

The testimony of Resha shows that at that time Sejake was an active worker in the African National Congress and also in the South African Congress of Trade Unions. Both Resha and Lollan gave evidence as to Sejake's speech. Resha stated that he was busy at the time with the credentials committee, and heard only portions of the speech, but that he took the matter no further as, as soon as Sejake had concluded his speech, the police rushed in and seized the notes made by Sejake of his address. Lollan stated that he thought at the time, and was of the same opinion when he gave evidence, that the speech 'was a bit wild', but that after the next speaker the police rushed the platform and seized notes and that he thereafter forgot to speak to Sejake about the use of his words "Clash with the armed forces."

In my view, both Resha and Lollan are untruthful and evasive about this incident; the evidence proves that there were several speakers after Sejake spoke and that it was not until later in the day that the police entered and seized the documents on the platform. The cause

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for evasion and untruthfulness is apparent, in my opinion. The speech itself is a violent one, and it is apparent that, on an analysis of the whole meeting, many of those present agreed with the sentiments uttered by the speaker.

The accused Ngoyi addressed the meeting after Sejake, and she is recorded as having said, inter alia,

In Europe there are countries which are free because of their liberation fighters. This Freedom trip is a very heavy trip. There are some people who are opposing us but the time will come when they will be taken alive and thrown into the fire. I think about an example in Germany under Hitler, Strijdom, the Lion of the North, the same will happen to him, but I am not making a speech today - the time is now to work together. It is our duty to teach these Afrikaners here. It is time for them to come together with us."

The accused's attendance at this meeting/.....

meeting is laid as an overt act against her in that she was present and spoke at a meeting convened in furtherance of the objects of the treasonable conspiracy. There is doubt in my mind whether her speech was correctly recorded, or, more probably, whether it was correctly interpreted; the accused Joseph was examined by Ngoyi as to the speech attributed to her by Coetzee, and she said she did not recall it having been said; she stated that at the time Ngoyi was President of the Federation of South African Women and if she had heard such a statement, she would have discussed it with her, in order to enquire whether she intended to convey the impression that violence was to be used in the future. She stated that she paid particular attention to Ngoyi's speech, as she had recently returned from a trip overseas and it was her first public speech. She remembered that Ngoyi spoke "with horror of what she had seen in the remains of the concentration camps and she remembered a reference by her to the fact that people were thrown into the gas chambers and were burnt."

Joseph stated that the interpreter

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at the meeting had difficulty in interpreting, as Ngoyi spoke in English and Sesutu, switching from the one language to the other.

The fact that doubt has been cast on this utterance does not affect my view that Sejake's speech at this meeting contained a number of suggestions that violence would be used in the future in the attainment of freedom.

The next meeting covered by Coetzee can be shortly dealt with: it was a meeting of the South African Society for Peace and Friendship with the U.S.S.R., held in Johannesburg on the 6th November, 1955, and it contains the usual expressions of adulation for the Soviet Union and the manner in which it achieved its freedom, and on the other hand the (by now) common condemnation of the Western Camp.

The final meeting dealt with by Coetzee is an African National Congress meeting of the 3rd June, 1956, and it was a meeting in which the main references were to a government in South Africa based on the Freedom Charter.

Nothing/.... ..

Nothing special need be referred to at this meeting.

I propose next to deal at some length with an African National Congress Youth League meeting held in an open stand corner in Sophiatown on 29th April, 1956. A number of senior officials both in the African National Congress and the Youth League attended and spoke, namely Nthithe, who was then an executive member of the African National Congress Youth League and Provincial secretary of that body; Makgothi, then a member of the national Executive of the Youth League, and a past president of that league, and also, according to the evidence of Ntsangani, a member of the National Executive of the African National Congress about this period (the exact date is not fixed); the accused Maloao, then a member of the Provincial Executive of the African National Congress Youth League, whose position has already been dealt with. Maloao's speech was read in full, and he gave evidence on it and also on what Resha said at this meeting. I shall refer to this in greater detail/.....

detail shortly. Modise, an active member in the African National Congress Youth League, is recorded as having said this:

"Amongst these Dutch people who are in the Government today, we have clever people who know that the Africans are going to get their freedom. I say to those Dutch people that they must tell their people that it is not too late to make friends with the African people. I say to them, let them go and tell Strijdom, let them go and tell Verwoerd and Swart to change their minds because even if the black man is to get his independence by force he will get it."

Maloao's comment on the use of the word 'force' was that he understood pressure would be brought to bear on the Government to change its policies.

The Chairman Nthithe in referring to Modise's address said:

"Mr. Modise has expressed on behalf of the African people their eagerness to

see/.....

see a change in the policy of the
Nationalist today. Mr. Modise has come
up on this platform to try and change
the minds of the Nationalist. We
appreciate it because it is not our
desire to get our freedom with bloodshed
.....!!

The prosecution laid stress on
the speech made by Resha. The evidence is that
he spoke in some African language for about
fifteen minutes, which was not recorded by any
prosecution witness present, and thereafter spoke
in English, which was recorded by Schoeman.

SCHEDULE No. C, RESHA'S SPEECH AT AN AFRICAN
NATIONAL CONGRESS YOUTH LEAGUE MEETING HELD
AT SOPHIATOWN ON 29th APRIL, 1956, FOLLOWS.

SCHEDULE No.C..

Resha's speech. A.N.C.Y.L. Meeting

Sophiatown, 29th April, 1956.

"Why is it today that the Afrikaners are afraid to give the African people education? Why is it that the Afrikaners who came from Holland, people who do not know who their ancestors are, who do not know their own forefathers and mothers, do not want to give us education? The Afrikaners are afraid to give the sons and daughters of this world the correct education, because they are lazy people who want to live on the Africans. They are no better than bugs. The Afrikaners are afraid that if the African people achieve education they will remember the day of Blood River. They know that the Zulu blood which is inherent in every Zulu man - they will remember the day when Dingaan put his spears in the hearts of the Boers. They know that once the sons and daughters of this country are educated they will remember the day when that great man Sekekunc " and I omitted something - "they know that once we are educated we will remember the days of those great sons of the Basutos, the days when on the mountain of Thaba Basegu (?) they stole the hearts of those hungry people. They will remember of course the Basuto people will remember that day the revolvers and the guns could do nothing; when the stones came running

everyone was killed. And, of course, if the African children are educated they will remember the day when that great gentleman Makana said to the Afrikaans tomorrow ---" and I omitted something there - something about Grahamstown - "the Afrikaners and Dr. Verwoerd know that if you are educated you will play on them the same trick that that great Dingaan played on the world when he called them to lunch because they are always hungry and they put the spears through their hearts. The Afrikaners know that once your children are educated under you and me they will not be afraid of the Afrikaners who are carrying the revolvers. The reason why Dr. Verwoerd doesn't want your children to be educated is because he knows the minute you are educated he knows that you will know that the grandfather of every Afrikaner was that thief, no other than Jan van Riebeek. That is why, friends, I say to you this afternoon it is important that you must refuse to accept Bantu Education, because it is going to teach your children to look up at the Europeans just because his face is white. The Afrikaners under Dr. Verwoerd knows that once your children are educated they will know that these people unfortunately find themselves in that position today. Your children will know what they see and what they do. Yes, friends, I know that any of us here today can teach our children various

things that have been mentioned, but I want to call upon the youth of Sophiatown to see to it that our young brothers and sisters who are growing receive the right education. One day in China when the English people had refused education to the Chinese people in the same way as the Afrikaners are doing today, this is what happened. The Chinese people could not get paper, they could not get pens to write with, but they decided to use stones and in order to write they had to extract blood in order to sign messages to other Chinese in other Provinces. And I therefore want to say to the youth of Sophiatown, our first duty is to handle these people in the flying squad. They are nothing, we can handle them. For many years our great leaders of the African National Congress have been speaking to the various governments of South Africa. Still the governments could not understand the language our leaders have been speaking. This happened in Russia, in the 18th Century. When a son of Russia wanted to convince the Tzarist Government that they are oppressed the Government could not understand the language of the leaders of the Liberatory Movement in Russia, but it was only when the youth of Russia spoke; then they had to listen. The leaders of the French Government could not understand. Even the resolutions that the people took were not taken seriously but when the youth started to take action then the

Government began to understand. When the people of Sophiatown said to Dr. Verwoerd 'We do not want to be removed from Sophiatown' Dr. Verwoerd did not listen, but two weeks ago at the beer hall the youth of Newclare spoke a language, and since that day the police have not again come back to the beer hall. That language which the youth spoke at the beer hall is a language which many a white man in this country understands better, but I want to say to the youth that that language is better understood when you speak it in the streets of Sophiatown. When the people of Germiston said to the authorities 'We do not want your raw food, we do not want your horse meat' they did not understand and one day the people said 'There is one language that every man understands;' today let us speak that language, and today the horse meat is not cooked in that hostel any more. Friends, every day we say to you that it is important for the African people to achieve their liberation, and we must organise the youth and only then shall we achieve our liberation. The African National Congress in its national policy, it also says that we want to live happily with everybody in this country. That policy of the African National Congress must be carried out. Last month in Port Elizabeth these young and still well fed Afrikaner police were not ashamed to go to New Brighton with their sten guns and kill an

innocent African youth of 21" then the speaker changed to a Native language again and continued in English after that again. "It is time for us to consider that the blood of that young man must be a way towards freedom. Therefore we must see who our enemies are and it does not matter who it is; somebody, somehow must pay for that blood. Yes, if an African kills a European in this country we know that not only the African that has committed the crime is going to suffer, but all of us are going to suffer. Why should we sleep when an African is killed just because these Afrikaners have decided to kill him? It is clear to me, youth of Sophiatown, that this country will never be free from oppression and exploitation that we receive from the white people until the youth take it upon themselves and say "We can give it to them". The day, friends, is coming and I call upon the youth to join the Youth League because you may not be there, so that when the day comes that we know where to get you. We have now run ourselves into a river and we have decided rather than drown ourselves it is better for us to turn back and save the men and women who live in this country".

Thereafter the Chairman spoke, and there is no doubt that he associated himself fully with the remarks made by Resha; inter alia, he said:

"Mr. Resha has given us a clear picture of what the youth is and what the youth speaks of. Mr. Resha has made it clear that the language of the youth is not what they say, but the language of the youth is to do. He has also shown us that the blood of an African person - it does not matter whether it is Verwoerd, it does not matter whether it is an irresponsible son of Africa, we must consider it a serious crime and that particular person must be brought to judgment. I said to you last week that it is law in this country that if you have committed murder you must be hanged. These bastards of the white people every day murder us; why should they not hang? Who is going to do the hanging?....."

Maloao said in his evidence that

"Resha/....."

"Resha was very inciting, and his examples as we took them, were not very pleasant to the struggle, and many of us were a bit worried because taking them literally as he spoke, it would mean that he was inciting the youth of Sophiatown to be violent in the streets of Sophiatown, and that is one thing that we as the youth were a bit worried about."

He also testified that a member of the National Executive on the following Wednesday at an African National Congress meeting issued a general warning against inciting the youth to be violent.

Apart from no-one expressing disapproval at the meeting of Resha's sentiments, I have already indicated by what was said by the chairman and others, that there was in fact active support for Resha's opinions.

Resha's own evidence is that he spoke "outside the policy".

Mr. Trengove's submission is correct,

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in my opinion, that Resha's speech was an incitement to the youth to prepare themselves for violent action, and that despite the fact that his speech was reported to the executive committee, nothing appears to have been done, save the issue of a general warning against incitement. The senior officials present at the meeting closed their ears to a violently worded speech from one of the most highly placed members of the African National Congress, and they and the members of the National Executive, to whom the matter was reported, were content to pass this speech over, save for some vague warning.

The meetings about which White gave evidence and which are mentioned in the Policy Schedule were meetings held in support of the forthcoming Congress of the People; George Peake, one of the speakers at the first meeting of the 13th February, 1955, and who is a co-conspirator, was recorded by White as describing the present regime as a "Police State in which oppression was maintained/.....

maintained by the baton and sten gun", and he cited the Western Areas Removal to show that South Africa was a police state. I do not propose to deal with the next meeting of the 13th March, 1955, as per se it contained no violent utterances.

The witness Language dealt with one meeting mentioned in the Policy Schedule. It was a Durban regional meeting of the National Council of the Action/Congress of the People, held in the Bantu Social Centre on the 12th June, 1955, at Durban and it dealt mainly with the Congress of the People in Johannesburg. Apart from the usual expressions that freedom would not be obtained without sacrifice, the only extract I propose to set out (page 8737) is from the speech of one Robert Resha: he was not identified by either of the prosecution witnesses who have evidence concerning this meeting (Language and Swanepoel), but presumably he is accused No.17. He is recorded as having said:

"The Government of this country is going to regret when the people of South Africa/.....

Africa decide to move forward and before them will be passing Chief Luthuli, for when people move forward without their leaders no-one knows what they are capable of doing. The Congress believes in non-violence, but if the Government is going to take them away from us then we shall not stand responsibility for what the people will do in the absence of their leaders, and I want to say that it is not any absence of Chief Luthuli which will discourage us but it is his absence which will make us forge ahead."

While this may contain a possible indication that the people might take violent action in the absence of their leaders of the African National Congress, it cannot, in my view, be held against either the African National Congress or the accused as indicative of a violent policy or of any incitement to commit violence by Resha himself.

Detective Sergeant Swanepoel made a
tape/.....

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