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ON RESUMING: 10.5.1961.

BY COURT TO P.P.:

Mr. Prosecutor 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 something 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 don't know what the position is now.

BY COURT:

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 forgotten 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 COURT:

Who, the accused?

P.P.:

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

BY/...

BY COURT:

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

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

BY ACCUSED No. 39:

I'm asking the permission of the Court to interview the defence witness again on one point..

BY COURT:

Very well. I'm going 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.Police, then they're entitled to be there. If these members of the police have been witnesses, they've given their evidence. If they're not witnesses in the case, they've got nothing to do with the case. Now, if you want to interview them again, I'm going to allow it, but the police 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 police officer being present. Otherwise the police 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. Prosecutor can't they be brought into the Courtroom under escort and let the interview take place here, or do you want to do it in the absence of the other accused and the former witnesses and the prosecutor and so on? You would like to do that?---Yes.

P.P.:

They are detained in the witnessroom just outside.

BY COURT:

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

they must be present, they've got to be present. Perhaps the policeman or policemen 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 position is that the police are afraid that perhaps something might be passed to prisoners to assist in escape..

BY COURT:

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 know, they are two bantu constables under the command of the Head Constable.

BY COURT:

You are not going to call them as witnesses?--

P.P.:

No, Sir.

BY ACCUSED:

We have decided to call Sebukwe first. Thereafter we'll...

BY COURT:

Accused No. 39 is your spokesman. Is he the spokesman for all of you now?

BY ACCUSED No. 39:

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 COURT:

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

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 over to the other accused and to the Crown.

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 irons be removed. It is only when I receive an assurance to the contrary, that it is essential that we must have the leg irons, that I will permit them to be left on.

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

ROBERT M. SOBUKWE s.s.:

ENGLISH.

BY COURT TO WITNESS:

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

Now 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. Sobukwe, what was your occupation 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. Honours, Witwatersrand.

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

Are/...

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

How old was the organisation 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 know.

ACCUSED No. 39:

Mr. Sobukwe, was P.A.C. a registered organisation before the 21st of March? --- African political organisations are not registered.

Can I put the question this way. Was the P.A.C. organisation 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:

Do you want the Exhibits? I'm sure the P.P. will help you. Exhibits 5, 6 - any others you want to look at? ~~Have you looked at these two?~~---Yes.

BY ACCUSED No. 39:
Yes, which numbers have you shown him now, Accused No. 39?

ACCUSED No. 39:

As well as Nos. 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 Prosecutor will bring them in. Yes, what is your question about these pamphlets?

BY/...

BY ACCUSED No. 39:

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

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

Now 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 now - 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. 39:

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 it 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

Police/...

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

BY COURT:

Just go slowly. The leader of each group was to
inform the police that? ---That the gaelis 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.COURT RESUMES:

ROBERT M. SOBUKWE s.s.:

EXAMINED BY ACCUSED No. 39:

Mr. Sobukwe, 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 get. It was stated
further in these circulars that the campaign would be called
off by me alone, and nobody else. Further, with regard to
women, I think it was stated that they will be ascribed their
historical role later on. I think that is what was stated in
the circulars.

BY/...

BY COURT:

You say their historical role?---Correct.

Not hysterical role?---Not hysterical. I think our demands are set forth there too in that same circular: Total abolition of the Pass Laws and a minimum wage of about £35 per month.

BY ACCUSED No. 39:

Mr. Sobukwe, do 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 somehow 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 of 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. Sobukwe, in all the meetings of the P.A.C., particularly in Johannesburg, did P.A.C. ever advocate violence?---Not 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/...

What did he say about the passes in connection with the 21st of March campaign of the P.A.C.? ---I wouldn't be able to answer that question unless I knew in what reference. He addressed a number of meetings in Johannesburg, as came out in our indictment, where he strongly condemned the Pass Laws himself, very strongly 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 sabotage the campaign of the 21st 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 senior police officials know about the campaign of the 21st of March?---Well, I wrote a letter to the Commissioner of Police, who was then Colonel Rademeyer, I think, informing him about the campaign, and asking that the police 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.

Does that mean that you wanted to make sure that the police did not intimidate - I mean, force the people to violence?

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

occurrence 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. Sobukwe, can you tell me who actually distributed the pamphlets?

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. Nana Mahame and Mr. Peter Malutse, of the National Working Committee.

BY COURT:

Just a moment. Repeat these two names?—Nana Mahame and Peter Malutse.

Of- what did you say?—Of the National Working Committee.

BY ACCUSED No. 39:

So by that, if I understand you correctly, does it mean that the distribution of the pamphlets 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-ex~~ examining 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/...

correctly, in regard to distribution of pamphlets, affects you - that is the Crown'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 Johannesburg people.

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

BY ACCUSED No. 39:

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

BY COURT:

In the Communal Hall in Orlando?---Correct.

BY ACCUSED No. 39:

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 know 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 some people I knew, quite a number that I knew.

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

BY COURT:

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

Of/...

Of the Africans?—Agby the Africans..

For the Africans? —Yes, and we have gone further to say that all those who accept 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 those 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 Ghana would be situated, with rays radiating from that centre throughout the Continent of Africa.

Can you, without entering too much into detail, describe the policy of the P.A.C.? —The best probably 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 overthrow White domination. Thirdly, to establish a new Social order which we described as original in concept, Africanist in orientation, socialist in contents, democratic in form, creative in purpose.

BY COURT:

Which we describe as?—Original in concept, Africanist in orientation, Socialist in content, democratic in form, creative in purpose. In that order we call it an Africanist Socialist Democracy. Fourthly, to strive for the realization of a United States of Africa, stretching

from..

from Cape to Cairo, Morocco to Madagascar. And fifthly, 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 needs of the individual.

Just repeat that last bit, please? In which Society 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 don't know 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 so-called race question...

BY COURT:

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

BY ACCUSED No. 39:

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

BY COURT:

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

BY ACCUSED No. 39:

Mr. Sobukwe, was it ever the aim of the P.A.C., after achieving all that it wanted, to throw the White men into the sea?---That is nonsense. It is a nonsensical statement repeatedly/...

repeatedly made by certain elements, for what purpose one just doesn't know.

ACCUSED No. 39 NO FURTHER QUESTIONS.

ACCUSED Nos. 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. Sobukwe, was there a slogan 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 Worship what it was?---No bail, no defence, no fine.

BY COURT:

Just a moment. 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 slogan of

'No bail, no defence, no fine'. ^{Another was this} ~~Another was this~~ one of

'Africa for the Africans'. I don't know if I...

MR. UNTERHALTER:

Perhaps I'll make it a little clearer. Let me put it from another point of view. Was any particular gesture adopted by members of the Pan Africanists to indicate

solidarity 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?---No.

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 over 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 slogan of the P.A.C.? ---In the case of the P.A.C., it was in response to what would have gone before, "Iswelethu", the one would say, and the reply would be "E Africa".

If used by a member of the A.N.C. at, say, a political 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 African people through its popularity over the years?---Correct.

Now, the organisation of the P.A.C. was about eleven months old, you've told us, when the campaign in March, 1960, was launched?---Correct.

I take it, Mr. Sobukwe, that although it had gained a fairly 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 townships, villages, and so on, 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 A.N.C. or were not members of any organisation at all?

Correct.

In any fairly well populated township, would it be 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 politically 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 township of Sharpeville is concerned, that the majority of people who resided there were not members of the P.A.C.?---Correct.

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

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 pretext, as a campaign against the Pass Laws?---Correct.

And you were ultimately found guilty and sentenced
to/...

to three years imprisonment?---Correct.

Now, 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.

Now 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 Spheniah Methopeng. 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 Secretary for External Affairs?---Correct.

BY COURT:

It seems more like members of a shadow Cabinet to me.

P.P.:

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

Lennox/...

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

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

Just a member?---Just a member.

BY COURT:

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

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

P.P.:

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

We deleted the A.N.C. from the Charge Sheet, Your Worship. Then the other one was Rosetta Naziba, and he was sentenced to 18 months, 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?---No, he was a member. All I knew 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 Jesia Mazunja who was expelled by you on the 19th of March, 1960?---Correct.

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? ---Correct.

He/...

He advised the people at a meeting on the 20th of March, 1960, to destroy 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 Salomon Mathopa?---Correct.

He was sentenced to 18 months imprisonment; he was a member of the P.A.C.?---Correct.

Then there was Zachariah Mtunzi, and he was sentenced to 18 months imprisonment too?---Correct.

Being a member of the P.A.C.?---Correct.

Do you know which branch he was a member of?

BY COURT:

Zacharias?

P.P.:

Zacharias, yes?---I think it was of the Zende Branch.

Zende Branch, that is in Johannesburg?---Correct.

Then there was Abraham Megale, he was sentenced to 18 months imprisonment?---Correct.

And he was a member of the P.A.C.?---Correct.

The next one was Abe Kgare, sentenced to 18 months imprisonment?---Correct.

Also a member of the P.A.C.?---Correct.

Then there was James Thomas....

BY COURT:

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

P.P.:

They are alleged in the Particulars.

BY COURT:

Are these people mentioned in the Particulars, some

of them?

P.P.:

Most of them are, Sir.

BY/...

BY COURT:

I would suggest, unless you have some other ground for arguing the evidence as admissible, that we confine ourselves to people with whom 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 now, with unnecessary detail.

P.P.:

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

BY COURT:

Just complete the last one, James Thamae?

P.P.:

Thamae, he was a member of the Regional Executive of the Witwatersrand?—Correct.

Then there is Johannes Phasha, sentenced to 18 months 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 months imprisonment. He was Chairman of the Wits. Regional Executive Committee?—Correct.

And Lancelot Makgeti, he was found not guilty and discharged. 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 Ndhlevu, the one who was charged with you, sentenced to 18 months; he was a member of the P.A.C.? —Correct.

BY/...

BY COURT:

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.:

Ngebe, I think, came from Natal.

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

---I don't know him.

No?---I don't know the man.

Jeshua Matjaba, he was a member?---Jeshua Matjaba, correct, he was a member. He was acquitted.

I think the best thing would be to - your organisation, 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:

1959?

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.

Not that?---There is another reason.

Was it because it was a multiracial organisation 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 ideological, I think.

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

BY COURT:

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

P.P.:

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

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.?--- Correct.

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

Would you mind speaking into the microphone, otherwise it doesn't come on record and we will have to recall you. Now, you also had a motto, 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 now, as you are a lecturer in bantu languages, give us the correct spelling please? ---Iswe 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 one, Boksburg or Vereeniging?

P.P.:

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

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

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

Now dealing with the structure of the P.A.C., I think right at the bottom we have the ordinary members?—Correct.

And as a general guide, 15 members form a branch — not 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 Executive Committee which shall consist of a chairman and vice-chairman, secretary and assistant secretary, treasurer and four other members?—That would be so.

That would be correct?—Yes.

Then, so many number 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:

(a)/...

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(a)/...

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

Well, I'll read them out and if there is any that you disagree with, then would you just indicate. "(2) To carry 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 Regional 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, control 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 then, 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 existence?---Correct.

And/...

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

Now 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 provision is that no member shall hold more than two offices. 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.

So that no person could be a member of more than one of the se Committees?---Correct.

P.P.:

Then you had, operating above your National Executive 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 out: "The National Conference of the P.A.C. shall be the supreme organ of the organisation and shall lay down the broad basic policy and program of the P.A.C. and its decision shall be binding on all members and all organs of the P.A.C.?" ---Correct.

Now, the P.A.C. organisation was a national organisation, not confined to any particular Province, throughout /

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.

Now, 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 provisos, namely, that he is not a member of any political 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 tenor 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.

BY COURT:

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 slogan "Africa for Africans"?—Correct.

What kind of Africans were eligible for ...?—The indigenous people.

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

BY COURT:

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

They are not regarded as...?—No.

And the Indians?—No.

Now was there a form ...

BY COURT:

What about Arabs? —Well, they are not a problem here/...

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

BY P.P.:

And was an oath of allegiance taken by members on the following lines: "On my life, honour and fortunes I solemnly 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 organizations, nor betray an Africanist, and that if I dare to divulge any secrets and plans of the P.A.C., or betray a member of the cause or use the influence of the P.A.C. for my own personal interests or advertisements, I do so at my own risk and peril. I will obey and act upon the orders, 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 foster 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 vouch for.

BY COURT:

Where are you quoting from now, Mr. Prosecutor?

P.P.:

From his Disciplinary Code.

BY COURT:

Not an Exhibit?

P.P.:

No.

BY/...

BY COURT:

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 do 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 card - I beg your pardon, it is Exhibit 50.

BY COURT:

Yes, 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.:

Now, 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 stronger 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.

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.

BY COURT:

What is that number?

P.P.:

This is not an Exhibit, Sir.

BY COURT:

What is the number you quoted?

P.P.:

The Africanist, 1959.

BY COURT:

How many members did ...

P.P.:

100,000 paid-up membership was sought by July, 1959, and the witness agreed with that.

Now obviously for any organisation to recruit members, it will be futile to recruit members on the basis of "Join the P.A.C. for National Unity", I mean, you wouldn't get many people coming for just a theoretical National Unity, you had to find some common ideals to weld the people together, to say "We must achieve this". Is that correct?—Unity is one of them, correct.

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 purpose—In our case we just put across what we stood 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 abolition of the Pass System?—That is not part of our aims and objects/...

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 abolish 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?

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 either.

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 the Europeans, or the Whites, we'll call them, 5 to 1, isn't 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 they wouldn't necessarily vote black, if that is what you mean.

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

African majority?--I beg your pardon?

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

And the target for the achievement of independence 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 abolition 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.

And obviously, to do this, they had to tell prospective recruits what they stood 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.

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

- correct as it was...

beyond 100,000 by that date.

Now, 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 November, 1959. The Africanist, I think it is correct, that is the official organ of the P.A.C.?—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 official organ, would obviously express the policy and aims of the P.A.C.?—Not necessarily, because quite a number of people wrote for The Africanist.

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

BY COURT:

Yes, will you reply to the question please?—I was.

You were?—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.

Putting 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 in this organ, The Africanist, Josiah Mnjama's call to the people to destroy their books forcibly/...

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

BY COURT:

You will publish Mejunja's views and criticize them?

---Correct.

Did you do so?---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.:

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.

Now, in The Africanist for January, 1959, there is a questionnaire 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.

BY COURT:

Is that one of the Exhibits?

P.P.:

I don't propose to hand this in unless the Court expressly wants it. That issue has not been handed in yet. On page 7, I think, Mr. Sobukwe. That is only portions 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...

BY/

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 these 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.

Then, 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 continued and he said "The growth of African nationalism is rooted in the history of the African Continent. It is a continuation of the fierce, patriotic resistance which was begun by our forebears in this country about 300 years ago, against the foreign invaders. It is a synthesis of different tribal nationalities, Xhosa, Zulus, Zechuana, Pedi, etc., with more powerful

and/

and organised political weapons and new forms of struggle for the establishment of a better and higher political and economic organisation". Do you agree that the struggle of the Pan Africanists Congress was a struggle that was embarked upon by leaders such as Chaka and Meshesh, 300 years ago?— It is a matter of opinion; isn't it. If you wanted my opinion, you could get it, if the Court is interested in my opinion.

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

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

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

You see, there has been reference in the same article, how people arrived at this rich country some 300 years ago, and any resistance they encountered from the unsuspecting and peace-loving Africans was avoided by shooting them - dead men tell no tales - and cruel reports were sent to starging and sick and diseased in Europe that with the aid of gunpowder and handcuffs, Africa is a Continent flowing with milk and honey for Whites. More scum was sent from Europe to inhabit this country. They came in their hundreds; they came in demons. 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 Bible, suppressed African masses?—Correct.

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

defending himself against an aggressor?—That would have been the history at a particular stage. At the present moment the aggression is stabilized. The African is more or less in the position of people subject people.

BY COURT:

That is the position of the Africans.

P.P.:

But the whole concept of the position and the picture that was sought to be painted 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 foreign aggressor?—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 now continuing. The people were dispossessed. The African people were dispossessed and dispossession as a fait accompli today.

It is in a state of continuance. Once you're dispossessed you remain dispossessed until you repossess yourself, isn't that so? — 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 forcible?—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/...

But don't you consider that to be the case?—What we have said is that we are oppressed as a national group today, and our struggle is a national struggle.

Now, you have mentioned in your evidence that the P.A.C. sought to overthrow White domination?—Correct.

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

BY COURT:

Mr. Prosecutor, that document that you've quoted such a lot 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 now. Will you have a look at Exhibit 118?

BY COURT: TO P.P.

Is that the document you've been quoting from?— P.P.: That is the one I've been quoting 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 COURT:

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

P.P.:

The witness tells me that that...

BY COURT:

BY COURT:

A Youth League organ. Mr. Prosecutor, I can't see that we can concern ourselves with the views of any other organisation but the P.A.C. so I ask you now please to make sure that you're quoting things relating to the P.A.C. and not to some other organisation 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 it.

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.?—Not at all.

BY COURT:

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

P.P.:

Your Worship, I do submit that if the witness says "I do agree with the policy as stated, for example, by Hitler, or Marx or Lenin, and it is quoted to him from a book..."

BY COURT: 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. then.

BY COURT:

But as an individual 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 The Africanist of January, 1959. Now you find out it is not The Africanist?

P.P./(((

P.P.:

Apparently not.

BY COURT:

Now, just a moment. I must emphasize now that I can ~~cancel~~ ^{delete} the witnesses' evidence from that part relating to the quotation from the so-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 ~~like~~ ^{have} to ~~cancel~~ ^{delete} that part of the evidence in the light of what I've just said.

P.P. continues:

Now, 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. SOBUKWE:s.s.:

CROSS-EXAMINED BY P.P. continues:

Mr. Sobukwe, before going on to the National Conference, in The Africanist for November, 1959, which is Exhibit 88 here, have a look at it, there it is stated that in the Transvaal - this is as at the 31st of July, 1959, in the Transvaal, there were 47 branches, in the Cape 34, in Natal 15, and in the Free 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.

BY/...

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 despatching handbills of this nature? --Correct.

Who would 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:

You mean you knew the names of some of the branches?—Of some of the branches, yes.

P.P.:

And from what Provinces did the branches come that you were interested in?—That was the Cape Province and Natal.

Are you able to tell the Court whether the Sharpeville branch of Vereeniging was present at that conference?—Certainly it was.

Mr. Lehalle was the person in charge of the resolutions - I beg your pardon, of the Credentials Committee at the National Conference?—There was a Credentials Committee appointed. I think he was a member of that. Whether or not he was in charge I'm not too certain.

Will he be able to tell us who presented their credentials?—I'm not too certain.

Now if I told 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.

They/

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

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 immediately 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 Executive 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 were passed?---Correct.

P.P.:

Now 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 Nyasi was the chairman, the question of violence was discussed there?---It wasn't discussed.

The/...

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 foolish 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.

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

Can you recall an unknown speaker from the floor putting to you "Our leader has spoken to us of violence and that the violence we are resorting 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 wondering if you would allow me to tell you what my answer was, in connection with violence, so that we knew 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 cheek and that we just have nothing to do with. The second view of violence is the view accepted by all civilized countries, and that is the view that one can resort 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 spoke 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 organized as an instrument of action, where people organize violence in

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

You don'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 speaker, Mashabane, who 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 foolish for a boxer to tell his opponent to take a left". Can you recall using these words? ---That I wouldn't wonder, because that is what I'd been saying all along, right from the inaugural convention, you see. One wouldn't know 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 overthrow of the Pass Laws"? --- I probably could have said that.

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

Now, 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 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.

And approximately - I don't want to bind you down to a fixed date - approximately what date would that have gone out /

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

Have a look at Exhibit 49 "Passes must go new". 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, Mchene and Melentsi?---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/...

BY COURT:

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

The distribution - does that include Vereeniging, Sharpeville?—Correct.

P.P.:

And approximately how many branches were there in the Witwatersrand Region? —I'm sorry, 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 these 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.

Now 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 colloquial term which was attached to the Reference Book?—Correct.

BY COURT:

What is that word please?

P.P./

P.P.:

A "Dem pas". Would that be your article, Mr. Sobukwe?—Correct.

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

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?

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/..

letter dated the 4th of March and then post it on the 16th, would it? ---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 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 realized that with the membership at your disposal, vast 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 realized by you and your organisation that/..

that this was going to cause embarrassment to the Police authorities, so much so that they were going to have to request the crowds to disperse? — I wonder if the word embarrassment is correct. In fact, it would be something the Police authorities wouldn't want, if that is what you mean, and would therefore disperse the crowds, seeing that the demonstration would in any event be what they would regard as an unlawful demonstration.

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

Now you, yourself, 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 Europeans, 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 COURT:

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

Are/...

that this was going to cause embarrassment to the Police authorities, so much so that they were going to have to request the crowds to disperse? — I wonder if the word embarrassment is correct. In fact, it would be something the Police authorities wouldn't want, if that is what you mean, and would therefore disperse the crowds, seeing that the demonstration would in any event be what they would regard as an unlawful demonstration.

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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 COURT:

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

Are/...

Are educated than of non-Whites?—Correct.

P.P.:

I mean, that is quite clear. When your organisation 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 invectives in our meetings, just describe things as they are. The Pass itself doesn't need any embellishments at all, the people know what it is.

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 awkward 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 COURT:

What is the object of getting themselves arrested, I think that is what the Prosecutor wants 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 gaols with these people, if you want to.

P.P./..

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 accomodation 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 genitive? -- 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

exactly what the Legislation makes out of the people whom it affects.

Do you concede that the use of such terminology is likely to inculcate 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, Sekukuni, the soldier, Hintsa, "Makwakanan"- I can't pronounce the name - who fought against van Riebeck's land robbers, Humedi, Makata, Flatjie, and Tsimeng, who were the founders of 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 ^{not} 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'll make that an Exhibit, subject to/l...

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, ~~pursue~~ 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 think 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

your past heroes and the shedding of blood and instances where blood 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 Kekane, he was a member of your organisation, he was at one time Secretary, wasn't he?---Moses?

Kekane? ---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 resigned, and his position was taken by either Nkoti or Nsiba, 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 consider that some of your leaders on that day might resort to other methods of persuasion than verbal ones?---I ^{was certain they would} ~~would not~~ not.

BY COURT:

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

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 No. 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 rows. 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?—No.

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 I'm not too certain.

BY COURT:

At Cinderella and at van der Bijl Park?--No, 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?--No.

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 post, 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 COURT:

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

P.P.:

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

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 immemorial, 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 warcry. Do you agree? --- It is not said by history books.

BY COURT:

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

P.P.:

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

You see, I don't follow you there because your circular Exhibit 5, that is the one "Calling the nation", in paragraph (e) says "All men will go to gaol 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 gaol"? ---Correct.

In other words, they were being assigned a historic role, a role which was something of their history?---Not at all. 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/...

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 gaol, 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 gaol 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.://

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 concerned.

I think your organisation realized that it was assured a large amount of success because nobody wants to carry your Pass...?—Correct.

What would be the object of one person, for example, crying out "Africa", and somebody else responding with "Izwe 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 "Izwe Lethu", with the requisite sign, and then he replies "E Africa", with the same salute. This probably is not even a watchword 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?—Probably not.

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

P.P. NO FURTHER QUESTIONS.

RE-EXAMINED BY ACCUSED No. 39:

Mr. Sobukwe, 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 advising

such things as "N'kosi 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 Sikelele Africa", probably as early as the 1918's, thereabouts. It has been accepted as a national anthem, not only in South 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 "Nkosi Sikelele Africa", do not mean to do any harm at all?

BY COURT:

Would you say that?

ACCUSED No. 39:

Any group of people singing "Nkosi Sikelele Africa", do not intend to do any harm at all? —Honestly speaking, really, I'd probably have to be a psychologist to know what they're thinking about, whether they sang it honestly or not. Some people 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.

ACCUSED Nos. 1, 4, 8, 38 NO 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.

What/..

What did you expect the police to do - what did you expect the police would do to co-operate 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, given sufficient time to the people themselves....

Just a moment, please, just a moment. Where, in all your circulars, do you tell people to disperse if the police 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.

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 police 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 police 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.c.:

BY COURT:

I allowed you an opportunity now of going through the pamphlets, the four that were mentioned. Is there anything in them in which you tell the people to obey the police/...

police orders to disperse?—No.

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?—Correct.

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 Town 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. Sobukwe, I don't understand you, because if they obeyed such police orders, that would surely defeat the object of all your demonstrations?—In fact, if Your Worship recalls correctly, you will remember that in Cape Town itself, at the time the people were told to disperse...

Mr. Sobukwe, I know nothing about Cape Town yet. You can tell me what you said in Cape Town, if you wish to, but that is 1000 miles from Vereeniging? — 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 crowd of that size to disperse within three minutes, but the police were not in the mood for argument, I think.

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...ROBERT M. SOBUKWE
...BY COURT: YH
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Now, I'm going on to another point, I must put this to you.. ?--Please.

Do 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 police?--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 police, is that right now?--Correct.

Firstly, you ask the Commissioner to instruct the police to refrain from actions that may lead to violence?--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 hothouse 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.

Listen, 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 mumbling by a police officer of an order requiring the people to disperse within three minutes and almost immediately ordering a baton charge, deceives nobody, and shows the police up as sadistic bullies". Do you regard that as insulting?--Not at all.

"We/...

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

Mr. Sobukwe, 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 prejudices that Whites have, who are not policemen, the policeman 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 proceed?

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

BY COURT:

Leballe 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 Sobukwe 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.