policy of winning the White man for the purposes of negotiation, speeches of that nature? --- Well, My Lords, that would depend upon the nature really of the speech, but in general we don't at all stand for the creation of hostility between the racial 30 groups. But on the other hand, My Lords, you could get a speech delivered by a person, attacking very strongly

a certain section because of its action towards us as oppressor, very strongly. I don't think you would necessarily accuse that person of creating racial hostility.

Mr. Luthuli, on the question of publications, I think you have said previously that you didn't know 5 much about New Age and Advance or who the editors were, is that correct? --- That is correct.

You don't know who the editors of New Age or Advance was? --- I said the proprietors.

Do you know who the editor was? --- Bunting 10 I think - I don't know when he started, but I think he is at present editor.

Do you know Lionel Forman? --- I do.

Now you also know that when Advance was banned, it really came out under the new name New Age, that 15 it was really the same paper under a new guise? --- I think that would be correct.

Because you published a statement protesting against the banning of advance, and welcoming the publication New Age? --- I think that is correct. 20

So that you knew that the policy of the new paper was going to be the same as the old one? --- That is correct.

And you were approached from time to time to make statements for publication in Advance and New Age 25 were you not, Mr. Luthuli? --- I think that is correct, I think particularly at the New Age stage.

Who was it that approached you? --- Various people would. For example, in Johannesburg, I would be approached by the staff here, amongst them Ruth First. 30 And in their Durban office - at the present moment, I don't know that he was always there, I am not so sure at

that time.

You don't know who approached you in Natal?

--- I know that I have been approached for instance by Naicker who is their representative there.

Which Naicker is that? --- M.P. Naicker. 5

Who was the accused at the Preparatory Examination? --- Yes. And I have sent statements on my own.

One other matter, Mr. Luthuli, the - on the co-operation between the various Congress movements, 10 the South African Indian Congress and its branches, the South African Congress of Democrats, the South African Coloured People's Organisation, the South African Federation of Trade Unions and the Federation of South African Women, now on this question of the aims of the liberatory 15 struggle and the methods to be employed, were these organisations agreed on those issues? --- They were, My Lord.

Were you all agreed on how you were going to achieve your freedom and what you wanted in order to 20 obtain freedom? --- We agreed.

Now there is just this one document that I referred you to this morning that I didn't give you, and that was the General Secretary's Report to the Youth Congress in Natal, where he makes the statement 25 - I put to you this was also generally made by the Congress movement - this was a report to the Natal Indian Youth Congress, B.N. 19, in which it is said that the non-White people of South Africa can never achieve freedom and democracy through parliament, and 30 only by means of extra-parliamentary struggles? --- I agree with that.

That it wasn't going to be through parliament?

- You would bring pressure on the electorate, and then finally, as a last step, the electorate would then set the machinery in motion. I agree with that.

This means ultimately it had to go through parliament? --- Ultimately, yes. 5

Now I put it to you that was never your attitude or the approach of the Congress movement. Mr. Luthuli, in the course of your evidence, you referred to a number of names, Kathrada, Mandela, Masina, Mathole, Moretsele, Lilian Ngoyi, Nkadimeng, Duma, Resha, Sisulu, 10 Sibande, Tshunungwa, Conco - they - those reference refer to the people who are Accused in this case by that name? --- That is correct, My Lord.

BY MR. TRENGOVE :

That concludes my cross-examination, My Lord 15 subject to questions that may arise out of statement that this witness still wants to make.

BY MR. JUSTICE RUMPF :

Either he is still under cross-examination when he makes the statement, and when you conclude your 20 cross-examination he makes his statements either as it were under re-examination, or he may be led, I don't know.

BY MR. TRENGOVE :

Then My Lords, I just want to ask him in that event - Mr. Luthuli, in replying to the questions put to 25 you in connection with the three articles in Liberation, the article by Mandela, the one by Professor Price and the one by Ruth First, you replied to the questions put to you subject to certain reservations. You wanted to read the articles and you said you may have to express 30 further views. Would you do so now? --- My Lords, I cannot go into the details, nor do I think it is necessary

for me to go into the details of these speeches. I couldn't at the time at my disposal. But starting with the original article by Mandela, I will say My Lords, that I have nothing there that I take exception to, except just one or two things that I will refer to. I am ~~speaking~~ 5 from memory. The burden of Mr. Mandela's article was directed against the policy of the Liberal Party at its inception, as it was made public, and we in Congress My Lord were critical, and still are critical of aspects - of some aspects of Liberal Party policy. Then Mr. Mandela 10 in his article My Lord goes on to a general attack on liberals, and I must say that, My Lords, not only in Congress circles, but generally amongst politically conscious Africans, liberals of that nature, as I will show, do not always stand very high. In the other aspect of 15 his article, he strongly condemns the attitude of some liberals towards the Defiance Campaign who were opposed to it, suggested that it was ill-advised, and did try later to say that because of the rioting that took place which, as I have said, the A.N.C. held the view that they were 20 not connected with the Defiance Campaign, but they tried to attach those to the A.N.C., and he was very critical of that. Now, I must say that My Lords, I find myself in agreement with - in full agreement in fact with the sentiments expressed in Mandela's article. I will just 25 point out one or two things where I see differently. It is necessary, My Lords, to give this very important background, that in the history of our struggle, now and again you found people of liberal persuasion, with good intentions insofar as they are concerned, but giving 30 advice that would halt in fact the struggle insofar as we were concerned. And My Lords, it is a long history,

it goes back right to the days of the Cape, the formation of Union, the so-called Cape Liberalism which was . . . . .? in its nature, and it comes on My Lord up to 1936 for an example at the time of the Hertzog Bill when some of our friends counselled the acceptance of those Bills when we 5 thought that we shouldn't, and so right through you have had people of liberal persuasion - not necessarily members of the Liberal Party, in the first place it was not in existence then. In our view, they take up an attitude that would tend to halt our - but that is . . . the burden 10 of Mr. Mandela's article. The one aspect, My Lord, of course where I disagree with my friend Mr. Mandela, is when in some passages, one or two, he seems to impute that as being a motive of liberals, because they are siding 15 with the government - I mean words to that effect, more or less. Now it may very well be that there may be some people of liberal persuasion who were siding with the government, but there are others who I think quite frankly hold the view that they do not support out militant pro- 20 gramme, they would prefer rather to work through parliament in the hope that in the end, by the mere exercise of the vote, people will get their freedom. As you know, My Lord, we have already rejected that, for very good reasons. Then Mr. Price My Lord, took it upon himself 25 to reply to Mr. Mandela. I am speaking from memory. In his reply he becomes extremely in my view, sarcastic and tries to point out and in fact justify the attitude of those liberals who criticise the Defiance Campaign, and points out the fact that because of the ill-conceived 30 campaign and in fact he goes on to suggest that a campaign whilst it was supposedly controlled by the Congresses, yet

in fact he tries to suggest that it was not, and then in the course of his attack on Mr. Mandela's article, - he tries to also, My Lord, show that the Liberal Party as such believes in constitutional development, they cannot be forced into militancy by the Congress movement 5 which then consisted of course of the Indian Congress and the A.N.C. And then in the course of that, My Lords, he refers to the incident in history of the French Revolution and says we are not interested in storming the bastille, and the waving of tattered flags. He refers to that, 10 in other words, my interpretation of that is that well the African National Congress and the South African Indian Congress who were mainly conducting the Defiance Campaign, by their militancy, were storming the bastilles. They were not interested in that. And then, My Lords, as I 15 say I am speaking from memory, Ruth First comes to reply to Mr. Price. She tries in her article to show that Mandela - that Mr. Price had rather Missed Mandela's point of view, namely that the co-operating Congresses then had decided on militancy because since Union they 20 had tried the method of supplication, it had not got them any results, and so they were forced by circumstances to adopt this method of militancy of which Mr. Price was not only critical, but in fact made, in my view, insinuations which were uncalled for. And then Ruth First, in 25 the course of that, tries to support the Mandela point of view and how it came about that we became militant, and that in fact Mr. Price's suggestion would amount to our return to the previous position when we as oppressed people waited in a sense with folded hands to see 30 what would be done by parliament itself, a parliament which had the majority oppressing us. Then she refers to

the incident again in history to say that I suppose with the advice that Mr. Price is trying to give the African National Congress and its allies in the country of reverting to old methods, if during the French Revolution and the Revolution of the North American British colonies, and 5 also she refers to the struggle by the allies against the Hitler war, then she says, I suppose with those people struggling against what they regarded as a threat first of all to their freedom, later a threat to democracy, I suppose according to Mr. Price's advice what those 10 people really should have done was to stop the struggle, and start again to go back to the old method which had failed, because after all it isn't as if people started off right away by employing revolutionary methods. They had made, My Lords, petition to the authorities and the 15 petitions had been ignored, and as a last resort they then resorted to revolutionary methods. And then she tries to say in my view, My Lords, I suppose then if Mr. Price's advice to the A.N.C. would be taken, it would mean that those <sup>in</sup> situations, those people would have 20 done so. In other words, My Lords, I think she was trying to quite correctly say these people resorted to those methods which was as a matter of fact the method decided upon, because - if I may use the expression I have used here - petitioning and supplication had failed. I don't 25 think, quite frankly, My Lord, her reference there is to emphasise the emulation of what was done in the particular situations that she referred to.

BY MR. JUSTICE KENNEDY :

Well, I think you summed it up when you 30 gave evidence in the first instance. My note of what you said was much what you are now saying, that to the

extent the article showed that a voteless people are forced to employ militant action, you agree with that article? --- My Lords, I wanted to read the article a little more carefully because at that time I hadn't studied it fully, and having studied it fully, I am still 5 of opinion very strongly that it was invited by the remarks by Mr. Fricke to the African National Congress during the Defiance Campaign. And then she refers to the incident to say that well, would you have given that advise to those people? I think that that completes, 10 My Lord, my view on the Mandela article and the subsequent articles.

BY MR. TRENGOVE :

Mr. Luthuli, a second matter that you were asked by the Court - I think it was His Lordship Mr. 15 Justice Bekker, was to have a look at L.L.M. 81, it is the same as S.P.M. 15, the 1955 Report in order to ascertain whether or not you can remember that the Secretariat Report was submitted to you before having been sent to the Congress at Bloemfontein? --- My Lord, could that 20 stand down, I am sorry, I have to plead for that to stand down just until tomorrow, if you don't mind.

BY MR. JUSTICE RUMPFER :

Have you not looked at that? --- I don't think I looked it up. 25

BY MR. TRENGOVE :

Yes, Mr. Luthuli, you remember you asked me whether that was the paragraph referring to the Western Areas and the bloodbath. You remember you went through that document and you have had it on quite a number of 30 occasions? It contains your message and it contains the report of the National Executive? --- My Lords, I think

that insofar as the question by My Lordship Justice Bekker is concerned, although I didn't read this particular paragraph with that question in mind, I would say My Lords, I wouldn't remember specifically that the report was sent to me. I can only My Lords, really rely on 5  
general procedure, what happened to other reports, previous reports. I have already indicated, My Lords, that drafts were sent to us, we commented, and then you go into Conference, and afterwards you then get the report. But between the drafting of the Secretary 10  
and Conference, I did not generally - one doesn't receive a report for that.

Anyway, you have seen the report, and you are satisfied that that is the report? --- I am satisfied that that is the report. 15

Then there was one further document that you were asked to look at, and that was A. 162, the Report of the Secretariat on the Western Areas, and it was the first and second paragraphs under the heading "What must be done", at page 6. I think His Lordship 20  
the Presiding Judge asked you to look at that paragraph and comment on it, and then you asked for an opportunity to study it? --- Yes, My Lords, I think I have sort of read it through with the many documents, I really would - insofar as this is concerned I would ask the Prosecu- 25  
tor if you would really wait until tomorrow.

Mr. Luthuli, what is the position. You had that document, you had it last week, and you said that you were finished with it? --- My Lords, I have had many documents that I read, and one must make up his 30  
mind and as a matter of fact I wanted to ask for this document this afternoon to finalise my mind on it.

I have a great many documents to read. I don't know whether I may suggest to the Crown a document on which I am ready. It was a Report, 1954, where there were references to Zeerust - I think I did reserve opinion on that.

5

References to Witzieshoek and Zeerust and other places where there were riots? --- Yes, that is correct.

That is A. 37? --- I think My Lord, if the Crown could assist me, I would like to have a copy of that 10 report to read in order to explain my point of view.

We haven't got the report here. Will you just carry on and we will get the report for you now, Mr. Luthuli.

BY MR. JUSTICE RUMPF :

15

May I just revert back to the three articles, Mr. Luthuli, Mandela, Price and Ruth First. In the first article I think Mandela in a manner criticised the liberals? --- The Liberal Party and the liberals in general, My Lord.

20

For the attitude that some of them had taken up in not going the full way with the African National Congress? --- That is correct, My Lord.

Then Price answered, ostensibly on behalf of the liberals? --- That is correct.

25

Then Ruth First deals with Price's article. Now if I remember correctly, I may be wrong, but if I remember correctly the effect of her article is that an oppressed people which does not get satisfaction in their grievances through parliamentary means, may justifiably resort to revolution? --- No, My Lords, with respect, my own frank view as I have already said when I

30

read that article, when she made that reference, it is in fact a reply to Mr. Price's criticism, and then My Lord, it must be remembered that it was Mr. Price who had already indicated that we are not interested in storming the bastilles and so on, and then she says... 5

Is your answer really that one cannot read into her article a justification for an open revolution? --- My Lords, quite frankly that would be my own opinion, having read the article right through, that is my own frank assessment. As I have already indicated, a mere 10 reference to the fact that they had a certain method, it was a revolutionary method, which they adopted, and would you then have advised them to stop that method to go back to the old method, as you are advising the A.N.C. to go back to the old method. That is my interpretation 15 of that, with due respect, My Lord.

Is that really the effect of your evidence, that one should not interpret that article as constituting a justification...? --- Really My Lord, that is my own honest stand as I have read through those articles. 20

BY MR. TRENGOVE :

Mr. Luthuli, you have the document A. 37 now before you? --- Yes, My Lord. My Lord, this particular paragraph begins by pointing out and stressing that the African National Congress and its allies has consistent- 25 ly organised the people against fascism, oppressive action. Then it goes on to say : "No action of the government, no matter against which group it was directed, has not evoked condemnation and resistance from the forces allied to and under the leadership of the African 30 National Congress". Now I think that that phrase is - I think that the one the Crown would possibly like to get

my views on, namely "from forces allied to and under the leadership of the African National Congress". From there the Prosecutor tried to connect that expression with the following - with what follows, namely that "in this connection we recall the Freedom strike in the Transvaal on the 1st May 1950, the first national wide political strike on 20th June, 1950, the Cape Coloured Protest strike on the 7th May 1951, the Witzieshoek clash in November, 1950. Now My Lords, I would like to say that my own reading in this connection we recall in the connection of the African National Congress never ceasing to condemn action that is done even by isolated groups here and there on their own, never ceasing. And then the report goes on to point out some of these occurrences throughout the country, not in my view My Lord in the sense that the African National Congress had organised these, but people having shown resistance, the African National Congress was sympathetic to the resistance, and would condemn the government for its actions in those areas that have brought about resistance of the people.

BY MR. JUSTICE RUMPFER :

May I just have that document? --- My Lord, I would just like to finish this one sentence. In fact in some of those instances quoted there, they could not in any way have been organised by the African National Congress directly. Let me leave our Witzieshoek which I know was there organised by the A.N.C. Take the Coloured Protest, I think that was in connection with the Separate Representation Bill for the Coloured people. Now the A.N.C. did not take an active part in organising that. There is My Lord, May Day for an

example which is a labour day, we are sympathetic with that, but I don't know that the A.N.C. took an active part in organising that.

Just reading through this, wouldn't one get the impression that the author tries to indicate that 5 behind these incidents was the African National Congress? --- Yes, he would get that - I concede that he would get the impression that we were behind, but My Lords, not in the sense of organising, when it comes to organising. In the sense that we protested strongly against those 10 actions against the government for creating situations which brought about that.

I think the passage which creates that impression is a very short one which reads, "and under the leadership of the African National Congress", that 15 is the last line of this first paragraph. It says, "The one major force which has fought the government consistently and organised the people against fascism has been the African National Congress and its allies. No action of the Government, no matter against which 20 group it was directed, has not evoked condemnation and resistance from the forces allied to and under the leadership of the African National Congress. In this connection we recall the Freedom strike, the political strike, the Witzoeshoek Clash.." and so on. It is 25 this last phrase, "and under the leadership of the African National Congress", I think which tends to give that impression? --- Yes, My Lord. My Lord, I should say that it is possible I think for that construction possibly to be put onto that, My Lord... 30

But is it not so in fact? If that were the intention of the author of this document, are the facts

incorrect? --- Well, My Lords, as I have indicated from my own knowledge, unless the contrary could be shown, the African National Congress didn't have direct connection with Witzieshoek, and I am pointing out My Lords also the - a thing in which the African National Congress 5 could not have organised, namely the Cape Coloured Protest strike.

Well, it could have, if one looks at the first paragraph where it says, "The A.N.C. and its allies". It doesn't claim the sole authorship of those incidents, 10 but "under the leadership of the A.N.C."? --- My Lords, I don't know, I don't want to strain language too much. My own reaction was the general leadership of the African National Congress in the liberatory movement.

Yes, that might be? --- In the liberatory 15 movement, not necessarily that it actually directed those particular occurrences. If I may go out of this report just to illustrate, the same thing would be true of the unfortunate happenings in Zeerust. But the African National Congress is interested in the liberatory move- 20 ment generally, and in fact sometimes even within our own group we have regarded ourselves as being in the leadership in the Congresses, in the sense that we are - we represent the majority group of the oppressed, and we have regarded ourselves even within the Congress 25 movement as being in the leadership. But in any case, however that may be, My Lords, my knowledge I cannot - as evidence to substantiate may be, was this that the African National Congress as such did not organise certainly some of these that I pointed out, and even 30 the question of for instance May Day, now we are associated with the labour organisation S.A.C.T.U. And

S.A.C.T.U. was of course not in existence at that date, we would take an interest in the - in whoever were organising labour at the time, organising May 1, but I don't know that it could be Congress taking the lead, My Lord.

BY MR. TRENGOVE :

My Lords, could the witness be asked to endeavour to ensure that he is ready on all the documents that he still wants to qualify.

BY MR. JUSTICE RUMEFF :

Yes, he has said that he wants to qualify - that he has gone through a number, he has referred to A. 162...? ---My Lords, what I will do, I will just check up with the Prosecutor to make absolutely certain what documents I still have to go through, so that tomorrow I will do my very, very best to be ready.

CASE REMANDED TO THE 25TH MAY, 1960.

COURT ADJOURNS.

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