

BY MR. TRENGOVE :

Do you think it would be a matter in which the African National Congress would be interested? The existence of those two organisations? --- My difficulty My Lord is this that I do not recall the very nature 5 of those organisations and their purpose. If I know that, I would be able to say yes, the Congress would be interested in their existence. I am in that difficulty.

I must leave you in that difficulty for the time being, Mr. Luthuli. What was the attitude of the 10 African National Congress towards the rearmament of Western Germany? --- They were opposed. I think in general they were opposed. Now one must say My Lord, in things like this, one's can't say Congress policy, it might be a general view held, a speech might not even 15 have the stamp possibly of officialdom, but I think generally we were opposed to the rearming of Western Germany.

Why? --- Well, we - standing for peace as we are, speaking personally, I think the question of 20 increasing the army of nations doesn't help.

Did you think that the Peace Council, the World Peace Council or the South African Peace Council, did you think that they were pacifist organisations? --- No, My Lords, I wouldn't say that personally I would put 25 them on the basis of pacifists, but I did put them on the basis of working for peace.

Now how would the re-arming of Germany - would you regard that as a threat to peace? --- My Lords, it could be. 30

What was the policy of the African National Congress towards the Warsaw Agreement? --- I don't

don't know, My Lord, I wouldn't express myself on that.

What was the African National Congress policy in regard to the - in regard to atomic weapons? --- My Lords, there again I wouldn't say policy, but the general view was to condemn any thing that would be placed in the hands of man to cause tension. But I wouldn't say policy, it is just a view held.

What was the African National Congress policy towards military alliances between the countries of the West and countries such as Pakistan and Japan and so on? --- My Lords, we had no policy towards that. I think that it is fair for me at this stage to say that insofar as the world was concerned, the African National Congress had no world policy, it would be determined by situations that arise and discuss the situation. It wouldn't have what you call a world policy.

What was the African National Congress attitude towards the establishment of military bases by the West in Africa? --- There again I think that the general view, I don't put it on the level of policy, the general view was that it was opposed to that kind of thing.

Did it express itself? --- I don't recall, but I wouldn't be surprised if it did.

What was the attitude of the African National Congress towards the establishment of war bases by Soviet Russia in different parts of the Russian satellites, countries forming an alliance with Russia? --- My Lords, there again I wouldn't know except that **if those** were established, and Congress felt it would be a threat to peace we would object to it. But I don't recall really.

Mr. Luthuli, I want to put it to you that

African National Congress consistently took up the attitude in speeches, in documents, that everything that the West did on the international front was wrong, and it attacked and criticised the West on every conceivable occasion, whereas everything that the other camp did, 5  
 was held out to the people as a contribution towards maintaining world peace? --- My Lord, I think it is correct to say that the Congresses were more critical of the West than they were of the East, in this sense, My Lords, that our lives are more touched by the West, 10  
 the oppression under which we suffer and against which we are struggling, came from the West, and so we were definitely more critical of the West. Now we have no contact with the East at all, so there wouldn't be much occasion of our having to criticise the East, because 15  
 as I have said, My Lord, insofar as international politics are concerned, Congress did not indulge in international politics, except insofar as they effected Congress. So that would be quite...

BY MR. JUSTICE BEKKER :

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Mr. Luthuli, just on the question of what you have in mind - you have explained why the criticism of the West was there, but you added that "we have no contact with the East". What is it you have in mind?  
 --- What I mean is really our life here, My Lords, is 25  
 not in any way effected by the East. For instance I have already said, My Lord, that we appreciated whenever any country for that matter stood for peace like Russia, not because we particularly favoured Russia, but where any country would seem to support a thing which we 30  
 favour, naturally My Lords we would appreciate that. For instance, at the United Nations, any nation that would

support our cause would appreciate that.

What I have in mind is this, I can understand criticism for the West, because the West is the source of oppression. But does that entitle one to praise the East? --- Well My Lords, I don't know that 5  
we - I accept the proposition that we praised the East as such. If I said so, then I must correct myself. What I am trying to say My Lords is this that if there was any particular action by the East which in our view supported our own stand, for an example, peace - for 10  
example, My Lords, we stand for equality of man, naturally we would appreciate that, My Lord.

BY MR. JUSTICE RUMFITT :

In the view of the African National Congress, in these years, 1952-1956, did Russia stand for peace 15  
and the West for War? --- My Lords, I think I would say this again that I don't want to put it as a general view held by the organisation, but I think that in general My Lords, the view would be held in the light of well, discussions, that it appeared that the West, 20  
under the leadership of certainly the United States at one stage, was more for a conflict than probably would be Russia. But there again, My Lords, I don't want to put it on the basis of it is a Congress view, because such things were never discussed, My Lord, that I must 25  
make quite clear.

You say that the view might have been that the West stood more for conflict than Russia might have stood. Was it considered by the A.N.C. that Russia stood for conflict in a lesser way than the West? --- 30  
My Lords, it - on the surface it would appear it was so and I emphasise on the surface because we never go into



these matters deeply...

No, my question was, did the African National Congress consider that Russia stood for war, but the West stood more for war? I am using your phraseology. You said that the view might have been that the West stood more for war than Russia. My question was really, was the view of the A.N.C. that Russia stood for peace? In other words, directly opposed to the West? --- I see. My Lords, we did realise that there was a conflict between the East and West, the cold war as it was called. Now I wouldn't be able to say My Lords that now in this conflict we exonerated a certain group completely and said now this group is exonerated, completely. But, I am trying to say My Lords, I may be expressing my own mind which may not have been shared by others, but it appeared as though the West, under the leadership of the United States was more responsible for the strained relations in the world.

You also said that it might have been that the A.N.C. was more critical towards the West than it was to the East? --- I have said so.

Was the A.N.C. in any way ever critical towards Russia? --- I don't recall, I don't think we ever made a statement critical of Russia. I don't recall, My Lord. )

BY MR. TRENGOVE :

You see, Mr. Luthuli, you were being fed on communist propaganda from the East. That is why you were critical towards the West and you never uttered a word of criticism towards the East. Through these international organisations, you were being fed and you accepted the communist propaganda that they were

spreading throughout the world? --- My Lord, that is not correct. I am quite sure that a large body of people in Congress, I include myself, know very little or nothing about the conditions of the East that you refer to, so that would be totally incorrect. I have already indicated why My Lords we were critical of the West and are critical of the West, because after all, we are in the West and we are suffering under the West.

Mr. Luthuli, your people, Congress movement leaders, Sisulu, Nokwe, Joseph, - Paul Joseph, Lilian Ngoyi, Masina and others, they went to the countries Russia and their satellites, they saw conditions there? --- They did, surely.

They were met there by the leaders of those countries and discussed matters of common concern, and they came back and they reported. Do you deny that? --- I wouldn't deny that, no.

Your organisation had an intimate knowledge of the political theories and practices of the East and Soviet Russia? --- Oh no, that I deny. I categorically deny that, because the fact that those people did go to the East, and they were merely a small number of the leadership, does not indicate that therefore in fact the organisation had intimate knowledge of the East. That is very wrong indeed. We don't have intimate knowledge of the East. And also My Lord, it doesn't follow that because they went there, therefore they carried out propaganda for the East, which they didn't do, not to my knowledge, anyway. They may have done so privately, but not through Congress machinery. They may have done so privately. Quite definitely - at any rate speaking for myself, and I think many African

leaders, their knowledge of the East is very vague.  
So your statement is most incorrect.

BY MR. JUSTICE RUMPF :

If the majority of the people - if their knowledge is very small, would they not be more susceptible to propaganda? --- My Lords, I ...

Without knowing that it might be propaganda? --- Well, the ordinary people might be. I said the leadership, My Lord. But I think the leadership wouldn't be. After all, a leader knows his mind, I mean he knows what he wants and knows what he stands for. But with the rank and file, that might be true, My Lord. But the point My Lords then is this, how much did that propaganda go to the rank and file? And I say My Lord I don't think much of it, specially not through Congress machinery.

But if the members of an organisation would not know communism as such, would not know that a particular brand of political philosophy is to be regarded as communism, then would it be easier for leaders - I am talking hypothetically - to convey communist propaganda without the rank and file knowing that it is communism? --- Yes, I concede, My Lord, it would be. Because they wouldn't have a standard of judging. So long as that particular thing presented appeared to them to meet a need, a particular need which - under which they suffered, they would be more susceptible.

BY MR. TRENGOVE :

Take Communist China, for instance. What was the attitude of the African National Congress towards communist China? --- One can't stop the Crown really using such an expression, but when you say the attitude of the African National Congress, I have already indicated

that our attitude was not an overall one, it was determined by a particular situation. Say that now communist struggle - say that now communist China has struggled and freed itself, we admire communist China to that extent, it is quite correct.

Did you express that admiration? --- I think we did. I wouldn't recall, but I wouldn't be surprised if we did.

Did you regard communist China as one of the countries that were struggling for peace? --- It was a country that was struggling to free itself.

But after it had freed itself? --- There again, My Lords, there would be no Congress mind, but leaders might express themselves in that direction.

Well, I want to show you a document, B.115, which is headed "African National Congress Transvaal"; and which is signed by P. Mathole, Provincial Secretary. Do you know Mathole? --- I know him.

It states in the first paragraph : "On the occasion of the Seventh Anniversary of the People's Republic of China, the African National Congress salutes the peoples of China and congratulates them in their fight for freedom, and their brilliant efforts which have led them to total liberation from the clutches of imperialism". Then it talks about the - China having routed the imperialists, and it refers to the fact that Chinese people were downtrodden and exploited in the same way as the African people in this country and that today they are free, and then it says in the third last paragraph : "The African National Congress extends its hand of friendship to the Chinese people, and places on record its appreciation of the role played by the People's



Chinese Republic in the struggle for peace and friendship. The struggle for human rights continues despite the machinations of warmongers who are daily finding new excuses for disturbing world peace in order to perpetuate their lust for domination." Would that represent Congress view on China? --- My Lords, I have already said to the Crown that I cannot speak of a Congress view on China.

This comes from the African National Congress? Transvaal? --- Yes, it does.

You say that is not Congress view? --- But the Transvaal or the Cape of Natal as such do not express what one would describe as Congress view, that is what I am trying to make quite clear. Now, coming on now to what you have just read, I think that in general you would find many people supporting that, but I refuse to accept it as a Congress view because there is no general Congress view that is agreed upon that now we are having this view on this particular country. Now most people would support that.

Mr. Luthuli, I want to refer you to another document A.9. It is a roneod document and it is the same as the typed document T.T. 33, a document alleged to have been found in Tshume's possession, a document headed "The Significance of World Youth Day", the first paragraph : "World Youth Day is a day of celebration and rejoicing for the youth of the world. It is the day for celebrating victories won by the oppressed and exploited people in their struggle for independence, national existence and peace. Only five years ago the great Chinese people threw off the shackles of feudalistic and imperialistic bondage and have established the highest form of democracy ever evolved by mankind, namely people's democracy." Do you agree with the view that the type of democracy one

has in China is the highest form of democracy ever evolved by mankind? --- My Lords, I wouldn't express an opinion there because I do not know really the nature of the government of China and so on, except in a general way, so that I am not prepared to express an opinion and say yes it is or it is not. The writer there may have had sufficient facts to justify that statement, I cannot dispute it.

My Lords, the reference to this document in the record is page 154, My Lords, and page 1009. You see, Mr. Luthuli, this is the type of propaganda that was published by the World Federation of Democratic Youth and it is the type of propaganda that was spread by the African National Congress and the other Congress movements on the Colonial Youth Days. You know that, don't you? --- I don't.

You attended Colonial Youth Day meetings? --- I don't recall attending one, I may have sent a message, I don't recall attending one.

Yes, you attended one in Johannesburg in 1953, where Resha spoke and Kathrada spoke and Nokwe spoke? --- I wouldn't deny it, I don't recall.

But you know the People's Republic of China is a communist state? --- Yes. But what I mean is that I do not know the nature of the communist states.

I have already said even Russia, I do not know the nature of that state to be able to say now it is carried on this way and that way, I criticise this, I approve of that. I am not in that position to say so. That is all I am saying.

You really mean Mr. Luthuli that you as the political leader of what you claim to be the biggest

political organisation in the country, you don't know what the nature of the democracy is in China, and RussiaK  
--- My Lord, I have a general knowledge from general reading, but I am not a student to be able to know it. I think I have already said in evidence that there are some aspects from what I hear that I don't like. Now, if you now ask me about the details of those governments, I wouldn't be able to tell you.

But you collaborate - your organisation collaborates with the World Federation of Democratic Youth to public and spread this type of propaganda? --- The African National Congress doesn't.

Doesn't do what? --- I mean it doesn't collaborate with these organisations, I have already indicated the view of the African National Congress. It doesn't. Only to the extent that any particular group might be interested in an aspect of - might be saying something that might support our own, yes, but we are not supporters specifically of any one particular...

No, Mr. Luthuli, you held out those countries as the examples of what real democracies are, because you wanted the people in this country to accept that type of democracy, and you know that? --- I don't know that, because I don't recall a single resolution of the African National Congress where it says that now we uphold China as an example of a republic that ought to be established here. I don't recall a resolution like that.

Because you had not yet sufficiently indoctrinated the masses? --- We are not indoctrinating the masses. The African National Congress was not indoctrinating the masses to accept China or any world state.



It never did.

Mr. Luthuli, you were using the communists as your allies, not only on the international scene, but also in your organisation, which was infiltrated by communists? --- I cannot carry the matter any further, I just leave it there. The Crown can hold its opinion, support it if it can. I have already stated the official A.N.C. view, in the matter, and I categorically say

I don't know of any instance where the African National Congress held up any Eastern state and said now there is an example, we would like to see this type of government established in South Africa. Congress has expressed its mind, we have our Freedom Charter that expresses our mind.

Mr Luthuli, I want to refer you to another document - no, I may just refer you to another paragraph in this document. Look at paragraph 5, World Youth Day is a Day of Sorrow, have you got that? --- I have it.

"World Youth Day is a Day of Sorrow. It is a day of mourning for those who have died for the cause. Let us think of our young brothers who are daily murdered by the imperialists in Kenya, in Malaya and Guatemala. The flow of blood of these finest sons of the working and exploited peoples is enough to seal and reinforce the solidarity of the fighting youth in the colonial countries and the world over." Do you agree with that? --- My Lords, I wouldn't say I agree with that or disagree with it, to start with, the very first sentence, "The World Youth Day is a day of sorrow." Now if I have not, let me let the Crown know this that I do not possess knowledge about for instance the World Youth Day and all that it stands for to be able to express a mind. Just to start with, "It is a day of



mourning, why it is a day of mourning, I cannot give you...

Well, it says so, "for those who have died for the cause"? --- Yes, now you ask me to interpret that. I have got to say, "who died for the cause", what cause?

It is quite clear from the context, Mr. Luthuli. You know it is for the cause, the liberatory struggle which was being fought the world over? --- My Lords, I wouldn't be able to go to that extent, because I do not know the programme of this particular group - the World Youth, for me to know its programme and say now they are connected with the world over and therefore when they speak they speak on behalf of the entire world.

Mr. Luthuli...? --- It would not be fair of me even to state an opinion to that extent.

Mr. Luthuli, are you suggesting that as head of the African National Congress you know nothing of the World Federation of Democratic Youth? --- My Lord, I know of the existence, but I do not know of the details of their activities, please, I have indicated that several times. And I don't know that I should.

What did you think this World Federation of Democratic Youth, was. Did you think it was a prayer meeting or what did you think it was? --- My Lords, all that I know is that it was an organisation of the youth of the world coming together to speak on world affairs insofar as they concerned youth, which is a very general statement. I cannot be specific any more than that.

You didn't know that the World Federation of Democratic Youth had any particular purpose in getting the youth together? --- My Lord, I have never applied my mind to that aspect, and I don't even know that it is obligatory on one to have applied his mind.

It is not a question of being obligatory, but did the African National Congress decide to affiliate and support the World Federation of Democratic Youth? And yet you say you know nothing about it? --- Should I say I do if I don't?

No, it is just, Mr. Luthuli, that you don't seem to know anything about Congress activities? --- That is your opinion. A lot more things in Congress than the things than you are asking me about. A lot more.

You spoke at the Colonial Youth Day in Johannesburg in February, 1953? --- That is correct.

I take it that you tried to find out what this Colonial Youth Day was and why it was being celebrated? --- My Lords, if I did try to find out then, I cannot specifically say, but this organisation in general I know is an organisation that tries to interest youth in world affairs, and the youth of the world - not only the youth of the East, the youth of the world. And I mean to that extent I could see now no reason why one wouldn't speak at a meeting of world youth to encourage youth along those lines.

I am not criticising you for it, Mr. Luthuli. Mr. Luthuli, you are quite right that the World Federation of Democratic Youth is a world youth movement, is for everybody, the youth of every country, but it is to indoctrinate the youth to think along certain lines, and to take an entirely biased view of international politics? --- My Lords, my own information - I might be wrong, as I have said I am not a student of these things - is that the movement to which the Crown has referred, in particular this one that they ask me about now, is not what you would call a communist organisation.

It is attended by communists and non-communists. I may be wrong, I may be wrong, I am open to correction. Its membership isn't confined to what I have heard, to communists.

Mr. Luthuli, you don't know enough about communism to be able to judge the character of the organisation, is that correct? ---That is correct, but I am saying that from the little knowledge that I know and from what I have heard of these organisations, they are not labelled as communist organisations. People who are not communists may be members of that organisation. I may be wrong, but that is what I have heard.

Mr. Luthuli, I want to refer you to the Lodestar, S.A.M. 9, - the African Lodestar, the Colonial Youth Day Issue, There is an editorial attacking Churchill and everything that he stands for. My Lords, this is at page 3126 of the record. And then there is an article, "Why Colonial Youth Day on February 21st". Do you know why, Mr. Luthuli? --- I don't.

"On February the 21st, 1946, the Indian sailors in Bombay took to arms and revolted against the British colonisers. As a consequence of this revolt, a series of similar revolts took place in the army, the air force and the Indian police. Brutal British colonial repression resulted in workers and students revolting as well. Strikes and demonstrations took place throughout India. These events are considered by the Indian people as a stage in their fight for national independence which they now enjoy. On February, 21st, 1947, twenty thousand students demonstrated in Cairo on a day for the withdrawal of British troops", and then it refers to the bloody repression employed by the British to repress this

demonstration and how the demonstration forced the oppression to become powerless and withering. And then there are other dates mentioned here. And then the next paragraph : "Greatest of all Colonial Youth Day celebrations in South Africa took place in Alexandra Township on February 21st, 1953, convened jointly by the African National Congress Youth League" - nothing else is said here, My Lord, but we have the evidence that the Indian Congress joined in too - "On this memorable day when twenty thousand youth of all races staged a tremendous welcome to the President of the people, A.J. Luthuli on his first official visit to the Transvaal. During Colonial Youth Day week meetings of solidarity were held in support of the youth of Kenya, Malaya and Vietnam. Scores of postcards, pledging solidarity were also sent to that venerable leader of the African people in Kenya, Jomo Kenyatta. Every year on February 21st the World Federation of Democratic Youth called upon the youth of colonial countries to fight for their national independence. It also calls upon the youth of the metropolitan countries to oppose colonialist crimes and to express solidarity with the youth of the oppressed peoples. Long life the W.F.D.Y. Long live the national liberation movements of the peoples for the liberation of mankind." Now Mr. Luthuli, did you know that that was the nature of Colonial Youth Day and how it started? --- My Lords, I didn't know, I do not know even now the nature of how Colonial Youth Day started. My knowledge is limited to this that it is a group interested in doing away with colonial...

If this is the nature of the organisation, as you have heard it now from this passage that I have read



to you, would you support it? --- My Lords, until one gets to know a little more I wouldn't here say that I would support it, I would not support it. But now to the extent for an example that Colonial Youth Day opposes and calls upon youth of the world to oppose colonialism, I definitely would. I definitely would.

You will remember, Mr. Lutuli...? --- I don't altogether accept the proposition of the Crown personally that if a struggle is carried on and a particular people happen to be carrying on that struggle by a violent way. Now if I expressed sympathy with those people, I am therefore in fact supporting everything they do. But if they are seeking liberation, certainly I sympathise with those people, definitely. I may not approve of the method, but I think I have said that. That is my stand.

I haven't asked you that? ---But I am mentioning this in connection with what you have just been reading.

You say that sympathy is the same as solidarity and support? --- No, solidarity and support would be stronger.

Now of course your organisation went much further than sympathy, because they identified them with the struggle, they expressed their solidarity and support? --- What do you mean by identified them with the struggle?

There are documents which say that "we identify ourselves with the struggle of the people in the colonial countries"? --- Spiritually identify yourself. I mean you identify yourself with people who are suffering spiritually. It depends upon the interpretation

you put on a thing.

And solidarity and support? --- In the same way.

All spiritual? --- In the same way, definitely.

Now you remember you expressed your appreciation of the way that the people in India achieved their freedom, and you said that that was an example that you always - a shining example that you felt the African National Congress should follow? --- I have said so several times and I say it.

Now this first paragraph which deals with how February 21st came to be recognised as Colonial Youth Day, because that was the day of the revolt in the army and the air force and the police in India, and the revolt amongst students and workers leading to bloodshed and strikes and demonstrations, and that those were the events which played a part in achieving national independence. Were you aware that the struggle for independence in India was being conducted on inter alia - along those lines? --- My Lords, I do not know that the struggle in India was carried along those lines. I do not know to what extent that statement there reflects the position truly in India. It is possible that in the course of the struggle there were revolts, that is possible. But I think that in the main it is generally accepted that it was a non-violent struggle.

But you see, Mr. Luthuli, the point is just this that in the African National Congress Youth League bulletin the fact which is stressed is not the non-violent nature of the struggle in India, the fact which is brought to the notice of the youth is the violent nature

of the struggle in India, and that is help up to the youth as the way of achieving freedom? ---My Lords, I will concede that insofar as that article is concerned that would be correct.

And that is what is being celebrated on Colonial Youth Day? --- My Lords, I don't know that I would say that that is what is being celebrated. There - they would be celebrating how the youth struggled, I have already expressed myself sofar as that is concerned. The Crown may have information that they were celebrating the revolt, or they were celebrating a struggle. I think you must differentiate between a people struggling and the method. Now I am not in a position - but insofar as that I am not concerned, I must say that one reading it would say yes it does highlight the revolt.

This article doesn't only highlight the revolt in India, it highlights the revolt in Kenya and in the other document that I referred you to, the significance of World Youth Day, what is highlighted there is the revolt of the oppressed people and the violence of the colonial oppressor? --- My Lords, I am not in a position to say to what extent really the revolt is stressed, or the mere struggle of the people, and therefore I can't express an opinion.

The South African Peace Council and the World Peace Council, they took up the attitude that in order to ensure peace, world peace, the liberatory struggles in the various countries had to be supported? --- I wouldn't know that as a fact.

Well, when the African National Congress says in its own report on the international situation that the question of peace and the question of liberation

are inextricably bound up with each other, what does it mean? --- Oh yes, that is correct.

What does it mean? --- It means this, so long as you have parts of the world that are oppressed and not free, you really cannot speak in terms of peace. I mean there is a situation where some people are struggling, and you can't speak of peace really in that situation. So that it is when people are free throughout the world that you can really speak of peace.

And on that basis the World Peace Council supported the liberatory struggles throughout the world? --- My Lords, I wouldn't be able to say to what extent their support would go, but I take it that they would be in sympathy with people who are trying to liberate themselves, because to the extent that people become liberated, to that extent you are increasing a larger area of peace in the world.

COURT ADJOURNS.

COURT RESUMES.

ALBERT JOHN LUTHULI, under former oath;

CROSS-EXAMINATION BY MR. TRENGOVE CONTINUED :

Mr. Luthuli, I would just like to refer you to two documents, published by the South African Peace Council, one is A. 248, it is the Peace Movement and the Congress of the People, at page 901 of the record, My Lords, and the second is A. 249, Problems of Organisation, page 912 of the record, My Lords. Now, Mr. Luthuli, do you know these two documents? They were found in the offices of the African National Congress and also elsewhere, and in those documents the South African Peace Council set forth the nature of their



struggle in South Africa as part of the struggle in the rest of the world. Just tell me if you have ever heard of them or if you have ever seen them before? --- I don't think I recall them, My Lords. I would say the same with both, My Lords.

Now Mr. Luthuli, the Peace Council as I have said, says in this document A. 248 that there is a direct link between the struggle for peace and the struggle for liberation, and it says that "national liberation and the struggle for peace proceed upon the same path, because the repression of national liberation movements is regarded as a danger to peace" by this organisation. So that I want to put it to you, Mr. Luthuli, that then Peace Council, the South African or World Peace Council, their attitude is that it may even be necessary to resort to force to ensure world peace, because in certain countries the liberatory movements can only succeed if they resort to force? --- My Lords, I wouldn't know about the views of the Peace Council in relation to the form of struggle.

Now then the Peace Council also sets forth what it regards as threats to peace. It refers to the reconstitution of the German army as a threat to peace, it regards the maintenance of the Syngman Rhee Government as a threat to peace, it regards the supplying of arms to Formosa as a threat to peace, it regards the - what it calls the military alliances such as N.A.T.O. and S.E.A.T.O. as a threat to peace, and as far as South Africa is concerned it says that the government of South Africa is part of the war camp and the military alliances which are headed by the United States and England - which are headed by the West, - by the U.S.A. Now

Now Mr. Luthuli, in the African National Congress, I think you said that German rearmament you regard as a threat to peace. You said you don't know about S.E.A.T.O. and N.A.T.O. as threats to peace? --- Yes, I did say so, My Lords. I think I said about N.A.T.O....

I just want to put one or two resolutions to you Mr. Luthuli passed at African National Congress Conferences, and the first one is A. 49, at page 309 of the record, it is the report of the Twelfth Annual Conference of the African National Congress Youth League, and attached to that are draft resolutions. "This Annual Conference of the Transvaal African National Congress Youth League meeting at a time when the warmongers led by the United States Government are preparing to throw the world into an atomic war by reviving German militarism in Europe, forming war alliances like N.A.T.O., S.E.A.T.O. et cetera, around the countries of the People's Democracies and interfering in the domestic affairs of the Chinese people who want to liberate their country Tai Wan from the bandit Chiang-Kai-Shek, supports the demands of the World Peace Movement and the South African Peace Council for the banning of all atomic weapons and reduction of all weapons of war, and pledges itself never to participate in any war for the benefit of the imperialists." Now Mr. Luthuli, why would the African National Congress Youth League - how would they become interested in criticising alliances like N.A.T.O. and S.E.A.T.O., where would they get that from? --- I don't know, from their reading, I wouldn't know their sources.

And do you think they would get this perhaps from the literature supplied by the World Peace Movement

or..? --- I have already said I wouldn't know their sources.

You wouldn't know? --- It could be one, I don't know.

Who is the President of the African National Congress Youth League in 1954? It was either - no, it was H. G. Makgothi, was it not? --- I think that is correct, I am not sure.

And do you know if Makgothi was overseas? --- He was, My Lords.

Now in the same document at page 1, one has his Presidential Report to the Provincial Conference, and he starts off by quoting an analysis made by the President of the World Federation of Democratic Youth, saying that one of the most important questions in the international democratic youth movement is the movement of young people in colonial and dependent countries for their rights, national independence and peace. And then the President says this to the youth : "In 1946 four hundred million of Indians took the path which leads to complete independence and freedom. In 1953 the thirty million people of Korea scored a resounding victory against the forces of imperialism led by the U.S. government. Only last year, in 1954, the peace loving world greeted with joy the great people's victories, after eight years of struggle, of the people of Vietnam." And then there are two further names which I can't pronounce, and then the President continues : "Let us all arise and clap hands in warm appreciation of the heroic struggles of the youth of these countries. Their struggles were followed with great enthusiasm by the youth of the world, including the democratic youth of our

own country and they were supported by the peoples of the whole world, including America, France and Britain." And then he deals with the local situation, and in the second last paragraph of his speech, he says : "The strategy of division is clearly shown by the attempts of imperialists to sabotage the Geneva agreement, to surround the free world with war blocs and alliances, and to revive German and Japanese militarism in preparation for a new war in order to enslave the world." And he concludes by saying, "Long live the A.N.C.Y.L. Long live the World Federation of Democratic Youth". Mr. Luthuli, what is this free world that was being surrounded with war blocs and alliances? --- I think My Lords it refers to the East, I think so, I am not very sure.

To Russia? --- Yes.

And its satellites? --- Yes.

And the countries of the East? --- I think so.

Not all the countries of the East though, ..? --- I think it generally refers to the division that you referred to earlier, East and West.

It wouldn't include Japan? --- No, I don't think so.

Because Japan is anti-communist? --- I don't think it includes Japan.

Now can one accept this statement from H.G. Makgothi who was President of the African National Congress Youth League, and I think was a member of the National Congress - National Executive, was he? --- I wouldn't know, but I wouldn't be surprised if he was.

Is this authoritative as far as the A.N.C.



view is concerned on international affairs? --- Oh no, it is not authoritative.

Why not? --- How can it be? I have already said why it would not be.

Mr. Luthuli, I want to refer you to a further document, A.15, page 175 of the record, My Lords. It is the constitution of the African National Congress, and attached to that is the - are the resolutions of the African National Congress Annual Conference, 1954. Do you remember that was in Natal? This was found in the African National Congress offices, and it purports to be resolutions of the African National Congress Annual National Conference. Do you remember it was held in Natal? --- Yes.

And you participated in that Conference?

--- Very partially as I told you.

Now Resolution No. 8 : "This Conference of the African National Congress, meeting at a time when there is no major conflict in the world, after the Geneva Conference and the Indo-China Armistice, salutes the struggle of the World Peace Movement, and asserts its faith in the peaceful co-existence of the peoples with their varying political systems through the principle of negotiation. Therefore, Conference condemns the plans of the ruling clique of America to precipitate a third world war through the creation of war pacts such as N.A.T.O. and S.E.A.T.O. and the whole plan to rearm German nazis. This Conference considers that the modern weapons praised (?) by the warmongers are inhuman, and maintains that the energy in atomic and hydrogen bombs should be diverted to the peaceful reconstruction of the world." Now did you forget about this resolution

or hadn't you heard about it before, Mr. Luthuli? ---  
My Lords, I would like to ask the Crown first before I  
comment, because I think the prosecutor did say a draft  
resolution...

No, that was the previous one, this was not  
a draft resolution according to the document. Now had you  
not heard of this before or do you think you forgot about  
it? --- My Lords, I wouldn't say that I remember specifically  
the resolution, but the sentiments in - expressed in  
that resolution are sentiments that we generally hold.  
Now I can't remember everything that was said...

No, I would like to ask you, the sentiment  
expressed in the following terms, "that the ruling clique  
of America want to precipitate a third world war through  
war pacts such as N.A.T.O. and S.E.A.T.O.", do you agree  
that that was the African National Congress attitude in  
regard to N.A.T.O. and S.E.A.T.O.? --- My Lords, I think  
that insofar as the resolution goes, in general that would  
be. Naturally I wasn't present at the discussion, but I  
think in general, I think as I have indicated before,  
our general feeling was the West under the leadership  
of America was in fact working in that direction.

For a third world war? --- Well, I mean of  
course if you would get a world war, it would be a third  
world war.

And that is what the Americans were working  
for? --- That was the feeling.

And that in order to achieve that, N.A.T.O.  
and S.E.A.T.O. were established? --- My Lords, that  
could be taken - as I say I don't remember specifically,  
I mean I wasn't present at the discussions, but it would  
be taken as part of the technique of the West to cause

tension and as a result of that tension world war might arise.

Mr. Luthuli, on what facts would the African National Congress - what facts would the African National Congress have at its command to come to such a conclusion? Where would it get that information? --- My Lords, I think that the source of that information could be general reading, newspaper, and I mean maybe more specific literature. My Lords, I wouldn't know, the sources of various people who constitute Congress.

Mr. Luthuli, do you or don't you know that this was the type of propaganda that Soviet Russia was spreading in the West? --- Very definitely I wouldn't know that that particular propaganda was carried out by Russia. I know that Russia of course was very apprehensive about the attitude of America and well the fact that she was having alliances, she was very apprehensive, that I know. How far she was carrying out that propaganda I wouldn't know.

You wouldn't from your general reading know that the Communist propaganda was to attack N.A.T.O., attack S.E.A.T.O., attack German rearmament? --- I think in general that is correct.

And you agreed with that view in the international sphere? --- I think in general, in general. And the principle would not only apply to the alliances you have mentioned. I think if you recall what you read earlier, when we say that we really feel that they should be co-existent, people should live in a part of the world as they wish to live.

Peaceful co-existence? - - Yes, peaceful co-existence, so that the principle would apply to anybody,

anyone that would surround somebody else with something which one would regard as dangerous, we would think it is a threat to the world, not necessarily only the East, but it might be the East or the West, so far as the principle is concerned.

Do you know, Mr. Luthuli, whether Soviet Russia at any stage had any similar agreements with other countries? --- I think My Lords just about that time too I think after, Russia also made an alliance with the Eastern countries, I don't know what it was called.

Did you ever condemn or criticise that alliance? --- I don't recall.

You didn't. And you didn't do it because whatever Soviet Russia does, they do for the sake of world peace, Mr. Luthuli, that is your attitude? --- No, that is no conclusion. My Lords, I would like to say this, that if we did, I don't recall, if we did not criticise Russia, it would be this that it would be the view that if she was surrounded first and then she also safeguarded herself, she starts doing the same thing, when we would be more critical of the first group that started. That would be the attitude. But the principle, as I have said, would apply to anybody. If Russia for an example started, I would be very critical, and I certainly would move in Congress circles for similar criticism. If, she started. But now, as I say, on that principle, we feel that each one in his own territory should live peacefully.

Except this, Mr. Luthuli, that even the Hungarian situation and the violence - the violent intervention by the Russian Government, even that wasn't bad enough to deserve the criticism of the African National Congress? --- I don't know if I haven't expressed



my views....

Yes, we have dealt with that? --- So that my views hold. I think I went to the extent of explaining that there was in fact quite a good debate because there were differences of opinion and finally the resolution which you have made.

Did you ever criticise the Chinese intervention in Tibet? The Chinese aggression in Tibet? --- I don't recall it.

You may remember this more clearly, it was last year. Did you? --- I don't recall that we did.

CASE REMANDED TO THE 20TH MAY, 1960.

COURT ADJOURNS.

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COURT RESUMES ON THE 20TH MAY, 1960.

ALBERT JOHN LUTHULI, under former oath;

My Lords, just before the prosecutor starts, I don't know what I should really do, it is a very minor point in connection with the world affairs. He asked me about the North Atlantic Organisation. At the time I said - in fact I tried to see if I could remember it, one knows it more in an abbreviation than the full name, it isn't that one didn't know about N.A.T.O. and also the South East Asia Pact, and the Warsaw Pact - I just wanted to make that correction.

BY MR. TRENGOVE :

Well, what is N.A.T.O. Mr. Luthuli? --- As I know it from just general reading in the press, it is an association of the Western Powers for the purpose of common defence and other co-operation.

For the purpose of defence and co-operation?  
--- Yes, in other fields.

Who belonged to it? --- France, England, Belgium, Netherlands would belong to it.

And if it is for defence, why is it a threat and why does it create the risk of a third world war? --- My Lords, so far as I am concerned really, you have the situation where you come to a point when nations of the world would not indulge in defences and armaments that threaten peace, because if somebody starts to make defences, then someone else will also start at the other end. I think it is correct to say that as a result of that, then you have the Warsaw Pact also coming on, and therefore increasing tension in the world.

What is the Warsaw Pact? --- I think the

Eastern countries, the so-called Eastern bloc.

When was that formed? --- I don't know, I don't know the details, I just said from general reading, I don't know the details.

Did you condemn that as a threat to world 5  
peace? -- I did say yesterday My Lords that when one man  
takes a step and then another one takes - and it must be  
noted that after all insofar as the Eastern countries are  
concerned, it is very near their borders, and then they  
in turn felt - they might not have taken the initiative 10  
- on the face of it one would say they wouldn't have  
taken the initiative if that alliance had not been made.  
On the face of it.

So you say that because it was by way of  
retaliation that it was justified? --- On the face of it. 15

And that the Warsaw Pact doesn't constitute  
a danger to world peace? --- Not in the same sense really  
as the one who started I think, that is my idea anyway.  
I can't carry it any further.

And why do you think the West would feel 20  
that it is necessary to enter into a defence agreement?  
--- My Lord, I do not know the undercurrents of inter-  
national politics. I do not know, I don't profess to  
know, I don't know. I am merely saying on the face of it.

Well, the position is this that the African 25  
National Congress thinks that it knows enough of inter-  
national politics to regard pacts like N.A.T.O. and  
S.E.A.T.O. and German rearmament - to regard those as  
world threats, and yet the African National Congress  
doesn't know enough about it to justify their stand? 30  
--- That is on the face of it. I think on the face of  
it I take my stand, I don't shift at all. I mean after all

if a fellow here were to start himself and I am not  
armed, and then I now also - if one man starts now with  
supposing talking and discussing peacefully, then he  
starts to - for some reason which I do not know - he  
starts to arm and so on, well surely humanly speaking I 5  
would take steps also to arm. Surely if you were to know  
who started to arm, you wouldn't say that I am going to  
start the trouble. Ordinary common sense to me indicates  
that and I can't go beyond that.

Mr. Luthuli, you know that you are talking 10  
nonsense? --- Nonsense?

Do you mean to say that Soviet Russia and  
the countries of the East were not manufacturing arms  
before N.A.T.O. came into being? --- They could have been  
manufacturing arms, I am not going into the general 15  
**affairs** of those countries. I have said that I am not  
going into the intricacies of international politics, I  
do not know them. I have used the phrase "on the face of  
it", and to say nonsense, it is nonsense for you to say  
so.

Mr. Luthuli, you have been fed on communist 20  
propaganda and you have been a willing tool of communist  
propaganda in this country? --- If I had been fed, then  
surely the prosecutor is fed, because I - it just happens  
that I don't know much about communism, and I have not  
been indoctrinated, I am merely struggling for freedom 25  
in the way that I feel, and that is a living fact, and  
in fact I take great resentment at the remarks of the  
prosecutor, great resentment, to say that I have been  
fed, as if I have got no mind of my own. I have a mind.

Mr. Luthuli, the African National Congress, 30  
the South African Peace Council, have been acting as  
agents for these world organisations? --- That is for



the Crown to prove, I am merely giving evidence, I can't dispute whatever evidence the Crown will have to prove that.

Do you admit that or do you deny that? ---  
I deny that. 5

Mr. Luthuli, the African National Congress, together with the peace movement believes in peace through war? --- What do you mean by the phrase "peace through war"

Peace through war, that is what I mean, 10  
that one might fight a war to have peace, Your liberatory movements are entitled to use force, because in that day the world will be ensured of peace, that is what you believe? --- The Crown is most ignorant about the aims and purposes of our liberatory movements in South 15  
Africa. That is all I can say.

Mr. Luthuli, do you regard - the African National Congress regards America and England as war-mongers. You regard Soviet Russia as the champion of peace and friendship, is that correct? --- I have already 20  
indicated my views regarding England. I have indicated my views regarding America, why America is regarded - how it comes into the scene, I needn't repeat myself.

Do you regard Churchill and Eisenhower as international bandits, and you regard Stalin as the 25  
champion of world peace and world friendship? Is that correct? --- I have nothing more to add to what I have said. I have already told you that the African National Congress has got no specific policy on any one country, in - except insofar as they are effected. I don't know 30  
that we said that Stalin is champion of peace. Yes, he does appear - anybody appearing to sponsor peace we savour.

Mr. Luthuli, in a Fighting Talk, G. 1131, of March, 1954, there is an article at page 10 on the First Anniversary of Stalin's death, and it is headed, "Stalin, leader of a new type". This is to be found in the record, My Lord, at page 2973, Volume 15. After 5 referring in glowing terms to Stalin and contrasting what he did with that of the imperialist oppressors, the article concludes : "This is a generation which sings of a man who lies dead. Shall we shed our tears in a shower. Stalin is now the most live of all living, 10 our weapon, our knowledge, our power." That was Fighting Talk, your ally in the liberatory struggle? --- I think - Fighting Talk, My Lord, does not represent official views of the African National Congress.

I don't suggest that it does, I say they 15 are your allies in the liberatory struggle? --- A person could be my ally on a limited basis.

I put it to you...? --- I repeat, a man can be my ally on a limited basis.

BY MR. JUSTICE RUMPF : 20

Mr. Luthuli, has the African National Congress at any time explained to its members to what extent the other organisations, the other congresses are deemed by the African National Congress to be allies? --- My Lords... 25

In other words, did the African National Congress warn its members who read this type of article to what degree the A.N.C. supports this type of propagan-da? --- My Lord, I wouldn't say that there was a specific warning to our members to say now when you read, read this 30 and read it in this light. But My Lord, it is wellknown in Congress circles that we co-operate on specific issues

and that when it comes to other things, people may hold different views. Organisations may hold different views. But the views on which we co-operate are generally known My Lords, in Congress circles.

I am really interested in the knowledge of 5  
the members of the African National Congress and those  
people, those Africans who are not members, but who read  
the material published, like Fighting Talk? --- Well, My  
Lords, I wouldn't be able to go much beyond what I have  
said extending to the general public, My Lords, except 10  
just to merely say that my belief - it is a belief which  
I might not be able to prove, would be this that the  
African public generally knows what the A.N.C. stands  
for.

How would a member of the African National 15  
Congress who does not attend the annual conferences -  
how would he know what the policy of the African National  
Congress was in relation to say this magazine, this paper  
Fighting Talk? I don't know if this is one of the  
magazines which the African National Congress urged its 20  
members to study or to read - I think it is? --- I would  
also say My Lords I think it is, I am not so sure.

If I remember, I think that the African  
National Congress urged its members to read this. Now  
assume a member reads this magazine regularly, together 25  
with the publications of the African National Congress  
itself mainly on provincial level, I think, - assume  
he reads this and the A.N.C. publications, how would he  
know that having urged him to read the Fighting Talk,  
yet the A.N.C.'s policy is not the same as is expressed 30  
in Fighting Talk in regard to international affairs? ---  
Well, My Lords, at present I don't think I would be able

to add anymore to it, except to say this My Lords, that one merely hopes that a member comes to get used to - or rather comes to know the policy as he is in the organisation. He may not know it all at once, as he attends meetings more or less he gets to know the point of view 5 of the organisation. Whether that would give him sufficient knowledge to be able to distinguish, I wouldn't go as far as that.

BY MR. JUSTICE BEKKER :

But if the A.N.C. had no world policy, if 10 the A.N.C. had no world policy...? --- It is the world policy.

But I must remember the reader. If the policy of the A.N.C. at the time was, we have no world policy, then the reader will say the A.N.C. has no world 15 policy, isn't that so? The man who knows the A.N.C.? --- Yes.

Then he sees this. May he not say well, this is a pointer towards A.N.C. attitude to international affairs? Might he not argue that way? --- Well, My Lords, 20 I don't know. If you were recommended a book because it has certain aspects in it - now I think the student reading it, would read it in the light of what he supposed to know and other aspects which have no relation to what he is supposed to know. I don't know that recommending 25 a thing necessarily means that the entire book becomes - and the very fact that he knows that we have got no policy, I don't see how he can attribute that to A.N.C. policy. He might ask and enquire, further, if he is confused. 30

BY MR. JUSTICE RUMPF :

Has the A.N.C. officially proclaimed



or did it proclaim at that time in those years we are concerned with, that it had no express policy on international affairs and politics? Or is it a case that at the conferences no positive resolutions were taken in regard to international affairs and politics? --- My 5  
Lords, I wouldn't be able to say at what stage we became positive and for instance made the statement that appears in one of our reports, where we clearly state our attitude towards international situations and nations. I think it would be round about 1954, I am not so sure, My 10  
Lord, - where I think we clearly indicated our attitude towards nations, and I think also in a Presidential Address round about that time too, I tried to make the point clear. Before then My Lords, I wouldn't say.

Now if in that report which might have been 15  
accepted at a conference, a point of view was expressed favourable to Soviet Russia and the countries of the East and unfavourable to the West, would a reader of say Fighting Talk either before or after this particular event, the report, would he not perhaps think that this 20  
type of material published in Fighting Talk is consistent with the expressed policy of the African National Congress?  
--- My view, My Lords, is that it would largely depend upon the maturity of a particular person. I don't think that normally that would be necessarily the direct effect. I won't say it might not be so with some people, but I think it could be taken as something that would be general, My Lord, that would be my view. It might with some. It might.

Could one perhaps put it on this basis -  
I don't know if I could put it on that basis - that  
having regard to the fact that on your own evidence I think

the African National Congress knew that there were people amongst its members who were sympathisers with communism?

--- Yes, that would be correct.

The African National Congress had no objection to those persons propagating their own point of view 5 amongst the members of the African National Congress? --- No, My Lord, we couldn't, except that as I said a few days ago in evidence, we would not allow a person to use - it wouldn't be proper really for a person to use a Congress platform to express his own personal point of 10 view. But outside Congress forum we have no limit over individuals, My Lord.

BY MR. TRENGOVE :

Mr. Luthuli, on this question of the maturity of people and their ability to discriminate between what 15 is good and what is bad, according to Congress view, you know that your people, the masses of the African people are very, very susceptible to propaganda? You know that, don't you? --- My Lord, I know that the masses generally would be. 20

Very susceptible to propaganda? --- I know that the masses would be.

BY MR. JUSTICE RUMPF :

Are you now talking in the abstract? --- My Lord, I don't know that I would say I know particularly 25 about the African people being susceptible, but I would expect that they would. Now when you ask me specifically are they, I don't know that I can say they are. But I think generally like all masses, I would expect that they would be quite susceptible to propaganda. When you 30 say the Africans are, then I don't know that I can be as categorical as that, My Lord.

BY MR. TRENGOVE :

Well, let me just refresh your memory, Mr. Luthuli. Exhibit E.376, it is a letter written by your - by you to the South African Peace Council, page 2236 of the record, where you wrote on the 9th November, 1954 - 5 where you tell the Peace Council that you would rather not attend the Peace Conference and you give your reason. "It could be used to disastrous effect among our less politically educated Africans by our reactionary enemies, especially the government. In my humble opinion it would 10 be unwise to secure the support and the approbation of the world but the lukewarm and suspicious acceptance by the masses of our people. These people you must agree are much susceptible to propaganda"? --- Surely My Lord, I don't see any contradiction, they are covered by the 15 general. What I have said doesn't exclude them.

Mr. Luthuli, you said that you can't say that you ever said specifically that your people are susceptible to propaganda? --- My Lords, did I say that I never said it, or did I say that I cannot say that they are 20 particularly. Did I say I never said it? I don't remember saying I never said it. I said the African people are susceptible, as any other group - I was not referring to them specifically. I don't recall saying that I never said it. 25

I want to come back to this Fighting Talk, this tribute to Stalin, "our weapon, our knowledge, our power". Now that is what the African National Congress wanted the masses to believe? --- That is not.

Mr. Luthuli, constantly at meetings 30 throughout the country leading members of Congress - of the Congress movement, leading members of the African

National Congress went out of their way to laud in the most extravagant language the virtues of Russia, her system and her leaders? --- My Lords...

Do you deny that? --- I will deny it if you want a categorical answer, because I don't know that one 5 has information about what leaders say all over the country. I deny it.

Is it that you don't know or do you deny it? --- I deny it. I deny it because I can't My Lord, accept the proposition that A.N.C. leaders throughout 10 the country - there may be some leaders who do it, but I can't accept the proposition that A.N.C. leaders throughout the country. Maybe the Crown has information - well, if the Crown has information it is alright, it will prove it to the Court. But I can't accept that proposition. 15

Well, let us not say throughout the country...? --- Didn't you say so.

Well, if you deny that I'll put another proposition to you. At numbers of meetings in Johannesburg and in Port Elizabeth, A.N.C. leaders at public meetings 20 lauded the virtues of Russia and her system and her leaders. Do you deny that? --- My Lords, I wouldn't deny or agree to that because I am not in a position to know about what is said at meetings, naturally, it is physically impossible. 25

You don't know? --- I don't know.

Would it be in conflict with A.N.C. policy to do that? --- My Lords, it depends upon what aspect one speaker might be giving. For an example I have already indicated that one might be speaking about peace, and then 30 mentioning the attitude of Russia as he sees it. But there is nothing inconsistent insofar as I am concerned, with



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