

National Congress over the period 1952 to 1956, that it was most active on the Rand? It was the main centre of its activity? --- It would not be correct. The Rand may have been one of the active centres.

Now which were the most active centres during that period? --- I would say the Eastern Cape. 5

Would that be Port Elizabeth? --- Yes. I would say Johannesburg was, I would say Durban was and maybe to a lesser degree Cape Town was.

You referred in your evidence to the National Action Council of the Congress of the People, do you remember? --- I recall, My Lord. 10

Now that body was formed in - during or about March, 1954, was it not? --- I would be about then, the time when we were organising for the Congress of the People. 15

And the four Congress movements were all represented on that National body? --- That is so, My Lord.

Do you know who represented the African National Congress on the National body? --- My Lords, I again find difficulty in remembering names of persons, but the setup generally was that each of the organisations was represented by about two members in the National Action Committee. But to remember names and say now at this time it was so and so, I am afraid my memory fails me. 20

Now I want to refresh your memory. I want to refer you to a document, found - allegedly by the Crown to be found in the possession of Tshunungwa, T.E.T.48, and it purports to be a Report of the Working Committee of the African National Congress. Now is it correct to say that Mr. Tshunungwa was appointed by the Congress movements to be the National Organiser of the Congress of the People? --- That is correct, My Lord. 30

Just have a look at this document, you will see

that he is headed Report of the Working Committee of the African National Congress? --- Yes, My Lord.

Now according to that report, the African National Congress was represented on the National Action Council of the Congress of the People by the following : Messrs. Luthuli, Moretsele, Tambo, Vundhla, Mathole and Resha? Do you remember that? --- That would be so, My Lord.

Is that correct? --- I believe it to be correct.

Were you on the National....? --- Yes, I was.

Were the other people? --- They were as elected, My Lords.

COURT ADJOURNS.

COURT RESUMES :

BY MR. KENTRIDGE :

My Lord, Your Lordship must have observed that during the last session the remaining five Accused came to Court. My Lord, they came in a car driven by the Accused L. Masina, who informs me that he had distributor trouble on his motor car and that is why they were late. I am instructed My Lord, to tender to the Court the apologies of the Accused for being late, and to state to Your Lordships that they used their best endeavours in the circumstances this morning to be here in time, and they apologise for any disruption caused to the work of the Court.

BY MR. JUSTICE RUMIFF :

Very well.

ALBERT JOHN LUTHULI, under former oath;

CROSS-EXAMINATION BY MR. TRENGOVE CONTINUED :

You were just dealing with the African National Congress representation on the National Action Council of the Congress of the People, and we had the names that you 5  
- that you mentioned there yourself, Moretsele, Tambo, Vundhla, Mathole and Resha. Now this National Action Council of the Congress of the People also had a Secretariat, is that correct? --- That is so, My Lord.

And on that Secretariat each of the Congress 10  
Movements was represented, that is correct? --- That is so, My Lord.

And at the time - at this time, sometime during 1954, it must have been shortly after the formation of the National Action Council of the Congress of the 15  
People, the Secretariat consisted of Sisulu, Cachalia, Bernstein and Lollan? --- My Lord, it would be correct as it is recorded here, but I wouldn't have remembered from memory.

You don't know who the Secretariat was? --- 20  
I mean from memory, the names. I know there was a Secretariat.

Do you know that Mr. Sisulu represented the African National Congress on the Secretariat? --- That is so, My Lord. 25

And you also have the names of Cachalia, Bernstein and Lollan? Now I take it that Cachalia would have represented the Indian Congress? --- I would take it so.

Do you know this man Cachalia? --- I do. 30

Is it Y. Cachalia? --- Yes, My Lord.

And do you know this man Bernstein? I take it

he would have represented the South African Congress of Democrats? --- That is so, My Lord.

Is he Lionel Bernstein? ---That is so.

Who was an Accused at the Preparatory Examination? --- That is so. 5

And the other one is Lollan. Is he the one who is an Accused in this case, and did he represent the South African Coloured People's Organisation? --- That is so, My Lord.

And then these Minutes make mention of the fact that Mr. Bernstein was banned and his place on the Secretariat was taken by a Mr. Slovo. Do you know Mr. Slovo? --- I do, My Lord. 10

He was - at that time he was a member of the South African Congress of Democrats? --- That is so, My Lord. 15

And he was also an Accused at the Preparatory Examination? --- That is so, My Lord.

And Sisulu's place was taken by Tambo? --- That is so. 20

This man Bernstein, did you know him yourself? Do you know him personally? --- I don't know him personally, except just meeting him in connection with Congress, but I don't know him personally.

You don't know what his activities were before 1950? --- I do not. 25

By the way, the Bandung Conference, who represented - who went across from South Africa to participate in the Bandung Conference? --- Well...

I take it that a prominent member of the African National Congress went? Do you remember the Bandung Conference? --- I do, My Lord. 30

Do you remember who went across? --- Cachalia was there.

This Cachalia? --- I am not so sure. Then Moses Kotane.

Apart from the...? --- I think it is necessary to add that insofar as these two were concerned at the Bandung Conference, they went there as just general observers, they were not representing - Mr. Kotane was not representing the African National Congress. He was going there as a man who is a leader of the people and he had the opportunity to go.

Did he on any occasion report to you on the Bandung Conference? --- Yes.

And I take it he put South Africa's views as he saw it to the delegates at the Bandung Conference? --- That is so, My Lord.

Now according to these minutes the officials of the National Action Council of the Congress of the People, they mention your name as the President and the Volunteer-in-Chief, if you look at the bottom of page 2? --- I see it, My Lord.

Is that correct? --- Yes.

You hold that office on the National Action Council of the Congress of the People? --- That is so.

And Mr. Moretsele, he was the Treasurer, is that correct? --- That is so.

And under the names of the secretaries, you get the names of Beyleveld, Cachalia and Vundhla. Now Beyleveld, would that be Peter Beyleveld of the South African Congress of Democrats? --- That is so, My Lord.

He was an Accused at the Preparatory Examination? --- That is so, My Lord.

And also that would be P.Q. Vundhla too? ---  
That is so, My Lord.

So that one can say that the African National Congress, according to these Minutes, were not only representing - not only represented on the National Action Council of the Congress of the People, but they took a leading part in the functions of that body? --- That is so. 5

And as you stated previously, the National Organiser of this body was also an A.N.C. Executive Member, Tshunungwa? --- That is so. 10

Now I just want to step off the minutes, but before doing so, there are just two other matters that I want to refer to at page 4 - they don't deal with the National Action Council of the Congress of the People, but I want to complete this document. The Working Committee regarded - if you look at page 4 - the Working Committee regarded it necessary to write a booklet on Congress policy, and Sisulu and Resha were to take the lead in this task? --- Yes, I see it. 15

That is correct, is it not? --- That is so. 20

I take it that that would be because you had confidence in the knowledge and ability of these people to prepare a booklet on Congress policy? --- The only thing that I would ask to be sure about is this thing about the Congress of the People and according to the Working Committee here, I don't know whether it is our Working Committee as such or the Working Committee of the... 25

No, it is the Working Committee of the African National Congress, you agree with that? --- Yes.

And then just the next paragraph, seeing you weren't sure of the names of the Secretariat, for 1954, the third paragraph : "The following members have been 30

appointed to the Secretariat to carry on the work of the Secretary-General". It says Mr. Tambo was the head of the Secretariat, and Vundhla, Mathole, Tshunungwa were also on the Secretariat, is that correct? --- That is correct.

5

And then you make the statement that certain people have been co-opted to the Executive, I take it that is the National Executive Committee, namely Mathole, Resha and Tshunungwa, is that correct? --- That is correct.

Now in Natal, your province Natal, you had a provincial branch of the National Action Council of the Congress of the People? --- That is so, My Lord.

10

And is it correct to say that you served on the Preparatory Committee which led to the formation of that Provincial Branch in Natal? --- That would be correct, My Lord, I was President at the time and I was acting I think at this period of the ban - it would be correct.

15

And when the Provincial branch was formed in Natal, you also delivered, at the formation of this branch you also delivered an address, is that correct? --- It is possible, My Lord, I don't know that one remembers that he did this and that. It is very likely that I did.

20

And you were a member of the Natal Action Committee of the Congress of the People. You represented the African National Congress on that? --- That is so,

25

And other African National Congress members represented on that were F.H. Simelane, Stephen Dhlamini and Dr. Conco, is that correct? --- I wouldn't say that I remember from memory, all I can say is that it is probably correct because they were officers of the Executive of the A.N.C. anyway, but I don't recall from memory specifically, that name, that name.

30

But one can take it that the African National Congress was at all times represented by Natal Executive Members on the Natal Action Council of the Congress of the People? --- Yes, that would be correct.

Now in the Transvaal, they also had a Provincial Branch of the National Action Council of the Congress of the People, is that correct? --- That is so, My Lord.

And on that Branch the African National Congress together with the other Congress movements were at all times represented? --- That is so, My Lord. 10

The Minutes of this body, the Transvaal Action Council of the Congress of the People, that used to be sent to the African National Congress in the Transvaal, do you remember that? That was the practice? --- Procedurally I think that would be so. 15

And the Minutes of the Provincial Branch of the National Action Council were also sent to the National body? --- Procedurally that would be so.

Now I also put it to you that Mr. Moretsele at times acted as Chairman of the Transvaal Action Council of the Congress of the People? Or don't you know that? --- I wouldn't know the details of the setup of the persons of the Transvaal Committee of the National Action Committee. 20

That would be very likely?--- Yes. 25

Do you know Obed Motsabi? --- Yes.

Was he a prominent member of the African National Congress in the Transvaal? --- Yes, he was one of the leading members.

And I put it to you that he also on occasion acted as chairman of the Transvaal Action Council of the Congress of the People? --- I would assume so. 30



Also on this Provincial Body one can assume that the African National Congress through its representatives were at all times aware of the activities of the National Action Council of the Congress of the People and its various branches? --- That would be correct.

5

Now I just want to ask you a few questions about the National Volunteer Board. Do you know that body, the National Volunteer Board? --- I know about it, again I would say that I wouldn't remember the persons now, but I remember the body.

10

That was really the body under the National Action Council of the Congress of the People which dealt specifically with the volunteers, the organisation of the volunteers and the duties of the volunteers? --- That would be correct, My Lord.

15

Do you remember a meeting at Fraser's Station in August, 1954, at which you were present? --- I do.

Was that a meeting of the National Action Council of the Congress of the People? --- That was, My Lord, a meeting of the Joint Executives of the Congresses, as I recall now.

20

For what purpose? --- To discuss the affairs of the Congress of the People, to get a report from the National Action Committee and other reports and to take certain decisions if necessary.

25

And is it correct that you were there and Slovo was there, that Dr. Conco was there, that Beyleveld was there, can you remember? --- I remember distinctly the others, I am not so sure about Mr. Slovo, he could have been there.

30

Dr. Naicker? --- Yes.

Moretsele? --- Yes.

Mathole? --- I don't recall, but he could have been there.

Yengwa? --- Yes.

And Tshunungwa? --- That is so.

Do you remember if Vundhla was there? --- I 5  
should think Vundhla was there.

And A. E. Patel? --- I don't recall, My Lords.

You see, at the time the meeting - at the time the police took possession of certain documents that were found there, and amongst these documents was an Exhibit 10  
G. 478 which purports to be a report from the National Volunteer Board. Do you know that document? --- I recall it.

Is it correct that you were the Volunteer-in-Chief of the Union? --- That is so.

And is it correct that the head office of the 15  
National Volunteer Board was in Johannesburg? --- That is correct, My Lord.

And is it correct that in your absence somebody had to be appointed to act for you on your behalf for - as Volunteer-in-Chief for the Union? --- That is so. 20

And is it correct that the man who was appointed to act for you was Robert Resha? --- That is so.

And is it also correct that he was the Volunteer-in-Chief for the Transvaal Province in addition to his representing you on the National Organisation? --- I 25  
wouldn't know about the Transvaal.

You don't know? --- I wouldn't know whether he was the Volunteer-in-Chief in the Transvaal.

Now do you know anything about the activities of the Volunteer Board in the Transvaal? Not the National 30  
Volunteer Board, but the Transvaal Volunteer Board? ---  
My Lord, I wouldn't know about the day to day activities

of the Volunteer Board in the Transvaal, except to take it that they would of course be active within the scope of the functions of the Volunteers and so on.

I take it that the African National Congress was represented on the Volunteer Board in the Transvaal? 6  
 --- I would expect it to be so.

And I also want to put it to you that the Transvaal was represented by Resha? --- That could be so.

I take it you would know his signature if you see it? --- I am not so sure. 10

You have been working in very close association with him for years? --- Well, one doesn't particularly scrutinise - I don't know whether I would recognise his signature, except...

I just want to hand you a document M.M. 139, 15  
 just by way of example I want to refer you to page 35, the Minutes of the meeting of the Transvaal Volunteer Board on the 21st September, 1954. Those present, according to the Minutes : Resha, Kathrada, Shall, and these Minutes were confirmed at a subsequent meeting if you look at page 20  
 36. Would that be Resha's signature? --- My Lords, I have already indicated that I don't know Resha's signature.

Have you never seen his signature? --- I don't recall seeing his signature.

Do you know Kathrada? --- I do. 25

He is Accused No. 3? --- Yes.

Did you know Sidney Shall? --- I have no mental picture of him, but I think I know the name, My Lord.

This National Action Council of the Congress of the People, what did they have to do? What was their 30  
 function? --- The function of the National Action Committee of the Congress of the People, My Lord, was to

act as a co-ordinating committee of the activities of the Congress of the People. In other words, whatever would be done would be co-ordinated by this committee on behalf of the Congresses.

Now that is a very general statement. How 5  
 were they performing their functions? How were they  
 going to prepare the people for the Congress of the People?  
 --- Well, it would be the duty of the National Action  
 Committee to see to it, for example, as evidence has  
 already shown, that there were at various provincial 10  
 levels National Action Committees, and even at branch  
 level there would be activity, it would be the duty of  
 course of this committee to see that at provincial level  
 there are these committees and that these committees do  
 their work. They would also see to it that any organisa- 15  
 tional material that would help in the promotion of the  
 campaign would be gotten out, and generally My Lords, I  
 must stress to see to it that the work of the Congress of  
 the People is carried on on behalf of the Congresses.

To get down to facts. They used to convene 20  
 meetings at which the Congresses were represented in order  
 to prepare the people for the Congress of the People?  
 --- That is so, My Lord.

And various activities in which all the  
 Congresses were interested were propagated? --- That is so, 25  
 My Lord.

They used to publish a large amount of  
 literature for distribution amongst the people in order  
 to prepare them for the Congress of the People? ---  
 That is so, My Lord. 30

And they used to prepare lectures, written  
 lectures in order to educate the people for the liberatory

struggle? --- That would be expected, My Lord.

What do you mean it would be expected? Was it done or was it not done? --- I wouldn't classify the material and say this material, that kind of material, but if I found lectures to be part of the various things, 5 explanatory material, lectures and so on, anything that would popularise the Congress of the People.

Wasn't this question of lectures and study classes a matter which was raised specifically, and specifically undertaken by this body? --- Quite so, My Lord. 10

And did that take place with the knowledge and approval of the African National Congress? --- That is so, My Lord.

Do you know of any lectures that were prepared and published by the National Action Council of the Congress 15 of the People to this end? --- Personally I do not recall any specific lectures that were prepared at this period. As I have already said, there was quite a good deal of material that was taken out at this period.

If you say you don't remember, do you mean you 20 have forgotten or didn't you ever know? --- I know that there were lectures issued, My Lord. I would expect lectures and other material that had been made to be issued. What I cannot say, My Lord, is this, that I recall personally this lecture or that material issued. I would 25 say that there was a good deal of material that was being issued and one cannot specifically say now I remember this material being issued and that being issued. That I cannot really say.

You say you can't remember if lectures were 30 ever issued by this body? --- It was their duty, My Lords, but I do not remember specifically. Now for instance, they

are the lectures sent out, this material. But during that time all I can say is that there was a good deal of material that was sent out.

You see, Dr. Conco said in his evidence, these three lectures that you referred to this morning, "The World we Live In", "Change is Needed", and "The Country We Live in" - Exhibits A. 84, 85 and 86, that those were lectures prepared by the National Action Council of the Congress of the people to educate the people. You say that you didn't know? --- That is so, My Lord. I have already indicated that there was at this period so much material that I don't specifically remember. One would have to add there also, My Lord, that - two things I wish to add. One, we generally do receive quite a lot of material, and it really doesn't follow that one would keep trace of all the material given, and also I would observe, My Lords, that about this period, early in 1955, in the greater part of this period, I was not - I was ill in fact, so that I don't really remember specifically. Now it may have come to me, and I may not have read it, I don't recall, I don't recall receiving any lectures.

I will deal with the contents of the lectures at a later stage. Could you just tell me at this stage when did you for the first time become aware of the existence of those lectures? --- I became aware of them at the Preparatory Examination of this trial.

Prior to that you had no knowledge of their existence? --- That is so, My Lords.

When did you for the first time read these lectures? --- I read them My Lord just recently, trying to refresh my memory from any document that I could get in connection with this case, as I am giving evidence, My Lord.

When did you for the first time hear that those lectures were published by the National Action Council of the Congress of the People? --- At the Preparatory Examination, My Lord.

Did you then make any enquiries to satisfy yourself as to the correctness of that statement? --- The correctness of the lectures? 5

No, the correctness of the statement that they were issued and published by the National Action Council of the Congress of the People? --- I assumed it was correct, 10 and I didn't take any steps. I didn't feel that it could have been wrong that they were, and I saw no reason to take any particular steps to enquire as to where they were issued.

And even to this day you have made no enquiries as to their origin? --- I should say, My Lord, 15 in just general conversation lately I did try to find out, and I was told by those who told me that they did emanate from the National Action Committee.

Where did you enquire from? Certain of the Accused? --- No, My Lord. Well, it was one of the Accused at the Preparatory stage. 20

Why didn't you go to the people that were on the National Action Council of the Congress of the People and find out from them? They were your co-committee members, your co-associates? --- Well, my Lords, the 25 reason really is this, that when I heard of these lectures at the Preparatory Examination they were presented, and to me they didn't appear to be the kind of thing that one would at that stage, engaged as one was in the Preparatory Examination, should undertake to find out this and that 30 about that, but I was satisfied that they had emanated from

the National Action Committee. I didn't doubt when I did hear that, so I didn't feel called upon to enquire more and more into it, as I have already said that I did enquire from one much later and I was told that they emanated from the National Action Committee. 5

Now having read them, you were satisfied that that was the type of thing one would expect to emanate from the National Action Council of the Congress of the People? --- I just don't understand what you mean - I do not know, My Lords, just what you understand by "type", but it would be the kind of material that would go out as part of the educational programme, part of it. 10

You have never I take it tried to discover who was the author of these lectures? --- No, My Lord, I was merely informed that it came, as I suspected, from the National Action Committee. I never tried to find out who the authors were. 15

You see, we say it has a leftist tendency. We may deal with that later. But you didn't feel that in spite of the leftist tendency you would like to know who was the author of these lectures? --- My Lord, it was as I said, a leftist tendency, but it was not a leftist tendency so as to call me to go about the enquire - why would I go about and particularly enquire? It was part of the educational material, and I have no objection to material being sent out for education. 20 25

Both the African National Congress and the National Action Council of the Congress of the People attached great value to the publication of lectures to educate their members? --- That is so, My Lords. 30

Can you give the names of any lectures that were issued during the period 1952 to 1956 by either the



African National Congress or the National Action Council of the Congress of the People for this purpose? --- I don't recall any. I wouldn't say there weren't any issued, but I don't recall. I just remember only in Natal, whether it was this period again - I am awfully bad in dates - when 5 there was a summer school held in Natal, just for the purpose of carrying on education. It was organised by our Youth League there. Now I am not so sure whether the date would coincide with the Congress of the People. But I don't specifically remember... 10

You don't remember any other? --- I don't recall.

But I take it that it only means that either you have forgotten or that you didn't inform yourself, because you will concede that during this period the 15 African National Congress and the National Action Council of the Congress of the People did in fact, as part of the education of the people, issue lectures to educate the people? --- My Lord, I have already indicated that it was part of Congress plan to do that, and during the time of 20 the Congress of the people it was a thing that one would expect. But now when you come to us specifically and say do you - did you receive this or that, I have already indicated that I don't recall. I have already indicated to the Court also, so far as I am concerned, that it is 25 true that one gets a good deal of material from all over, and one can't say now I did receive that. Sometimes these things come and you don't even open an envelope. And also I am not overstressing this, but it is true that in the earlier period of 1955 I wasn't a man that was really 30 well, and it is quite possible that the material may have come and I wouldn't have attended to it.

For the purposes of this case you went to the trouble of informing yourself of Congress activities over the period 1952 to 1956. You prepared yourself to come into the box and give evidence on Congress policy and Congress activity. Now I take it that you were ill, and that something might have happened without your knowledge. But having informed yourself, you are not in a position to mention or to refer to any lecture that was issued by the African National Congress or the National Action Council of the Congress of the People for the political education of the people? --- I don't recall. 5 10

You see, because in the National Conference reports, I will refer you to those passages, the reports say Congress members and Freedom Volunteers particularly have to undergo an intensive period of political training, the Freedom Volunteers for a month, and Congress members and Executive members for three months, and the agenda report mentions that lectures were specifically being prepared and you say that you know nothing about this? That you can't at the moment think of any lecture or document that was prepared for political education? --- My Lords, I do not know that I can carry this any further than what I have said. One would also just merely make this additional observation to say that even if one, for that matter really were well and leaving aside the question of documents coming and you don't see them, one My Lords, would observe that really there are of course certain functions that one specifically attends to as President. There are things which you assume are going on, you have confidence in your colleagues, you don't feel called upon to enquire on this and that. I knew there was political education going on, I even know - unless I happen to come 15 20 25 30

across a document if I didn't actually receive it. But, there was political education. I am not in a position now to say this was the material, that was the material, that was the material. But I knew that there was political education going on. At that time, and even at other times, 5 My Lord. I think I would really be repeating myself. I don't recall specifically any document now to say there was a political document issued, that issued, that issued. That I couldn't do, My Lord.

BY MR. JUSTICE RUMIFF :

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I seem to remember a document stating that the Freedom Volunteers were required to be educated too, or particularly. I take it they in turn had to educate the people? --- That would be so, My Lord. There would be certain specific things of course pertaining to the... 15

That was one of the main objects, as I understood the evidence on the papers, of the Freedom Volunteers, that is to educate the people? --- That is correct.

To make them politically conscious? --- That is so, My Lord.

20

Now, the call for the Volunteers in respect of the Congress of the People came out formally from you? -- That is correct.

From you as leader? --- That is correct.

And you have said that you were Volunteer-in-Chief? --- That is so.

25

Of the Union. On this aspect of the case, and having regard to the duties of the Volunteers to educate the people, were you not interested in what the Freedom Volunteers were being taught? --- My Lord, I was 30 interested in what they would be taught. But, inasmuch as I would not be undertaking personally - although Volunteer-

in-Chief, it didn't mean that I would be personally undertaking the teaching. With material that was out, I would just assume that that is being done by the responsible officials, My Lord. I don't quite frankly recall any particular material, to say now there was material, that material. I don't. I just don't recall at all. It is also possible that one just read - there are so many of these leaflets coming, I may have read a leaflet here and there and then seen it, put it aside and another leaflet, put it aside.

I understand the question of material, pamphlets and newspapers and documents. But is the question of lectures not on a different basis? --- Yes, the lectures would be on a different basis. I have already said, My Lords, that I really don't recall ever seeing any lectures, I would not be telling the truth if I said I did.

BY MR. TRENGOVE :

Mr. Luthuli, I will return to this subject later. I now want to ask you some questions about the liberatory struggle on which the African National Congress embarked. I want to confine my questions at this stage to the period say 1950 to 1956. I want to put the questions to you in your capacity as President-General of the African National Congress for most of that period. I want you in answering the questions, to answer them on behalf of the African National Congress. If your personal views are in any way different to the answer you give on behalf of the African National Congress, you can say so, but I want you to speak on behalf of Congress in connection with the matters that I now want to put to you. It is correct to say that during this period, during the period of the Indictment, the African National Congress was the

leading Congress movement in what one may call the  
Liberatory struggle, is that correct? --- Liberatory  
struggle where?

In South Africa? --- That would be correct,  
My Lord. 5

And is it correct to say that as part of the  
liberatory struggle, the African National Congress considered  
it necessary to get the support of the masses of what they  
allege to be were the oppressed people in South Africa? ---  
That is correct, My Lord. 10

Is it also correct to say that in order to  
achieve their object, the African National Congress con-  
sidered that it was one of their primary tasks to develop  
the political consciousness of the masses? --- That is  
correct. 15

Is it also correct to say that the African  
National Congress held the view that in order to make the  
masses of the oppressed people political conscious, it was  
necessary to make them conscious of the oppression under  
which they were living? --- That is not the - not putting 20  
it correctly to say to become conscious of the oppression  
under which they lived. They had to become aware of the  
oppression under which they lived because they were and  
are aware of the oppression.

Do you know the phrase "subjective liberation"? 25  
Have you heard of it? --- I don't recall hearing that  
phrase, subjective liberation, My Lord.

Now I want to refer you to a bulletin, B.18,  
a journal called "Afrika", a journal of the African  
National Congress Youth League. At page 2 there is an 30  
article, "Subjective Liberation an Immediate Necessity".  
Do you know this journal of the African National Congress

Youth League? --- I think I have seen it at times.

It is a bulletin published by the African National Congress Youth League, isn't that so? --- That is so, My Lord.

I also want to refer you to the African Lode- 5  
star. It is also a bulletin of the African National  
Congress Youth League, Transvaal, A. 204, the edition of  
May, 1954, at page 4 you get an article, "Subjective  
Liberation an Immediate Necessity". Do you know that  
bulletin? --- Yes, I have come across it. 10

And also a bulletin of the African National  
Congress Youth League in the Transvaal? --- That is so.

And you see the article there, "Subjective  
Liberation an Immediate Necessity"? --- I see it.

It is the same as the article in B. 18, the 15  
other one you had before you? --- That is so, My Lord.

Now, would you just refer to that article.  
The first paragraph states : "It is probably accepted as  
an action by most advanced political thinkers that objec-  
tive conditions produce not only the need but the desire 20  
for change. This thesis does not imply a negation of the  
role that the subjective plays in any progressive movement."  
And then the writer goes on in the next paragraph - the  
last few lines of that paragraph he refers to "subjective  
liberation which is a prelude to objective freedom"? --- 25  
Yes, I see that.

Then the writer goes on : "When a people dis-  
cover that they are living under conditions that militate  
against any further advance or progress, in other words  
when they are conscious of the objective realities of 30  
oppression, economic exploitation, sickness, starvation,  
and violence, they have taken the first step in the ten

thousand mile journey to liberation. It is not sufficient however, for them to recognise and be conscious of the conditions of the world around them. They must proceed (?) to see the need for change, for a new society, to plan the destruction of the old and the creation of a new system. 5  
The combined realisation of the badness of the old and the need to change it and create another is referred to as 'political consciousness'. Depending on the extent to which the subjective factors are linked with constant and above all revolutionary activity on the part of the masses 10 of the people, their political consciousness will be heightened and developed. At this stage political consciousness which is subjective factor, itself becomes an objective fact which must be taken into account. Thus the almost complete rejection of the Liberals by the masses in the 15 present day South Africa can be attributed to the higher level of political consciousness. In other words this political consciousness which is an attitude of mind becomes an objective fact". Now, Mr. Luthuli, do you understand what the view is that is being expressed in 20 that article? --- Well, My Lords, I don't know whether I claim to understand fully the idea expressed there.

Now I just want to analyse it for you. This writer says that the masses, once they become aware of their condition, of their subjective condition, they 25 become politically conscious, and once they become politically conscious, they are then prepared to take part in the liberatory struggle. Do you agree with that? --- My Lords, I agree with it only in part. I don't think it presents the picture wholly, and I would say this - 30 I wouldn't accept the thesis that the oppressed people have to be made conscious of the disabilities under which they

labour. It would be true, I wouldn't say that would be the case, that in varying degrees you might get some people who might feel, but yet not show in any way their feelings, and when some people in the community out of their own start to feel that things aren't right, you get more 5 people possibly who are not vocal becoming more conscious, but on the other hand it is true that one may become aware of a thing more forcefully than possibly he did before.

The writer also says that the ruling class will move heaven and earth to ensure that the people 10 remain at a low level of political consciousness? Do you agree with that view that the ruling class tries to keep the masses at a low level of political consciousness? --- I think I agree they may not directly say that we are doing so, but I think that the ruling class generally would 15 only be too happy if people were kept at a low political level, and in various ways - for an example the ruling group never does look with great favour to the activities of any political organisation, and sooner or later you find that they tend to curb the activities of a political 20 organisation.

What do you understand by political consciousness? --- My Understanding, My Lord...

Now remember, you are speaking on behalf of the African National Congress? --- My Lords, I am afraid 25 here I have got to say "my", because I took it that the question referred to what do I understand by it.

No, that is why I prefaced it by a general remark. What does the African National Congress - I don't want to say that every time - what does the African 30 National Congress understand by political consciousness? --- It is a little difficult to say on a specific expression



like that, to say now the African National Congress understands this expression to mean so and so. I think to me it seems a bit difficult, but one can be general to say that the African National Congress does expect people to be aware of their political needs, -The aspirations to which they should aspire. 5

The aspirations to which the African National Congress wants them to aspire? --- Yes, the African National Congress can put its own point of view as to what aspirations it thinks are best for the people. 10

So that if the African National Congress says that the political consciousness of people must be developed and heightened, it means that the African National Congress wants to educate the masses towards its way of thinking? --- That would be correct, My Lord. One must possibly add this, that in general the people are in varying degrees politically conscious, but heightening it and widening it, as we see it, becomes our duty. 15

Could we just round it off by this, that the African National Congress, as one of its main tasks, felt it necessary to develop the political consciousness of the masses, so that they become allies in its liberatory struggle? --- My Lords, I don't know whether I quite like the word allies. So that they become part of the movement. They are not coming in as sort of allies to assist the Congress. The Congress after all is part of the people. 25

But the African National Congress was not so much concerned to get the people formally to join the African National Congress as to get their support for the liberatory struggle, is that correct? --- No, it isn't correct. 30

Not correct? --- To say that the African National

Congress got people to join just to assist the African National Congress?

No. The African National Congress was concerned in getting the maximum support from the masses for their liberatory struggle? --- That is correct.

And it is to that end that the African National Congress, as one of its main tasks, felt that they had to heighten the political consciousness of the the masses? --- That is correct, My Lord.

And it was to that end that the African National Congress sought to educate the masses on the lines that the African National Congress considered were necessary for the success of the liberatory struggle? --- That is correct, My Lord.

COURT ADJOURNS.

COURT RESUMES.

ALBERT JOHN LUTHULI, under former oath;

CROSS-EXAMINATION BY MR. TRENGOVE CONTINUED :

- Mr. Luthuli, we were talking about the political consciousness of the people. I take it one can also say that the political consciousness is created by really a mental preparation of the people for the liberatory struggle? --- That is so, My Lord.

I just want to put one or two documents to you in which the importance of this development of political consciousness amongst the masses is stressed. You say that you know this bulletin, the African Lode-star, the organ of the African National Congress. Now I want to refer to the bulletin having the Exhibit number A. 206. It was published...? --- It was published by the Youth League, My Lord.

Yes, the African Lodestar. You know that publication, don't you? -- Yes, My Lord.

It is the official organ of the Youth League, is it not? --- That is so, My Lord.

The one that I am referring to is A. 206, and 5  
it is published at the beginning of 1955, it is called  
"1955, the Year of Decision", and after dealing with the  
intensification of the conflict between the progressive  
and the anti-progressive tendencies in the country, this  
editorial states, "Hence today arise the burning need 10  
firstly to be in a state of preparedness for the approach-  
ing conflict between the progressive and retrogressive  
forces, and secondly the need to keep pace with and  
develop the ever growing political consciousness of the  
masses. These two tasks are in fact closely interrelated. 15  
One can never improve the organisational state of prepared-  
ness without arousing the political consciousness of the  
people". Now I take it you agree with that statement? ---  
That is so, My Lord. N

Now then -- the same idea is expressed in a 20  
document A.78, it was referred to by you already , and it  
is a typed document found in the possession of the African  
National Congress offices, and it deals - it starts off  
with the coming into being of the African National  
Congress in 1912. Then at page 2 of this document it 25  
says that - the second paragraph : "The last forty years  
of the Congress existence have been almost devoted to  
agitational and propaganda work, to the complete negli-  
gence of the organisational aspect, although we must  
concede to the fact that this agitational and propaganda 30  
aspect was absolutely essential in restoring the confidence  
the people had lost in the face of the powerful forces they

are faced with. It served the important function of raising the political consciousness of the masses and has also dispelled any illusion about the false hopes for the - for a change of heart of the rulers. As a result they became convinced that freedom does not come as a gift to the 5 people, but that they shall have to pay a high price for it". Now it would be correct to say that agitation and propaganda are necessary to make the people realise what part they have to play in the liberatory struggle? ---

That is so, My Lord.

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BY MR. JUSTICE BEKKER :

Mr. Luthuli, just once a point of clarification, on this question of the A.N.C. Youth League. That was really part and parcel of the A.N.C. was it? Or not? --- Yes, it is - we call it an auxilliary of the A.N.C. My Lord. 15

It had to honour the policy of the A.N.C., or did it have a policy of its own? --- No, My Lord, it has to follow the policy of the A.N.C.

It didn't have a different policy from the A.N.C.? --- No, My Lord.

20

It is really there to carry out the policy of the A.N.C.? --- Yes, to carry out the policy of the A.N.C. My Lord.

I think Dr. Conco described the A.N.C. as the mother body, and the A.N.C. Youth League as the child body? 25 --- That is correct, My Lord.

BY MR. TRENGOVE :

Yes, I think, confirmation for what you have just said you get in a document A. 54. It is a programme for the building of a mass youth league, and at page 2 30 under the heading "Political Analysis", paragraph 3, it says : "The basic task of the A.N.C.Y.L. is to raise the

political consciousness of the youth to educate them in the crisis facing the country and to organise them into the Youth League so that they follow the leadership of the African National Congress. Therefore the youth must be educated on the basic political line of the African National Congress". Is that correct? --- That is so, My Lord. 5

And I take it that that was the function that the African National Congress Youth League fulfilled, to educate the youth along the political lines of the African National Congress? --- That is so, My Lord. 10

And it would also be correct to say that all the activities of the African National Congress Youth League were really carried on under the direction, or under the supervision of the African National Congress? --- No, My Lords, I wouldn't go to the extent of saying under the supervision. The Youth League followed the policy of the African National Congress, it carries out activities which are intended in one way or another to carry out the - to acquaint the youth of the political situation and so on, but My Lords, I wouldn't go to the extent of saying under the supervision, if that would mean that every meeting of the Youth League would be known by the mother body, every little thing that they did will be known by the mother body. But in general, they might be having a conference, for instance now we would not be holding a conference. We would not necessarily determine who their speakers would be, and things like that, My Lord. 15 20 25

The Executive of the A.N.C.Y.L. were responsible leaders of the African National Congress? --- That is so, My Lord. 30

I take it that you know who the President of the African National Congress Youth League was during the

period 1952 to 1956? --- I think I do, My Lord, I think it was Joe Matthews.

J.G. Matthews? --- Yes.

And he was succeeded when he was banned by Robert Resha? Who was elected at the 1954 conference in Uitenhage? --- That would be so, My Lord. 5

So that one could say that on the basic policy followed by the Youth League, the A.N.C. knew what political line the Youth League was following? -- My Lord, we would naturally assume that they are following our policy, until something to the contrary appears. But what I was trying to make clear, My Lords, is that we didn't exercise what we might call day to day supervision of the Youth League. 10

But in terms of their constitution they were subject to the control of the African National Congress itself? --- That is correct, My Lord, because naturally if the Youth League started to carry out any activity or pronounce anything that was contrary to the African National Congress, we would then say no, you are departing from policy. 15 20

And I take it that the African National Congress itself was as much interested in the political education of the youth as the African National Congress Youth League was? --- That would be so, My Lord.

Now in 1955 the African National Congress at its meeting in Orlando, Transvaal, passed a resolution dealing specifically with the desirability of political training, this was at an Annual Conference, a National Conference, and the Exhibit is A.M. 52. Would you just have a look at that? --- Yes, My Lord. 25 30

The second resolution : "This Conference, having fully considered the organisational weaknesses of the

A.N.C. both in the political education of the members and branches, Conference recommends to the incoming Executive to immediately embark on the implementation of the plan recommended by the National Executive at the National Conference in 1954, and further endorsed by the Transvaal Provincial Conference that : (a) Every Secretary of the African National Congress from the highest to the lowest must undertake a course of political training for at least three months; (b) Every member of the Executive must undertake a course of political, theoretical and organisational training for at least two months; (c) Every Freedom Volunteer must undertake a course of political organisational training for at least one month. Further Conference urges that the incoming Executive to take immediate steps to organise the people in the country-side. Furthermore Conference urges that all members of the African National Congress must take sufficient interest and give a lead in matters effecting the people locally, and arouse the political consciousness of the people against issues effecting them in their day to day life".

Is that correct? --- That is correct, My Lord.

And that correctly represents Congress policy?  
--- Congress policy and aims, My Lord.

Now it is quite clear, isn't it, that this political education was not merely going to be an academic education, the people had to be taught to think and work along certain lines? --- That is so, My Lord.

And that is why this document also says the people must arouse the political consciousness against issues effecting them? --- That is so, My Lord.

And then the sixth resolution : "This Conference having seriously considered the state of political

immaturity of the masses of the people urges all members of the A.N.C. in particular to broaden their interest in the field of political literature, for instance New Age". That was also a Congress resolution, was it not? --- That is so, My Lord.

5

And then finally on this aspect I just want to refer to document T.T. 35, which is Sisulu's address at Veeplaats, in which Sisulu inter alia say : "There is wisdom in the change of tactics according to the objective conditions and circumstances in each given situation. The important thing in the struggle for liberation is to raise the level of political consciousness of the people to the highest possible level, through struggles, to mobilise and organise all potential forces and to create a clear vision of the future. It is by the use of superior methods of organisation that we have beaten and will beat the government in future struggles". I take it you also agree with that view? --- That is so, My Lord.

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What does the African National Congress mean when they use the word "reactionary"? Somebody or some movement is reactionary? --- My Lords, I think it is abit difficult there to say what does the African National Congress mean when it uses the word reactionary, because the word is used by individuals and it depends really upon what is in the mind of the individual. Now I'll have to explain more of what I would have in my what I say reactionary, and...

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No, the word "reactionary" is used by the African National Congress. It is used in their reports, referring to people being "reactionaries", referring to political parties being "reactionary" groups. What does the African National Congress mean when they say a person

30



or a party is reactionary? --- My Lord I will explain in terms of the general understanding, but I find it a bit difficult personally to say now the African National Congress has this word - you might get somebody expressing the same though in another word. I don't know whether one can label a word and say now this is the way the African National Congress expresses things, but generally when we say reactionary we mean any person or group which in our description does not accept the propositions that we stand for, namely the acquirement of political rights, the removal of discriminatory laws, and things pertaining to freedom in general. Now a person who appears not to support that point of view or does so in a limited way, the current expression would be that that person is reactionary.

So reactionary would be anybody who doesn't subscribe 100% to A.N.C. aims, policies and objects? --- There would be degrees and degrees, My Lord of not accepting. I don't know whether you would use that as a general term- I am explaining that in a general way. I feel you can't say this is expression of the African National Congress so that in describing that you will find the African National Congress always using that expression.

Well, the Liberal Party would belong to the reactionary group, wouldn't it? --- They would not.

They would not? The Liberal Party? --- No, I wouldn't classify them....

No, I don't want to know what you would do. The African National Congress? --- My Lords, I would like some assistance, because you never sit down to discuss in the organisation and say now in this context you will use this expression, in this context you use this

expression. An expression might become current within a group of people, but I don't know whether you can say it is the expression of those people, and it is also possible that in using a kind of expression the degrees to which that might be applied might be different with different people in the same group. 5

Mr. Luthuli, during the period 1952 to 1956, did the African National Congress consider the Liberal Party a reactionary group? --- My Lords, I wouldn't say the African National Congress. Someone might have described them as reactionary, and another man might also have described them as reactionary... 10

I am talking now of official African National Congress publications. Did they describe the Liberal Party as a reactionary group? --- It is possible, My Lord, that you would get a document that ... 15

Was that the view of the African National Congress? --- My Lords, I wouldn't say.

You don't know? --- I wouldn't say that I don't know, I wouldn't say. 20

What do you mean, you don't agree or don't you know? --- My Lords, I have tried to explain that insofar as an expression is concerned, a person might be writing this resolution for instance, it is a written resolution, a man uses the word "reactionary". Now we understand what that person means. That same idea could be expressed by another person who is writing that particular resolution, it doesn't follow that because a particular resolution has a particular expression, therefore that is the expression and the only expression of the African National Congress. You might get the same idea expressed by another writer of the resolution. Now one can't stand up and 25 30

say, Mr. Chairman, I move that you remove that word and put reactionary, because the idea is expressed, My Lord.

Mr. Luthuli, I am not talking about what any particular individual did. I want to know from you whether 5 the African National Congress, during the period 1952 to 1956 regarded the Liberal Party as a reactionary group? --- How could we as an organisation really say to the Liberal Party - as an organisation now - when the Liberal Party came into existence, we immediately came to an 10 understanding with them, that we shall co-operate with them on all issues where we agree, and that has been the policy that has regulated our relationship with the Liberal Party. Now, My Lord, I have said on issues where we agree. It is conceivable that there might be a certain 15 issue where the Liberal Party might see differently from us, and there are issues like that. An individual describing that aspect would then say, as far as this is concerned, the Liberal Party is reactionary, on a particular specific outlook, My Lord. There is no question of the 20 African National Congress describing the Liberal Party, when it is co-operating, as a reactionary group, My Lord.

BY MR. JUSTICE BEKKER :

Do you mean to the extent that they agree with you they are not reactionary, and to the extent they do 25 not agree with you they are reactionary? --- That is so, My Lord. My Lord, I must stress that I can't accept the proposition that the African National Congress has a certain terminology which becomes the terminology of the African National Congress, no matter how certain expres- 30 sions may appear in a document, they cannot be labelled as A.N.C. terminology, and no other.

BY MR. TENGGOVE :

Is the point that words have no meaning to the African National Congress? --- I have not said so.

Now would you regard the South African Institute of Race Relations as a reactionary group? --- I am afraid 5  
now if I reply the questioner will say is that A.N.C. or yourself.

No, just understand this very well. I am asking you now only to speak on behalf of the African National Congress. Does the African National Congress, 10  
- do they regard the South African Institute of Race Relations as a reactionary group? --- I have never heard the African National Congress discussing the Institute and say now you are **classified**, this group, as a reactionary group. Certain utterances of that body may be regarded 15  
as such.

We will come back to that, Mr. Luthuli. I think we have it that political education of the masses was regarded as one of the most important aspects for the preparation of the liberatory struggle, and political 20  
education I take it was one of the methods used by the African National Congress to raise the political consciousness of the people? --- That was the aim, My Lord.

And may I put it this way that it was one of the means by which the African National Congress sought 25  
to develop what is called in a number of your messages, "the devine spirit of discontent", "the spirit of devine discontent". Do you remember? --- I recall, My Lord.

And it was the task of every consciencious member of Congress and particularly of the Freedom Volun- 30  
teers to spread this knowledge and understanding of the political situation amongst the masses? --- My Lord, as one

has said, that was the aim of the African National Congress. At all times it has been the aim of the African National Congress to further the political education of the people.

And this had to be done by people who knew 5  
what the political aspirations of the African National Congress was and who were able to assess the political condition and who were able to guide the people politically?  
--- My Lord, I will say it was supposed to be carried by  
people who know and I underline the words "supposed to 10  
know", because it is I think a wellknown fact, My Lords,  
that there is a big gap very often between desiring a  
thing and achieving it. Now, I am not prepared to say  
that all of the Volunteers that went out or any active  
member of Congress, would be conversant fully as I would 15  
like them to be, with policy. But I desire it. And My  
Lords, one must also make this observation in that connection that you will I think find that as you read our  
records, the constant occurrence of pointing out our  
organisational weaknesses because that is one of the 20  
weak spots in our organisation, Between resolve and action  
sometimes one finds there is a big gap, My Lord.

Now in order to equip Congress members and  
Volunteers for this task, the African National Congress  
felt that it was necessary to have study classes and to 25  
have lectures, so that these people could go out and  
spread the gospel amongst the masses, is that correct?  
--- When you say "is that correct", I say is that  
correct in the sense of having a desire and a plan or  
correct to the extent that was that done? 30

Was that what the African National Congress  
wanted to do? --- That is so, My Lord.

Now you have before you the 1954 Report of the National Executive Committee, A. 38. Would you look at page 14? --- Yes.

You see that Resolution that I referred to just now about the necessity for training you see that repeated there, and then at the bottom of that page you see it says that lectures have already been prepared? --- I see it, My Lord. 5

Was that a fact or was it not a fact? --- I wouldn't say that insofar as the lectures were concerned they were not prepared, they could have been prepared, but I cannot say now what type of lecture would have been prepared under this, My Lord. 10

You were party to this report, were you not? --- That is so, My Lord. 15

And before this report is submitted to Congress it is approved by the National Executive Committee? --- That is so, My Lord.

And I take it that before the National Executive Committee approves of a report, they satisfy themselves that it correctly represents what is stated in the Report? --- That is so, My Lord, it is possible that the Secretary might receive a copy, but generally, I mean My Lords, you hear that there are lectures, you may have a look at the lectures or not. 20 25

Who would prepare these lectures that are being used for this vital part of the liberatory struggle? --- The general procedure, My Lords, would be this that the Working Committee would either call upon certain people to prepare the lectures and then the people who are asked - they would be asked to submit these lectures to the Working Committee. 30

And then? --- Then they would be available of course for distribution as the resolution points out, to anyone who desires to have those lectures, and they would then apply for them. I must also say, My Lord, at that point, just as it is pointed out that those who wished to 5 apply may apply for them. Now it is conceivable for instance that you might get some branches and some provinces not applying for them.

I am not asking what interest the provinces have in the National Executive Committee Report. I want to 10 know, you, the members of the National Executive, the Working Committee carries out its functions, acting on your behalf, and when you meet the Working Committee has to report and you have to approve what the Working Committee does, and finally you submit a report to your National 15 Conference? --- That is correct.

Do you want to convey that the National Executive Committee did not know what these lectures were and whether they had been prepared and if so by whom and what was contained in them? --- My Lords, I don't know 20 that I can state really speaking in a general way to say now, when you refer specifically to these reports, in terms of that resolution, now with material that goes out I cannot say that in 1954 there were these lectures, I read them, and checked that they were distributed. I am 25 saying in a general way, just as the resolution says, they are - there are available lectures. It is possible My Lord, that other members of the Executive might read those reports, just take them and read them, but I wouldn't accept My Lords that unless one sort of doubted the 30 - doubted his colleagues, let me read through the entire lecture before I say they may be sent out.

BY MR. JUSTICE BEKKER :

Is it possible that these lectures might go out without any member of the Executive Committee having informed himself what these lectures are and what the contents are? --- My Lords, it is possible. A man might just 5 merely take a copy for himself to read afterwards.

What I mean is this, is it possible that not a single member of the Executive knew what these lectures were, the contents of these lectures, before they went out? --- No, My Lords, I would say that there would be some 10 members who would know about the contents of these lectures.

BY MR. TRENGOVE :

They would not go out unless the National Executive Committee had approved of them? --- I wouldn't go to that extent with educational material. I wouldn't 15 go to the extent of saying they would not go out until the National Executive had approved of them. Now I would say this that the Working Committee could prepare lectures and send out those lectures. Afterall, the lectures are merely educational material and one must assume always 20 that they are prepared in line with Congress policy and outlook. So I wouldn't suggest, My Lords, that the material would wait until there was an Executive meeting for endorsement.

Let us say that they would have to be approved 25 by the Working Committee? --- That would be so, My Lord.

And these were not ordinary academic lectures, these were lectures to be used for the mental preparation of people in a struggle with a very definite object and purpose. That was the object of these lectures? --- That 30 was so, My Lord.

And I want to put it to you that the African



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