

is holy, friends, this shall be the monument of the people of South Africa. Friends, let it be clear to us that this great assembly of the people of South Africa is an assembly whereby the people will from today march on to freedom. (Singing of Mayebuye Afrika). There are 2884 delegates representing .." - omitted something - "... people. We will give you some idea of the places from which the delegates have come. There are delegates representing the reserves, there are delegates from Natal, from Sekukuniland, Zululand, Transkei, Ciskei, delegates from the farms and the trust lands, from the mines and the factories, almost every place in the Transvaal is represented here. From Cape Town, from Durban, East London, Port Elizabeth, and every town in the Union. Even Meadowlands is represented here. Every Native section of the population is represented here. We have 2185 African delegates, 320 Indian delegates, 230 Coloured delegates, 112 European delegates, 721 women. Some were voiceless by the actions of the police, they were prevented from coming to the Conference, their demands are here before us. Even though they are not here, their voices will be heard. The Charter will have a greater support than any other document that has ever been drawn up." That is as far as I've got.

You hand in your shorthand notes, EXHIBIT G. 949? ---
I do.

And the transcript has already been handed in as
Exhibit G. 595.

NO FURTHER QUESTIONS.

CROSS-EXAMINATION RESERVED BY MR. BERRANGE, MR. COAKER AND
MR. SLOVO.

ISAAC SHARP, duly sworn;

(25-26.6.55)

EXAMINED BY THE P.P. :

Did you make notes at a meeting held on the 25th and

26th June, 1955? --- I did.

Which meeting was it? --- It was the Congress of the People.

Held at Kliptown? --- Kliptown.

Did you identify speakers to the last witness, Constable Schoeman? --- I did.

Can you remember whether you identified all of them or not? --- I identified some of them, and some of them I wasn't there.

Did you make notes of some of the names of the speakers? --- I did.

Can you remember who was the Chairman on the first day? --- If I remember correctly it was Dr. Conco.

One of the Accused? --- Yes.

BY THE COURT :

How do you mean if you can remember correctly? --- I haven't looked at anything, but I have a picture that he was the Chairman on the first day.

Haven't you got that note? --- I don't know, I haven't looked.

We want you to rely on your notes in the first place, and only if you are asked to, you can try and rely on your memory.

BY THE P.P. :

That is why I asked him if he remembered. There is no note. Dr. Conco is one of the accused, is that correct? --- Correct. (127).

You made notes of the names of speakers who spoke on the 26th? --- I did.

Of June, 1955, at the same meeting, is that correct? --- Yes.

Refer to your notes and only mention the names of the speakers, whether they are Accused or not. Mention them

all? --- George Peake.

Do you know him? --- I know him.

One of the Accused? --- Yes (93). Ida Mntwana (49);
Ben Turok.

Is he one of the Accused? --- He is one of the Accused.
(97).

Yes? --- Peter Selepe.

Is he one of the Accused? --- Yes (66).

Where you have an unknown speaker, just say so? ---
Yes, I'll go through the list. And I've got here, Mrs. Martha
Motsokane.

From where? --- Bloemfontein.

Do you know her? --- I don't know her.

The next? --- Isaac Mushane, Randfontein.

The next? --- Then T. E. Tshunungwa

Is he one of the Accused? --- Yes (124). Then unknown
speaker, who spoke in Sesothe. And Archie Sebeko, I have got
here from Cape Eastern.

Do you know him? --- I don't know him.

Yes? The next? --- Then I've got a name, I think the
speaker was from Ermelo. Damsonsheko.

Yes? --- And an unknown speaker.

Next? --- And unknown woman speaker. And I've got
Saloojee.

The next? --- Then I've got one here, I think it is
Xaba, but I couldn't get the name properly. Then unknown
speaker. Then Peter Nthithe.

Is he one of the Accused? --- Yes (57). Then Mrs.
S. Bunting, who moved a resolution, she moved a section of
the Freedom Charter.

Is she one of the Accused? --- She is. (79). And
Mrs. R. Moosa. And an unknown Indian speaker, who spoke in
Gujerati. And unknown woman speaker. And unknown Indian male

who dealt with a section of the Freedom Charter. Then Leslie Masina.

One of the Accused? --- Yes (34).

Yes? --- An unknown Indian speaker, who spoke in Zulu.

Yes? --- Then I've got a speaker here, I think it is A. B. Setsoare, from Kimberley.

Before that? Are there no other names before that name? --- Before that is Mrs. George Maeka.

And just before that? --- Andries Chamile.

What language did he speak? --- He spoke in Afrikaans.

Is he one of the Accused? --- Yes (8).

And then? --- Ezekiel Mphahlele, he spoke on Bantu Education.

The next? --- Doreen Motshabi.

Is that the last name? --- That is the last name. She spoke on Bantu Education.

You hand in your notes EXHIBIT G 950? --- I do.

Did you also write down the names of persons whom you saw at the meeting? --- Yes.

Both on the 25th and on the 26th June, 1955? --- Correct.

And you have your notes now before you? --- Yes.

BY THE COURT :

Was this meeting on an open space? --- An open space, but covered in hessian, on the sides.

BY THE P. P. :

You were inside that enclosure, is that correct? --- I went inside, and then I was inside and outside.

Will you refer to your notes and mention the names of Accused persons whom you saw at the meeting on the 25th June, 1955? --- Lawrence Nkosi (55); Sam Masimula (33); L. Levy (20); S. Esakjee (9); C. Sibande (69); S. Tyiki (75);

P. Nthithe (57); R. Resha (63); P. Beyleveld (6); S. Lollan (22); A. Mahlangu (24); L. Masina (34); M. Shope (68); P. Selepe (66); A. Hutchinson (11); Lionel Morrison (89); Helen Joseph (13); Norman Levy (21); A. E. Patel (58); D. C. Thompson (78); Sampi Malupi (31); A. G. Makgothi (29); Dr. Conco - no first, Joe Matlou (38); Dr. Conco (127); Frank Madiba (23); A. Chamile (8); Philemon Mathole (37); Farrid Adam (1); Bennet Seitshiro (64); Joseph Molifi (43); P. Nene (51); Patrick Lolaoa (42); Obed Motsabi (47); W. S. Ngwendu (53); Now the 25th is finished.

Will you still refer to the notes of the 25th June, 1955. Look at your number 118. Haven't you got that? Will you then refer to your notes made on the 26th June, 1955? You also have a list of names of persons who attended the meeting, is that correct? --- Correct.

Will you do the same. Go through the list and mention the names of Accused persons whom you saw there? --- N. Levy (20); A. Chamile (8); F. Madiba (23); L. Masina (34); A. Mahlangu (24); B. Seitshiro (64); S. Esakjee (9); I. Mntwana (49); C. Sibande (69); S. Masimula (33); L. Nkosi (55); Bartholomew Hlapane (10); E. P. Moretsele (46); P. Selepe (66); A. Molefi (43); R. E. Press (60); Hymie Barsel (4); H. Joseph (13); S. Malupi (31); A. E. Patel (58); S. Tyiki (75); Joe Matlou (38); R. Resha (63); L. Morrison (89); Aaron Mahlangu (24); Peter Nthithe (57); Joseph Kumalo (19); Nimrod Sejake (65); Dr. H. Moosa (45); Hymie Barsel..

You've mentioned him? --- Yes. Ida Mntwana..

You've also mentioned her? --- B. Hlapane..

You've also mentioned him? He is No. 10? --- Yes.

P. Beyleveld (6); I have mentioned Sejake too. P. Makgofe (26); F. Adam (1); John Nkadimeng (54); M. W. Shope (68); A. G. Makgothi (29); P. Molaoa (42); I have mentioned Dr. Moosa. That is all, according to my list.

You hand in your list EXHIBIT G. 951? --- I do.

NO FURTHER QUESTIONS.

CROSS-EXAMINATION RESERVED.

(Int. E. Mazwai - Zulu/Eng.)

DOUGLAS NDABA, duly sworn;

(25-26.6.55)

EXAMINED BY THE P.P. :

Did you attend the Congress of the People at Kliptown on the 25th and 26th June, 1955? --- I did.

Did you take notes at the meeting? --- No, I did not take down any notes. I only took down the names of people I knew at the meeting.

You have your notes before you? Or is it a statement?
--- I have the report, not the notes.

Is that your own report? Drawn up by yourself? --- Yes.

When did you draw that up? --- On the 27th, June 1955.

From what did you draw it up? --- From my notes.

Where are your notes? --- I handed my notes in together with the report.

Do you have a name J. Poo? --- Yes.

Is he one of the Accused? --- Yes (59).

Did he attend that meeting? --- Yes.

On what date? --- On the 26th June, 1955.

Do you have a name J. Mashaba? --- July Mashaba.

Is he one of the Accused? --- Yes (35).

Did he attend that meeting? --- Yes.

On what date? --- The 26th June, 1955.

NO FURTHER QUESTIONS.

CROSS-EXAMINATION RESERVED.

BY THE P.P. :

This report by Douglas Ndaba hasn't been handed in. I better hand it in. It will be EXHIBIT G. 952.

(25-26.6.55)

WYNAND JACOBUS WESSELS, duly sworn;

EXAMINED BY THE P.P. :

Did you make notes in respect of a meeting held on the 25th and 26th June, 1955? --- Yes.

What meeting was it? --- It was a meeting of the Congress of the People.

Where? --- At Kliptown.

Did you note down the names of persons who attended the meeting? --- I did.

Refer to your notes. Do you have a name V. Make? --- I have.

Is he one of the Accused? --- Yes (25).

On what date did he attend the meeting? --- On the 26th June, 1955.

And do you also have a name M. Asmal? --- Yes.

Is he one of the Accused? --- Yes (2).

Did he attend, on what date? --- On the 26th.

You also have a name S. Nathie? --- Yes.

Is he one of the Accused? --- Yes (50).

On what date did he attend the meeting? --- On the 26th.

You hand in your notes EXHIBIT G. 953? --- I do.

EXAMINATION BY P.P. CONTINUED :

(1.4.56)

On the 1st April, 1955, did you and other members of the Police Force proceed to West Street 37, Johannesburg? --- Yes. It was on the 1st April, 1956.

What did you do there? --- I collected certain documents.

What was in progress there? --- A Conference.

Do you remember which Conference? --- No, I do not know the name of the Conference.

There was a Conference on, is that correct? --- Yes.

From whom did you take possession - seize certain documents? --- Norman Levy.

Is he one of the Accused? --- Yes. (21).

Will you hand in the documents. The first is EXHIBIT G. 954. Just read the heading, what is it? --- It is a booklet. 'The Young Democrat'.

Issued by? Is there any indication? --- No.

Any date on it, on the outside? --- The only date is Volume I, No. 1, March, 1956.

Just hand me the Exhibit. The next is EXHIBIT G. 955? --- Chairman's Report.

Is it a handwritten document? --- Yes.

Headed Chairman's Report? --- Yes.

And the next is EXHIBIT G. 956? What is that? --- It is a booklet. The name is 'Reasons Why I Refuse to Carry a Pass', by Mrs. Lilian Ngoyi.

Do you know an Accused Lilian Ngoyi? --- Yes (52).

The next is EXHIBIT G. 957. What is that? --- That is a list of names...

It is really the heading under certain sections. Names, Branch, Delegate and Observer. And then a list of names. The next is EXHIBIT G. 958. What is that? --- It is a pamphlet.

A Memorandum, I think. A pamphlet, yes? --- On 'The Struggle against Passes'.

Yes, will you read the whole of that document? --- "1. Is this a new struggle? The struggle against passes has gone on, sometimes fiercer, sometimes quieter for many years. The new round of struggle which is opening as a result of the threat to extend the passes to African women does not mark the beginning of the struggle, but only a new phase. It opens up the possibility of widening and making changes in the whole struggle against passes and of rousing great sections

of the people for the struggle. 2. Can victory be won in a single battle? In such a long drawn out war as the war against pass laws it would be foolish to accept that victory can be won by a single action of the people. The pass system is the foundation of the whole cheap labour system of South Africa. The ruling class will not readily be forced to give it up. It follows that the victory in the struggle against pass laws must not be looked for in every minor skirmish against the enemy. In a long drawn out battle, there will be many minor victories, minor defeats, many advances, many retreats, but final victory for the people will mean the end of the cheap labour system in South Africa. It can only be finally achieved by the overthrow of the ruling class and by the winning of the Freedom Charter as the ruling policy of South Africa. 3. Is the present struggle an item of any importance? The present struggle against passes for women can well prove to be a decisive turning point of the whole long drawn out war. There is no aspect of the pass system which will cause such bitter opposition as this, and the present situation therefore enables us to bring thousands of new militant fighters into the struggle, to arouse those who have become accustomed to and tolerant of the pass laws, for a new effort and to awaken the conscience and the resistance of those sections of the people, White, Coloured, Indian, who do not themselves directly suffer under these laws. 4. Is the struggle of the women alone? Clearly the women are in the front rank of the battles now opening. They are the victims the Government has singled out for its latest attack. The struggle is not one for women alone. It is one in which women and men must stand together, each helping, assisting and encouraging the other as the circumstance demands. By themselves the women can perhaps resist the latest attacks, but their resistance would be stronger and lead more surely to

victory if the menfolk fight with them. But even a temporary victorious resistance of women to the present attack will not end the struggle of the women to the present attack will not end the struggle against the pass laws. Alone it will only postpone the day of the attack till the Government can muster great force. It will only be a breathing space before a new attack in a new direction. This must be a joint campaign of men and women, whose aim is to end the pass system and the Government which upholds it. 5. Is the slogan 'Women shall not carry passes' correct? It is argued by some that the present battle will be decided, won or lost, on the question of whether the womenfolk take the new passes. Therefore, it is argued, the political line of the campaign must be to encourage women under no circumstances to accept the passes. From this line of policy it is clear develops the concept that pass laws can be fought and beaten only by acts of passive resistance. Individual or collective by acts of steadfast refusal on the part of the women to accept the new passes. No one can deny that such acts would be of tremendous significance, advancing the struggle of the people and giving new moral and enthusiasm to the whole campaign. Nothing should therefore be said or done which would encourage such acts of defiance, passive resistance. But this is not the only way to fight, nor even the best way. Even widespread acts of passive resistance only cannot in the long run deter the Government from its course, if it is determined to use all its force, authority and power to enforce its will. This was one of the lessons taught us by the Western Areas Removal Campaign, which we cannot forget. We must not let our enthusiasm blind us to the prospect of overwhelming Government force, mass deportations, sackings from jobs, evictions from homes, etc. which can be unleashed against passive resisters to break their resistance. Passive resistance is good,

effective, valuable at the right time, in the right circumstances. But it is not the only way and those who hold it out and despair at their loss of confidence in our movement.

6. What other slogans can be advanced? There are other ways of struggle against the pass laws, each of which one has its place. Pass laws can be fought by demonstrations and strikes, by petitions and meetings, by boycott and resistance and disobedience, by active struggle as well as passive. Which of these ways is the best? This can only be conceived in the precise circumstances in which we find ourselves in each area at any one time. Sometimes one and sometimes another. We must learn from the errors of the Bantu Education and Western Areas Campaigns, not to be rigid, formal, tied by preconceived ideas about the only possible ideas about - the only possible way the forms of action which do not fit the circumstance. We must be ready to use any and every means of struggle which are proper and possible at any time and which advance us to our goal. The campaign against the new passes for women must not therefore be allowed to stand or fall by the successor failure of passive resistance by the women. The campaign must be conducted using one weapon, now another, now passive, now active. The slogan to be instilled into the minds of the masses is not therefore 'The women shall not carry passes', but rather 'We shall struggle every inch of the way against the passes. Down with pass laws'.

7. How do we decide what precise action to take? We must rely on the good sense, responsibility and flexibility of our leaders. They must weigh up at every stage of the campaign what the state of organisation, preparedness is. What are the people ready to do? What action will meet with the united support of the people and carry forward the struggle. There must be no..... militant sounds calling to action which are not attuned to the reactions and the state of

militancy of the people. We must be aware of calls to action which do not lead all the people into action, but serve only to cut the militant vanguard off from the masses. But we must be active, organising, explaining, agitating the people, preparing them for the struggle and we must be bold when the time for action comes. Mass work, mass agitation leading the struggle, this is the A.N.C. of Congress policy of the pass laws." - That 'A.N.C.' may be 'A.B.C.'. The last sentence is : "... Mass work, mass agitation leading to struggle, this is the A.B.C. of Congress policy of pass laws."

You took some more documents from the possession of Norman Levy, is that correct? --- Yes.

I don't intend handing them in.

COURT ADJOURNS.

COURT RESUMES.

(Leave granted to No. 31, S. Malupi and No. 87, D. Mgugunyeka to be excused).

MR. COACKER ADDRESSES COURT :

(No. 86, C. Makholisa, is back in Court. No. 25, V. Make is also back in Court).

WYNAND JACOBUS WESSELS, under former oath;

CROSS-EXAMINED BY MR. BERRANGE :

You were at the Kliptown Conference of the Congress of the People, were you not? --- I was.

Both days, the 25th and 26th? --- I was.

All I really want from you is to try and give the Court some picture of how this Congress was constituted and the geography of the place. This Congress was held on an open stand, was it not? --- Yes.

And this stand was divided into two portions. One was a portion for delegates, and the other was a portion which constituted the public enclosure? --- Correct.

The delegates enclosures was surrounded at the back of the platform with a high hessian division and on the Northern side, that is to the left of the platform as you face the crowd, it also had a hessian fence? --- That is so.

On the right there were a number of buildings, known as Djada's Yard and Shop, that is on the Southern side? --- There are buildings on that side.

But they did not extend the whole way down, because as you got towards the end of these buildings, you had a further small enclosure in which there were some houses and in which there were some lavatories? --- I cannot remember. It is quite possible.

The public enclosure was of course behind the delegates' enclosure. That is on the Eastern portion? --- I should say you first find the public entrance, and then the delegates' entrance.

I am making myself a delegate at the present moment. You had the platform which was on the West, then - which was inside the delegates' enclosures? --- That is so.

And then you had the public enclosure behind that again. That is in front of the platform with the delegates' enclosure between the platform and the public enclosure? --- That is so.

And public enclosure was divided off from the delegates' enclosure with a wire fence? --- That is so.

And then there was at the north-west corner of the stand, the entrance at which the credentials' tables were, whereby the credentials of the delegates were examined in order to enter the delegates' enclosure? --- That was on the right side, going towards the platform, on the right side of the delegates enclosure.

That would therefore be on the North-West. The distance from the platform to the public enclosure would be

a distance of how much? How many yards would you say? --- I would say between 35 and 50 yards?

I think there would be a little bit more? --- Maybe more. It is less than sixty yards. Between fifty and sixty yards.

That is between the platform and the public enclosure. And can you give the Court any idea how many delegates attended approximately? Or how many persons were inside the delegates' enclosure? --- I would say between 1500 and 2000.

Is that the delegates? --- Yes.

Were there not a great many more at a later stage? Or do you suggest that that was the maximum? --- I would say the maximum was 2000.

And in the public enclosure, could you give the Court any idea what was the maximum number of persons who attended at any particular time? --- I would say about 3000 to 4000.

Dividing, or separating this stand upon which were to be found both the delegates and the public enclosure, was a road, and on the other side, that is on the Western side of the road there was a Peace Exhibition, or a Peace Pavilion as they called it? --- I can't remember.

Maybe if I showed you this very rough sketch it would assist you. In the little private conversation I had with the witness, he indicates that he did not observe the Peace Pavilion. It was on the other side. Now then, this Congress was attended by a number of police officials? --- Yes.

Both in uniform and in plain clothes? --- Yes.

Would you indicate to the Court where the police were stationed? I am not talking now of the time when the police invaded the delegates' enclosure, but before they came into the delegates' enclosure? --- They were in the public enclosure.

Is that where you were? --- Yes.

Were they all in the public enclosure, or were there some uniformed men behind the platform by the railway line?

--- That I do not know.

You didn't notice? --- No.

How did you arrive there? By car? --- Yes.

Did you park your car in one of the adjoining streets?

--- Yes.

And then you took your place in the public enclosure amongst the public? --- Yes.

As did the other members of the police? --- Yes.

I suppose it would have been quite impossible for you to have heard everything that the speakers had to say, sitting where you were with some five or six thousand people present? --- That is so.

There must have been quite a number of things that were said by the speakers which were inaudible to you? --- Yes.

And which would also therefore be inaudible to other members of the police force? --- Yes.

NO FURTHER QUESTIONS.

CROSS-EXAMINED BY MR. COAKER :

It was - There was a public address system, was there?
--- Yes.

At this Conference. Now, is it correct that on a number of occasions the public address system broke down?

--- I remember that it did break down on one or two occasions.

And I assume that when the public address system broke down it became completely impossible from the public enclosure to hear anything at all that was going on inside the delegates' enclosure? --- It was difficult to hear what the speaker was saying.

And when the public address system broke down, it was impossible? --- I cannot remember whether it was impossible, because I did not make notes at that time of what was said.

I assume that you were paying some attention to what was going on? --- I did not. I did not pay attention to the speeches. I did not listen to the speeches. I was paying attention to other things, making observations about what was going on, who I see there. But I admit it was, I remember before the system broke down, when it broke down it was very difficult to hear.

Even before the system broke down, it was very difficult to hear? --- I cannot remember when the system...

But that is just what you said, isn't it? --- I said when the system was out of order, it was rather difficult to hear what was said.

I suggest to you that it was quite impossible to hear some fifty or sixty yards away, with some thousands of people between you and the speakers? --- I cannot say, because I didn't listen to the speakers. If I was listening especially to the speech, only listening to a speech, I think it was possible to hear the persons speaking. It might have been possible if there was no noise, because it was not noisy. It was quiet. When a person made his speech, it was quiet.

When there was also a lot of movement on the railway, was there not? --- That is quite correct.

The railway is just behind the ground on which this meeting took place? --- That is correct.

And trains came too and fro across it? --- That is correct.

And whistles were blown, train whistles were blown, and did shunting take place? --- I do not remember about the shunting, but I remember quite a few trains passing the platform.

And that made it difficult to hear what was going on whilst such trains were passing too and fro? --- Yes.

You say you were paying attention to other things?

What things? --- I was going around, looking who I see there, who I know.

You were endeavouring to identify people? --- Yes.

Can I see your notes, Exhibit G. 953? Will you look at page 1 of these notes? About the middle of the page you will find a name which I think is 'Laso'? Do you find that name? Close to it is another name 'Job Dyasi'. The name just before that is Laso? --- Lord.

Is that the name of a person? --- Yes.

What have you got written after his name in brackets? --- 'Kontak'.

And after the name Dyasi, you have also got 'kontak'? --- Yes.

What does that mean? --- He was a contact of mine.

Was he a source of information? --- Yes, I used them in all sorts of things, and they came to the Conference.

After the Conference did you interview them and obtain any further information from them? --- No.

But it was your practice to obtain information from these persons? --- Yes.

Can you tell me, were they in the public gathering, or in the delegates' enclosure? --- They were in the public enclosure.

Is there anything on your notes which indicates whether the people whose presence you notes were in the delegates' enclosure or the public enclosure? --- Some of these people I noticed in the delegates' enclosure.

Is there anything in your notes to indicate where you saw them? --- No, I did not make any notes like that.

Nothing in your notes to indicate? --- No.

For example, you have got the name here, 'Huddleston' right at the end of your note? --- Correct.

Was he in the delegates' or the public enclosure, or

can't you remember? --- I remember he was in the delegates' enclosure.

Did you also make some notes on the 25th June? I think these notes, Exhibit G. 953 relate to the 26th? --- Yes, that is correct. I did not make notes on the 25th.

But you were there? --- I was there.

What were you doing on the 25th? --- I was just keeping observation.

But not making any notes? --- No.

Quite sure about that? --- I just didn't make the notes.

These two contacts of yours, had you requested them to attend this gathering? --- The one I requested to attend.

Did you pay his fare? How did he reach the gathering? --- No,

Did you bring him across with you? --- He came out on his own.

I take it that 'contact' means much the same as an 'informer', does it? --- Correct.

A person who gets paid for giving information? --- Not necessarily paid.

But he may get paid for giving information? --- Yes, he may.

NO FURTHER QUESTIONS.

BY MR. BERRANGE :

Perhaps, for the convenience of the Court, although this sketch that I have shown this witness, is very rough and contains a number of alterations, it might enable the Court to have some picture of what this was like - the witness has agreed - (to the witness) - you do agree with the correctness of this? --- I agree.

With the exception of - you didn't notice the Peace Exhibition? --- That is so.

and also with the further exception that it is obviously not drawn to scale? --- That is correct.

Perhaps, for your information, this could be put in?
BY THE P.P. :

That will be EXHIBIT G. 959.

NO FURTHER QUESTIONS.

NO RE-EXAMINATION.

(25-26.6.55)

(Int. J.A. Maree - Eng./Afr.)

GERHARDUS ARNOLDUS HATTINGH, verklaar onder eed;

VERHOOR DEUR DIE P.A. :

U het alreeds getuienis gegee? --- Ja.

Het u notas gemaak by n vergadering gehou op die 25e en 26e Junie 1955? --- Ek het.

Was dit n vergadering van 'The Congress of the People' gehou te Kliptown? --- Ja.

Het u die name van persone neergeskryf wat die vergadering bygewoon het, wat u geken het? --- Ja.

Het u n naam Y. A. Barenblatt? Dit is op bladsy 13 van you notas? Het jy so n naam? --- Ja.

Is daar n persoon met daardie naam n Beskuldigde in hierdie Hof? --- Ja. (3).

Watter datum het sy die vergadering bygewoon? --- Dit was op die Sondag, die 26e Junie 1955.

Jy handig jou notas in, BEWYSSTUK G. 960? --- Ja.

GEEN VERDERE VRAE NIE.

CROSS-EXAMINED BY MR. BERRANGE :

What would you say would be the approximate distance between the platform on which the speakers were addressing the gathering, and the public enclosure? --- Ek sou sê dit is omtrent 150 voet. Mens kan nie seker wees daaromtrent nie.

Did you see Detective Constable Schoeman there on

either the 25th or the 26th? --- Sover ek kan onthou was hy altwee die dae daar. Ek het hom altwee die dae daar gesien.

Where was he? In the public enclosure? Or in a motor car? --- Nee, ek weet nie waar nie.

But you say that you saw him there? --- Ja.

Where did you see him? That is all I am asking you? Was he sitting down? Was he standing? Was he running? Where did you see him? What was he doing? --- Hy het snelskrif notas geneem, sover as wat ek kan onthou. En as ek reg onthou dan was hy nie buite die plek wat toegemaak was nie. Ek dink hy was binne.

Now the enclosure, we have been told by the last witness, was divided into two compartments, two sections? The one was the delegates' enclosure, and the other was the public enclosure. Do you agree with that? --- Ja, ek dink dit is reg.

Are you not sure? --- Nee, ek is nie seker nie.

You were there, weren't you? --- Ek het alreeds so gesê.

In order to enter the delegates' enclosure, we have been told by the last witness, it was necessary to go through an entrance at the North-Western corner where there were some Credentials' Tables, at which the credentials of the delegates were being examined? Do you agree with that? --- Die ingang na die konferensie sigself, was nie toe voor nie. Dit was meer in die vorm van n gang...

BY THE COURT :

Which entrance are you talking about? The public entrance or the delegates' entrance? --- Die afgevaardigdes' s'n.

BY MR. BERRANGE :

I am still asking you the question, whether that place at which the delegates entered the delegates enclosure

was in the North-Western corner of the stand and whether there were Credentials Tables there at which the credentials of the delegates were being examined?

DEUR DIE HOF :

Kan jy onthou of dit aan die Noor-Oostelike kant was, die ingang tot die afgevaardigdes? --- Ja.

Of daar tafels was waar afgevaardigdes hulle geloofs-briewe ondersoek was? --- Korrek.

BY MR. BERRANGE :

And in order to enter the delegates' enclosure, you had to go past these tables and go through a passage? --- Ja.

And it was the business of those persons who were at the Credentials Tables, obviously not to admit anybody unless they were delegates? --- Ek het gesien dat hulle gaan die geloofs-briewe na daar. Ek weet nie wat hulle spesifieke doel was nie.

I think their duties were just what you say they were, Examining the credentials? Where were you on the 25th? --- Ek was op verskeie plekke in daardie omgewing op daardie spesifieke dag.

Were you inside the delegates' enclosure? --- Nie sover ek onthou nie.

Can't you remember whether you entered the delegates' enclosure? --- Nee.

Well, where were you when the Conference started? --- Ek was maar daar in die omgewing gewees.

Can't you remember? --- Ek kan onthou, maar ek het nie op een plek heeldag gestaan nie.

I said when the Congress started? --- Ek was buite gewees.

Outside what? --- Buitekant die toegespande plek.

In the public enclosure? --- Nee.

Further away than that? --- Ja.

Were you in the street? --- Nee.

Well, where were you when the Congress started? ---
Ek het alreeds gesê buite die toegespande plek.

That could be anywhere, North, South East or West?
Whereabouts? --- Ek was aan die Noord-Ooste kant naby die
ingang waar die persone gesit het wat nagegaan het op die
afgevaardigdes.

About how far from the platform? --- Ongeveer 140 tot
150 voet.

Is that where you were when you were making the notes
you have just handed in? --- Meeste van die tyd. Nie altyd nie.

Is that where you were when Dr. Press started speaking?
--- Ja, min or meer.

Am I correct in stating that it was completely impos-
sible for you to hear everything that was said? --- Nee.

You could hear everything that was said? --- Ja,
feitlik alles.

I didn't say 'practically'. I said 'everything'. I
never qualified it with the word 'practically'. Do you mind
answering my question? --- Ek sal nie sê alles nie.

Because your notes show that you couldn't have heard
it. Anyway, the point about it is this : That when you were
standing at a distance of 140 to 150 feet away, you acknow-
ledge that it was impossible for you to hear everything that
was said? --- Dit is moontlik.

What is possible? --- Dat ek nie alles kon gehoor het
nie.

Can't you tell us? Can't you help us by telling us
even? --- Ek het nie die toesprake afgeskryf nie, so ek kan
nie sê of ek alles kon gehoor het of nie.

Before you can tell the Court whether you can hear
everything, you must be engaged in writing? --- Om seker te
wees daaromtrent, moet ek dit sê.

Was there a lot of noise going on? --- Nee.

How many people were there, both public and delegates?

--- Daar was baie, ek kan nie sê hoeveel nie.

Approximately? --- Agt or negehoederd. n Mens kan nie met sekerheid daarop antwoord nie, want die lede van die publiek het gewissel in getalle. Dan was hulle aangewas en dan was hulle minder. Ek kan my nie bepaal tot...

DEUR DIE HOF :

Praat jy nou van die publieke afskorting? --- Ja.

BY MR. BERRANGE :

I asked you the question approximately how many people were there, both members of the public and delegates? Your reply was approximately eight hundred. Is that correct, or do you want to change that? --- Soos ek gesê het, die aantal persone van die publiek en die afgevaardigdes het gewissel met tye, maar as ek my moet bepaal na die grootste ongeveer getal wat daar op een tyd teenwoordig was, dan moet ek sê ongeveer agt na negehoederd.

Both public and delegates? --- Ja.

You sure you were at this Congress? --- Ja.

Because you know the last witness told us that at times there were something like five thousand people were there? Public and delegates? --- Ja, n mens kan jou nie...

DEUR DIE HOF :

Wat is die syfer waarna u verwys? Sluit dit die publiek en die afgevaardigdes in, of net die publiek? --- Ek dink net die publiek.

Hoekom sê jy jy dink so? Jy dink dit sluit beide in? --- Miskien het ek die vraag nie goed gehoor nie.

Nee, wat sluit hierdie syfer in. Laat ons nou weet. Sluit dit beide die publiek en die afgevaardigdes in, of nie? Of is dit net die publiek wat u genoem het? Beide of net die een? --- Ek het die publiek in gedagte gehad.

BY MR. BERRANGE :

I want to put it to you that that is false? When I first put the question to you, I asked you how many persons there were, both members of the public and delegates? You said approximately eight hundred? In order that there be no mistake, that there should have been no misunderstanding, I repeated that question again.

BY THE COURT :

I want to say this in fairness to the witness. I wasn't sure about either your question or his answer whether you had in mind both, and I put it to him whether he meant the whole lot or just these in the public enclosure.

BY MR. BERRANGE :

Possibly anticipating your Worship's doubt in the matter. I therefore put the question to him again, and on the second occasion he also said that this included both the public and the delegates. Not that he said it once, but he said it twice. And if there is any doubt in this matter, I'll ask for the record to be played back.

BY THE COURT :

I must confess that I don't entirely agree with you.

BY MR. BERRANGE :

Then I request that the record be played back. To be quite sure, I repeated the question, and he said both the public and the delegates.

(Record played back).

BY THE COURT :

So he was referring to both.

BY MR. BERRANGE :

As a matter of fact I was mistaken when I said he said it twice. The record shows that he said it three times. And you say that there was no noise? --- Ek sal nie sê daar was geen geraas nie.

Were there a lot of trains passing? --- Daar is n trein-

spoor daar naby. Ek weet nie hoeveel treine daar verby gegaan het nie.

Did trains pass? --- Ja.

Did they make a noise? --- Ja.

Did the engine driver blow his whistle or did the engine drivers blow their whistles? --- Ek kan nie onthou nie.

Perhaps you can remember whether the noise of these passing trains made it difficult for you to hear? --- Dit is moontlik.

DEUR DIE HOF :

Kan jy sê of die geraas van die treine dit vir jou moeilik gemaak het om te hoor? --- Dit is moontlik, maar die trein ry maar net...

Kan jy sê of kan jy nie sê nie. Ek vra nie of dit moontlik is nie. Ons wil weet of jy kan sê of dit vir jou moeilik gemaak het? --- Nee.

Jy kan nie sê nie? --- Nee.

BY MR. BERRANGE :

When you want to refer to an African woman in Afrikaans, using Afrikaans, how would you describe her? How do you usually describe her? --- Daar is twee terme wat n mens kan gebruik. n Mens kan gebruik Naturelle...

I don't want to know what people can do. I want to know how you usually describe her. My question is clear? --- Naturelle meid.

Meid? --- Meid.

Nie vrou nie? --- Kan vrou ook gebruik.

But what do you use? What do you usually use? --- Ek gebruik altwee die terme, meeste van die tyd.

Why? --- Daar is nie n spesifieke rede daarvoor nie. Een is so maklik soos die ander.

Tell me this, when you want to describe in Afrikaans an Asian, how would you describe him? --- Jy kan hom beskryf...

I don't want to know what I can do. I want to know what you usually do. I know what I do, there is no need to tell me what I do? --- Ek gebruik beide die twee terme, ðf Indiër, ðf koelie.

And the use of the word 'meid' and the use of the word 'koelie' ^{to}/you, doesn't imply any indignity? --- Nee.

Why do you sometimes use 'koelie' and sometimes 'Indiër'? --- Dit is om hæt ewe om die twee terme te gebruik.

Is it? To you? --- Ja.

And you of course have never in your life heard, nor has it ever been brought to your attention, that the use of the word 'koelie' is the use of a woord which is objected to very strongly by all Asians or Indians? You have never heard that? --- Nee.

That has never been brought to your attention? --- Nee.

Are you being truthful? --- Ja.

How long have you lived in this country? --- Ek is gebore hier.

I don't know what your age is. I still want an answer to my question? --- Ongeveer vyf-en-dertig jaar.

How long have you been on the Special Branch? --- Ek sal moet nagaan om dit vas te stel.

Tell us approximately? --- Twee na drie jaar.

How long have you been in the police? --- 1943 aangesluit.

For how many years have you come into contact with Asians? --- Vir die tydperk wat ek in die Transvaal is.

I am not clairvoyant. I don't know when you came to the Transvaal nor have my informers told me? --- Ongeveer 1944.

And during all these years, no whisper has ever reached your ears that to address an Asian by the name 'koelie' is a most derogatory form of address? --- Ek het nog nooit die woord 'koelie' teenoor iemand gebruik nie.

Do you mind answering my question? --- Wat was die

vraag? (Tolk herhaal). Nee.

You say that you have never addressed anybody in that manner? --- Nee.

But why not? You say you use 'koelie' or Indian interchangeably, so why shouldn't you? Why should you be so anxious to tell us you have never addressed anybody in that manner? Why not? --- n Mens spreek tog altyd n persoon aan na die land van waar hy kom. Indiër kom van Indië en dit is heeltemaal natuurlik om hom aan te spreek as Indiër.

But you say that you use the word 'coolie' and 'Indian' interchangeably. Why are you not consistent then? --- Mens kan beide van die twee gebruik.

But why? You say when a man comes to you, you address the man by the name of the country from which he comes. Why don't you confine yourself to the use of 'Indian'? Why do you use 'coolie' as well? --- Ek het alreeds gesê n mens kan beide die twee terme gebruik. Dit hang af watter een jy wil gebruik op daardie spesifieke tyd.

So when you are speaking to a man, you wouldn't address him as an 'Indian'? --- Dit is moontlik.

But in official documents would you call them 'Indian' or 'codie'? --- Enige een van die twee.

But why? Why not by the name of the country from which they emanate? Why not? --- Dit hang af van omstandighede, hoe n mens voel daaromtrent.

Exactly. How one feels about it. And how you feel about it. It depends on what circumstances? --- Of jy die woord 'Indiër' beskou as makliker om te skryf of jy die woord 'koelie' beskou as makliker te skryf.

Which do you think is the easier to write? --- Koelie.

But you wouldn't address a man in that way? --- Kan hom so aanspreek, ja.

You yourself volunteered the information, with great

aplomb, that you never have addressed an Indian by the name of 'coolie'. You yourself volunteered that information? You were very anxious to tell us that? --- Ek het nooit gesê ek sal hom nie aanspreek as 'koelie' nie. Ek het gesê ek het nog nie n persoon so aangespreek nie.

But of course, you will use 'coolie' when writing? --- Soos ek alreeds gesê het, dit hang af van omstandighede.

The circumstances being that which you find easier to write? --- Nie net dit nie.

Well, then give us the other circumstances? --- Dit hang af watter term die eerste in jou gedagte inskiet.

I see. And then having decided which term has first entered your mind, you use the first term? --- Ja.

What about if the term 'coolie' enters your mind first when you are addressing an Indian? --- Dan kan ek dit ook gebruik.

But you say you have never done so? --- Nie sover ek kan onthou nie.

Now it is not as far as you can remember. I think we know where you stand.

NO FURTHER QUESTIONS.

HERVERHOOR DEUR DIE P.A. :

Weet u dat die terme 'meid' of 'koelie' of 'my koelie' ook liefdes terme in die Afrikaanse taal is? Word daardie woorde in n goeie sin ook n Afrikaans gebruik.

DEUR DIE HOF :

Ek dink dat ons kan aanvaar dat die woorde - ek weet nie van 'Naturelle meid' nie, maar dit kan gebruik word in n vernederende manier, en in die reël, en dat die woord 'koelie' ook in n vernederende manier in die reël gebruik word.

DEUR DIE P.A. :

As my vraag nie ter sake is nie sal ek dit laat vaar,

maar ek doen aan die hand dat ek dit aan hom kan stel na hierdie lang kruisverhoor. As dit toegelaat is...

DEUR DIE HOF :

Ek dink ons het nou genoeg daarvan gehad.

DEUR DIE P.A. :

Ek wil dit net n ander kleur gee. Weet u dat daardie twee woorde ook in n sin gebruik word wat alles behalwe vernederend is? In die Afrikaanse taal? --- Ja.

GEEN VERDERE VRA NIE.

THEODORE EMIL EDUARD MOELLER, duly sworn; (25-26.6.55)

EXAMINED BY THE P.P. :

You have already given evidence? --- I have.

Did you attend the meeting of the Congress of the People at Kliptown on the 25th and 26th June, 1955? --- I did.

Did you write down names of persons whom you saw at the Conference? --- I did make notes of persons I had seen there.

Do you have the following names? --- Yes.

Lollan? --- Yes.

Is he one of the Accused? --- Yes (22).

M. Rantha? --- Yes.

Is she one of the Accused? --- Yes. (62).

S. Shall? --- Yes.

One of the Accused? --- Yes (67).

J. Kumalo? --- Yes.

One of the Accused? --- Yes (17).

I. Bokala? --- Yes.

One of the Accused? --- Yes. (7).

J. Hodgson? --- Yes, he did not attend the Conference of the People, but he was seen in the vicinity. I saw him in the vicinity on the 26th June, 1955.

One of the Accused? --- Yes (12).

Now the others mentioned before J. Hodgson, did you see them all attending the Congress? --- Yes.

And A. M. Kathrada? --- Saw him in the vicinity of the Congress in a motor car on the afternoon of the 26th June, 1955.

Also one of the Accused? --- Yes (18).

You hand in your notes EXHIBIT G. 961? --- Yes.

NO FURTHER QUESTIONS.

CROSS-EXAMINED BY MR. BERRANGE :

We have been told by one of the police witnesses who has already given evidence, that there was a public enclosure which was fenced off from the delegates' enclosure. Is that correct? --- Yes, that was to the East of the delegates on the open stand.

Anyway, it was divided off. Could you indicate to the Court what the approximate distance was between the platform and the public enclosure? --- I should imagine it was the distance from this wall to the rail there. (Indicating).

BY THE COURT :

Approximately twenty-two yards.

BY MR. BERRANGE :

If I was to tell you that this police official gave evidence this morning, and said that he estimated it between fifty and sixty yards, would you disagree with him? --- I think that is definitely too far.

You would disagree with him? --- Yes.

It is correct is it not, that the police were in the public enclosure? I am not talking now of the time when they invaded the delegates' enclosure for the purpose of carrying out certain so-called duties, but whilst the meetings were going on. At the commencement of the meeting? --- At one stage we were all in the public enclosure.

When was that? --- That was at the beginning.

For how long? --- Possibly an hour or more. And then subsequent to that we entered the delegates' enclosure and sat behind the delegates.

Producing your credentials, of course? --- I think the officer in charge had a warrant and I think we entered according to that warrant.

That is what you meant by credentials? --- Yes.

BY THE COURT :

Do I understand that you entered the delegates' enclosure about an hour after the commencement of the proceedings?

--- That is so.

And you sat at the back of the delegates? --- That is so.

BY MR. BERRANGE :

We have also been told that it was impossible to hear everything that was being said by the speakers. Would you agree with that? Impossible to hear from the public enclosure? --- I can't agree with that. I personally listened to some portions of the proceedings, and at times I was in the vicinity and not in the public enclosure, nor in the delegates' enclosure.

BY THE COURT :

But from the public enclosure, is it true that you could not hear everything? --- No, I could hear.

BY MR. BERRANGE :

Everything? --- I should say so.

Were the trains making any noise? --- Trains came by.

Whistles being blown? --- Yes.

Did the noise of trains - did that at all interfere with your hearing? --- Certainly it interfered with the people making the addresses. I noticed on several occasions that the person speaking would remain silent and would look around at the train as it went past.

And on the occasions when they did not remain silent, were you able to hear everything? --- I shouldn't think you'd be able to hear with the rumble of the train going by.

You couldn't? --- No.

Have you ever heard it said during the time that you had been in this country and been in the police force, have you ever heard it mentioned that Indians, or Asians as I prefer to call them, regard it as being a very derogatory term to use the term 'coolie' of them. Have you ever heard it suggested that they dislike it because they regard it as being derogatory term to call them 'coolie'? --- Yes.

That is well known? Isn't it? --- I think so.

Everybody knows it? --- Yes.

That wouldn't make any difference whether you were speaking Afrikaans or whether you were speaking English. If you were to address an Asian by the name of 'coolie' he would necessarily regard it as being derogatory, in whatever language you were using? --- Yes, I think that is so.

The same thing would be to use the word 'kaffir' in relation to an African? He also regards that as being derogatory? --- Yes.

And to use the word 'meid' in regard to an African woman is also regarded as being derogatory? --- That is so.

NO FURTHER QUESTIONS.

COURT ADJOURNS.

COURT RESUMES :

MR. COAKER ADDRESSES COURT :

(Accused No. 76, R. Tunzi is ill).

(Int. E. Mazwai - Sesotho/Eng.)

DANIEL MADYTA, duly sworn;

(25-26.6.55)

EXAMINED BY THE P.P. :

You have already given evidence, is that correct? ---
Yes.

Did you make notes at a meeting held on the 25th and
26th June, 1955? --- I did.

Was it a meeting of the Congress of the People held
at Kliptown? --- That is correct.

Did you make a list of names of persons whom you saw
attending that meeting? --- That is correct.

You refer to your notes. Do you have a name H. Tshaba-
lala? --- Yes.

Is he one of the Accused? --- Yes (77).

Tell the Court on what date you saw him at the meeting?
--- On the 25th.

You hand in your notes EXHIBIT G. 962? --- That is
correct.

NO FURTHER QUESTIONS.

CROSS-EXAMINATION RESERVED.

GERHARDUS PAULUS VAN PAPENDORP, duly sworn;

(1.4.56)

EXAMINED BY THE P.P. :

You have already given evidence, is that correct? ---
Correct.

Did you make a statement in connection with your ob-
servations which you conducted on the 1st April, 1956? ---
I did.

When did you make your statement? --- On the 4th April,
1956.

And you are now referring to your statement? --- Yes.

Where did you keep observation? --- I kept observation
on 37 West Street.

What time did you commence your observation?

BY THE COURT :

Where? --- 37 West Street, Johannesburg.

BY THE P.P. :

White time did you commence observation? --- From about 8.30 a.m.

Until when did you keep observation there? --- Till 9.30 in the morning.

Did you also enter the building at 37 West Street, Johannesburg? --- I did.

About what time was that? --- At 11 a.m.

You had a search warrant then, is that correct? --- Yes.

What was going on at the building in 37 West Street?
--- There was a Congress.

9 Of? --- The South African Congress of Democrats in progress inside the building.

Did you - mention the names of persons whom you saw at the Conference in your statement? --- Yes.

Will you refer to your statement and mention the names of Accused persons? --- Mrs. Helen Joseph (13); Leslie Masina (34); Leon Levy (20); Norman Levy (21); Piet Beyleveld (6); Yetta Barenblatt (3); Hymie Barsel (4); Jan Hoogendyk (130); Farrid Adams (1); Sydney Shall (67); R. E. Press (60); H. M. Moosa (45); That is all.

You hand in your statement, EXHIBIT G. 963? --- I do.

Did you take possession of documents from Leon Levy?
--- Yes.

That is Accused No. 20. You hand in the first Exhibit, EXHIBIT G. 964? Will you identify it? --- 'For Peace and Friendship. Special information bulletin, March, 1956'. 'On the 20th Congress of the Communist Party of the Soviet Union'. 'Issued by the Society for Peace and Friendship with the Soviet Union, P. O. Box 2920, Johannesburg.'

On the first page, I think it is marked. Will you read from that Exhibit, from the top of page two, and read till the middle of page four? --- "But other processes too, Khrushchev stressed had been taking place in the international area, which has shown that far from everything was within the power of the monopolist circles. Of decisive significance was the steady strengthening of the forces of socialism, democracy and peace and the forces of the national liberation movement. The international camp of socialism had exercised ever growing influence on the course of world events. The forces of peace had multiplied in connection with the emergence of a group of peace loving states in Europe and Asia, which has proclaimed non-participation in as the principle of their foreign policy. Zone of Peace. As a result, he said, an extensive zone of peace had appeared in the world arena, incorporating both socialist and non-socialist peace-loving states of Europe and Asia. This zone included vast territories inhabited by almost one thousand five hundred million people or the majority of the population of the world. All recent international developments, Khrushchev went on to say, were evidence of the fact that great masses of people had risen in defence of peace. The ruling imperialist circles could not but reckon with this. The more far-sighted representatives of these circles were beginning to admit that the policy of strain had failed to exert pressure on the countries for which it was intended that it had gone bankrupt. Khrushchev dealt with the disintegration of the colonial system of imperialism. This disintegration he said, was ^a world wide historic process of the post-war period. People's China and the independent Indian Republic had moved up into the ranks of the Great Powers and a political and economic upsurge was to be seen in the countries of South-East Asia and the Arab East. The process of the awakening of the people of Africa had begun. There was

an advance in the national liberation movement in Latin America. The question of the complete liquidation of the shameful system of colonialism had been put on the order of the day. The emancipated countries of Asia, Khrushchev went on to say, had embarked on the road of creating their own industry. Although these countries were not included in the world social system, they could avail themselves of its achievements without paying for this with any commitments of a political or military nature. The very fact of the existence of the Soviet Union and the other countries of the socialist camp, their willingness to assist the underdeveloped countries in their industrial development are the principles of equality and mutual benefit was a serious obstacle in the way of colonial policy. Loyal to the Leninist principles of a peace-loving foreign policy, the Soviet Union had been working actively for the relaxation of international tension and the strengthening of peace, and had registered major successes on this road. The peaceful initiative of the U.S.S.R. had become one of the most important factors greatly affecting the course of international developments. The efforts of the peace loving states and peoples has not been wasted, he said. The Geneva Conference of the heads of governments has shown the advisability and correctness of the method of negotiations between countries. At present some persons in the West were endeavouring to bury the spirit of Geneva. But the Soviet Union will strive with still greater persistence for the establishment of mutual confidence and co-operation amongst all countries and among the great powers. First and foremost in this, equal efforts and reciprocal concessions, Khrushchev emphasised, were indispensable in relation between the great powers. The method of negotiation becomes the only method of settling international disputes. Disarmament. Khrushchev then spoke on the task of insuring collective security in

Europe and Asia and on the disarmament problem. The settlement of these most important issues, he said, could create a foundation for a firm or lasting peace. We shall continue to work to put an end to the arms drive and prohibit atomic and hydrogen weapons, he said. We are prepared to undertake certain tasks and steps in this direction, such as, for instance, the ending of experimentation through nuclear weapons; the withdrawal of atomic weapons from the armaments of troops stationed in German territory; the reduction of military budgets. Kruchoy stressed that the establishment of firm friendly relations between the world's biggest powers, the Soviet Union and the United States of America would be of immense importance for strengthening universal peace. We believe, he said, that making the well-known five principles for peaceful co-existence the basis of Soviet and American relations, would have truly immense significance for all mankind. Speaking further on the Soviet Union's intention to strive to improve relations with Britain and France, Kruchoy said that at present when military groupings existed, the possibilities for improving relations amongst states were far from being exhausted. The importance of concluding treaties or non-aggression of friendship which would facilitate the elimination of existing suspicion and mistrust had contributed to the normalisation of the international situation, should be especially stressed. Also of great importance for improving mutual understanding among states was the extension of business and cultural contacts. He said that to counter balance the watch word of the North Atlantic bloc, let us arm ourselves. The Soviet Union put forward the watchword, let us strain."

The next document is Exhibit G. 965? --- It is a number of bulletins of the South African Peace Council. South Africans for Peace. For immediate release, special bulletin.

Yes, you hand those bulletins in? --- Yes.

The next is EXHIBIT G. 966? --- 'Bulletin of the Transvaal Consultative Committee of the A.N.C., T.I.C., S.A.C.P.O. and C.O.P. Welcome to all Delegates from outside Johannesburg attending the A.N.C., A.N.C. Youth League and C.O.D. National Conference'.

Is there anything marked in pencil? --- No.

The next is EXHIBIT G. 967. You identify that? --- South African Congress of Democrats. Resolutions submitted by the National Executive Committee to be considered by the Annual National Conference to be held in Johannesburg, 31st March to 1st April, 1956. 1. Policy. Deeply conscious that the urgent strategic needs of the people's struggle to defeat the Nationalist Party and its fascist programme require the mobilisation of all sections of the population for an extra-parliamentary struggle to replace the Nationalist Government with a People's Democratic Government and to replace the present denial of social, economic and political rights with a constitution guaranteeing to all the rights embodied in the Freedom Charter and conscious too that the Congress movement with its five basic organisations in the historically correct instrument for this task. Conference recognises that to set up the Congress of Democrats as a general and collective responsibility too and for the Congress movement as a whole. That a specific responsibility for the task which historically and because of its nature and character it alone is best equipped to undertake the task of bringing to the Congress movement the militant White anti-Nationalists. Conference therefore resolves that the South African Congress of Democrats shall concern itself primarily with the issues directly affecting the Whites and actively make the Congress movement and the Freedom Charter a vital factor in the sphere of European policies. Political. Parliamentary legislation. Conference is confronted with reviewing the legislation of the

current session of parliament exposing the undemocratic manoeuvres of the Nationalist Government and placing its alternative, the Freedom Charter, before the people. With each new session of parliament the legislation of the Nationalist Government is brought more sharply into conflict with the wishes of the majority of the people of South Africa.

2. The South African Act Amendment Bill. Conference condemns the South Africa Act Amendment Bill, which deprived the Coloured people of their meagre franchise rights and place them on a separate voters' roll. Assured of a two-thirds majority at a joint sitting of both houses of Parliament, and emboldened by reconstituted judiciary, the Government is arrogantly hastening towards a fascist constitution. The re-entrenchment of the language rights is meaningless in the presence of a Nationalist majority in the Senate and the flagrant contempt of the Nationalist Party for democratic principles. Conference is pressed to expose the constitution 1910 (?) which deprives the majority of the people of the right to vote and is pledged to place before the people of South Africa its policy of votes for all and the Freedom Charter as the true alternative to the Nationalist Government. The Defence Bill. The Official Secrets Acts. The military pacts of the Nationalist Government ostensibly for the defence of Southern Africa has committed South Africa to a policy of war and aggression. Conference condemns introduction of militaristic legislation to modernise the defence system and to establish civil protective services and to strengthen the Active Citizen Force and to place members of the defence force under oath to perform service against an enemy anywhere in South Africa or outside the Union. Conference is of the opinion that legislation of this nature is unnecessary and clearly aimed at democratic and liberation movements and all

bodies opposed to apartheid and the policy of the Nationalist Government. Conference pledges itself to oppose legislation and to strengthen the forces for peace and democracy in South Africa. 4. The Prohibition of Interdicts Bill. Conference strongly condemns the Prohibition of Interdicts Bill which runs contrary to all internationally accepted principles of law. Conference believes that this attempt to rob the African people of their right of access to the Courts to protect themselves from unjustifiable ejection from their homes will create misery and uncertainty and seriously disrupt the lives of the African people. Conference condemns this Bill as undemocratic and fascist in character and reiterates the principles of the Freedom Charter that all people shall be equal before the law. 9. Peace and International Situation. That this Conference of South African Congress of Democrats reiterates its stand for world peace and negotiations between states and endorses the Panchila, the five points adopted by the Afro-Asian conference. 1. Mutual respect of each others territorial integrity and sovereignty. Non-aggression. Non-interference in each others internal affairs for any reason of an economic, political or ideological character. Equality and mutual benefit. Peaceful co-existence. Conference welcomes the holding of the Afro-Asian Conference at Bandung and the Geneva Conference of major powers as steps to the banning of atomic weapons and general disarmament. Realising that a lasting peace is impossible while the imperialist exploitation continues, conference expresses its solidarity with the colonial and subject people in their struggle for freedom, independence and peace. Conference would welcome further conferences for peace and against colonialism, particularly in the continent of Africa. Conference condemns the actions adopted by the South African Government towards world affairs, especially the breach with the United Nations, the recent unwarranted closing

of the Soviet Consulate in South Africa and the failure to restore relations with India. Conference moreover realises that the recent statement of the Minister of Defence regarding closer ties with America and Britain is actually an offer to act as policemen in Africa for the imperialist powers under the guise of 'defending Africa against Communism'. Conference demands the immediate restoration of full relations with India and the Soviet Union, and the recognition of the People's Republic of China. Conference demands further the closing of the Chinese Nationalist Consulate in South Africa. Conference urges full cultural, trade, sporting and scientific relations with all nations. Bantu Education. This Conference condemns Bantu Education in principle and practice as designed to perpetuate White supremacy and to condition the African people to accept a status of permanent inferiority, as forged deliberately as a weapon against the people in the struggle for liberation. Conference resolves that to oppose and defeat Bantu Education is part of the general struggle for a democratic South Africa, because there can never be universal education until the people have been liberated. Conference agrees that the weapon at present available to the African people against Bantu Education is to paralyse and make it unworkable by their refusal to co-operate with the Native Affairs Department and by the withdrawal of their children from school. Conference resolves further :

(a) to conduct an increasing campaign against Bantu Education in order to compel the Government to fulfil its duty to provide free universal compulsory and equal education as envisaged in the Freedom Charter; (b) to give unqualified support to the decision of the A.N.C. to boycott its school committees and school boards and to withdraw children from Bantu Education schools; (c) to do everything in its power to give active assistance to the existing cultural clubs and to

assist the A.N.C. and the African Education Movement to set up cultural clubs in all areas where the school boycott is operating; (d) to assist the private school which reject the Bantu Education syllabus and to protest against those private schools which voluntarily accept Bantu Education; (e) to assist the African Education Movement in the organising of home education for African children as the most effective means of achieving literacy in the absence of formal education. 11. Amendment to the Constitution. Clause 2..."

Leave the amendments out. Read from the bottom of 11? --- "Amend as follows : Delete the words 'with particular reference to' and sub-sections (i), (ii), (iii), (iv), (b) and (c) and substitute therefore 'and shall specifically work for the realisation of the aims and objectives of the Freedom Charter adopted at the Congress of the People at Kliptown on June 25th and 26th 1955 which reads as follows : (here insert full text of Freedom Charter). Resolutions submitted by Regions and Branch. Submitted by Hillbrow Branch, Johannesburg. Amendments to NEC Resolutions. 12. Delete the last paragraph in resolution (1) (Policy), and substitute the following : 'Conference therefore resolves that the main task of the South African Congress of Democrats shall be to make the Congress movement and the Freedom Charter a living force amongst the European population, at the same time not neglecting specific issues affecting the White population. 13. Proposed amendment to resolution 3, the Defence Bill. Allow the first sentence ending with 'and aggression' to stand, and for the remaining section of the resolution commencing from 'Conference condemns' to 'democracy in South Africa', substitute the following : 'Conference is of the opinion that recent militaristic legislation to establish Civil Protective Services to strengthen the Active Citizen Force and to place members of the Defence Force under oath to perform service against an

enemy anywhere in South Africa or outside the Union, is clearly aimed at democratic and liberation movements and at all bodies opposed to apartheid and to the policies of the Nationalist Government. Conference therefore condemns this legislation and pledges itself to oppose it and to strengthen the forces for peace and democracy in South Africa.

14. Proposed Amendment to Resolution 5 - The Industrial Conciliation Amendment Bill. Insert the words 'irrespective of race of colour' after the word 'workers' at the beginning of the third line." - Now I read Section 31 - "31. The Freedom Charter. Conference calls upon all regions to popularise the Freedom Charter amongst Europeans by setting up tables for the collection of signatures, following the example of the Johannesburg Region. Hillbrow Branch, Johannesburg.

32. Conference resolves that members of the South African Congress of Democrats, both officially and as individuals, make every effort to increase co-operation with other organisations holding similar views on many of the issues facing the people. Conference recognises the past efforts of all such organisations made in the defence of human rights to have been of great value to the cause of freedom. Conference realises further that sincere and fraternal co-operation towards mutually agreed aims can only be based on agreement to respect the differences of opinion on some issues and the loyalty of individuals to their own organisations. Cape Western Region. Propaganda. New Age. 33. Recognising the valuable and consistent support given by New Age to the Congress of Democrats and the national liberation movement in general, and to the popularisation of the Freedom Charter in particular, Conference welcomes the financial campaign organised by the paper and instructs all branches to give active support to the campaign. Hillbrow Branch, Johannesburg. New Age. 34. Conference congratulates New Age on its great

fight on behalf of the people of South Africa. Conference resolves that members and branches of C.O.D. take steps forthwith to increase circulation of New Age through sales to the public, organise functions to raise money for the £10,000 appeal by the paper, and make regular official and personal donations to the fund. Cape Western Region."

You hand in the next document, EXHIBIT G. 968. What is that? --- A printed Freedom Charter.

The next document, EXHIBIT G. 969? --- It is No. 3 of 1956. March, 1956. Counter Attack. Internal Bulletin of the Congress of Democrats. C.O.D. and the Europeans.

Just hand me that. Read page 1? --- C.O.D. and the Europeans. Every breath of the Nationalist Government has caused a new puncture in the Nationalist balloon. Six foetid whiffs let loose the Defiance Campaign in 1952 and since then the ball has steadily gone down. Not even the Public Safety Act with its spell of Parliamentary fascism and the Criminal Laws Amendment Act, the law of the whip and the sjambok have prevented the ball from floundering. This is the undefiable contradiction of today. Congress : articulate, challenging, assertive, confident in the future, in the Freedom Charter and the Nationalist Government bereft of principle, repressive, driven to desperation to uphold their creed of White supremacy in the face of unparalleled movement for national liberation and human rights. And unparalleled it is in breadth, unity and clarity of purpose. Five Congresses enveloping all sections, all nations, all democratic and oppressed freedom. Notwithstanding the women in their multi-racial Federation and the A.N.C. Women's League poised against the Government on the side of human rights. Yet to all intents and purposes, the Europeans are left outside this many sided alliance. This is the most disconcerting aspect of the political situation today and the one which the Congress

Movement particularly the C.O.D., must give its serious attention. The problem is how to win the support of this section and strengthen the democratic alliance. The Nationalist attacks on democratic rights, particularly the Senate Act, the Quorum Act, the I.C. Bill and the S.A. Amendment Act have unmistakably left their work on some sections of the European population. The growth of the Black Sash Movement, stemming from the attack on the entrenched clauses of the South Africa Act, pin pointed the vulnerability of the 1910 Constitution to Nationalist subversion. The docility of the United Party and use of parliamentary machinery to waylay the Constitution brought the women into open extra-parliamentary struggle against the Nationalist Government. Their faith in Parliament as an instrument of democratic rule has been noticeably shattered since the inception of the Sash Movement. Their disillusionment and sense of futility has been shared by other sections of the European population. The emphasis of the women's campaign has been to save the 1910 Constitution and to respect the 1910 agreement, to preserve the Constitution and maintain their moral obligations to the fathers of Union. The Black Sash naively believe that the Constitution they are so tenaciously defending is a moral and democratic one, that it was founded on the will of the people. They claim to be democratic and sincerely believe that they are being so, yet they stand aloof from the majority of the un-enfranchised people of South Africa. Europeans admire and support them, yet they too stand on one side. But as things stand, the Nationalist Government is becoming more ruthless and less democratic and a demonstration of the Black Sash has amounted to nought. With the partial disappearance of the entrenched clauses the moment of impasse has been reached and the Black Sash movement and the Defence of the Constitution League can go no further. The exclusion of the Congress movement from

participating in the struggle of the Black Sash Movement, together with the differences in approach of the two movements, has led to the two struggles taking place independently of one another. The situation is explicable in that the Black Sash were upholding a Constitution that denied the majority of the people the right to democratic government. Their campaign cut across Congress, adding nothing to the struggle for equal democratic rights for all. The emergence of the C.O.D. not as a sporadic movement of protest, but as a full-blooded partner in the struggle for democracy, is one of the major features in this sphere of the struggle against the "ationalist Government. The rule of the C.O.D. is self evident to proclaim that the 1910 Constitution was a fraud, and doomed to extinction. That nine-tenths of the people were debarred from the convention which gave birth to the Constitution which set the pattern for the racialism of the last forty years. That if we are democrats, we must agree to the first principle of democratic rule, government of the majority of the people by the people, There is no doubt that many Europeans, confused and demoralised with the hopelessness of their previous form of struggle, of lack of - will see no other way out and will join in hands with the Congress movement and proclaim as sacred, not the 1910 Constitution, but the principles of the Freedom Charter."

You can omit the rest. The next is EXHIBIT G. 970. What is that? ---"Report of the National Executive Committee to the Annual National Conference. March 31st - April 1st. The National Executive Committee elected at the last Conference in June 1955 set about the work of implementing the resolutions passed at the Conference against the background and inspiration of the Congress of the People. The N.E.C. recognised that as a sponsoring organisation of the C.O.P. and in terms of a resolution passed at this Congress, the C.O.D. was committed to do all in its power towards the

implementation of the Freedom Charter. To this end the joint executives of the four Congresses met in Durban in July and adopted a plan for popularising the Charter. This joint meeting agreed to set up a National Consultative Committee consisting of two representatives from each of the four sponsoring organisations and recommended that Provincial consultative committees be set up in the various regions to be composed in the same manner. These consultative committees were to ensure the continuation of the working together of the Congresses and the carrying out of the plan adopted. Your N.E.C. elected two representatives to the National Consultative Committee which met in Johannesburg. Our National Chairman is chairman of the National Consultative Committee and our other delegate is the treasurer. The National Consultative Committee was responsible for the publication of 50,000 copies of the Freedom Charter in the four languages, but plans to bring out pamphlets and propaganda material were hampered by lack of finance. At times the National Consultative Committee met regularly and well but latterly this Committee has not had sufficient contact with the other regions. C.O.D. members in Port Elizabeth assisted in bringing the Port Elizabeth Consultative Committee into existence in October and good contact is being maintained between C.O.D. and other Congresses as a result. The Transvaal Consultative Committee has worked well over the last six months, C.O.D. representatives pulling their weight. Visits to country areas have been paid over the week-ends and public meetings have been held in some centres where the Freedom Charter has been put forward. This committee brings out a monthly bulletin."

Read the portions marked? --- "Public meetings. A less successful demonstration of support in Hillbrow was a public meeting which was called by the Hillbrow Branch in the Skyline Hotel. The object of the meeting was to popularise

the Freedom Charter and C.O.D. policy. Propaganda for the meeting linked up the Senate Act with the need for a new constitution as outlined in the Freedom Charter. Poor attendances at public meetings on subjects which the general public still feel do not concern them directly, is something to be tackled. It is part of the general weakness of our work of rallying the people and we would like to quote here from a letter in New Age : 'Why have we failed to rouse the truly democratic forces, the bulk of the population against this measure (the S.A. Amendment Act)? It is because our eyes fixed on the noble vision of a people's constitution whose foundation has been laid by the Freedom Charter, we consider it not worth while to defend what little democracy we have against utter destruction'. In contrast to this poor meeting, two very successful meetings were held on the Police Raids. These meetings were organised by the Congresses, the Liberal Party and the S.A. Labour Party. For the first time excellent co-operation was obtained with the latter two political parties. Propaganda for the meetings was good, well known public speakers led by the Bishop of Johannesburg were on the platforms and generally a basis was established for more joint work with other organisations. Congress members both from the platform and floor, did not fail to link up the Freedom Charter with these raids, and signatures were obtained after the meeting at the Trades Hall. Another attempt was made by C.O.D. to hold a joint meeting with the Labour and Liberal Parties on the South African Amendment Act, but this time unsuccessfully. The N.E.C. therefore proceeded on its own and held a very worthwhile meeting at the City Hall Steps (a very useful forum when it can be obtained). The public listened with interest to a speaker who put forward the Freedom Charter as the only true alternative constitution. Many signed the Charter at a table at the Steps, and letters

came into the office from interested people. Bantu Education. In terms of the resolution passed at Conference C.O.D. members continued to assist the A.E.M. movement. Two N.E.C. members are particularly active in this movement and doing invaluable work there. C.O.D. members have assisted to form local committees which give assistance to cultural clubs. Anti-Pass Campaign. The National Executive Committee sent a fraternal delegate to the African National Congress Conference which met in Bloemfontein in December. The delegate delivered the message which dealt with the Freedom Charter, Bantu Education and the Anti-Pass Campaign. This Conference undertook to fight passes for African women as well as the whole pass system and C.O.D. undertook to stand behind them in their campaign. The campaign was to be planned by the National Consultative Committee who eventually called a joint executive meeting of the five congresses (S.A.E.T.U. since having joined the N.C.C.). The joint meeting undertook to support the campaign against passes by assisting in organising and mobilising the people into opposition to passes. An important milestone in the campaign was the Women's demonstration at Union Buildings. A campaign magnificently organised by the Federation of South African Women, culminated in 2000 women lodging their protest against passes, Bantu Education, ethnic groupings and all apartheid legislation. C.O.D. played an active part in this campaign both as individual members participating and collectively through our organisation. The Secretary of the Federation of South African Women is a leading N.E.C. member. Recently a Conference was called by the Federation which will long be remembered for its enthusiastic inspiring determination to fight introduction of passes for women, and other reactionary legislation. The main task before C.O.D. members in the anti-pass campaign is to join the resistance to passes by refusing

themselves to co-operate with the Government in their introduction of identity cards and by educating Europeans into non-co-operation, to win the sympathy of Europeans to the African women's struggle against passes, and to urge the European employers of African women not to assist the Government by registering these employees. Propaganda. Since the last Conference the N.E.C. Propaganda Committee was strengthened and has met fairly regularly except for the last month or so, when it has suffered from shortage of personnel again. The Committee has still not produced Counter Attack regularly throughout the year, although it has appeared much more often than last year. The last few editions has been of a much higher level than previously. The Committee request suggestions and active assistance from branches who could indicate what they require in the way of leaflets, pamphlets etc. and general propaganda. Numerous leaflets were produced by Cape Western Region and Johannesburg and distributed by most of the regions. Some of the subjects covered were 'Tembeni', Police Raids, the Senate Act, the closing of the Soviet Consulate (a joint Congress leaflet), the S.A. Amendment Act, etc. Special praise is due to Cape Western Region for hitting back immediately at the police and bringing out a leaflet on the raids even before the N.E.C. who were slow on the job. Cape Western's leaflet was used by Johannesburg and other centres. Fighting Talk. Bellevue and Youth Branches and Cape Western Region sell this paper in fair quantities. The other branches take only enough copies for members. New Age. C.O.D. members in most of our regions sell the paper. Youth branch in Johannesburg organised a function for New Age. Liberation. This journal appears to be read by most C.O.D. members although there is not much sale to the ordinary contacts. Study Classes. 'The World we Live In' was tackled by some branches and regions, but due to pressure of business,

Collection: 1956 Treason Trial
Collection number: AD1812

PUBLISHER:

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

Location:- Johannesburg

©2011

LEGAL NOTICES:

Copyright Notice: All materials on the Historical Papers website are protected by South African copyright law and may not be reproduced, distributed, transmitted, displayed, or otherwise published in any format, without the prior written permission of the copyright owner.

Disclaimer and Terms of Use: Provided that you maintain all copyright and other notices contained therein, you may download material (one machine readable copy and one print copy per page) for your personal and/or educational non-commercial use only.

People using these records relating to the archives of Historical Papers, The Library, University of the Witwatersrand, Johannesburg, are reminded that such records sometimes contain material which is uncorroborated, inaccurate, distorted or untrue. While these digital records are true facsimiles of paper documents and the information contained herein is obtained from sources believed to be accurate and reliable, Historical Papers, University of the Witwatersrand has not independently verified their content. Consequently, the University is not responsible for any errors or omissions and excludes any and all liability for any errors in or omissions from the information on the website or any related information on third party websites accessible from this website.