S. Store 326: 323. 2 (68232) Com Vol 49 3214- 3277

ON RESUMING. 10.5.1961.

BY COURT TO P.P.:

Mr. Presecutor can you help me - are the defence witnesses here?

BY P.P.:

Yes, they had an interview with the two defence witnesses. I think there is still one aspect of the interview which wasn't - apparently they forget to put semething and when they went back to put this question, they were refused admittance to the room in which they have been guarded. I understand from Accused No. 39 that he wishes to give evidence first. I den't knew what the position is now.

BY COURTS

But have the five undefended witnesses been denied access to their witnesses?

BY P.P.:

They had access to their witnesses. Then when it was decided to start the Court, apparently they'd forgetten some question, some small portion of their defence which they wanted to discuss with Mr. Sebukwe, and on return then they were denied access, so I just mentioned the matter to the Court. I myself had a little bit of trouble this morning. Apparently they objected to police officers being present when they held their interview.

BY COURTS

Who, the accused?

P.P.

Tes. There are prison officials there and apparently the position is this, that these two persons have been handed ever in the custody of the S.A.Pelice, and I was shown a warrant which is more or less to that effect.

BY/ ...

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BY COURT:

New what are the five undefended witnesses going to do, have they appointed a spekesman?---Yes.

Accused No. 39, coming to the microphene? -- Yes.

I'm asking the permission of the Court to interview

the defence witness again on one point..

BY COURT:

Very well. I'm geing to give you permission, but these two people, I understand, are convicts and must be kept under guard; and if the only guard available are members of the S.A.Pelice, then they're entitled to be there. If these members of the pelice have been witnesses, they've given their evidence. If they're not witnesses in the case, they've get nothing to do with the case. Now, if you want to interview them again, I'm going to allow it, but the pelice are responsible for these people and are entitled to be present to see that these people cannot get away. That is the only purpose of a pelice officer being present. Otherwise the pelice officer will not concern himself with what you two are talking to each other?—Yes.

Very well, I'll adjourn. How long is it going to take you? —About 5 minutes.

BY COURT TO P.P.:

Mr. Presecutor can't they be brought into the Courtroom under excert and let the Interview take place here, or
de you want to do it in the absence of the other accused and
the former witnesses and the presecutor and so on? You would
like to do that?——Yes.

They are detained in the witnessroom just outside.

BY COURT:

P. P. :

Well, go and see them there. If the pelace feel they/...

BY, COURTS

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BY ACCUUSED NO.

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BY COURT.

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BY COURT IN P.F

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P.P.:

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BY COURTS

Well,

they must be present, they've get to be present. Perhaps the peliceman or pelicemen can do their duty by standing outside the room in which the accused interview their witnesses. If there is for instance only a door and a window, I suggest that the door and the window be closed and guarded from outside.

P.P. :

I think the pesition is that the pelice are afraid that perhaps semething might be passed to priseners to assist in escape...

BY COURTS

Oh, then they're entitled to be inside to see that the Prison Regulations are observed. Who are the police officers?

P. P. :

I don't knew, they are two bantu constables under the command of the Head Constable.

BY COURTS

You are not going to call them as witnesses?-

P.P. :

No. Sir.

BY ACCUSED:

We have decided to eall Sebukwe first, Thereafter

BY COURTS

we'll ...

Accused No. 39 is your spekesman. Is he the spekesman for all of you new?

BY ACCUSED No. 391

I'll only be there to lead the witnesses in their evidence. Perhaps the other four undefended accused may perhaps have some re-examination of the witness.

BY COURTS

Very well, that is what I wanted to suggest, that

they must be present, the peliceman or pelic outside the reem in w witnesses. If there window. I suggest the and guarded from outs

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BY COURTS on, then th the Prison Regulation erricers

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BY ACCUSED No. 39:

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BY COURTS

Very wel

one of you should lead the witness and then I'll give each of the others also an opportunity to put supplementary questions. Then we'll go ever to the other accused and to the Crewn.

ACCUSED No. 39 CALLS:

ROBERT M. SOBUKWE

DISCUSSION BETWEEN COURT AND P.P.: RE LEG IRONS. BY COURT TO P.P.:

I am making a request, I am not making an order, that the witness' leg irens be remeved. It is only when I receive an assurance to the centrary, that it is essential that we must have the leg irons, that I will permit them to be left on.

New, is the witness going to give evidence in English? --- Yes.

ROBERT M. SOBURWE S.S.!

ENGLISH.

BY COURT TO WITNESS:

Before we go en. I have new requested that the leg irons be taken off you. I hope you realise that as far as this Court is concerned, you will not cause any trouble en that account. Will you give me that undertaking? -- Correct,

New accused No. 39 in the case will conduct the examination in chief on behalf of the five undefended accused. EXAMINED BY ACCUSED No. 39:

Mr. Sebukwe, what was your eccupation before the 21st of March, 1960? --- I was lecturer in Bantu languages at the University of the Witwatersrand.

What is your educational standard?--- I'm a B.A. of the University of South Africa, B.A. Henours, Witwatersrand.

Do you know an organisation called the Pan African Congress?---Correct.

Are/ ...

ene of you should lead of the others also an questione. Then we'l to the Orewn.

DISCUSSION BETWEEN COU BY COURT TO P.P.:

ROBERT M. SORDEWE

I am making that the witness' leg receive an assurance that that we must have the te be left on.

English? — Yes.

ROBERT M. SOBUKWE S.S

BY COURT TO WITHESS:

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en that secsunt. Will

New accused examination in chief EXAMINED BY ACCUSED Mr. Sebukwe 21st of March, 1960? the University of the University of Settle University Oct.

Congress? -- Correct.

YEAR COLUMN

Are you a member there?--- I was the President of the Pan Africanists Congress.

Hew eld was the erganisation before the 21st of March, 1960?-Just on 11 months. It was founded on the 6th of April, 1959.

BY THE COURT:

Is there any significance in the fact that it was founded on Van Riebeck day? --- I don't knew.

ACCUSED No. 39:

Mr. Sebukwe, was P.A.C. a registered erganisation before the 21st of March? —— African political erganisations are not registered.

Can I put the question this way. Was the P.A.C. erganisation known by the Government? --- Correct.

Before the campaign I realized that certain pamphlets were delivered by the P.A.C. Now, were these pamphlets the property of the P.A.C.? —— One will have to know what type of pamphlets they were.

These are the pamphlets which stated that ...

BY COURT:

De you want the Exhibits? I'm sure the P.P. will help you. Exhibits 5, 6 - any others you want to look at?

Havaccosed at these twe?—Yes.

Yes, which mumbers have you shown him now, Accused No. 39?

ACCUSED No. 39:

As well as Nes. 47, 48 and 49.

BY COURT:

You have been shown five pamphlets? Yes.

Yes well, accused No. 39, if you've left any of these
I'm sure the Presecutor will bring them in. Yes, what is
your question about these pamphlets?

BY/ ...

A. Tr.

Pan Africanists Centr

March, 1960?--Just e 6th of April, 1959.

STEEL COURTS

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ACCUSED No. 39: Mr. Sebukwe.

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No. 397

ACCHEED No. 38:

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BY COURTS

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yeur question about t

BY ACCUSED No. 39:

New you have seen the pamphlets there? The Exhibits here in Court, the pamphlets, all the pamphlets in fact. New my question is this. Are they the property of the new Pan African Congress? --- We published similar pamphlets.

New, when was the first one delivered, approximately? --- I'm not too sure of the date, but it would be early in March.

New if evidence had been given in this Court that one of the pamphlets was taken away somewhere in December.

1959, will it be wrong or not? --- It would be false, incorrect.

BY COURT:

Is it new - not one of these five were issued as early as December? Have they not dates on them at all there? May I have a look at them please. There was not one of them issued as early as December, 1959? —Correct.

Yes, I see not one of the five Exhibits has a date on it?---Correct.

ACCUSED No. 39:

When was the last circular delivered?

BY COURT:

When was?

BY ACCUSED No. 398

When was the last pamphlet delivered, or issued?--It should be roundabout the 18th of March, the Friday prior
to the riots.

What information did ti carry to the people? --It outlined the nature of the campaign and also gave the date
on which the campaign would start.

Can you tell the Court in short how the campaign was to be conducted?—The instructions were that in every township and village, under the leadership of the Pan Africanists Congress, all African men would move to the

Pelice/...

BY ACCUSED No. 39

Now you here in Court, the my question is the Pan African Congress of the Mew, when

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BY COURTS

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BY ACCURATE No. 39

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Stations Pelice Stations, there to surrender themselves for arrest. The leader of each group had been instructed to inform the pelice when he met them, that the gaels were in any case full of Africans arrested for Pass Laws...

Just go slowly. The leader of each group was to inform the police that? ——That the gaels in this country were full of Africans arrested for Pass Laws, and therefore the police may just as well arrest that group as well.

You mean the police may just as well arrest them all? — Just as well arrest them all. Strict instructions were given against any possible use or encouragement of violence.

COURT ADJOURNS.

BY COURT:

COURT RESUMES:

ROBERT M. SOBUKWE s.s.:

EXAMINED BY ACCUSED No. 39:

Mr. Sebukwe, I was still on the very same question where I asked you to explain how the Pan African Congress launched this campaign on the 21st of March? ——I think the points I've made were that under the leadership of the Pan Africanists Congress, individual villages and townships, the men would go to the Police Stations and surrender themselves, and what the various leaders would say to the police when they encountered them, and also that strict instructions were given to them with regard to the possible use and occurrence of violence. That is as far as I got. It was stated further in these circulars that the campaign would be called off by me alone, and no oddy else. Further, with regard to women, I think it was stated that they will be ascribed their historical rale later on. I think that is what was stated in the circulars.

BY/ ...

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BY COURT:

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COURT RESUMES:

ROBERT M. SOBUKY

EXAMINED BY ACCU

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wemen, I think i historical rale, the circulars.

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off by me alone,

BY COURT:

You say their historical rele? --- Correct.

Net hysterical rele?—Net hysterical. I think Sur demands are set forth there too in that same circular: Total abelition of the Pass Laws and a minimum wage of about £35 per menth.

BY ACCUSED No. 39:

Mr. Sebukwe, de you think that certain undisciplined elements could have done anything to cripple the campaign of the Pan African Congress on the 21st of March. By this I mean certain other people who could for instance have forced the people to get to the Police Stations, or have prevented the people semenew not to go to work by forceful means? ——That could happen. It could happen in any mass organisation.

In fact, my very specific instructions about the possible occurrence of violence, were intended to forestall such elements. One was quite aware that such elements.might creep into a struggle such as ours, and it was one/our ways to try and forestall their activities, to call on those who were the leaders to try and see that no violence occurred, but they could succeed at this stage.

Mr. Sebukwe, in all the meetings of the P.A.C., particularly in Johannesburg, did P.A.C. ever advecate violence?—Net at all.

Do you know of a man named Josias Lezunja?—Correct.

How do you know him? — He was Chairman of the

Alexandra Branch of the Pan Africanists Congress. But towards
the middle of March, just towards the week when we were

about to launch the campaign, it came out in the newspapers
a strong line against the campaign, as a result of which I

expelled him from the movement.

What/...

BY COURT:

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BY ACCUSED No. 39

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What did he say about the passes in connection with the 21st of March campaign of the P.A.C.? ——I wouldn't be ablete answer that question unless I know in what reference. He addressed a number of meetings in Johannesburg, as came out in our indictment, where he strengly condemned the Pass Taws himself, very strengly indeed. I wouldn't know what particular reference you want me to ...

I think I'll put it this way. Do you think he could have done anything to sabetage the campaign of the 21s2 of March?——As I said earlier, he issued statements in the Press against the campaign of the P.A.C. It was because of the statements he had made, that I expelled him from the P.A.C.

Did the senier pelice efficials knew about the campaign of the 21st of March?—Well, I wrote a letter to the
Commissioner of Pelice, 60 was then Colonel Rademeyer, I
think, informing him about the campaign, and asking that the
pelice should co-operate to make sure that this was a peaceful
campaign. I assured them that on our side we will see to it
that no violence occurred.

Dees that mean that you wanted to make sure that the pelice did not intimidate - I mean, force the people to violende?

BY COURT:

What is the question?

BY ACCUSED No. 39:

By writing him a letter, did you want to make it clear to him that the people were not going to violate...
BY COURT:

The people themselves were not going to commit violence?

BY ACCUSED NO. 39:

Commit violence?--- I was trying to prevent any

eccurrence of violence, in fact, I did state in my letter that the practice by the police of giving the people generally three minutes or so to disperse and after which shooting on the masses, was not a practice that could take in anybody at all, and I precisely asked him that the people are given enough time to disperse and I assured him that if they were asked to disperse, our people would disperse, if they're given reasonable time to disperse.

Mr. Sebukwe, can you tell me who actually distributed the pemphlets?

BY COURT:

Who actually?

BY ACCUSED No. 39:

Distributed the pamphlets in connection with the campaign?—In this area here, the people who were in charge of the distribution of leaflets were Mr. Name Mahame and Mr. Peter Malutse, of the National Working Committee.

BY COURTS

gust a mement. Repeat these two names?---Nama Mahene and Peter Malutse.

Of- what aid you say?---Of the National Working Committee.

BY ACCUSED No. 391

so by that, if I understand you correctly, does it mean that the distribution of the pumphlets were solely to be delivered by these gentlemen and by no others personally?

BY COURT:

Accused No. 39, you are now examining your witness, not you are/cross-e ramining the witness. I cannot allow you to put into his mouth what you want him to say. You must ask him questions in such a manner that you do not suggest what answer you want, particularly on controversial points like this. You will remember that the evidence, if I remember correctly/...

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BY ACCUSED No. 39.

BY COURTS

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BY ACCUSED NO. 39:

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BY COURTS

Accuse ton you are/eress-e put into his mor him questions in answer you want this. You will

correctly, in regard to distribution of pamphlets, affects you - that is the Crewn's case. What you can ask this witness is what were these two men to do about it, how were they to set about the distribution of it. Will you answer that please? --- There were no particular instructions given to them regarding that. Their duty was to see to it that the circulars were distributed.

Were they too inhabitants of this area? --- No, they were Jehannesburg people.

They were not inhabitants of Vereeniging?--- No. they were from Johannesburg.

BY ACCUSED No. 39:

BY ACCUSED No. 39:

BY COURT:

Mr. Sebukwe, did you held any conference on the 19th and 20th of December, 1959?---Correct. BY COURT:

In the Communal Hall in Orlando? -- Correct.

Mr. Sebukwe, did delegates who were at the conference - I'll put it this way. Did you know any delegates who were at the conference? -- Did I personally knew these people - I'm not too certain - or did I know the areas they came from or did I know the individuals who came as delegates?

I mean the individuals? --- There were quite seme people I knew, quite a number that I knew.

What is meant by this saying "Africa for the Africans"? --- That is the pelitical line of the P.A.C. The pelitical demand made after analysis of the situation, is to the effect that the Government/would like to establish in a free Africa, would be a Government of the Africans, by the Africans, for the Africans

Did you say Government by the Africans? --- Government of, by, for

01/ ...

Of the Africans? --- Appelby the Africans ..

For the Africans? --- Yes, and we have gone further to say that all those who accepts the democratic rule of an African majority, and their only allegiance to Africa, will be regarded as Africans. It is in that connection that we used "Africa for the Africans".

BY ACCUSED No. 39:

By that, do you mean that the P.A.C. policy was different of that of the A.N.C.? ---Oh absolutely. We differ in a number of ways, our concept, our concept of the struggle as such, the way in which the struggle should be conducted, our ultimate goals are absolutely different from these of the A.N.C.

Did the P.A.C. have any flag at all?---Correct.

Can you describe to the Court how it was?---It was a flag with a green background and in the centre was a black map of Africa, with a yellow lodestar on the North-West where geographically Chana would be situated, with rays radiating from that centre throughout the Continent of Africa.

describe the pelicy of the P.A.C.? — The best prebably would be to start at its aims. We have five basic aims, the first is to organise the African people under the banner of African Nationalism. Secondly, to everthrow White domination. Thirdly, to establish a new Social order which we described as original in concept, Africanists in orientation, socialistical contents, democratic in form, creative in purpose.

BY COURT:

Which we describe as?—Original in concept,

Africanist in erientation, Socialist in content, democratic

in form, creative in purpose? In that order we call it

an Africanist Socialist Democracy. Possibly, to strive for
the realisation of a United States of Africa, stretching

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BY ACCUSED No.

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from Cape to Caire, Merecce to Madagascar. And fifthing, to promote the concept of the African personality, and Pan Africanism, in which Society was stated, would be emphasized the primary supremacy of the material and spiritual heeds of the individual.

Just repeat that last bit, please? In which Seciety would be emphasized? —The primacy of the spiritual and material needs of the individual. These are the five aims that we set ourselves. We have therefore taken the struggle — I'm still going to the body, I den't knew if that is necessary, whether that answers the question or whether I can go further?

BY COURT:

It depends on what the accused wants?

BY ACCUSED No. 39:

I think you can go further? ——So that was then that the struggle would be Continental and not merely local, our view being that South African cannot solve her problems in isolation from, and in utter disregard of the rest of the Continent. We are an integral part of the Continent and we must live as such. That the sescelled race question...

BY COURT:

Just a moment, what has that get to do with the case?

BY ACCUSED No. 394

I think I was just about to step him. That answers the question.

BY COURT:

That answers your question. Very well, the next one?

BY ACCUSED No. 39:

Mr. Sebukwe, was it ever the aim of the P.A.C., after achieving all that it wanted, to threw the White men into the sea?—That is nemsense. It is a nemsensical statement repeatedly/...

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ACCUSED No. 39 NO FURTHER QUESTIONS.

ACCUSED Nes. 1:

BY COURT: to accused No. 1:

Very well, we'll go through the other undefended witnesses. Accused No. 1, is there anything which you would like to put to the witness?——No.

Are you satisfied with the evidence he has given, in other words? ---Yes.

Very well, Accused No. 4?---I'm also satisfied with the evidence, accused No. 4.

Accused No. 8? --- Accused No. 8 states that he is also satisfied. He has nothing to put to the witness.

Accused No. 38?--- No questions.

CROSS-EXAMINED BY MR. UNTERHALTER:

Mr. Sebukwe, was there a slegan that the Pan Africanists had?---Correct, in connection with a particular campaign we were launching, is that it?

Yes that, and generally? --- There was.

Will you tell His Wership what it was? --- No bail,
no defence, no fine.

BY COURT:

Just a mement. No fine - was that in connection with?

--- That was in connection with any campaign we would launch.

That if we went into action it would be under that slegan of 'No bail, no defence, no fine'. Inother wandthis one of 'Africa for the Africans'. I don't know if I...

MR. UNTERHALTER:

Perhaps I'll make it a plittle elearer. Let me put it from another point of view. Was any particular gesture adopted by members of the Pan Africanists to indicate repeatedly made by just doesn't knew ACCUSED We. 39 WO

WIND PROMIT

ACCUSED Nos. 1: BY COURT: to accus

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Mr. Sebuk

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MR. UNTERHALTER:

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selidarity among themselves, or used as a form of greeting?

—They had a salute, accompanied by certain words, of course.

Was the 'thumbs-up' sign their salute?---Ne.

It is correct, is it not, that the thumbs-up sign is a gesture that has gained currency among African people through the influence of the African National Congress ever a period of years?——Correct.

It wouldn't necessarily indicate, would it, that the person making the gesture was a member of the African National Congress, it was so to speak, common coin among African people today?——Correct.

The use of the word "Africa", just as an exclamation, was that a slegan of the P.A.C.? ——In the case of the P.A.C., it was in response to what would have gone before, "Isoelethu", the one would say, and the reply would be "E Africa".

If used by a member of the A.N.C. at, say, a pelitical meeting, the greeting would be "Mayabuya Africa"?-Correct.

But the use of the word in isolation, "Africa", again, I suppose, is almost current coin among Efrican people through its popularity over the years?——Correct.

New, the erganisation of the P.A.C. was about eleven menths eld, you've told us, when the campaign in March, 1960, was launched?——Correct.

I take it, Mr. Sebukwe, that although it had gained a family large membership, at that date the membership was not to be counted in hundreds of thousands?---On the 21st of March?

of 1960? -- It was just under 200,000.

That is the total number for the whole of the Union of South Africa?--- Correct.

In many tewnships, villages, and se en, there were of course very many people, I take it, who had not joined the P.A.C., and who had either continued to be members of the

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In any fairly well populated township, would it be Cerrect.

fair to say that the majority of people living there, were still not members of the P.A.C.?--- It would depend on the

particular Province one was dealing with.

In the Transvaal? --- These who were politically minded, as a point of argument, as the majority of people probably wouldn't belong to any particular organisation in any event, but in certain areas in the Transvaal, of the pelitically minded, that's what I'm trying to say, a large number would belong to the P.A.C., but the greatest majority of the people still would probably belong to no particular organisation at all.

Mr. Sebukwe, would it be fair to say that as far as the tewnship of Sharpeville is concerned, that the majority of people who resided there were not members of the P.A.C.? --- Cerrect

I take it, in regard to the demonstration concerning the Pass Laws last year, it was not the pelicy of the P.A.C. to advocate or encourage the burning of the passes? -- VCerrect.

If that were advocated at all, it was advocated by a group that was, so to speak, competing with the P.A.C.?-Correct.

MR. UNTERHALTER NO FURTHER QUESTIONS.

CROSS-EXAMINED BY P.P.:

Mr. Sebukwe, to get the record straight, is it correct that in April of last year, you were charged jointly with a number of persons, the charge being that you incited, together with the other co-accused, persons to commit offences against the Pass Laws by way of a protest, as a campaign against the Pass Laws? --- Correct.

And you were ultimately found, guilty and sentenced te/...

Cerrect.

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raing a sa babain probably wouldn't l any event, but in politically minded number would belon of the people still le te neiterinero Mr. Sebuk

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MR. UNTERHALTER R CROSS-EXAMINED BY

and you

deg .TM correct that in with a number of tegether with the offences against campaign against

to three years imprisonment? --- Correct.

New, I'd just like to go through the accused who were with you in that trial. The second accused in that trial was Kitchener Leballe? --- Correct.

And he was sentenced to two years imprisonment?---Correct.

New he was the National Secretary of the P.A.C.?-Correct.

Then the third accused was Jacob Nyese, who was sentenced to two years imprisonment? --- Correct.

And he belonged to your Secretariat, he was the Secretary for Labour? --- Correct.

Then, I think, the next one was Sepheniah Methepeng. Was he in your trial? --- Correct.

And he was sentenced to two years imprisonment?---Correct.

He was also a member of the P.A.C.? --- Correct. And what place did he occupy?--- He was a member of the Committee, National Executive.

BY COURT: Of the National Executive Committee? -- Committee.

P.P.:

And the other one was Selby Ngandane? He was sentenced to two years? --- Correct.

He was a member of your Secretariat, the Secr etary for External Affairs? -- Correct.

BY COURTS It seems more like members of a shadow Cabinet to

P.P.:

me.

I will eventually go through the organisation's structure with the witness so that Your Wership will have an idea as to how. . it functioned. The other person was Lennex/...

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Lennex Mlensi?He was sentenced to 18 menths?---Correct.

What position did he occupy?--He was a member.

Just a member?---Just a member.

BY COURT:

A member of the? --- Of the erganisation.

Just a member of the P.A.C.?-- Of the P.A.C.

P.P.:

When we're talking about the P.A.C. erganisation we're referring solely to your organisation?--Correct.

We deleted the A.N.C. from the Charge Sheet, Your Wership. Then the other one was Rosetta Ndziba, and he was sentenced to 18 menths, and he was a member of the P.A.C.?---Correct.

The other one was John Wlaza, he was a member of the Regional Executive of the Witwatersrand Regional..?--Correct.

He was acquitted?---Correct.

The other was Daniel Khunau, who was sentenced to 18 months imprisonment, is that correct?——Correct.

And he was a member of the Regional Executive Committee for the Witwatersrand Region?-Ne, he was a member. All I know was that he was a member of the organisation.

And the following one was Wellington Rangaka, is that correct?---Correct.

He was sentenced to 18 months?--- Correct.

He was a member of the Regional Executive, Witwatersrand?---Correct.

Then there was Josia Mazunja who was expelled by you on the 19th of March, 1960?---Cerrect.

You've given us his designation, he was sentenced to 18 months imprisonment?—Correct.

He differed with your organisation in respect of the manner in which the campaign was to be carried out? ---

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Correct.

He advised the people at a meeting on the 20th of March, 1960, to destrey the pass, in other words, a forcible destruction of some manner, and to go to work as usual?---That is part of what he said.

Then there was Selemen Mathepa? -- Correct. He was sentenced to 18 menths imprisonment; he was

a member of the P.A.C.? --- Correct. Then there was Zachariah Mtunzi, and he was sentenced

to 18 menths imprisemment toe?--Cerrect.

Being a member of the P.A.C.?---Correct. De you knew which branch he was a member of?

BY COURT:

Zacharias?

P.P.

Zacharias, yes?-- I think it was of the Zende Branch. Zonde Branch, that is in Johannesburg? --- Correct. Then there was Abraham Megale, he was sentenced to

18 menths imprisement? -- Correct. And he was a member of the P.A.C.?--Correct. The next one was Abe Egare, sentenced to 18 months imprimenment?---Correct.

Also a member of the P.A.C.?--Correct. Then there was James Thamas

Mr. Presecutor, give me some intimation as to the BY COURT: relevancy of all this? I recognize one or two names.

P.P. :

They are alleged in the Particulars.

BY COURTS

Are these people mentioned in the Particulars,

of them?

P.P.:

Mest of them are, Sir.

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BY COURT:

I would suggest, unless you have some other ground for argulagt the evidence as admissible, that we confine eurselves to people with when we are concerned. You've led evidence of a large number of people addressing so-called P.A.C. Meetings. I can understand that you want to establish whether they were members or not, but you've mentioned some names of people in the indictment, otherwise, surely, we're just leading the record, as far as I can see new, with unnecessary detail.

P.P.:

I'll just take it from where I have the Particulars then, Sire

Just complete the last one, James Thamae?

P.P. :

BY COURT:

Themse, he was a member of the Regional Executive of the Witwatersrand?--- Correct.

Then there is Johannes Phashae, sentenced to 18 menths imprisonment, also a member of the P.A.C.?--Correct.

Then there is Lucas Matlau, sentenced to 18 months, also a member of the P.A.C.?--Correct.

Then we have the late George Sewisa, sentenced to 18 menths imprisonment. He was Chairman of the Wits. Regional Executive Committee?---Correct.

And Lancelet Makgeti, he was found not guilty and ed. He was a member of the Regional Executive of the Witwatersrand Region?--- Correct.

And John Makgetha, who was a member of the P.A.C.? -- Correct.

George Nahlevu, the one who was charged with you, sentenced to 18 months; he was a member of the P.A.C. Correct.

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BY COURT:

I would sur for argument the evi ourselves to people

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Cerrect.

Where did he come from, by the way, what part of the country? --- From Alexandra Township, Johannesburg.

Didn't he come from Natal?

P.P.

Mgebe, I think, came from Natal.

Charlie Ndaba, he was also a member of the P.A.C.?

-I den't knew him.

Ne?-- I den't knew the man.

Joshua Matjaba, he was a member?---Joshua Matjaba,

correct, he was a member. He was acquitted.

I think the best thing would be to - your erganisetion, the P.A.C., was founded when you were elected President of this inaugural conference on the 6th of April, 1959, is that correct?---Correct.

BY COURT:

19597

P.P.

1959: It was founded essentially by a splinter group of the A.N.C.?—Correct:

Who felt that the A.N.C. wasn't achieving as quickly what it should achieve?---No.

Net that?-There is another reason.

Was it because it was a multirecial erganisation which was being used as a tool to lull the Africans into a sense of false security?—That was one of the reasons, but basically it was idealogical, I think.

will you have a look at Exhibit 25, for the mement, then I'll put the question to you.

Just let me have a leek at it first, then I'll be able to follow the question. Exhibit 25?

PaPai

Eshibit 25. Do you recognize the document - it is headed/...

BY COURTS

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Correct. Eshibi

headed "The Africanist Liberation Congress"? --- Correct.

Now that organisation never ever came into existence?---Correct.

That was to have been what is now the P.A.C.?---

I'll shew you a new Exhibit, which will be Exhibit 117. That is the P.A.C. Constitution?--- It is similar to it.

I think paragrpah 5 thereof describes your flag which you've described in your evidence?---Correct.

Would you mind speaking into the microphone, otherwise it deesn't come on record and we will have to recall you.

Now, you also had a mette, S.S.S. I'm not sure in which order it goes, but you mentioned Service, Sacrifice,

Suffering?——Correct.

BY COURT:

What does that stand for? --- Service, Sacrifice, Suffering:

P.P.:

And your National salute - Iswelethu - that was the National salute? -- These were the words that accompanied it.

The verbal words accompanying it.

BY COURT:

Well new, as you are a lecturer in bantu languages, give us the correct spelling please? —— Tawe Lethu.

P.P.:

Have a look at Exhibit 110, which is a photograph of members of an identification parade.

BY COURT:

You might just remind me, which is that ene, Boksburg er Vereeniging?

P.P.

That is the Vereeniging parade. There are a number of/...

of people with their right arms raised, the elbew parallel to the ground and the palm facing outwards? -- Correct.

Is that the salute of the P.A.C.?--Correct.

New dealing with the structure of the P.A.C.. I thing right at the bettem we have the ordinary members?---

And as a general guide, 15 members from a branch Correct. - net necessarily, but. . .? -- Correct.

They elect what is called a Branch Executive, consisting of a chairman, vice-chairman, secretary, assistant secretary and treasurer?--- These were certain of the offices. yes.

Well, your P.A.C. Constitution, Exhibit 117, paragraph 15, says "The local branch shall be the basic unit of the organisation of the P.A.C. Each shall be governed by a Branch Esecutive Committee which shall consist of a chairman and vice-chairman, secretary and assistant secretary, treasurer and four other members? --- That would be se.

That would be correct?---Yes.

Then, se many numbe of branches form a Region?-Within a specified geographical area.

Yes. Is there any criteria as to how many branches shall form a Region or is it governed solely by the geographical area? -- Geographical area.

And then a Regional Executive Committee is elected? ---Yes, correct.

Is the Regional Executive Committee, is that elected from the Branch Executive or from all members? --- From all members.

The Regional Executive Committee has been described in your Constitution, Exhibit 117, paragraph 13: "The duties and functions of the Regional Committee are as follows: (=)/...

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of people with their right arms raised, the elbew parallel to the ground and the palm facing outwards? -- Correct. Is that the salute of the P.A.C.?--- Correct.

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(a) To organise local branches within a Region and to ce-ordinate their activities" Would you just indicate whether that is incorrect or correct as I read it out?---I den't think I would be remembering every particular aspect of this. Probably one would agree to the general tener of a decument.

Well, I'll read them out and if there is any that you disagree with, then would you just indicate. "(2) To earry out the program and policy of the P.A.C. and the instructions and directives received from the National Executive Committee. To make recommendations to the National Executive Committee on matters affecting the welfare of the organisation within their Region. To implement the decisions of the Rogional Conference, provided that such decisions are not in conflict with the program and the policy of the P.A.C. To submit the annual statements and reports to the Regional Conference, and to the National Executive Committee. To help manage, centrel and guide the work of the P.A.C. in educational and cultural organisations in their Region, under the general supervision of the National Executive Committee. To undertake all such activities as may further the work of the P.A.C. in the Region concerned, and then, of course, to submit account at the end of the year". Would that have been its functions?--- That is right.

And them, above the Regional Committees, you have the National Executive Committee? --- Correct.

That as stated in paragraph 9 of Exhibit 117, shall consist of the following: The President - that is you - the Secretary, National Secretary, that is, who was Mr. Leballe, the Treasurer General. Deputy Presidents - you have a s many Deputy Presidents as corresponding to the number of Regions in emistence?--- Correct.

(a) To organise le co-erdinate their whether that is in I den't think I we of this. Probably decument.

Well, I'l you disagree with. carry out the prog structions and dir Committee, To mak Committee on matte within their Regio gienal Conference. cenflict with the Lauras odf findue Conference, and te manage, centrel an mal and oultural a general supervision doue ils excrebau P.A.C. in the Regi submit account at been its functions

n as start as d consist of the fold Secretary, National the Treasurer Gener Deputy Presidents a in emistence?---Cor

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And thes.

And the Secretariat, consisting of Secretaries for Pan African Affairs, Fereign Affairs, Publicity and Information, Labour, Education, Culture and Economic Affairs, a National Organiser and three other members. Is that correct? --- Correct.

New these persons, were they elected - the members of the National Executive Committee, did they come from the various Regional Committees?--- No. they are elected at open Conference.

BY COURT:

So they might be just ordinary members? --- Ordinary members. The only prevision is that no member shall held more than two effices. If he is elected into the Region, then he resigns his membership of the Branch Executive, and if he is elected to the National, then he resigns his membership of the Regional Executive.

Se that ne persen could be a member of more than one of the se Committees? -- Correct.

Then yeu had, operating above your National Executiv P. P. : Committee, the National Conference? --- Correct.

There was to be an annual National Conference, and then certain forms could be employed to call a special National Conference? --- Correct.

And the purpose of the National Conference, as stated in paragraph 6 of Exhibit 117. I'll read it oug: "The National Conference of the P.A.C. shall be the supreme ergan of the erganisation and shall lay down the bread basic pelicy and program of the qP.A.C. and its decision shall be binding on all members and all organs of the P.A.C.? --- Cerrect

New, the P.A.C. erganisation was a national erginasation, not confined to any particular Prevince, throughout /

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throughout the Union of South Africa?--- Correct.

And to send delegates to the National Conference, there was a qualification which had to be observed, one delegate for each 15 members ——Correct.

New, the membership is given in paragraph 3 of Exhibit 117, and states: "Any African who is of the age of 16 years or above and accepts the principles, programs and discipline of the P.A.C. shall be eligible for membership with certain provises, namely, that he is not a member of any policical organisation whose policy is inconsistent with that of the P.A.C.". In other words, you wouldn't take on a member of the A.N.C. - an existing member - as a member of the P.A.C.?—Correct.

Now, throughout, the tener of the speeches which were made in Johannesburg, it would appear that only Africans were eligible for membership in the beginning, in the elementary stages of the P.A.C.?—Correct.

I'd like to know what kind of Africans, because you've given a definition of Africans just now, when you were dealing with the slegan "Africa for Africans"?---Correct.

What kind of Africans were digible for ...?---The indigenous people.

Only the indigenous people? --- I there may qualify to say that in our analysis, even the se-called Coloureds are regarded as Africans.

BY BOWRT:

BY COURTS

The Whites of course are not regarded as indigenous? -- And the Indians.

They are not regarded as ..?--- No.

And the Indians?--- No.

New was there a form ...

BY COURT:

What about Arabs? --- Well, they are not a problem

here/...

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here, they're probably a problem where they are. They den't fall into our analysis here. We've made just that bread analysis National groups.

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And was an eath of allegiance taken by members on the fellowing lines: "On my life, henour and fortunes I selemnly pledge and swear that I shall always live up to the aims and aspirations of the P.A.C. and shall never, under any circumstances, divulge any secrets, plans, of the organisations, nor betray an Africanist, and that if I dare to divulge any secrets and plans of and P.A.C., or betray a member of the cause or use the influence of the P.A.C. for my ewn personal interests or advertisements, I do so at my ewn risk and peril, I will abey and act upon the erders, commands, instructions and directions of the National Executive Committee of the P.A.C. I will always serve, sacrifice and suffer anything for the cause for which the P.A.C. stands, and will at all times be ready to go on any mission that I may be called upon to perform. I will make it my duty, my aim and duty to fester the cause for which the P.A.C. stands in any organisation that I may become a member of. I accept the leadership of the P.A.C. "?--That is provided for in the Disciplinary Code. As to whether it was ever taken in the general, I cannot veuch for. BY COURTS

Where are you queting from new, Mr. Presecutor?

P.P.:

BY P.P.1

From his Disciplinary Code.

BY COURTS

Not an Exhibit?

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BY COURTS

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BY COURTS

You might, for the convenience sake, to assist the transcribers, provide them with a copy of what you've just read out.

P.P.:

If it is necessary I'll de that.

And then there was a pledge on all the membership cards which a man automatically attached his signature to?

----Correct.

Would you mind having a look at Exhibit 51, which is a P.A.C. membership eard - I beg your parden, it is Exhibit 50.

BY COURT:

Tes. I've seen it before. Tell accused No. 1 that Exhibit might be connected with him. Anyway, is that a specimen?

P. P. :

It is a specimen.

BY COURT:

To wit, the signature of the member.

P.P.:

New, obviously, for any organisation to succeed, it has to have the backing of people?—Correct.

In other words, the more members that can be recruited, the strenger the organisation and more easily to obtain the purpose for which it had set itself out to achieve ?--Not that alone, of course. The more disciplined the members

Yes well discipline, I'm talking more generally obviously any organisation, the more recruits it can obtain
for its organisation, the better. Do you agree?--Correct.

Whether it is for a legal purpose or an illegal makes no difference at this stage? -- Correct.

BY COURTS

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So, obviously that applied to your organisation, because I see in the January, 1959, issue of the Africanist, it was stated: "We want to report 100,000 paid-up members by July, 1959?---Correct.

What is that number?

P.P. :

This is not an Exhibit, Sir.

BY COURT:

BY COURT:

What is the number you queted?

P.P.:

The Africanist, 1959.

BY COURT:

How many members did ...

P.P.:

100,000 paid-up membership was sought by July11959, and the witness agreed with that.

Unity is one, but I think you will agree that amongst people, to solicit people to join an organisation merely for unity, will not succeed unless unity is backed to achieve a purposete—In our case we just put across what we steed for, the aims and objects of the organisation.

That is right, and the aims and objects were divided into three parts, really. First of all, the total abelition of the Pass System?—That is not part of our aims and objects/...

Se, ebvieu decause I see in th it was stated: "We by July, 1959?---Co

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objects. That was a campaign. It isn't part of the P.A.C. structure at all. The Pass issue was just an issue that flows - as part of a program to be carried out.

Yes, but your program was in three steps - we can call it three stages. First of all you were going to abelish the Pass system by 1960. That is what the P.A.C. had set out to achieve? --- They'd never stated that,

I see, we'll come to that later. Coupled with the Pass campaign, there was the Status campaign. . BY COURT:

The?

A CHARLES AND STREET, SANDLING

P.P. :

Status campaign. Would you agree with that?-That was one of the campaigns that was going to be launched. No date was set for that eithers

And the final phase was the substitution of White rule in this country by 1963 by a democratic form of Government by the Africans for the Africans?--- That wasn't stated in such words. It was probably the implication of what was said, but it wasn't stated in that fashion. All that was stated was that the P.A.C. wanted to achieve independence by that date.

Obviously, what your society was aiming at, was one vote, one man?--- Correct.

And obviously the Africans in South Africa outnumber , or the Whites, we'll call them, 5 it?---About.

So on that basis there would obviously be an African majority? --- On that basis probably the majority of people would be black, but theyewouldn't necessarily vote black, if that is what you mean.

No, but assuming for the mement that each man veted black, then that would be the position, there would be an African/...

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African majority?-- I beg your parden?

If every man voted black, there would be an African majority?---Correct.

And the target for the achievement of independends was set for 1963?---Correct.

So, in order - to get back to membership, in order to recruit members, you had to, first of all, have a campaign to get the people to weld themselves together. You had to look for something which was common to all the people, to attract them to your society?---We didn't have to look for it.

Well maybe that is not perhaps the right word, but you chose the abelition of the Pass system as a method whereby people would be attracted to your society by means of a campaign for recruitment of members?——Not at all. We moved into the Pass campaign because that is what the people demanded.

Well, in other words, you looked for something that was in demand, and then formed a society to satisfy the need of that demand?—We responded to demands.

And briefly put, the culmination of your campaign, the Pass campaign, was this, that on the 21st of March, 1960, all people would leave their passes at home and under the leadership of P.A.C. officials, surrender themselves for arrest at the Police Stations?—Correct.

Add obviously, to do this, they had to tell prespective recruits what they steed for and what the policy of the P.A.C. was?---Correct.

There was personal campaigning by the members, public meetings were held, and literature was published and sold to anybody, advocating the policy of the P.A.C. and its drive for membership?---Correct.

New, in December, 1959, your membership was 35,000

African majority?--I beg

majority?---Correct.

And the terget

was set for 1963?--Oor

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beyond 100,000 by that date.

New, the Africanist - we have Exhibits here, I'll show them to you, Exhibit 34 and 35, that is The Africanist for December, 1959, and The Africanist for Nevember, 1959.

The Africanist, I think it is correct, that is the efficial organ of the P.A.C.T — Correct.

And the outside cover shows what you've described as - a portion of which is incorporated in your flag, the map. .?---Correct.

It is a visual description of what you've told the Court?---Correct.

Now, the Africanist being the efficial ergan, would obviously express the policy and aims of the Q.A.C.?--Not necessarily, because quite a number of people wrete for The Africanists

Who was the editor of The Africanist?--- I wender if it is necessary for that information to be divulged?

BY COURT:

Yes, will you reply to the question please?-- I was. You wore?---Correct.

P.P.:

And, Mr. Sobukwe, the function of an editor - what would you say the function of an editor of a magazine such as this was?--To edit the articles that are submitted, invite criticism and so on.

Patting it conversely, anything which you did not approve of, you would see that it was not published?——Not at all, the paper didn't belong to me. It had to publish what was of interest and value to the people, not necessarily to me alone.

Would you publish inthis organ, The Africanist,
Josiah Mejunja's call to the people to destroy their books
forcibly/...

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fercibly? -- Definitely would have, and criticised him very severely for it.

BY COURTE

You will publish Mejunja's views and criticise them?

Did you do se?---We didn't publish any issue of the Africanist after that.

There was no edition of The Africanist issued at that time, in March?---Correct.

P.P.1

Wasn't there a February/March 1960 issue of The Africanist?---Correct.

But obviously, in fairness to you, Mejunja's trouble came to a head on the 20th of March, is that correct?——In fact, all his statements came after The Africanist had been issued and published.

New, in The Africanist for January, 1959, there is a questionaire which is headed "The future of the Africanist movement; and it is answered by means of question and answer? -- Correct.

That was written by you?--- I would like to see it.

Is that one of the Exhibits?

P.P.:

I den't prepase to hand this in unless the Court expressly mants it. That issue has not been handed in yet. On page 7% I think, Mr. Sebukwe. That is only pertions of it, not the whole issue is there? —There I'm not too certain whether I did it myself or not, although I wouldn't mind accepting responsibility for it.

Well here the question is posed to the reader: "Who are the Africanists", and the answer is given concisely...

M/J.

fereibly? -- Definitely severely for it.

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BY COURT:

"Who are the ..?--

P.P.:

"Who are the Africanists", and the answer is given as: "A simple answer would be that they are members of the Africanist movement, but if one wishes to go deeper into the question, one would say that they are those Africans who believe that African Nationalism is the only liberatory outlook that combine together the African masses by providing them with a loyalty higher than that of the tribe and thus mold them into a militant, disciplined, fighting force". It sounds like something you might have written?—Correct.

And you agree with that?--- I do.

Them, in the same issue it was stated: "African nationalism, the people's liberatory outlook: The black people of Africa (Southern) are suppressed as a national group. They suffer national oppression. The direct and immediate goal of their struggle is national freedom. A position or state where they can shape their own destiny as a people without let or hindrance. Where the people are oppressed as a national group it is inevitable that they should wage a national struggle." Do you agree with these sentiments?—I agree.

And apparently - do you recognize that as being your writing or not?---No. I wouldn't go that far, not to the latter; at any rate.

The writer centimued and he said "The growth
of African nationalism is rected in the history of the
African Centiment. It is a centimuation of the fierce,
patrictic resistance which was begun by our forebears in
this country about 300 years ago, against the fereign
invadors. It is asymposis of different tribal nationalities,
Thesas, Zulus, Zechuana, Poži, etc., with more powerful

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"Who are the "Who are the in the information, she would a question, she would a selieve that African entlesk that combine them with a leyalty loom the a militant them into a militant like something you make you agrant the combine the something you make the permittent that the permittent the

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I'm asking you whether you agree with these sentiments which I'd just expressed, or not?—As an individual, yes I de?

And as an editor of this organ you must have agreed too?--- It was not for me to agree or disagree.

New, did you and your organisation regard the White man in South Africa as a foreigner?--- Correct.

Now people arrived at this rich country some 300 years ago, and any resistance they encountered from the unsuspecting and peaceleving Africans was avoided by sheeting them - dead men tell no tales - and erolong reports were sent to starging and sick and deceased in Europe that with the aid of gunpowder and handouffs, Africa is a Continent flowing with milk and honey for Whites. More seem was sent from Europe to inhabit this country. They came in their hundreds; they came in demens. They arrived by night, they arrived, they carried bibles, they carried gunpowder. Is that part of the sentiments of your organisation as well, that the European came to this country and has unfairly, by means of unfair laws and superior weight of power, military power, and by means of the Rible, suppressed African masses?---Gerreet.

So then ultimately your organisation must consider the newitten in Southern Africa to be that of the African

and organised pelitical for the establishment economic organisation". the Pan Africanists Co upn by leaders such as It is a matter of opin opinion, yeu could get epinien.

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You see, th how people arrived a and any resistance ti peaceleving Africans tell ne tales - and sick and steemed t and handouffs, Afric hency for Whites. this country. They domens. They arrive bibles, they carrie ments of your organ

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degending himself against an aggresser?--- That would have been the history at a particular stage. At the present mement the aggression is stabilized. The African is more or less in the position psopletbject people. BY COURTS

That is the position of the Africans.

P.P.:

But the whole concept of the position and the pciture that was sought to be pained by your organisation, was that the existing position in South Africa - I'm talking about up to the 21st of March, 1960. What transpired after that has nothing to do with this case. The position in South Africa was considered as the African defending himself against the fereign aggresser?--- It couldn't be, because the aggression was complete. He couldn't be defending himself any more. The aggression was completed in the 19th century.

Didn't Chaka defend himself against aggression?---That is what I mean, it is complete. There is no aggression new continuing. The people were dispessessed. The African people were dispossessed and dispossession &s a fait accompli teday.

It is in a state of continuance. Once you're dispessessed you remain dispessessed until you repessess yourself, isn't that se? -- Correct, but there is no particular aggression being fought, I mean, there is no war of aggression now, that we are thinking of.

So this dispossession wasn't voluntary, it was fercible?--- Correct.

That constitutes an aggression?--- At that stage, yes,

And that aggression continues up till this day by legal means, according to you and your organisation?--- I don't think I stated that.

But/ ...

degending himself again been the history at a p mement the aggression t or less in the position BY COURT:

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P.P.: But the whole ture that was sought that the existing per about up to the 21st that has nething to South Africa was con against the fereign aggreesten was compl any mere. The aggr and traded the trade

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But don't you consider that to be thecase?--- What we have said is that we are oppressed as a national group teday, and our struggle is a national struggle.

New, you have mentioned in your evidence that the P.A.C. sought to everthrew White demination?--- Correct.

How do you define Whate domination, as the President of the P.A.C.?---White supremacy, White "baasskap", the entrenehment of a particular group in the economy, military power, political power of the country, just by virtue of its pigment.

BY COURT:

Mr. Presecutor, that decument that you've queted such a let from, I think it had better go in as an Exhibit. Just identify it please? Aren't you quoting from The Africanist of January, 1959?

P.P.:

That is so, it will be Exhibit 118, I'll show it to the witness new. Will you have a look at Exhibit 118? BY COURT: TO P.P.

Is that the decument you've been queting from?--- P.Pe: That is the one I've been queting from.

It seems to start on page 3, though. Let the witness look at it and see if you recognize it as part of the publication called The Africanist for January, 1959? It is January, 1959?

P.P.

1959

BY COURTS

The P.A.C. was only established in April, 1959?

P. P. :

The witness tells me that that ...

BY COURTS

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BY COURT:

A Youth League organ. Mr. Prosecutor, I can't see that we can concern ourselves with the views of any other erganisation but the P.A.C. so I ask you now please to make sure that you're queting things relating to the P.A.C. and net to some other organization by some other name. You are limited to the P.A.C. by the terms of your indictment, so that Exhibit will not be handed in, I'm not concerned with ita

P.P.:

Perhaps I might establish then, with the Court's permission, was this Youth League in any way connected with the P.A.C.?--Net at all.

BY COURT:

Well, on that evidence particularly new, I'm not concerned with it. New what is the position with all the se quatations you've made from it. Why not be careful not to bring in things like that?

P.P. 1 Your Worship, I do submit that if the witness says "I de agree with the pelicy as stated, for example, by Hitler, or Marx or Lenin, and it is queted to him from a book ... BY COURTS He can agree with Hitler and Marx as much as he wants to. What does the P.A.C. agree with, that is your indictment?

P.P.

He was the President of the P.A.C. them.

BY COURTS

But as an andividual he can have his own policies. As President he can tell you what the policies of the P.A.C. are, that is quite true. You did quote from afte Africanist of January, 1959. New you find out it is not The Africanist? P.P./11)

N COURTS

A Youth League of that we can concern ourse organisation but the P.A. sure that you're quoting not to some other organization to the P.A.O. by that Exhibit will not be

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P.P. t Perhaps I migh

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BY COURTS

Now, just a mement. I must emphasize new that I can delete the witnesses' evidence from that part relating to the quotation from the se-called Africanist, January, 1959. with reservations, and it is only where he gives evidence as to what the views of the P.A.C. are, that I'm concerned with, otherwise the evidence is inadmissible. I would have to delete that part of the evidence in the light of what I've just said.

P.P. dentinues:

New, your first annual National conference, you've told us, was held on the 19th and 20th of December...
BY COURT:

If we are going to Orlando now, the Court will adjourn and will start at 2 p.m.

COURT ADJOURNS.

COURT RESUMES:

ROBERT M. SOBURWELS.S.:

CROSS-EXAMINED BY P.P. continues:

Mr. Sebukwe, before going on to the National Conference, in The Africanist for Nevember, 1959, which is Exhibit 88 here, have a look at it, there it is stated that in the Transvael - this is as at the 31st of July, 1959, in the Transvael, there were 47 branches, in the Cape 34, in Natal 15, and in the Prec State, which lagged behind rather badly, 5 branches of the P.A.C. Would that be correct - page 12? --In any event, that is information that the National Secretary probably would have rather than me.

Now, turning to the National Conference, is this the handbill, Exhibit 119, which advertised the Conference to be held at Orlando.

W/ ...

P.P.:

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THE COURT:

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BY COURT:

Just show it to the witness please? -- Correct.

P.P.:

And was that handbill, Exhibit 119, circulated to the branches to advise them that there was this National Conference to be held on the dates specified? ——I'm not too certain. I think that would be the task of the Catering Committee really, rather than of the National Executive.

BY COURT:

Mr. Sobukwe, you can surely say whether in the ordinary course it ought to have been distributed or not?--That is not the general procedure.

what is the use of printing a handbill about a conference if it is not distributed? —What I mean it is not sent to the branches to do the distributing. That is the work of the Catering Committee. What the National Working Committee does is to appoint a catering committee to prepare for the conference, and these are the people who see to the publication, the publicity of that conference. P.P.:

And who would have been members of this Catering Committee responsible for depsatching handbills of this nature? -- Correct.

When ould be the members? --- Well, I don't know who they would be, they would be members appointed.

You can't recall the names of any members? -- Correct.

Now at the national conference, there were a large number of branches from over the Union represented?-Correct.

Will you be able to tell the Court, if I assisted you in refreshing your memory, what branches were there? At this conference?--Not very many. I know some that were present, definitely, because I was interested in them.

BY/ ...

BY COURT:

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BY COURT:

You mean you know the names of some of the branches?---Of seme of the branches, yes. P.P.:

And from what Provinces did the branches came that you were interested in? --- That was the Cape Prevince and Natal.

Are you able to tell the Court whether the Sharpes ville branch of Verseniging was present at that conference? --- Certainly it was.

Mr. Leballe was the person in charge of the resolutions - I beg your parden, of the Credentials Committee at the National Conference? --- There was a Credentials Committee appeinted. I think he was a member of that. Whether or not he was in charge I'm net tee certain.

Will he be able to tells us who presented their eredentials?--- I'm net tee certain.

New if I teld you that at the National Conference the Sharpeville branch of the P.A.C. was represented by nine delegates, would you be in a position to dispute that? --- I would be in no position either to confirm it or to dispute it.

If they did have nine delegates, firstly, it would mean on the basis of one delegate for each 15 members?---Correct.

And in all probability it would have been the branch Executive who would be attending, in other words the Chairman, vice-chairman, secretary, assistant secretary, treasurer and four members? -- Not necessarily. That would depend on the delegates the people chose to elect.

Now, at that particular conference, some resolutions were adopted? -- Correct.

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present.

They were passed unanimously by all the delegates present?---Cerrect.

Were the resolutions to the following effect - I'll hand you the paper to read in a moment - "That the National Executive be instructed (a) to call a motion on a positive decisive action against the Pass Laws; (b) that the P.A.C. should embark immediately on a campaign of intensive organisation in order to get the nation ready at the earliest possible time; (c) that the nation be alerted immedicately and be advised to be ready for the call and be ready for any positive action as from now; (d) that the P.A.C.members be taxed £12.6. per member to establish a national fund to finance the campaign; (e) that whatever form of action the National Execurive decide upon, the slogan of 'no bail, no defence, no fine' should be strictly adhered to; (f) that the National Executive Committee be instructed to implement the state of campaign as part of an unfolding program but that action against the Pass Laws be given priority in that action". Just have a look through, it is a new Exhibit, which will be Exhibit 120. You'll probably recognize that as an Exhibit in your case? --- Similar. BY COURT:

Well is it correct that resolutions to that effect wer epassed?---Correct.

P.P .:

New further you have mentioned that violence was something that your organisation anticipated or took into account when planning its campaign?—That we took into account, the possibility.

As a matter of fact, at this particular National Conference, of which Jacob Nyesi was the chairman, the question of violence was discussed there?--It wasn't discussed.

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P.P.:

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Conference,

The question was put to me to explain what our position was with regards to violence.

Can you recall saying the following at this

Conference: "The second question was whether or not we stand

for violence or non-violence. Our attitude has been that it

is follish to reveal our method". Can you recall saying

that?——I recall what I said on that occasion, and I think I

could say what I said.

De you recall saying what I read to you?---Not at all. I didn't say it.

putting to you "Our leader has speken to us of violence and that the violence we are reserting to is that of self defence" Can you recall that question being put?—There was no question of that nature put, in fact, I was wendering if you would allow me to tell you what my answer was, in connection with violence, so that we know what we are talking about.

Yes? -- The question was put to me as to what our attitude was towards violence, and I said there were three views of violence current. The first is the pacifist view of violence, of giving the other cheens and that we just have nothing to do with. The second view of violence is the view accepted by all civilised countries, and that is the view that one can resert to violence in defence of one's property and life, and the third is the view that violence is a necessary instrument of struggle, and my answer was that we have not yet come to such a conclusion regarding violence. We inclined towards the second view of violence. That would probably explain why the man then speke in terms of our using violence in self defence.

Could you have put it as follows: "That the third view of violence is where violence is organised as an instrument of action, where people organise glolonce in

The question was pu was with regards to

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order to obtain their freedom?--- Not at all.

You den't recall these words?——I didn't use them.

Can you recall saying, after the Secretary for

Resolutions Committee had had his say about the Status
campaign, and the Continental salute, then there was a

peaker, Mashabane, whe wanted action taken then, and then
you said "We must learn to keep our secrets. We must learn
not to Beat our breasts, not to beat our chests and raffle
our secrets, and tell the world in advance that on such and
such a day we're going to do this and that. It is feelish
for a bexer to tell his opponent to take a left". Can you
recall using these words? ——That I wouldn't wender, because
that is what I'd been saying all along, right from the
inaugural convention, you see. One wouldn't knew whether
one said it on this occasion or not.

Can you remember concluding and saying "All our energy as from today must be directed towards the final complete and decisive everthrow of the Pass Laws"? --- I probably could have said that.

And you received a magnificent evation after that was said? -- I don't notice evations.

New, four circulars were issued in respect of this particular campaign, that is as far as we are aware. The first one, I think, has been called / The dawn has come, or a the great awakening has started". Would that be correct?

——I wouldn't know the order.

I'll show them to you and perhaps we can establish the order. Have a look at Exhibit 47, that is titled "The great awakening has started, the dawn has come". Would that be the first in the series of these circulars that were sent out? ——Correct.

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the erder. Have a lareat enderening has be the first in the out? -- Correct.

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out?---I'd make it early in March. I'm serry, I can't state the date.

Have a look at Exhibit 49 "Passes must go now".

That would have been the second circular in the series to have gone out? --- Correct.

How long after the first one, days or weeks after the..?---Probably a matter of more than a week. I wouldn't say two weeks or so, but it would be more than a week.

New Exhibit 6, headed "Alerting the nation", that was the third of the series that went out. Would that be correct? — (Before reply) First of all you alerted them and then you called them into action?——Correct.

And that would have gone out approximately a few days to a week after Exhibit 49?--- That would have gone out a few days or so before the final one.

BY COURT:

A few days or so before the 21st? --- Before the final circular of the 18th or so.

Oh, the final circular.

P.P.:

The final circular was Exhibit 5, that is the one headed "Calling the nation"?---Correct.

That went out on the 18th of March, I think you said?—Roundabout, yes.

And these circulars were handed to these two gentlemen that you've named, Mohomo and Molontsi?--Correct.

Whose task it was to see obviously that the branches were supplied - they were the central distribution committee to supply them to the branches for further distribution?——No, they were in charge of this particular area, the Witwatersrand.

The Witwatersrand area.

BY/ ...

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BY COURT:

They were in charge of publication of them in the Witwatersrand Region?—The distribution.

The distribution - does that include Vercenging, Sharpeville?---Correct.

P.P.:

And approximately how many branches were there in the Witwatersrand Region? --- I'm serry, that is information I can't - I'm not in a position to state that. These are figures I don't have.

You can't even give an approximate one of more than five, or something like that? --- Well, over twenty, I don't know - quite a number, but most of them are round Johannesburg, so that they don't offer much of a problem.

Would it be reasonable to suppose that these two gentlemen of the Central Distribution Committee of the pamphlets, we'll call it, would naturally, in the normal course of events, send pamphlets to the various branches and say "Get on with the job and distribute them"? —/The order was that they must go personally to those ends, definitely, that was an order.

It was an order?---Yes.

Assuming that they had breached that order for example, and enlisted the aid of local branches to assist them in distributing the pamphlets, there is nothing basically wrong with that?——Not at all, but the point is they would have to be there themselves, that was insisted on.

New the Exhibit I'm about to show you, another Africanist, February/March, 1960 - that would be Exhibit 121. There, on page 1 of the Africanist, I think reference is made to the "Dempas". Is that the collequial term which was attached to the Reference Book?——Correct.

BY COURT:

What is that word please?

BY COURTS

They were in of

Witwatersrand Region?---

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Sharpeville?--Cerreets

P.P.:

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THUOOURT:

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P.P.:

A "Dem pas". Would that be your article, Mr. Sebukwe?---Correct.

And another Exhibit, 122, would this be your letter to Major General Rademeyer of the Police at Cape Town? ---

That letter is dated the 4th of March, 1960?--Correct. What I do know, it was posted I think the Wednesday
before...

BY COURT:

Wednesday before the 21st?---Correct.

That letter, I see, consist of a letter and an

envelope?

P.P. :

Yes.

BY COURT:

I cannot make out the date stamp on the envelope at all. Mr. Prosecutor. Can you perhaps?

at all, Mr. Prosecutor. Can you perm

P. P.:

It looks like the 6th of March, if Your Worship would like to try the little magnifying glass I have here.

BY COURT:

According to the witness it was not the 6th of March.

P.P.:

It looks like the 6th of March. There is a 6, and then a Roman numeral 3.? ——I'm not too certain, it strikes me as 16, I'm not certain.

BY COURT:

What is your reply?--- It strikes me as 16.

16/3? ---16/3.

P.P.

But it wouldn't be likely that you would write a letter/..

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What is that war

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letter dated the 4th of March and then post it on the 16th, would #t? -- I think that's just what we did. I didn't think that it was dated that early in the original, but one thing certain was that we did not want to post it too early h because that would result in the banning of the demonstration. BY COURT:

I haven't any doubt that it is the 16/3. on the Post Office stamp.

P.P.:

My learned friend draws my attention to the fact that the date of receipt of the rubber stamp was the 18th. BY COURT:

The date of receipt by the Commissioner.

P.P.:

Probably, yes.

Now, according to this letter, you and your organisation must have realized that the Police authorities were going to be embarrassed by a vast crowd gathering round their Police Stations?---Not at all.

BY COURT:

You say you did not realize that? --- In fact, we didn't have any such fears or doubts.

P.P.:

Well, let's clear that up. You and your organisation realised that with the membership at your disposal, wast crowds were going to be at the Police Stations to offer themselves for surrendering? --- We realized that quite a number might not even reach the Police Stations, because there was no telling where the police would stop them on the way or not, but we did expect numbers to converge on the Police Stations.

> And it was realised by you and your organisation that/..

letter dated the 4th of M would tt? --- I think that think that it was dated thing certain was that w because that would resul BY COURT:

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P.P.

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Well, an awkward situation would be created by many people gathering round the Police Stations, or an unwanted situation?--- An unwanted situation.

Now you, you reelf, have a very high standard of education, you concede that?--- I'd make it reasonable.

And your colleagues who were in the executive positions of the P.A.C., would you say that they were reasonably educated. not like Lebaka, for example? --- They were graduates, many of them. BY COURT:

What is your reply?--- Most of them are graduates.

P.P.:

Most of them are graduates?-- Correct.

And will you agree that the general standard of education attained by most Africans is lower than that of the Eurepeans, generally speaking? -- I don't like to make such comparisons. I'd make it that numbers of them haven't probably been able to reach standard six.

Yes, perhaps the opportunities aren't there, but will you make that concession? --- I will say there are more Whites educated, is that what you mean?

Yes?---Correct.

BY COURTS

Would it be correct to say a bigger percentage?-The bigger percentage of Whites, yes.

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not, but BY COURT: Weuld it be cor The bigger percentage of

Yes?---Correct.

Are educated than of non-Whites? --- Correct.

I mean, that is quite clear. When your organisation P.P. appeals to people about the Pass Laws, you see, say, a speaker were to say "This is a degenerate system of legislation", it wouldn't carry as much weight to the ordinary classes whom you're addressing as if you said "This is a dirty stinking piece of legislation"? --- We don't indulge in invectures in our meetings, just describe things as they are. The Pass itself doesn't need any embellishments at all, the people know what

it 18. What I'm driving at is this, that surely it must have entered, or have been taken into consideration by you and the organisers of this campaign, that awayard situations were going to be created by the police, when unwanted crowds offered themselves for arrest on the 21st of March?--- I think my reply was there that the police probably wouldn't want such demonstrations. Whether they would regard that as awkward or undesirable is a different matter. They would probably regard it as undesirable.

What was the object of having masses of people surrender themselves at any particular Police Station for not having a pass in their possession? --- To get themselves arrested. As I've said in the instructions ...

BY COURTS What is the object of getting themselves arrested, I think that is what the Prosucutor want s to know? --- Correct, and as I've said, I've stated in my circular that there are already so many thousands arrested for this particular offence, that there is no reason why others shouldn't be arrested if they didn't have the passes. That was our idea. Fill the gaels with these people, if you want to.

P.P./ ..

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I think that is what as what I think that is what and as I've said, I've there is no result they aidn't have the with these people,

P.P. :

Can I put it to you this way - well, you've answered it, but the idea behind this campaign was to fill the gaols with as many people as possible, and as such force embarrassment on the authorities who had limited accommodation in the gaols?—That would be one aspect of it, but I think we stressed also the industrial aspect of it.

Yes, by doing that, having a large number of arrests and people in detention under the "No bail, no fine, no defence" scheme, would mean that vast supplies of labour would be withdrawn from the so-called white capitalists..?--Correct.

And the Government would be deprived of its manpower? --- All it would mean is that industry would be paralysed.

And in this way your organisation hoped to force the Government to capitulate and withdraw the Pass Legislation?--Correct.

Now there's one thing I can't understand. Can you recall an article in one of the Africanist, I haven't got it to hand at the moment, where reference is made to the fact that the Pass was being extended from the African male dog to the African female bitch. Is that your writing?—It is mine.

Now, why the use of the double genetive? -- I see, it is probably poor knowledge of English, because what I meant is it is the dog that means the collar, and if it is being passed to our women as well, it is being passed to the bitches, that is all I wanted to say:

Isn't it correct that to anybody, reference to anybody as a dog, or as - anybody in any section as a bitch, is highly derogatory?---It is.

And were you as such trying to bring the Pass into as much contempt as you could, by associating it with the

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Can I put it to you newered it, but the idea behi me gaols with as many people mericasment on the authority ed bluow fadT--Taloss ent mi we atressed also the industri Ten by doing that

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Now there's one th recall an article in one of hand at the moment, where the Pass was being extended African female bitch. Now, why the use

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body as a dog, or as - any highly derogatory?---It is

And were you as

as much contempt as you co Printle And and amerat exactly what the Legislation makes out of the people whom it affects.

Do you concede that the use of such terminology is likely to inculpate in a person feelings of wrath?---I didn't think about that, I was expressing what I felt.

The P.A.C. also paid homage to its past heroes, and also had a heroes day, is that correct?--- Correct.

And I think one of the prominent heroes was Limbede? --- Correct.

Would this be your ...

BY COURT

One was - what is his name?

P.P.:

LEMBEDE, Sir.

Would this be writing of yours: "Who then are our national heroes? African men like Chaka, the black military genius, Mosheshoe, the shrewd strategist and statesman, Sekukumi, the soldier, Hintse, "Makwakaman"- I can't pronounce the name - who fought against van Riebeek's land robbers, Humedi, Makata, Flatjie, and Tsimeng, who were the founders pure African nationalism, men whose lives were dedicated to the saving and salvaging the land from foreign invaders; men whose blood was spilled in the cause of Africa by bitterly trying to shake off White domination". Would that be your writing?-- The writing is/mine, although the views wouldn't be against mine. It is not my article, at any rate, but I have nothing against what he expressed ..

BY COURT:

What are you quoting from now? I don't want any quotations from anything that has nothing to do with the case P.P.:

This is a P.A.C. Heroes Day, addressed to "all sons and daughters of Africa". I'm make that an Exhibit, subject to/1 ...

exactly what the Legisla it affects. Do you concede is likely to inculpate didn't think about that The P.A.C. al and also had a heroes And I think Limbede? --- Cerrect. d stud bluew

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to Your Worship's ruling that it may not be admissible. I have to put that in order to come to the next question. BY COURT:

You must pursue it with the witness. I can see nothing on that document which connects it with the P.A.C. as alleged in the charge. Just a moment, let the witness have a look at it. What is that document that you've seen?---In fact it is stated, it is issued by a branch, not by the Executive or anything of that nature.

Document stated to be issued by a branch?---By a branch of the P.A.C.

Yes, present Mr. Prosecutor.

P.P.:

Now, did you and your organisation liken the present struggle to the struggle of those men of the past?--- The point is, I think I said earlier that that is a phase of our history. We recognized that phase, when our forefathers had to fight in defence of their land. That is a phase of African history that we recognize.

Wasn't it part of your present policy to liken the Pass struggle, in the light of nationalism, with the present struggle? -- In what way, because as I've said earlier, we thin in terms of a continental struggle, where theirs was a tribal struggle, various tribes fighting isolated battles. We are thinking in terms of a giant nation standing together in a modern age. I don't see how we could compare the two.

Didn't you have a common invader?--- The invader is that of the past who probably persisted in the present, if that is what you mean. If I could get the question correctly, I won't hesitate to answer it.

No, I concede that. You see, I'll put it to you bluntly what my view is, the Crown's, is that mere lip service was paid to your term of non-violence; that by reference to

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BY COURT:

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your past heroes and the shedding of blood and instances where hold was shed; instances where violence took place, that that was the true nature of this particular campaign. even though you only paid lip service to "We shall not have violence"? --- I would say that is absolutely untrue.

Do you know the handwriting of Lenox and Lhonzi at all?--- I don't think I do.

Moses Kepane, he was a member of your organisation. he was at one time Secretary, wasn't he?--- Moses?

Kepane? --- Of this area, of Evaton or so. I don't know which one it is ..

No, I think it was - I have an idea he was in an executive position and he wasigned, and his position was taken by either Nkoti or Nziba, I'm not too sure on that. Wasn't he at one time assisting the national secretary, or secretary of one of the Regions?--- He probably was, that is information I'm not too clear on, but I know there was one who was secretary of the Witwatersrand region. Whether he was Moses Kekane or not, I'm not too certain. Probably the National secretary might know that.

How were people going to be prevented, or what steps were going to be taken to prevent people from going to work. if any, on the 21st of March, 1960?---Persuasion.

Persuasion? --- Persuasion.

BY COURT:

In what way? --- By word of mouth. Just a moment. Proceed?

P.P.:

Did you ever donsider that some of your leaders on that day might resort to other methods of persuasion than verbal ones?-- I was cartain they would not.

BY COURT:

You certainly did not? --- I was certain they would

not/...

your past heroes and the si where bood was shed; inst that that was the true nat even though you only paid violence"? -- I would say

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P.P.:

Did you ever that day might resort verbal ones?--- I wasta BY COURT:

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not. P.P.:

Did you know who the leaders in Sharpeville were going to be?--No.

Did you know who the leaders in van der Bijl or Evaton, for example, were going to be? -- I did not.

Do you know the accused before Court, or any of them? --- No. I don't.

BY COURT:

Just a moment, are all the accused sitting separately now? I see a whole lot of people at the back there. Where is Ne. 22, for instance, is he sitting in his place today? P.P.:

If I might explain, there was a request from numerous people ... BY COURT:

I'm not worrying much about that, but how is the witness to know who are accused and who are not accused, if they are all together. I want the accused to stand up, please. All right, the first four rown. Those are the accused. Now the question is do you know any of the people in the first four rows on the right hand side of the Court?--- No, I don't.

You mean you do not know any of the accused in Court?---Correct.

As you see them there, they are people whom you don't know, no personal acquaintances?--- Can I answer - can I get your question again? Could I get your question again, you say there are people that - well, I met them this morning, that is the only thing.

All right, we'll confine the question as to whether you knew them on the 21st of March, 1960?--- Ne.

You met some this morning, who consulted you this

morning, they consulted with you as a witness?—Correct.

P.P.:

The accused that you met this morning, was that the first time you met them?——I saw them at Cinderella, when we were convicts together—they were awaiting trial prisoners then, some of them, I think.

Last year? — Last year. If they were together with the van der Bijl Park group al'm not too certain.

BY COURT:

At Cinderella and at van der Bijl Park?——Ne, I say they were probably together with the van der Bijl Park group at Cinderella.

You saw them at Cinderella gaol last year after the..? --- After the 21st.

I'll put it this way. You saw a number of people whom you heard was accused in the Vereeniging...?——In the Vereeniging....

Had you known any of them before then?---Ne.

P.P.:

On the general principle, general basis, the Executive member of any branch would have been elected by the members because they were responsible people, people best fitted for the pest, let's put it this way? —— I really can't tell you, the ordinary people, they elect somebody because they like him, there is that about it.

BY COURTS

This is a democratic organisation, is that right, where a man votes for whom he wants to, is that right?—— Cerrect.

P.P. :

You mentioned in your evidence in chief the historical role torical role of women. What would be the hystorical role women would play? --- In fact, they would be allowed to participate/...

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them? -- No. I don't.

BY COURT:

I sse a whole lot

No. 22, for instance, is

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people...

PY COURT:

I'm not worry!
witness to know who are
they are all together.
All right, the first for
the question is do you h

rows on the right hand

You mean you at course

court?---Correct.

As you see the know, no personal acquatyour question again?

there are people that

All right, we

you knew them on the 21s

You met some

morning, they consulted P.P.

The accused to first time you met them word convicts together then, some of them, I t

Last year? with the van der hijl E BY COURT:

At Cinderella

they were probably toge at Cinderella.

You saw them

? ___ After the 21st. th dug fit

whom you heard was accor Vereeniging

Had you know

P.F. :

On the gener Executive member of an members because they w ritted for the post, 1 tell you, the ordinary they like him, there !

BY COURT:

This is a d where a man votes for Cerrect.

You mention torical role of women women would play? --

BROW FRANCE

participate in the campaign. There were pressure from them, they wanted to come into the campaign at the time and we didn't want them to.

Now, women have, from time ammemorial, as far as the African is concerned, played a historical role in this respect, that they have always, or nearly always, urged the men into battle with a high pitched shrill type of warery. Do you agree? --- It is not said by history books.

BY COURT: Mr. Sebukwe, what is meant by the word 'hysterseal'. What you have said now, that they wanted to join in this campaign, is very recent history. What was then their hystorical role? -- Correct. There we meant the role that would get them known in history, that would make them known in history at a future connetation, not the past.

You see, do I understand you to say the historical P.P.: role the women would play, would be such that it would ensure them a nitch in future history?--- Werrect.

You see, I don't follow you there because your circuls Exhibit 5, that is the one "Calling the nation", in paragraph (e) says "All men will go to gael under the slogan "No bail, no defence, no fine". The women will be assigned their historical role that in the first phase of the struggle they must make sure that all men go to gael"? -- Correct.

In other words, they were being assigned a historic role, a role which was something of their history?--Not at al They were being assigned a role which would assure them a place in the future, in the house of history. As I said a few moments ago, the women were pressing, they wanted to participate in the campaign, and we didn't want them in at that stage, so we had to keep them off, so in the early stages/...

participate in the camp
they wanted to come int
didn't want them to.

Now, women have Arrican is concerned, that they have always, battle with a high pit agree? -- It is not

Wr. Sobukwe.

What you have said no paten, is very recent role?—Correct. The known in history, the future connetation.

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stages then their chief task was to see to it that the men went to gaol, and then their historical role would be when they themselves participated in the campaign.

Weren't they to assist by seeing that the men went to gael, by perhaps making a derogatory remark and calling a man a coward, and saying "Come on, get in there, fall in the line"? — They would help organising, to make sure the men went.

You agree that women are emotional creatures, more so than men? --- I think that is a reflection on them.

The strict instructions which you mentioned, which were given against the possible use of violence, they were contained solely in the circular, and the resolutions taken at the conference?—And in The Africanist itself, in fact, it is stated there that the only people who would benefit by violence, would be the Government and the police, not the African people at all.

Wasn't Masunje's method of physically destroying the pass and proceeding to work much better than yours? For example, the men would leave it at home and when he comes out of gael he would still have his pass at home. Wasn't Masunje's method better?—It was undisciplined.

You see, Masunje's method, although it would have entailed the commission of an offence, like destroying the pass, there wouldn't have been so much embarrassment in other quarters; labour supply would have been ensured?——We weren't concerned with that, we were concerned with the decision taken, and as a member of the organisation you are to obey that. It was undisciplined behaviour on his part to come out with any other line. That was our attitude.

BY COURT:

Why decides?--- I do. I was given by consent that right to decide.

P.P.:/

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BY COURTS
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P.P. :

In one of your Africanists too, it was mentioned that you wanted an African Democratic Socialistic State, once the independence had been achieved. Did you write that portion?—I wouldn't know, unless I were to see The Africanist consermed.

I think your organisation realized that it was assured a large amount of success because nobedy wants to carry your Pass...?—Verrect.

What would be the object of one person, for example, crying out "Africa", and somebody else responding with "Iswe Lethu"? —It is a form of greeting that we employed, in fact, it was probably a method of distinguishing us from many other African organisations. All you do is "Iswe Lethu", with the requisite sign, and then he replies "E Africa", with the same salute. This probably is not even a watchward really, it is merely a form of greeting, one would make it.

Anyway, the two organisations, the A.N.C. and the P.A.C. have one thing in common and that is the dislike and the wish for the abolition of the pass system? — I won't just prescribe it to the organisations as such. The African people in general does.

Yes, but if your organisation hadn't organised the campaign, it is hardly likely that the Africans would have gone along, without any pamphlets, to surrender themselves, would they?—Prebably not.

Se it is as a result of the leadership and the campaign instituted by the P.A.C. that people went to the Pelice Stations?—Correct.

P.P. NO FURTHER QUESTIONS.

RE-EXAMINED BY ACCUSED No. 39:

Mr. Sebukwe, I take it that the P.A.C. had means whereby it wanted to clear to the people that it was never its intention to use violence at all, and thereby davising

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that you wanted an af once the independence that portion?—I wo africanist concerned

then I think your

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Mr. S

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such things as "N'kesi Sikelele Africa".?—I wouldn't take
that as the property of the P.A.C. That is the national
anthem that dates back to the early part of the 20th
Century, "Nkosi Sekelele Africa", probably as early as
the 1918's, thereabouts. It has been accepted as a
national anthem, not only in Seuth Africa but it is sung
also in the Rhodesias, in the languages of those areas.
But the song as such does reflect a religious outlook more
than probably a political one. It represents the days when
people believed in prayer probably more than in active
struggle for political rights.

Would you say that a group of people singing "Resi Sekelele Africa", do not mean to do any harm at all? BY COURT:

Would you say that?

ACCUSED No.39:

Any group of peeple singing "Nkesi Sekelele Africa", do not intend to do any harm at all? ——Honestly speaking, really, I'd prebably have to be a psychologist to know what they're thinking about, whether they sang it honestly or not. Same peeple sing hymns without in any way meaning them, but you would take it generally that a political party singing that and knowing what it was singing, would be a party that didn't intend any violence at all.

ACCUSED No. 39 NO FURTHER QUESTIONS.

BY COURT:

Exhibit 122, please, the letter to the Commissioner of the Police, put it before the witness. Now, did you think that you were going to get the co-operation of the police by writing that letter?—Correct.

You wanted their co-operation, did you?--Correct.

such things as "N'kest that as the property of anthem that dates back century. "Nkost Sekele the 1918's. thereabout national anthem. not also in the Rhodesias and than probably a such than probably a politic struggle believed in pospile selection political selection and s

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ACCUSED NO.391

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BY COURT:

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What did you expect the police to do - what did you expect the police would do to co-eperate with you in this campaign? — They would arrest those who came to submit themselves, or if they didn't want to arrest them, they would just tell them to disperse.

To either arrest those who came?——Correct.

Or to disperse them?——Or to disperse them.

And if the police ordered them to disperse, what would they do? —— What I've said, they would disperse,

Just a moment, please, just a moment. Where, in all your circulars, do you tell people to disperse if the pelice tell them to disperse? Where in all your pamphlets do you tell them that?——I'm not too sure that there is a circular where I've done so, but every member knows that I've said it at almost every public meeting, that that will be done.

given sufficient timesand to the people themselves

Would you care to go through the copies of the four pamphlets you've got here, and tell me where you tell the people "If the pelice tell you to disperse, please go home"?

— I hope you remember this part on the letter here...

I don't want to argue with you, answer my question now. Do you want the opportunity to look through those four pamphlets and show me where you tell your people to "Obey the pelice when they tell you to disperse". Now I'll adjourn, and when you've read through them, send for me and tell me?—Yes.

COURT ADJOURNS.

COURT RESUMES:

ROBERT M. SOBUKWE s.u.o.:

BY COURT:

I allowed you an opportunity new of going through the pamphlets, the four that were mentioned. Is there anything in them in which you tell the people to obey the pelice/... ov bib tady

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COURT ADJOURNES.

COURT RESUMES:

ROBERT M. SOBUKY

BY COURT: Extelled

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pelice orders to disperse? --- Ne.

Now, you were about to add something else. What was that?-- This is what I wanted to say, that not every order appears in the circulars.

All orders were not in the circulars?-- Cerrect. Yes? -- Quite a number of things that one said, one said at public meetings, and so on.

Did you in any public meeting or public meetings tell the people to disperse on police orders? --- Correct.

Where and when?-At Cape Tewn I did, at a public meeting there.

You did it in Cape Town. Anywhere else?--- At meetings of the P.A.C. as such, I've instructed all leaders that once this was done, once the police told them to disperse, then they would ask for reasonable time.

Well, how did you convey that to all leaders now? Did you have them all together? -- It was in meetings of Regions.

Mr. Sebukwe, I den't understand you, because if they obeyed such pelice orders, that would surely defeat the object of all your demonstrations? -- In fact, if Your Worship recellects correctly, you will remember that in Cape Town itself, at the time the people were told to disperse ...

Mr. Sebukwe, I know nothing about Cape Town yet. You can tell me what you said in Cape Tewn, if you wish to, but that is 1000 miles from Verceniging? - I get that. I was going to give that bit of information, that in Cape Town when the people were told to disperse, the leader, in accordance with my instructions, went up to the police there and asked for a reasonable time, because they were given three minutes within which to disperse, and he said that that was not reasonable for a crewd of that size to disperse within three minutes, but the police were not in the mood for argument, I think,

police orders to d campail Now, you w

was that?--This i order appears in t

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Now, I'm going on to another point, I must put this to you. ?--Please.

De you think that after you've said these insulting things to the Commissioner of Police about his men, that you would get co-operation?-- I didn't think they were insulting.

Did you think you would get co-operation by insulting the pelice? -- I didn't regard it as an insult at all.

You didn't regard your letter as insulting?--- Not at all.

You did not regard your letter as insulting the pelice, is that right now?---Correct.

Firstly, you ask the Commissioner to instruct the pelice to refrain from actions that may lead to vielence?-Correct.

So you are there saying the police may do things which may lead to violence?---Correct.

"It is unfortunately true that many White policemen. brought up in the racist betheuse of South Africa, regard themselves as champions of White supremacy and not as Law officers". Is that not insulting? -- Correct, I don't think it is insulting.

That is not insulting?-That is a statement of fact. Disten, a statement of fact may be true, but it still may be insulting. Don't you regard this as insulting?--- I do not.

"In the African they see an enemy, a threat, not to law and order, but to their privileges as Whites". That is not insulting?--- Not at all.

"The usual numbling by a police officer of an order requiring the people to disperse within three minutes and almost immediately ordering a baten charge, deceives nobedy, and shows the pelice up as sadistic bullies". Do you regard that as insulting?-- Not at all.

"Wo/ ...

you. ?-Flemes.

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Did you things to you thing the police?--I didn't wou didn't will.

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"We cannot be expected to run helter-skelter because a trigger-happy, African-hating young White pelice officer has given thousands or even hundreds of people, three minutes within which to remove their bedies from his immediate environment". Is that not insulting? ——I wouldn't regard it as.

Mr. Sebukwe, I can only say that you have peculiar ideas as to what is insulting and what is not insulting.

Are you saying so now?——Yes. Could I have a chance to answer?

Yes? --The position is that after all, everybody we say is a product of his environment. He need not necessarily be a 100% product, but he is affected by his environment, and we say that the police in South Africa are no different from the ordinary human beings that non-police people are, and the prejudicesis that Whites have, who are not policemen, the policemen also share because they have been brought up in that environment. Therefore, if there is African hatred on the part of some Whites, and these policemen who have been brought up in South African conditions, must of necessity share those prejudices, and there is, to my knowledge, no education that they receive to see to it that they are purged of such prejudices. Shall I preceed?

No. I'm not going to allow you to make any further speeches, thank you. You may stand down.

BY COURT:

Reballs here, can it be arranged for him to be here on Friday morning, the 12th of May. Insofar as this Court is concerned, I do not require Sebukwe any more. Is that all right as far as the accused are concerned who called him? What do they say? 1, 4, 8, 38 and 39? — Yes.

WINEAWDED TO 79. 5. 1967.