

DIREKTORAAT VAN VEILIGHEIDSWETGEWING  
DIRECTORATE OF SECURITY LEGISLATION

LÊER NR. 2/3/2/2  
FILE NO. 2/3/2/2

LÊER NR. 2/3/2/2  
FILE NO. 2/3/2/2

HOOFREEKS  
MAIN SERIES Binnelandse Veiligheid

ONDERWERP  
SUBJECT Kontrolering van Persone

LÊER  
FILE Kotane : Moses

LÊER GEOPEN OP 4  
FILE OPENED ON 2/9/50 LÊER GESLUIT OP  
FILE CLOSED ON 24/2/94

BESKIKKINGSVOORSKRIFTE  
DISPOSAL DIRECTIONS INDEXED

SUBLÊER OF GEVAL  
SUBFILE OR CASE

No. 1417

4 Julie 1986

## GEKONSOLIDEERDE LYS BEDOEL IN ARTIKEL 16 VAN DIE WET OP BINNELANDSE VEILIGHEID, 1982

Kragtens artikel 16 (6) (a) van die Wet op Binnelandse Veiligheid, 1982 (Wet 74 van 1982), word die gekonsolideerde lys soos deur die Direkteur van Veiligheidswetgewing bygehou, in die Bylae hiervan gepubliseer.

No. 1417

4 July 1986

## CONSOLIDATED LIST REFERRED TO IN SECTION 16 OF THE INTERNAL SECURITY ACT, 1982

In terms of section 16 (6) (a) of the Internal Security Act, 1982 (Act 74 of 1982), the consolidated list as kept up to date by the Director of Security Legislation, is published in the Schedule hereto.

## BYLAE/SCHEDULE

- A. PERSONE WAT AAN MISDRYWE SOOS BEDOEL IN ARTIKEL 16 (1) (b) VAN DIE WET OP BINNELANDSE VEILIGHEID, 1982, SKULDIG BEVIND IS  
A. PERSONS WHO HAVE BEEN CONVICTED OF OFFENCES REFERRED TO IN SECTION 16 (1) (b) OF THE INTERNAL SECURITY ACT, 1982

Name van persone Names of persons	Misdryf waaraan skuldig bevind Offence convicted of	Datum van skuldigbevinding Date of conviction
Banda, Vronda Zeblon	Hoogverraad/Treason	15/9/1983
Cikozani, Mzwakhe Hespero	Oortreding van artikel 54 (1) van die Wet op Binnelandse Veiligheid, 1982 (Wet 74 van 1982)/Contravention of section 54 (1) of the Internal Security Act, 1982 (Act 74 of 1982)	29/9/1983
Dinca, Sipiwo Wellington	Hoogverraad/Treason	29/9/1983
Gaba, Seth Mpumulelo	Hoogverraad/Treason	6/9/1982
Hogan, Barbara Anne	Hoogverraad/Treason	21/10/1982
Jacobsz, Hendrik Gerhardus	Oortreding van artikel 54 (1) van die Wet op Binnelandse Veiligheid, 1982 (Wet 74 van 1982)/Contravention of section 54 (1) of the Internal Security Act, 1982 (Act 74 of 1982)	13/6/1983
King, Headley Moses	Oortreding van artikel 56 (1) (a) gelees met artikel 13 (1) (a) (iv) van die Wet op Binnelandse Veiligheid, 1982 (Wet 74 van 1982)/Contravention of section 56 (1) (a) read with section 13 (1) (a) (iv) of the Internal Security Act, 1982 (Act 74 of 1982)	1/8/1983
Leepile, Joseph Boitomelo	Hoogverraad/Treason	22/11/1985
Mabaso, Isaac Thulane	Oortreding van artikel 54 (1) van die Wet op Binnelandse Veiligheid, 1982 (Wet 74 van 1982)/Contravention of section 54 (1) of the Internal Security Act, 1982 (Act 74 of 1982)	2/5/1986
Magxwalisa, Lungile Wiseman	Hoogverraad en oortreding van artikel 54 (1) van die Wet op Binnelandse Veiligheid, 1982 (Wet 74 van 1982)/Treason and contravention of section 54 (1) of the Internal Security Act, 1982 (Act 74 of 1982)	29/9/1983
Mukwela, Rejoice Itumeleng	Oortreding van artikel 54 (1) (ii) van die Wet op Binnelandse Veiligheid, 1982 (Wet 74 van 1982)/Contravention of section 54 (1) (ii) of the Internal Security Act, 1982 (Act 74 of 1982)	11/4/1983
Maqhutyana, Mboniswa de Villiers Richard	Hoogverraad/Treason	6/9/1982
Maqubela, Patrick Ntobeko	Hoogverraad/Treason	6/9/1982
Mogoerane, Thelle Simon	Hoogverraad/Treason	4/8/1982
Mokoena, Suzman Nkopane	Hoogverraad/Treason	22/10/1982
Mokone, Andrew	Oortreding van artikel 56 (1) (a) gelees met artikel 13 (1) (a) van die Wet op Binnelandse Veiligheid, 1982 (Wet 74 van 1982)/Contravention of section 56 (1) (a) read with section 13 (1) (a) of the Internal Security Act, 1982 (Act 74 of 1982)	24/3/1983
Mosololi, Jerry Semano	Hoogverraad/Treason	4/8/1982
Motaung, Marcus Thabo	Hoogverraad/Treason	4/8/1982
Ngcobo, Theminkosi Paulson	Oortreding van artikel 54 (1) van die Wet op Binnelandse Veiligheid, 1982 (Wet 74 van 1982)/Contravention of section 54 (1) of the Internal Security Act, 1982 (Act 74 of 1982)	9/3/1984
Ngidi, Justice Mafa	Hoogverraad/Treason	22/11/1985
Phantsie, Thembile John	Oortreding van artikel 56 (1) (a) gelees met artikel 13 (1) (a) (ii) van die Wet op Binnelandse Veiligheid, 1982 (Wet 74 van 1982)/Contravention of section 56 (1) (a) read with section 13 (1) (a) (ii) of the Internal Security Act, 1982 (Act 74 of 1982)	9/11/1982
Sotyelelo, Japan	Oortreding van artikel 55, en artikel 56 (1) (a) gelees met artikel 13 (1) (a) (ii) van die Wet op Binnelandse Veiligheid, 1982 (Wet 74 van 1982)/Contravention of section 55, and section 56 (1) (a) read with section 13 (1) (a) (ii) of the Internal Security Act, 1982 (Act 74 of 1982)	11/11/1985
Tsamane, Khehla Enoch	Oortreding van artikel 56 (1) (a) gelees met artikel 13 (1) (a) (v) van die Wet op Binnelandse Veiligheid, 1982 (Wet 74 van 1982)/Contravention of section 56 (1) (a) read with section 13 (1) (a) (v) of the Internal Security Act, 1982 (Act 74 of 1982)	21/12/1983
Viljoen, Jacob Daniel	Oortreding van artikel 54 (1) van die Wet op Binnelandse Veiligheid, 1982 (Wet 74 van 1982)/Contravention of section 54 (1) of the Internal Security Act, 1982 (Act 74 of 1982)	13/6/1983

- B. PERSONE WAT INGEVOLGE DIE BEPALINGS VAN ARTIKEL 28 VAN DIE WET OP BINNELANDSE VEILIGHEID, 1982, AANGEHOU WORD OF AANGEHOU IS

- B. PERSONS WHO ARE OR HAVE BEEN DETAINED IN TERMS OF THE PROVISIONS OF SECTION 28 OF THE INTERNAL SECURITY ACT, 1982

Name van persone Names of Persons	Tydperk van aanhouding Period of detention
Calata, Fort Daniel	31/3/1984-30/3/1985
Dube, Abel Sgubhu	13/11/1982-31/10/1984
Goniwe, Matewu Matthew	31/3/1984-30/3/1985
Goniwe, Mbulelo Terence	31/3/1984-30/3/1985
Jacobs, Madoda Fezile	31/3/1984-20/7/1984
Mtobela, David	27/4/1982-10/8/1983
Tatso, Mordecai Mothibi	22/3/1982-10/8/1983

C. PERSONE WIE SE NAME OP DIE DATUM ONMIDDELLIK VOOR DIE DATUM VAN DIE INWERKINGTREDING VAN DIE WET OP BINNELANDSE-VEILIGHEID, 1982, VOORGEKOM HET OP 'N LYS IN DIE BEWARING VAN DIE BEAMPTTE BEDOEL IN ARTIKEL 8 VAN DIE WET OP BINNELANDSE VEILIGHEID, 1950 (WET 44 VAN 1950), WAT REEDS IN DIE GEKONSOLIDEERDE LYS OPGENEEM IS

C. PERSONS WHOSE NAMES APPEARED ON THE DATE IMMEDIATELY PRECEDING THE DATE OF COMMENCEMENT OF THE INTERNAL SECURITY ACT, 1982, ON A LIST IN THE CUSTODY OF THE OFFICER REFERRED TO IN SECTION 8 OF THE INTERNAL SECURITY ACT, 1950 (ACT 44 OF 1950), WHICH HAVE ALREADY BEEN ENTERED IN THE CONSOLIDATED LIST

Name van persone Names of persons	Huidige verblyfplek (sover bekend) Present whereabouts (as far as is known)
Arenstein, Jacqueline	Gillatssingel 42/42 Gillats Crescent, Westridge, Durban.
Arenstein, Rowley Israel	Gillatssingel 42/42 Gillats Crescent, Westridge, Durban.
Barenblatt, Yettah (née Melamed)	Sewende Laan 10/10 Seventh Avenue, Highlands-Noord/Highlands North.
Barnett, Jack Judah	Higgosingel 29/29 Higgs Crescent, Higgovale, Kaapstad/Cape Town.
Barsel, Esther (née Levin)	Regentstraat 39/39 Regent Street, Yeoville, Johannesburg.
Berman, Montague David	Londen/London, Engeland/England.
Berman, Myrtle, alias Myrtle Canin	Londen/London, Engeland/England.
Bernstein, Hilda Lilian, alias Hilda Watts, alias Hilda Schwartz	Rothwellstraat 5/5 Rothwell Street, Londen/London, Engeland/England.
Bernstein, Lionel, alias Rusty	Rothwellstraat 5/5 Rothwell Street, Londen/London, Engeland/England.
Bernstein (Strasburg), Ioni	Londen/London, Engeland/England.
Bopape, David W	Standplase 2943-2944/Stand 2943-2944, hoek van Mbelle- en Ndabe-Zithastraat/corner of Mbelle and Ndabe-Zitha Streets, Tsakane, Brakpan.
Brooks, Alan Keith	Londen/London, Engeland/England.
Brown, Babette (née Korkin)	Botswana.
Brown, Emanuel	Engeland/England.
Bujela, Richard Herbert	Transkei.
Bunting, Brain Percy	Oakishottlaan 32/32 Oakishott Avenue, Londen/London N6, Engeland/England.
Bunting, Sonia Beryl	Oakishottlaan 32/32 Oakishott Avenue, Londen/London N6, Engeland/England.
Chele, Abner	Lesotho.
Dadoo, Yusuf Mohammed	Oorlede/Deceased.
Dhlamini, Stephen, alias Joseph	Mosambiek/Mozambique.
Dingake, Kitso Michael	Botswana.
Doyle, Molle Irene (née Anderson)	Koppiesrus, Bloemfontein.
Duncan, Florence Lucella	Oaklands Place 309B/309B Oaklands Place, Orchards, Johannesburg.
Du Toit, Elizabeth Sophia, alias Betty	Londen/London, Engeland/England.
Fineberg, Anne (née Nicholson)	Londen/London, Engeland/England.
Fischer, Abram, alias Bram	Oorlede/Deceased.
Francis, Joseph Michael, alias Mickey	Cadgon Place 21/21 Cadgon Place, Knightsbridge, Engeland/England.
Gangat, Ismail Essack	Azad Mansions 8/8 Azad Mansions, Vierde Laan 14/14 Fourth Avenue, Isipingostrand/Isipingo Beach, Durban.
Gounden, Swaminatha Karuppa	Pastoralweg 58/58 Pastoral Road, Asherville, Durban.
Govinder, Soobramoney, alias Jack Govinder	Oorlede/Deceased.
Gwala, T. H.	Robbeneiland/Robben Island.
Hall, Eve Diane Elize (née Steinhardt)	Somalië/Somalia.
Hall, Martin Anthony	Somalië/Somalia.
Harmel, Ray, alias Ray Adler	Londen/London, Engeland/England.
Heppie, Bob Alexander	Vale Rise 6/6 Vale Rise, Golden Green, Londen/London, Engeland/England.
Heymann, Anne	Henriettaweg 156/156 Henrietta Road, Norwood, Johannesburg.
Heymann, Isaac, alias Isif	Henriettaweg 156/156 Henrietta Road, Norwood, Johannesburg.
Hodgson, Percy John, alias Jack	Oorlede/Deceased.
Hodgson, Rica	Londen/London, Engeland/England.
Huna, Bernard Mandla	NY 91-33, Gugulethu, Kaapstad/Cape Town.
Joseph, Helen Beatrice May	Fannyweg 35/35 Fanny Road, Norwood, Johannesburg.
Joseph, Paul, alias Joseph Paul Moonsamy, alias John Verasammy	Londen/London, Engeland/England.
Kathrada, Ahmed M	Pollsmoor-gevangenis/Pollsmoor Prison.
Kodesh, Wolf	Lusaka, Zambië/Zambia.
Kotane, Moses	Oorlede/Deceased.
Kunene, Andries alias Andrew	Swaziland.
La Guma, Blanche	Kuba/Cuba.
La Guma, Justin Alexander	Kuba/Cuba.
Lee-Warden, Leonard Bert	The Old Spot, The Ridge, Clifton, Kaapstad/Cape Town.
Levy, Norman	Londen/London, Engeland/England.
Lewitton, Isaac, alias Archie, alias H. Oberholzer	Londen/London, Engeland/England.
Madide, Aaron	Swaziland.
Mahlangu, Alfred	Orlando-Oos 1433/1433, Orlando East, Soweto.
Malele, Elman	Oorlede/Deceased.
Malindi, Zollie	NY 15-21, Gugulethu, Kaapstad/Cape Town.
Manzi, John Dube	Swaziland.
Marks, John Joseph, alias J. B. Marks	Oorlede/Deceased.
Maseko, Isaiah, alias MacDonald	Tanzanië/Tanzania.
Matthews, John Edward	Kitchenerlaan 67/67 Kitchener Avenue, Bezuidenhoutsvlei/Bezuidenhouts Valley, Johannesburg.
Mbeki, Govan Archibald	Robbeneiland/Robben Island.
Mhlaba, Raymond	Pollsmoor-gevangenis/Pollsmoor Prison.
Mofutsanyana, Edwin Thabo	Oorlede/Deceased.
Motshabi, John	Lusaka, Zambië/Zambia.
Motsaedi, Elias	Robbeneiland/Robben Island.
Mtshali, Eric	Tanzanië/Tanzania.
Naicker, Marimuthu Pragalathan	Oorlede/Deceased.
Naidoo, Mithrasagran, alias Murthie, alias Marthie	Adonisstraat 8190/8190 Adonis Street, Uitbreiding 9/Extension 9, Lenasia.
Naidoo, Ramsamy Doorsamy	Mullien-oord 73/73 Mullien Resort, Asherville, Durban.
Nannan, Suriaparkash, alias Billy	Londen/London, Engeland/England.
Ndlovu, Cleopas Nelayibone	Robbeneiland/Robben Island.
Ndlovu, Muzuvukile Curmick	Sonoeziweg F1388/F1388 Sonoezi Road, Kwa-Mashu, Durban.

Name van persone Names of persons	Huidige verblyfplek (sover bekend) Present whereabouts (as far as is known)
Neame, Sulvia Brereton.....	Bakerstraat 60/60 Baker Street, Burtonstonelaan/Burtonstone Lane, York, Engeland/England.
Ntunja, Nonjolo alias Samson.....	Botswana.
Percy, Narain Kassie, alias Cassim Alli (ook bekend as/also known as Kassiemalli Neerpath)	The Nile, Capuchinstraat/Capuchin Street, Kaapstad/Cape Town.
Phelane, Morchen, alias Morgan Phehlani.....	Brandfort.
Poonen, Gengan.....	Sindeweg 33/33 Sinde Road, Livingstone, Zambië/Zambia.
Poonen, Vera (née Alberts).....	Oorlede/Deceased.
Sachs, Albert Louis.....	Mosambiek, Mozambique.
Schlachter, Rose (née Behr).....	St Georgesweg 142/142 St George's Road, Observatory, Johannesburg.
Schoon, Louis Marius.....	Botswana.
Seperepere, Hosea.....	Tanzanië/Tanzania.
September, Reginald.....	Botswana.
Shapiro, Naomi (tans Barnett).....	Higgosingel 29/29 Higgs Crescent, Higgovale, Kaapstad/Cape Town.
Sibeko, Archibald Meedisi.....	Grahamstraat 38/38 Graham Street, Londen N1/London N1, Engeland/England.
Simons, Harold Jack.....	Zambië/Zambia.
Simons, Rachel, alias Rachel Alexander, alias Ray Alexander	Zambië/Zambia.
Singh, Debi.....	Oorlede/Deceased.
Slovo, Joseph, alias Joe.....	Zambië/Zambia.
Slovo, Ruth (née First).....	Oorlede/Deceased.
Strachan, Jean Clarice (née Middleton).....	Lower Claptonweg 205/205 Lower Clapton Road, Londen/London, Engeland/England.
Tamana, Dora.....	NY 89-146, Gugulethu, Kaapstad/Cape Town.
Tloome, Daniel.....	Botswana.
Turok, Benjamin.....	Londen/London, Engeland/England.
Turok, Mary Elizabeth.....	Londen/London, Engeland/England.
Weinberg, Éli.....	Oorlede/Deceased.
Weinberg, Violet May.....	Tanzanië/Tanzania.
Wolpe, Harold Leonard.....	Londen/London, Engeland/England.

LYS AANGELÊ KRAGTENS DIE BEPALINGS VAN ARTIKEL 16 VAN DIE WET OP BINNELANDSE VEILIGHEID, 1982 (WET 74 VAN 1982)  
 LIST DRAWN UP IN TERMS OF SECTION 16 OF THE INTERNAL SECURITY ACT, 1982 (ACT 74 OF 1982)

Naam van persoon Name of person	Adres Address	Beroep Occupation	Artikel waarkrag- tens in lys opge- neem Section in terms of which entered in list
Kotane, Moses	Oorlede Deceased	- -	Artikel 16(2) (a) Section 16(2) (a)

IR KANTOORGEBRUIK

1. Rede vir opname

Naam verskyn op lys van ampsdraers,  
 beamptes, lede of aktiewe ondersteu-  
 ners van die Kommunistiese Party  
 van Suid-Afrika

2. Datum van kennis-  
 gewing aan persoon

3. Afkondiging in Staats-  
 koerant (i) No. ....  
 (ii) Datum .....

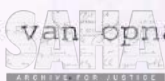
4. Lêer No. 2/3/2/2

5. Opmerkings

Die Minister het op 24 Augustus 1983  
 goedgekeur dat Kotane se naam in die  
 gekonsolideerde lys opgeneem word

Datum van opname in lys 21 Augustus 1983

DIREKTEUR VAN VEILIGHEIDSWETGEWING





GEHEIM Vg-360  
1.9.83  
2/3/2/2 (V/Bo)  
Lêer No. 2/8/1  
File

# DIREKTORAAT VAN VEILIGHEIDSWETGEWING DIRECTORATE OF SECURITY LEGISLATION

DIE DIREKTEUR  
THE DIRECTOR

MINISTER

OPNEEM VAN NAAM VAN MOSES KOTANE IN DIE  
GEKONSOLIDEERDE LYS

MINISTERIE V. WET EN ORDE  
1983-08-22  
MINISTRY OF LAW

1. Die naam van Moses Kotane verskyn op die lys van ampsdraers, beampes, lede of aktiewe ondersteuners van die Kommunistiese Party van Suid-Afrika (SAKP) en moet dus ingevolge artikel 16(2)(a) van die Wet op Binnelandse Veiligheid, 1982 in die gekonsolideerde lys opgeneem word, tensy die Minister van oordeel is dat sy naam nie aldus opgeneem behoort te word nie.



2. Kotane het nooit aansoek gedoen dat sy naam van gemelde lys verwyder word nie.

3. Kompol beveel aan dat Kotane se naam in die gekonsolideerde lys opgeneem word. (18.2.83) Hy was vanaf 1941 tot 1950 die algemene sekretaris van die SAKP en redakteur van dié organisasie se nuusblad, African Defender. Hy was ook sekretaris van die Kaapse distrikskomitee van die SAKP en uitvoerende lid van die Transvaal tak van die "African National Congress" (ANC) en die "Transvaal Peace Council". Gedurende die vroeë vyftiger jare het hy verskeie linkse vergaderings bygewoon en toegesprek waartydens hy die Regering aangeval het. Op 13 Desember 1953 het hy hom bv op 'n ANC-vergadering soos volg uitgelaat:

DIREKTORAAT VAN VEILIGHEIDSWETGEWING  
1983-08-29  
DIRECTORATE OF SECURITY LEGISLATION

HOU-  
DEV-  
DOV-  
VB-  
1.9.83

1983  
KOTANE

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GEHEIM

"Ek sal met julle praat oor die huidige Regering, want hulle is ons probleem. Hulle is 'n belaglike klomp. Die witman hier dink dat hy beter is as ons omdat sy vel wit is. Hierdie is ons land en ons sal ons nie deur uitlanders laat regeer nie. Ons moet ly en sterf vir vryheid".

Op 26 Januarie 1955 het hy sonder 'n paspoort na Londen gereis. Tydens sy verblyf in die buiteland het hy onder andere 'n besoek aan Moskou afgelê en op 1 Oktober 1955 die 6de viering van die stigting van die "People's Republic of China" te Peking bygewoon. Na sy terugkeer op 4 Desember 1955 het daar verskeie berigte in die publikasie New Age oor sy oorsese besoek verskyn.

( ) Volgens inligting ontvang, is Kotane op 19 Mei 1978 in Moskou oorlede. ( ) Tydens sy lewe was hy verskeie kere aan beperkings onderhewig. ( ) Volgens Kompol het hy tot en met sy dood die doelstellings van die SAKP bevorder. Indien sy naam nie in die gekonsolideerde lys opgeneem word nie, kan sy vorige verklarings, toesprake en geskrifte vrylik gepubliseer word en sodoende 'n propaganda-platform vir linksge-sinde en radikale elemente skeep. ( )


GEHEIM

4. Kopol se aanbeveling word gesteun en daar word  
aanbeveel dat die Minister goedkeur dat Kotane se naam in  
die gekonsolideerde lys opgeneem word.

  
DIREKTEUR VAN VEILIGHEIDSWETGEWING  
22/8/83  
31/8/1983 19/8/83

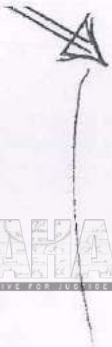
Aanbeveling in paragraaf 4 GOEDGEKEUR/

  
L LE GRANGE  
MINISTER VAN WET EN ORDE  
24/8/83

Opgeneem in gekonsolideerde  
lys op 31/8/1983  




~~GEHEIM~~  
DECLASSIFIED

 57 : KOTANE : MOSES (S.4/4)

Hy is oorlede op 78-05-22. Hy was die algemene sekretaris van die SAKP en redakteur van hul tydskrif 'African Defender'. Tot en met sy dood het hy die SAKP se doelstellings bevorder. Naam moet in gekonsolideerde lys opgeneem

  
SAHA  
ARCHIVE FOR JUSTICE

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HEAD OFFICE REFERENCE NO. 2/50/2

17/33/4/15

Republiek  
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Republic  
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MAGISTRATE,  
JOHANNESBURG.

9th January, 1963.

FOR ATTENTION: MR. J. KANTOR

Messrs: James Kantor & Partners,  
P.O. Box 734,  
JOHANNESBURG.

Gentlemen,

MR. MOSES M. KOTANE

With reference to your letter of the 18th ultimo, I wish to inform you that the restrictions imposed by the Minister of Justice in his Notice dated 8th November, 1962, are hereby relaxed as follows:-

- (a) Moses Kotane may absent himself from his place of residence between the hours of 9 a.m. and 2 p.m. on weekdays for the express purpose of enabling him to seek bona fide employment, provided he reports daily, from Monday to Friday, between 9 and 10 a.m. to the Police at Bramley, Johannesburg;
- (b) Should he obtain employment he may approach me for further relaxation;
- (c) The above relaxation will lapse on the 9th April, 1963, if Kotane does not find employment before then.


It should be noted that Moses Kotane may not communicate with any person referred to in paragraph (b) of the said Notice dated 8th November, 1962, or with persons in respect of whom any prohibition under the Riotous Assemblies Act (Act No. 17 of 1956) is in force.

Yours faithfully,

  
ACTG. CHIEF MAGISTRATE

CONFIDENTIAL

The Officer in Charge,  
Security Police,  
Private Bag 5, JOHANNESBURG.

For your information, 

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2/50/2.

24120.

GEHEIM.

6. 12. 1962

Die Sekretaris van Arbeid,  
PRETORIA.

BEPERKINGS : MOSES KOTANE.

Afskrif van n kennisgewing ingevolge  
artikel 10(1)(a) van Wet No. 44 van 1950  
wat op 14. November 1962 op bogenoemde  
beteken is, gaan hiermee vir u inligting.

**8. J. RENKE**

SEKRETARIS VAN JUSTISIE.

DECLASSIFIED

TO: MOSES KOTANE,  
32, 11th AVENUE,  
ALEXANDRA,  
JOHANNESBURG.

NOTICE IN TERMS OF PARAGRAPH (a) OF SUB-SECTION (1)  
OF SECTION TEN OF THE SUPPRESSION OF COMMUNISM ACT,  
1950 (ACT NO. 44 OF 1950).

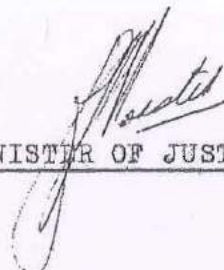
WHEREAS your name appears on the list in the custody of the officer referred to in section eight of the Suppression of Communism Act, 1950 (Act No. 44 of 1950), I, BALTHAZAR JOHANNES VORSTER, Minister of Justice of the Republic of South Africa, hereby, in terms of paragraph (a) of sub-section (1) of section ten of the Suppression of Communism Act, 1950 (Act No. 44 of 1950), prohibit you for a period commencing on the date on which this notice is delivered or tendered to you and expiring on the 30th day of November, 1967, from -

- (a) absenting yourself from the residential premises situate at 32, 11th Avenue, Alexandra, Johannesburg;
- (b) communicating in any manner whatsoever with any person whose name appears on any list in the custody of the officer referred to in section eight of the said Suppression of Communism Act, 1950, or in respect of whom any prohibition under the said Suppression of Communism Act, 1950, or the Riotous Assemblies Act, 1956 (Act No. 17 of 1956), is in force;
- (c) receiving at the said residential premises any visitor other than a medical practitioner for medical attendance on you or members of your household, if the name of such medical

practitioner does not appear on any list in the custody of the officer referred to in section eight of the said Suppression of Communism Act, 1950, and no prohibition under the said Suppression of Communism Act, 1950, or the Riotous Assemblies Act, 1956 (Act No. 17 of 1956), is in force in respect of such medical practitioner.

Given under my hand at Pretoria on this  
day of *November*, 1962.

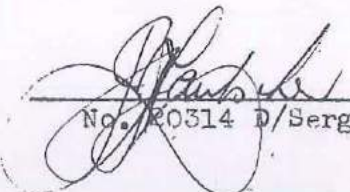
*8th*

  
MINISTER OF JUSTICE.

NOTE.

The Magistrate, Johannesburg, has in terms of section 10(1)(a) of the abovementioned Act been empowered to authorize exceptions to the prohibitions contained in this notice.

I certify having served the original of this notice on Moses Kote : personally at 32 - 11th Ave, Alexandra Township, Johannesburg at 8 on 14/11/1962, in the presence of No. 137453 C/D/Const. Jerry Moll. The contents thereof was read and explained to him.

  
No. 20314 D/Sergt.

EM R 2  
DECLASSIFIED

2/50/2.

GEHEIM.

DIE SEKRETARIS/MINISTER.

BEPERKINGS : MOSES KOTANE.

1. Soos blyk uit die memorandum hieronder, het die Minister reeds akkoord gegaan dat Kotane onder groep (a) val, met ander woorde hy moet onder 24 uur huisarres geplaas word tot tyd en wyl hy bona fide werk aanvaar.
- 2.1 Kotane woon saam met sy eggenote en kinders te Ilde Laan 32, Alexandra, Johannesburg. Aangesien sy eggenote vrylik kan rondbeweeg, ag ons dit nie nodig om enige ander toegewings, behalwe vir die ontvangs van n geneesheer, te maak nie.
- 2.2 Weens die feit dat Kotane onder 24 uur huisarres geplaas word, ag ons dit nie nodig om die verbod op byeenkomste wat op 11 September 1961 uitgereik is, met n ander ~~een~~ te vervang nie.
- 2.3 Die nodige kennisgewing is in die omslag vir die Minister om te onderteken asseblief, indien hy saamstem.
3. Daar word voorgestel dat die Landdros van Johannesburg en sy Adjunk ingevolge artikel 10(1) van die Wet gemagtig word om uitsonderings op die beperkings goed te keur onderhewig aan die volgende voorskrifte:
  - (a) Die plaaslike Veiligheidspolisie moet, indien doenlik, oor elke aansoek geraadpleeg word.
  - (b) Die Veiligheidspolisie moet so spoedig moontlik nadat enige uitsonderings gemaak is, van die strekking daarvan verwittig word.

2/...

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2/50/2.

GEHEIM.

74.11.1967

DIE LANDDROS VAN JOHANNESBURG.

BEPERKINGS: MOSES KOTANE.

Afskrif van 'n kennisgewing ingevolge artikel 10(1)(a) van Wet No. 44 van 1950 wat op 8 November 1952 ten opsigte van bogenoemde uitgereik is, gaan hiermee vir u inligting.

Sy Edele die Minister van Justisie het u en u Adjunk ingevolge die artikels voormeld gemagtig om, onderhewig aan onderstaande voorskrifte, uitsonderings op die beperkings vervat in die kennisgewings te magtig:

- (a) Die Veiligheidspolisie, The Grays, moet, indien doenlik, oor elke aansoek geraadpleeg word en moet so spoedig moontlik nadat enige uitsondering gemaak is, van die terme daarvan verwittig word.
- (b) Geen uitsondering moet die uitwerking hê dat Kotane gemagtig word om met 'n persoon wie se naam op 'n lys in bewaring van die in artikel 8 van Wet No. 44 van 1950, bedoelde beampte voorkom, of persone wat aan 'n verbod ingevolge genoemde Wet of die Wet op Oproerige Byeenkomste (Wet No. 17 van 1956) onderhewig is, in verbinding te tree nie.

A. P. J. COETZER

SEKRETARIS VAN JUSTISIE.

GEHEIM.

74.11.1967

Die Kommissaris van die Suid-Afrikaanse Polisie,  
Posbus 1895,  
PRETORIA.

Afskrif vir u inligting.

U No. [REDACTED] het betrekking.

O. A. DE MEYER

SEKRETARIS VAN JUSTISIE.

DECLASSIFIED

2/50/2.

NAAM: Moses Kotane.

RAS: Bantoe.

ADRES: Elfdelaan 32, Alexandra Dorpsgebied, Johannesburg.

HUWELIKSTAAT: Getroud.

BEROEP: Werkloos.

VORIGE BEPERKINGS: n Verbod op die bywoning van byeenkomste is tans van toepassing op hom. Ook aangesê om as lid van sekere organisasies te bedank.

ALGEMEEN: Hy is n "gelyste" persoon en hy is veral vir die afgelope 7 jaar agter die skerms bedrywig. Hy het ook al die buiteland, sonder dat hy in besit van n paspoort was, besoek. Hy word saam met persone soos Sisulu, Nokwe en Cachalia gesien. Die afleiding kan sonder twyfel gemaak word dat hy n uiters gevaarlike persoon is wat veral sy knoeiwerk in die geheim doen en hy kan sekerlik as n lid van die kerngroep kommuniste op Johannesburg beskou word. Sy optrede hou groot gevaar vir die veiligheid van die land in.

Rees  
18/10/61

Beauly de as Hamel.

*[Handwritten signature]*  
22/10/61



- (c) Geen uitsondering moet die uitwerking hê dat Kotane gemagtig word om met ander "gelystes" of persone wat aan 'n verbod ingevolge die Wet onderhewig is, in verbinding te tree nie.

*Recd*  
6/11/62  
*MR* 7/11/62.  
*D* 7.11.62  
*Am* 7.11.62  
*CP* 7.11.62.

DIE SEKRETARIS.

Kennisgewing geteken en die voorstel in paragraaf 3 goedgekeur.

*[Signature]*  
MINISTER.

Kennisgewing in my teenwoordigheid geteken.

*[Signature]*  
PRIVAATSEKRETARIS.



DECLASSIFIED

REPUBLIEK VAN SUID-APRIKA.

DEPARTEMENT VAN JUSTISIE,

VERREKASBOU,

PRIVEAATSAK 81,

PRETORIA.

GEHEIM.


23. 10. 1962

Die Kommissaris van die  
Suid-Afrikaanse Polisie,  
Postbus 1895,  
PRETORIA.

BEPERKINGS: MOSES KOTANE

Met verwysing na u diensbrief No. [REDACTED]  
van 13 Augustus 1962 sal dit waardeer word indien u  
my so spoedig moontlik wil voorsien van verdere besonderhede  
soos beoog in die vraelys wat aan u verskaf is. In die  
onderhawige geval word u aandag in die besonder op vrae  
2, 7, 8, 9, 10 en 13 gevestig.

Indien die besonderhede wat u reeds verskaf het  
miskien intussen veranderd geraak het, moet u asseblief  
my aandag daarop vestig en die korrekte besonderhede  
vermeld.

  
SEKRETARIS VAN JUSTISIE.

2/50/2.

GEHEIM.DIE SEKRETARIS/MINISTER.BEPERKINGS: WET 44 VAN 1950: MOSES KOTANE.

1. n Versoek van die Polisie vir n verbod op die bywoning van byeenkomste kragtens artikel 5(1)(e)(ii) en n gebiedsbepanking ingevolge artikel 10(1) is op die lêer (vlag - 13/8/62).

VORIGE AMPTELIKE OPTREDE.

2.1 Kotane is deur die beredderaar as n kommunist gelys en sy naam verskyn teenoor nommer 57 op die lys.

2.2 Op 28/4/52 is hy deur die Minister gelas om as beampte of lid van sekere organisasies te bedank en ook verbied om beampte of lid van sekere organisasies te word. Kotane is verder verbied om byeenkomste vir 2 jaar by te woon.

2.3 Op 7/6/54 is n verbod op byeenkomste vir 2 jaar uitgereik.

2.4 Op 11/9/61 is n verbod op byeenkomste vir 5 jaar uitgereik.

AANBEVELING.

3.1 Volgens die jongste memorandum ( ) deur die polisie opgestel, is dit duidelik dat hy nog steeds agter die skerms bedrywig is. Sy optrede skep groot gevaar vir die veiligheid van die staat en gevolglik word dit aanbeveel dat albei versoeke van die polisie, met die volgende wysigings, toegestaan word en dat die verbod op byeenkomste van 11 September 1961 ingetrek word.

3.2 Dat hy ingevolge artikel 10(1)(a) van Wet 44 van 1950, soos gewysig, verbied word om vir n tydperk van 10

2/...

.2.

jaar afwesig te wees van sy woning te Elfdelaan 32, Alexandra Dorpsgebied in die landdrosdistrik van Johannesburg en dat, terwyl hierdie verbod van krag is hy verbied word om met enige persoon, in verbinding te tree, of enige besoeker te ontvang behalwe -

- (i) om met enige lid van sy gesin wat by hom inwoon, t.w. sy vrou (Rebecca Kotane), sy drie meerderjarige kinders (Solly, Joseph en Leonard Kotane) en sy twee minderjarige kinders (Samuel en Isaac Kotane) in verbinding te tree.
- (ii) Om in geval van siekte met enige geneesheer wie se naam nie op 'n lys in die bewaring van die in artikel agt bedoelde beampste voorkom nie en ten opsigte van wie geen verbod kragtens Wet 44 van 1950 van krag is nie, in verbinding te tree en te ontvang.

3.3 Aangesien hy tot sy woning beperk word sal 'n verbod op byeenkomste ingevolge artikel 5(1)(e)I voldoende wees. Die opdrag om by die polisie aan te meld is ook nie noodsaaklik nie. Hierdie veranderings is met die Assistent Kommissaris bespreek en hy stem toe tot die wysigings.

#### REDES EN GEGEWENS.

4.1 Ten opsigte van die verbod insake byeenkomste is die Minister nie verplig om redes te verstrek nie.

4.2 Aangaande die gebiedsbeperking is die Minister kragtens artikel 10(1)(bis) verplig om redes vir die kennisgewing en soveel van die gegewens wat die Minister beweeg het om dit uit te reik, as wat volgens sy oordeel, sonder benadeling van die openbare beleid bekend gemaak kan word, skriftelik mee te deel.

3/...

.3.

4.3 Die volgende rede kan aan hom verstrekk word:-

Dat sy naam op n lys in die bewaring van die in artikel agt bedoelde beampte voorkom.

4.4 Omdat die bedrywighede van Moses Kotane veral gedurende die afgelope 7 jaar agter die skerms plaasgevind het, word dit aanbeveel dat geen gegewens deur die Minister aan hom verstrekk word nie aangesien dit die openbare beleid sal benadeel.

*J. K. ...* 17/9/62.  
VEILIGHEIDSBEAMPTER.

DECLASSIFIED

Verw. No. 2/50/2.

*Republiek*  
REPUBLIEK VAN SUID-AFRIKA.

DEPARTEMENT VAN JUSTISIE;  
VERITASGEBOU,  
PRETORIA.

GEHEIM.

25. 9. 1961

DIE LANDDROS VAN JOHANNESBURG.

BEPERKINGS: MOSES KOTANE

n afskrif(~~te~~) van 'n kennisgewing(~~s~~)  
ingevolge artikel(~~s~~) 5(1)(c) van Wet No. 44 van 1950

*A* wat op 16 September 1961 op bogenoemde beteken is,  
gaan hiermee vir u inligting.

S. J. RENKE

SEKRETARIS VAN JUSTISIE.

GEHEIM.

Die Sekretaris van Arbeid,  
PRETORIA.

25. 9. 1961

*A* n afskrif(te) van die kennisgewing(s) hierbo  
vermeld, gaan hiermee vir u inligting.

S. J. RENKE

SEKRETARIS VAN JUSTISIE.

DECLASSIFIED




NOTICE IN TERMS OF PARAGRAPH (e) OF SUB-SECTION ONE OF SECTION FIVE OF THE SUPPRESSION OF COMMUNISM ACT, 1950 (ACT NO. 44 OF 1950), AS AMENDED.

WHEREAS your name appears on the list, in the custody of the officer referred to in section eight of the abovementioned Act;

NOW THEREFORE, I, BALTHAZAR JOHANNES VORSTER, in my capacity as Minister of Justice for the Republic of South Africa, by virtue of the powers conferred upon me by paragraph (e) of sub-section one of section five of the Suppression of Communism Act, 1950 (Act No. 44 of 1950), as amended, do hereby prohibit you from attending, during a period of five years as from the date that this notice is delivered or tendered to you, any gathering in any place within the Republic of South Africa or the territory of South-West Africa.

Given under my hand at *Pretoria* on this  
the *11th* day of *September* 1961.

  
MINISTER OF JUSTICE.

TO:

ROSES KOTANE,  
32, 11th Avenue,  
Alexandra,  
JOHANNESBURG.

HMV  
AL  
149ka

11 SEP 1961 \*

DECLASSIFIED

2/50/2.

GEHEIM.

DIE WAARNEMENDE SEKRETARIS/MINISTER.

BEPERKINGS: MOSES KOTANE: BANTOEMAN.

1. Kotane, n "gelyste" persoon is op 23 Junie 1954 ingevolge artikel 5(1)(e) van die Wet op die Onderdrukking van Kommuniste verbied om vir n tydperk van twee jaar byeenkomste by te woon. (Die kennisgewing het dus reeds op 22 Junie 1956 verval). Alhoewel n feiteverslag oor Kotane se doen en late ook destyds opgestel is (dit is gedateer 24 Junie 1954), is n gebiedsbepanking ingevolge artikel 10(1) van die Wet op die Onderdrukking van Kommuniste nie opgelê nie aangesien Kompol na die ontvangs van die feiteverslag aangedui het dat hy ander stappe by die Sekretaris van Bantoe-administrasie en -ontwikkeling aanbeveel het. n Daaropvolgende versoek om beperkings deur Kompol is ook, as gevolg van n latere versoek van hom (Kompol), agterweë gehou.

2. Kompol versoek nou dat Kotane, wat geen vaste betrekking beklee nie en sy lewensbestaan voer deur artikels vir "New Age" en ander linksgesinde blaai te skryf -

- (a) ingevolge artikel 10(1) van die Wet op die Onderdrukking van Kommuniste tot die landdrosdistrik Johannesburg (met uitsondering van fabriekspersiele, Bantoe woonbuurtes en Bantoe kampongs wat ook verbode moet wees) beperk word; en
- (b) ingevolge artikel 5(1)(e) van dieselfde Wet verbied word om vir n tydperk van vyf jaar byeenkomste by te woon.

Die Veiligheidsbeampte steun Kompol se aanbeveling



DECLASSIFIED 2/...



en doen aan die hand dat n Komitee aangestel word om opnuut n feiteverslag op te stel. (██████████).

3. Die feit dat Kotane n "gelyste" persoon is, is genoegsaam om n beperking ingevolge artikel 5(1)(e) op te lê en geen redes of gegewens vir so n beperking hoef verstrek te word nie. Die Departement is tevrede dat Kotane se bedrywighede, soos weerspieël deur n memorandum wat deur Kompol voorgelê is (██████████) van so n aard is dat daar alle regverdiging vir so n beperking bestaan en hy steun dus Kompol se aanbeveling. Die nodige kennisgewing in die verband is in die omslag vir die Minister om te teken asseblief indien hy goedkeur.

4. Soos reeds aangedui is n feiteverslag (met n positiewe bevinding) oor Kotane se doen en late reeds gedurende 1954 opgelê <sup>stel</sup> (██████████). Aangesien artikel 17 van die Wet geen tydsbeperking opleë nie kan daardie verslag skynbaar nou nog dien as basis vir n gebiedsbeperking ingevolge artikel 10(1). Die Departement voel egter, veral in die lig daarvan dat die Minister geroepe is om redes en gegewens vir so n beperking aan Kotane te verstrek indien hy daarom sou vra, dat dit beter sou wees om n tot op datum verslag te verkry. Die Departement doen dus ook aan die hand dat die beperking oorstaan totdat n nuwe feiteverslag beskikbaar is. Indien die Minister goedkeur sal n komitee-aanstelling voorgelê word sodra die vakature wat in die ledetal van die Komitee bestaan, <sup>seem!</sup> gevind is. *SR 8/9/61 p. 6.9.61* *6/8/9/61* *SR 8-9-61*

DIE WAARNEMENDE SEKRETARIS.

Kennisgewing, geteken en voorstel in paragraaf 4 goedgekeur.

*[Handwritten Signature]*  
MINISTER.

Kennisgewing in my teenwoordigheid geteken.

*[Handwritten Signature]*  
PRIVAATSEKRETARIS.

11/9/61

AANVULLENDE MEMORANDUM.

MOSES KOTANE.

Vanaf 26/1/1955 tot 3/5/56.

Op 4/12/1955 het hy na die Unie vanaf die buiteland teruggekeer.

Volgens 'n koerant verslag van „New Age" gedateer 12/5/55 het MOSES KOTANE die Bandoeng Konferensie bygewoon en verslag gedoen.

Volgens 'n koerantverslag van „New Age" gedateer 20/10/55 was Moses KOTANE in Peking, Sjina, saam met ander welbekende Kommuniste alwaar hulle die 6de viering van die stigting van die „People's Republic of China" op 1 Oktober 1955, bygewoon het.

In „New Age" van 9/2/56 kom daar 'n advertensie voor „MOSES KOTANE on his Overseas Visit - Make sure you get your copy by placing an order today".

In „New Age" van 16/2/56 het 'n verslag van MOSES KOTANE wat handel oor sy oorsese besoek voorgekom.

Op 6/4/56 is [redacted] inligting bekom dat hy 'n vergadering bygewoon het saam met genoemde Kommuniste DAN TLOOME, DAVID BOPAPE, J.J. MARKS en beperkte persone N.R. MANDELA, W. SISULU en O.R. TAMBO. Die inligting is as sou hulle die konstitusie van die A.N.C. bespreek het.

Op 26/4/56 verskyn daar 'n artikel in die „New Age" onder opskrif „Build a United Front says MOSES KOTANE.

Die betrokke artikel word aangeheg.

*die aangeheg  
nie.*

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AA/DRK/5.

AANVULLENDE MEMORANDUM VANAF 7.7.1961 tot 11.7.1962<sup>C</sup>  
t.o.v. MOSES KOTANE.

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Op 1.8.1961 is inligting ontvang dat hy besig is met organisasie werk teen die Staat ten behoewe van die Linksgesinde en Organisasies aan die Rand.

Gedurende Julie, 1961 het hy Durban besoek saam met bekende agitators P.P.D. Nokwe, Walter Sisulu en andere.

Op 4.4.1962 het hy [REDACTED] samespreking gevoer met Gelyste Kommunist Michael Harmel - Nr. 4 op lys.

Alhoewel Kotane nooit op die voorgrond tree op Politieke Gebied nie is dit bekend dat hy altyd geraadpleeg word en dat hy altyd agter die skerms bedrywig is.

DECLASSIFIED

KAAPSTAD.

2/50/2.

GEHEIM.

Die Waarnemende Sekretaris/Die Minister,

BEPERKINGS: MOSES KOTANE.

1. Verwys asseblief na die diensbrief van Kompol hieronder waarin dit aanbeveel word dat bogenoemde kragtens artikel 5 van Wet No. 44 van 1950, soos gewysig, verbied word om

- (i) enige byeenkoms in die Unie of Suidwes-Afrika vir n tydperk van 5 jaar by te woon, en
- (ii) n ampsdraer, beampte of lid van n aantal organisasies te word of aan hulle bedrywigheede deel te neem.

2. Kotane is n „gelyste" persoon en sy naam verskyn teenoor No. 57 op die lys wat deur die Beredderaar opgestel is.

3. n Kennisgewing ingevolge artikel 5(1)(e) van die Wet waarkragtens hy verbied word om enige byeenkoms in die Unie of Suidwes-Afrika vir n tydperk van 2 jaar by te woon was op 23 Junie 1954 op Kotane beteken. Dit verstryk dus op 22 Junie 1956 - (Vlag 23.6.54).

4. Twee kennisgewings ingevolge artikel 5 van die Wet is voorberei en in die lêer gevlag om deur die Minister onderteken te word indien hy bereid sou wees om aan Kompol se aanbeveling gevolg te gee. Kompol sal versoek word om die kennisgewing ingevolge artikel 5(1)(e) van die Wet nie voor die 22ste Junie 1956 op Kotane te beteken nie.

2/5/56

DECLASSIFIED

1. "South African Congress of Trade Unions or any Trade Union affiliated thereto".

Ek het van Scholtz (Arbeid) gekom. Die "South African Congress of Trade Unions" is nie in Geregisterde Vakvereniging nie en my ken my dus nie meesal of daar enige vakvereniging wat volgens Wet Gereguleer is daarmee re-affiliasie is nie - Ek het die saak met Kap. Buis en H/Ket. Smit van Kumpel bespreek en hulle het vasgestel dat geen Geregisterde Vakvereniging met die bevoornelde liggaam re-affiliasie is nie.

2. "Native Location Advisory Boards" - Kumpel verstaan dat Kotane verhoor moet word om lid, ens., van enige van die liggaam te word.

ABD  
14/5/56

DECLASSIFIED

2/50/2.

GEHEIM.

112-6-1956

Die Kommissaris van die  
Suid-Afrikaanse Polisie,  
PRETORIA.

BEPERKINGS: MOSES KOTANE.

Met verwysing na u diensbrief No. [redacted] van  
8 Mei 1956 sal dit waardeer word indien u die Departement  
wil verwittig of daar enige stappe ingevolge artikel  
5 van Wet No. 38 van 1927, soos gewysig, teen bogenoemde  
gedoen is en, indien wel, hoe ver dit gevorder het. In  
hierdie verband word u aandag op u diensbrief No. [redacted]  
Vol. 2 van 25 Augustus 1954, gevestig.

R. S. DIPPENAAR

Waarn. SEKRETARIS VAN JUSTISIE.

DECLASSIFIED

Low page 26-4-53

# BUILD A UNITED FRONT, SAYS MOSES KOTANE

Fraternal greetings to all workers, oppressed people and democrats in South Africa on this May Day, 1956. May Day is the traditional international workers' day, a day on which workers in every country throughout the world come together to review their forces and their achievements and failures for the past year, and to rededicate themselves to the cause of the peoples' freedom, human progress and happiness. We too must look back and assess our achievements and shortcomings for the May Day year, 1955-1956.



In this country—where the ruling class and the reactionary, obscurantist Nationalist Party Government are, through false race theories, apartheid measures and economic and social bribes, doing their worst to eradicate the idea of May Day and to obliterate the spirit of interracial brotherhood and working-class solidarity—the lessons and traditions of May Day are of great importance and significance to us, particularly this year.

The tightening of the pass and permit laws and the extension of the pass system to African women, and a host of other unjust and wicked laws, regulations and proclamations accentuate the oppression, exploitation and humiliation of the African people, while ethnic grouping must militate against and retard the political unity and national organisation of the ten million oppressed and exploited African people in the Union. The loaded vote of the Coloured people of the Cape has

been rendered even less effective so that they can be pushed about with impunity in the same way as the Africans.

However, in spite of the many setbacks suffered during the year, there were some achievements, the most outstanding of which was the Congress of the People which produced the world-renowned document which today serves as a beacon to the Congress movement and an inspiration to the people of South Africa: the historic Freedom Charter. We must learn to follow up our successes.

We have a big task before us: the ending of oppression, racial discrimination and injustices in this country. For this we need an organised force capable and ready at all times to frustrate the plans and intentions of the ruling class, and which constantly presses forward the demands of the people.

It is therefore the duty of every worker, every democrat and every true South African to work actively for the building of a powerful progressive united front movement which will, in the spirit of the Freedom Charter, work and fight for the abolition of political oppression, economic exploitation and social discrimination and injustices in South Africa.

DECLASSIFIED

2/50/2.

DEPARTMENT OF JUSTICE  
PRETORIA  
BUREAU OF RECORDS  
27-10-1954  
DIRECTOR OF JUSTICE THROUGH DE  
DEPARTMENT OF JUSTICE

GEHEIM.

Die Sekretaris/Die Minister.

FEITEVERSLAG VAN KOMITEE INGEVOLGE ARTIKEL 10 VAN WET NO. 44 VAN 1950 : MOSES M. KOTANE.

1. Die Komitee wat ingevolge artikel 17 van bovermelde Wet saamgestel is, het nou 'n feiteverslag ten opsigte van Kotane uitgebring en dit is in die lêer hieronder, gevlag „Verslag” vir insae.
2. Kopol was versoek om aan te dui tot watter gebied dit verlang word dat Kotane beperk moet word en sy antwoord is nou ontvang, <sup>soos</sup> hieronder.
3. Kopol deel mee dat hierdie geval na sorgvuldige oorweging na die Sekretaris van Naturellesake verwys is vir optrede ingevolge artikel 5 van die Naturelle Administrasie Wet, 1927 (Wet No. 38 van 1927), soos gewysig.
4. Voorgelê vir die inligting van die Minister.

Die Sekretaris  
Mennis geneem  
van § 3.

*[Handwritten signatures and dates]*  
30/8/54  
1/9/54  
4/9



*[Handwritten signature]*  
26-10-1954

*[Handwritten signature]*  
09/11/54

DECLASSIFIED



FEITEVERSLAG INSAKE

MOSES MONAI KOTANE

OORWEGING IN TERME VAN  
ARTIKEL 10 VAN WET 44 VAN 1950,  
SOOS GEWYSIG.

1. VAN: KOTANE
2. VOLLE NAME: MOSES MONAI
3. GESLAG: Manlik.
4. PLEK VAN GEBOORTE: Unie van Suid-Afrika.
5. DATUM VAN GEBOORTE: Ongeveer 49 jaar.
6. NASIONALITEIT: Naturel.
7. BEROEP: Was Algemene Sekretaris van Kommunistiese Party van Suid-Afrika.  
Hy is tans 'n sakeman in Alexandra-stadsgebied.
8. ADRES: No. 32 Elfde Laan, Alexandra-stadsgebied.
9. GETROUD OF ONGETROUD: Getroud.
10. VOLLE NAME VAN EGGENOOT(E): ?
11. BEROEP VAN EGGENOOT(E): ?

A. GEBIEDE WAARIN VERWESENLIKING VAN KOMMUNISTIESE  
OOGMERKE ENS. BEVORDER WORD OF WAARSKYNLIK  
BEVORDER SAL WORD:

- (i) } .....
- (ii) } Die hele Unie van Suid-Afrika.
- (iii) } .....

B. FEITE T.O.V. VERWESENLIKING VAN OOGMERKE VAN  
KOMMUNISME SOOS OMSKRYF IN ARTIKEL 1(1)(ix)  
VAN WET 44 VAN 1950, SOOS GEWYSIG:

.....Sien bylae A.....

.....

.....

.....

.....

Kotane. *Mose*

DECLASSIFIED

1/333/30.

Afskrif vir 2/50/2  
3/50/

GEHEIM.

Die Sekretaris/Die Minister,

A. BEPERKINGS INGEVOLGE ARTIKEL 10 VAN WET  
NO. 44 VAN 1950.

1. Verwys asseblief na Kompol se diensbrief ( [redacted] ) waarin versoek word dat die Komitee wat ingevolge artikel 17 saamgestel is, nou saamgeroep moet word om feiteverslae uit te bring ten opsigte van die persone wie se name op bylae „A” hiervan verskyn, ten einde die Minister in staat te stel om te oorweeg om hulle kragtens artikel 10 van die Wet te verbied om vir 'n sekere tydperk in 'n kennisgewing omskrewe gebied te wees.
2. In afwagting van die Minister se besluit, is 'n opdrag ingevolge artikel 17 van die Wet opgestel vir die Komitee om 'n feiteverslag ten opsigte van die betrokkenes uit te bring. Die opdrag is in die lêer hieronder vir ondertekening deur die Minister indien hy met bostaande eens is.

B. STAPPE INGEVOLGE ARTIKEL 14 VAN WET NO. 44  
VAN 1950.

3. Verwys asseblief na Kompol se diensbrief ( [redacted] ) waarin versoek word dat die Komitee wat ingevolge artikel 17 saamgestel is, feiteverslae ten opsigte van die persone wie se name op bylae „B” verskyn uit te bring ten einde die Minister in staat te stel om die Goewerneur-generaal in te lig en te adviseer of hulle nie persone is wat nie Suid-Afrikaanse burgers by geboorte of afkoms is nie en of hulle beskou moet word as ongewenste ingesetenes van die Unie omdat hulle kommuniste is of skuldig bevind is aan misdrywe ingevolge paragrawe (a), (b), (c), (d), (e), (g), (h) of (i) van artikel 11 van Wet.
4. In afwagting van die Minister se besluit is 'n opdrag ingevolge artikel 17 van die Wet opgestel vir ondertekening deur die Minister indien hy daartoe bereid mag wees.

5. In die memorandum op lêer No. 1/333/30 word die procedure uiteengesit wat hierdie Afdeling voorstel gevolg moet word om deportasiestappe teen 'n persoon te oorweeg. Sal die Minister asseblief aandui of dit sy goedkeuring wegdra?

BYLAE "A".

1. Die volgende verslag is gebaseer op feite alleen wat deur die ondergenoemde Komitee versamel is na deeglike ondersoek in die handeling en optrede van bogenoemde persoon oor 'n tydperk van ongeveer 25 jaar.

2. Die feite is bepaal uit die volgende:-

- (a) Erkennings deur homself gemaak;
- (b) Uit toesprake wat hy gemaak het op beide openbare en [REDACTED] vergaderings;
- (c) Uit hoofde van sy erkende en vasgestelde lidmaatskap van Kommunistiese en Kommunisties-gesinde liggame; Afleidings is ook gemaak wat sterk genoeg is om as feite beskou te word in samehang met die voorafgaande;
- (d) Uit hoofde van sy intieme omgang met erkende Kommuniste of Kommunistiesgesinde persone.

3. Die Feite as Bewys gevind Openbaar:

- (i) 'n Doelbewuste strewe na en verkondiging van 'n plan wat die daarstelling beoog van 'n regeringstelsel wat gebaseer is op die oorheersing deur die massas van die nie-blanke proletariaat van die Unie ter uitsluiting van alle ander;
- (ii) Dat Kotane beoog die aanwakkering en bevordering van onluste en wanorde deur die pleging van onwettige daade en die bedreiging daarvan, om sodoende 'n verandering teweeg te bring in die Unie van die gevestigde politieke, sosiale en ekonomiese toestande alhier. Hy het werklik die wanorde en onluste gepropageer.
- (iii) Dat hy beoog die verandering van die politieke, ekonomiese en sosiale toestande van die Unie in medewerking met en ooreenkomstig die patroon van ander erkende Kommunistiese lande.
- (iv) Dat hy beslis direk en indirek 'n gees van vyandigheid aanwakker tussen die blank en nie-blanke rasse van die Unie, met die doel om Kommunisme in die Unie te verwesenlik.

Uiteensetting van Feite.

4. Kotane was lid van die Kommunistiese Party van Suid-Afrika reeds in 1930. Hy was sedertdien lid van die Sentrale Uitvoerende Komitee en vanaf 1939 Algemene Sekretaris van die Party, 'n betrekking wat hy tot die ontbinding van die Party in 1950 beklee het.

Kotane is onteenseglik 'n vurige en uiters aktiewe Kommunist en deur sy welsprekendheid sweep hy sy gehore maklik op. Veral gedurende die jare 1946 tot dat sy bewegings in 1952 beperk is, het hy tallose Kommunistiese of Kommunisties-georiënteerde vergaderings oor die hele Unie toegespeek. Hy het sy gehore wat meestal uit nie-blankes bestaan voortdurend aangemoedig en aangehits om hulle teen die volgende sogenaamde onderdrukkende landswette te verset - Paswette; Wet op Onderdrukking van Kommunisme; Wet op Groepsgebiede; Wet op Aparte Kieserslyste ten opsigte van Kleurlinge; Wet op Uitdunning van Vee, en om deel te neem aan die Versetbeweging om van hulle werk weg te bly. In sy toesprake spoor hy die nie-blankes geduring aan om te veg vir volle gelyke politieke en ekonomiese regte met die blankes en stook hulle op teen die blankes. Hy stel die Regering altyd voor in die swartste lig en beklemtoon die sogenaamde onderdrukking van die nie-blankes. Hy trek te velde teen die kapitalistiese stelsel wat die uitbuiting van die werkers beteken. Hy prys die Kommunisme aan by sy gehore en noem die prestasies van die Kommuniste in Rusland.

Op 28 November 1952 is Kotane saam met ander Kommuniste gevonnissen tot 9 maande tronkstraf met dwangarbeid, opgeskort vir twee jaar, vir oortreding van paragraaf (b) van artikel 11 van Wet No. 44 van 1950. Hy is op 28 April 1952 <sup>1952</sup> beperk kragtens artikel 5(1)(e) van hierdie Wet maar het ondergronds voortgegaan met sy bedrywighede.

5. Kotane is of was (bo en behalwe die Kommunistiese Party van Suid-Afrika) lid van die volgende Kommunisties

georiënteerde/3.....

georiënteerde organisasies of komitees:

- (1) 'African National Congress' en die Uitvoerende Komitee van hierdie organisasie;
- (2) 'Anti-Pass Committee', uitvoerende lid;
- (3) 'Central Council of the South African Freedom Committee' (Voorsitter);
- (4) 'Transport Action Committee';
- (5) 'Uitvoerende Komitee van die Freedom of the Press Conference';
- (6) 'Let the People Speak Committee';
- (7) 'Non-European Unity Movement';
- (8) 'Joint Planning Council';

Hy is ook gedurig in noue samewerking met die 'South African Indian Congress', 'South African Indian Youth Congress', die 'South African Coloured Peoples' Organisation' en die 'South African Congress of Democrats'.

6. Stawende Feite ten opsigte van Bevindings onder Paragraaf 3 hierbo genoem.

Paragraaf 3(i):

Op 16 April 1934 is 'n 'Young Workers Club' op Johannesburg geopen. Daar was 50 wit en swart werkers teenwoordig. Die Voorsitter het dit baie duidelik gestel dat hierdie Klub 'n organisasie van jong werkers, wit, swart en gekleurd, sal wees, wat aan revolusionêre, kulturële en sport-aktiwiteite sal deelneem. Kotane wat namens die Kommunistiese Party gepraat het die feit beklemtoon dat tensy die jong werkers van Suid-Afrika bereid is om vir die daargestelling van 'n revolusionêre werkende klas diktatorskap te veg en te help om dit in die lewe te roep, hulle, wanneer hulle volwassenes is, onderworpe sal wees aan dieselfde slawewette waaronder hulle ouers vandag ly.

Op 14 Februarie 1949 op 'n openbare vergadering deur die Kommunistiese Party in Durban gehou sê Kotane:

"Have the riots taught us anything? .... The cause of the disturbances/4.....

disturbances fundamentally is the laws of the country made by selfish South Africans - laws against the working class, Colour Bar laws, restrictions politically and economically.. . . . .". Op 10 Augustus 1949 is 'n bulletin, onder-taken deur Kotane as Algemene Sekretaris, deur die Kommunistiese Party aan sy lede uitgegee. Dit het onder andere die volgende bevat: "The Nationalists can be defeated by an active Mass People's Movement for freedom and progress .... It is your duty to play your full part in bringing about the existence of the desired movement".

Op <sup>"</sup> Junie 1950 op 'n Kommunistiese Party vergadering op Oos-Londen sê Kontane onder andere - "The Africans want to be Prime Ministers of this country and to rule it ... That is what the Communist Party stands for - that is why the Communist Party is called 'dangerous'. The Communist Party stands for equality. Equality the Government says is a threat to White supremacy". . . . . The intention of the Government however is to reduce the Africans to such a stage that the white people can maintain their supremacy. The Africans are determined not to see this happen in South Africa".

In 'n verklaring in die hof voordat hy gevonnissen is in Julie 1952 het Kotane onder andere gesê: "The aim of the African National Congress is to change the present wicked caste system of South Africa which is responsible for so much evil. We want full citizenship rights in the political sphere for the Africans and other non-European sections".

Op 17 Maart 1949 op 'n Kommunistiese Party vergadering op die Parade, Kaapstad sê Kotane onder andere: "Communism is nothing but life. It is a question of right and wrong. You know we have been living under a capitalistic system. Under this system you see the people who have are getting profits out of the people who do not have . . . . . In this country the majority are exploited at the expense of

the/5.....

the minority. Did the large landowners come by their property honestly? No! This system must die even if I cannot kill it myself. The revolt of Communists all over the world is only a struggle between two classes - those who have and those who do not have .....

██████████ blyk dit dat op 31 Januarie 1954 te Newcastle afgevaardigdes van The Liberal Party en die Non-European Unity Congress en ander organisasies ██████████ ██████████ samesprekings gevoer het met die oog op nouer samewerking tussen die twee organisasies. Kotane is teenwoordig as afgevaardigde van die African National Congress. Die volgende besluite is eenparig aangeneem:

- (1) "This meeting of the representatives of the South African Indian Congress, South African Indian Youth Congress, African National Congress, Liberal Party and Non-European Unity Movement totally disregard the Nationalists Government oppressive legislation and therefore wholeheartedly expects to defy all oppressive laws of the Government".
- (2) "This meeting calls for the formation of a South African Freedom Committee consisting of two members of each party represented - to find ways and means to defy whatever oppressive laws the Government made".
- (3) "This meeting calls upon any member of the proposed Committee to pledge that no matter what happens, they must never reveal the plan or personnel of the Committee".
- (4) "This meeting also resolves that the Committee must not be made public. The masses must be told that each party sympathises with the struggle but takes no active part".

Paragraaf 3(ii):

Op 9 Februarie 1947 op 'n vergadering van die African National Congress op die Parade, Kaapstad noem Kotane wat hulle alles in 1946 kon doen. "It was in 1946 when they swore to stop the struggle of their people; it was in 1946 that the Indian Passive Resistance Movement was started; in

1946 the/6.....



1946 the mine workers stood up and demanded 10/- per day; in 1946 when the strike was on ....; in 1946 we burnt our passes at Langa. It was in 1946 that the people of the world knew about our struggle at the U.N.O. and Smuts' people are still suffering from the wounds they got then; it was in 1946 the U.N.O. said what they were going to do. What are you going to do? The things we could not carry out in 1946 we are going to carry out in 1947, including the Pass Laws ... I declare with my tongue. I may go to prison and cannot speak, but if free, I am going to speak to you and we must organise so that we can get what we want".

Op 23 Maart 1947 op 'n vergadering van die Anti-Pass Committee in Kaapstad spoor Kotane sy gehoor aan tot opstand teen die paswette. Hy sê: "The passes are destroying you ..... things are moving and we are going to live up to our resolution to destroy the passes"....

Op 25 April 1948 op 'n vergadering in Kaapstad laat Kotane homself as volg uit: "You know what happened in 1946 .... Here in Cape Town you have seen how Africans have burned their passes..... We must continue our struggle and fight for our rights".

Op 20 Julie 1948 op 'n vergadering van die Oos-Londen-tak van die African National Congress spoor Kotane sy gehoor aan tot aksie: "Aksie is beter as toespraak".

Op 15 Augustus 1948 op massa-protes vergadering op die Parade, Kaapstad teen apartheid op die voorstedelike treine sê Kotane onder andere: "The aim of the Government is to perpetuate the system where we will have no rights. Segregation is a menace where we will be slaves forever unless we fight against it..... This is my message; 'Come together and we will fight and defeat the action of the Minister of Transport. We must fight for ourselves. Nobody else will fight for you.... We must stand together and we will defeat this segregation measure ....'".

Op 20 April 1950 op 'n massa-protessvergadering in die Stadsaal, Kaapstad teen die Groepsgebiede wetsontwerp sê Kotane: "I want to tell you about a promise I made to the African people in Johannesburg. I told them that we will see to it here in Cape Town that our mothers and sisters will never carry passes..... The Anti-Pass Committee have decided that on Sunday, May the 7th, Cape Town will belong to the Africans. On that day we will show them that what we say is law and not what they say. Cape Town will be ours on that day - let it be the African Day".

Op 25 Junie 1950 op vergadering op Parade Kaapstad sê Kotane: I represent the African National Council and have been instructed by the Executive to call upon the people of Cape Town not to go to work tomorrow. I am doing it deliberately and urge you to have one voice and say 'We are not going to work tomorrow'.

Op 11 November 1951 op 'n vergadering van die 'Freedom of the Press Conference' in die Trades Hall, Johannesburg sê Kotane: „Praat help niks nie en as gevolg daarvan het baie reeds verlore gegaan <sup>so</sup> ~~en~~ ook het Kommunistiese Party sy saak verloor deurdad hulle geen aksie teen die regering geneem het nie".

Op 13 Januarie 1952 op vergadering van African National Congress in Alexandra-stadsgebied Kotane "appealed to the audience for volunteers to break the laws which were made to oppress the non-Europeans".

Op 1 Junie 1952 spreek Kotane 'n vergadering in Alexandra-stadsgebied toe: "You all know that I am not supposed to attend any meetings.... or to speak at any meetings .... I have found it my duty to speak to you here today although I am not allowed to do so. This is the beginning of the struggle. I am well prepared to go to gaol. The Government has oppressed us for so long; now it is time to halt them....."

Op die jaarlikse konferensie van die African National Congress gehou in Johannesburg op 13 - 14 Desember 1952 word Kotane en ander persone aangewys om voort te gaan met ondergrondse aktiwiteite.

Op 23 April 1954 het Kotane en ander lede van die Vryheidskomitee samesprekings op Kimberley gehad waar besluit is om die veldtog, wat hulle vir 19 Junie 1954 beoog het, gelyktydig in Alexandra en Sophiatown van stapel te stuur. Op albei plekke sal Naturelle gelyktydig hulle passe verbrand - ook op Oos-Londen is later besluit.

Paragraaf 3(iii):

Op 6 Augustus 1947 vier die Kommunistiese Party sy 26ste verjaardag in die Zioniste Saal, Kaapstad waar Kotane hom onder ander as volg uitlaat: "Join the Communist Party which does not recognise any differences between black and white".

Op 15 Mei 1949 op 'n Kommunistiese Party-vergadering op die Parade, Kaapstad, sê Kotane: "There is an unconquerable army of Communists all over the world .... our civilization consists of one section of the people holding the majority of the people down. Civilization is another name for a cheap labour system. The Africans can only be soldiers while we were fighting for the white man. ....Join the African National Congress and fight for equality."

Op 6 November 1949 op Kommunistiese Party vergadering op die Parade, Kaapstad noem Kotane die prestasies van die Kommuniste in Rusland. Op 1 Desember 1949 sê hy: "Communism could never be smashed. People are beginning to see that they are being exploited and oppressed, and are clamouring for relief ...."

Op 2 Maart 1950 op 'n Kommunistiese Party vergadering te Windermere, Kaapstad sê Kotane onder andere "The Communist Party has always given you a lead - that is why you should follow the Communist Party" en op die protesvergadering

teen/9.....

teen die Wet op Vrye Spraak gehou in Johannesburg op 26 Maart 1950 sê hy: "The Government is oppressing the African people and is accusing the Communist Party. The Bill is against all people who go about preaching freedom, such as the African National Congress, the A.P.O. and the Indian Congress .... My last words are, 'They must not succeed and if they do, we must be no more'".

Op 11 Junie 1950 op Oos-Londen maak Kotane aanspraak daarop dat hy die Kommunistiese Party verteenwoordig, "Wie se naam die hele wêreld laat bewe". ".... The Africans want to be Prime Ministers of this country and to rule it.... That is what the Communist Party stands for - that is why the Communist Party is called "dangerous". The Communist Party stands for equality. Equality the Government says is a threat to white supremacy. What is wanted is an industrial change and a change in the Colour Bar. The Africans want to dispute the monopoly of the White people in South Africa - that is what the Communist Party stands for... The Communist Party, the African National Congress, the Indian Congress and the African Peoples' Organisation <sup>met</sup> ~~tried~~ in Johannesburg to see what could be done. It was decided that something must be done to stop this (the maintenance of white supremacy). "

Paragraaf 3(iv):

Op 23 Oktober 1946 op 'n vergadering van die Cape Passive Resistance Council op die Parade, Kaapstad, sê Kotane onder andere: "The struggle of the Indians in this country is not their fight alone; it is the fight of all non-European people. We must put the South African Government on the spot where we want them".

Op 23 Maart 1947 op 'n vergadering van die Anti-Pass Committee ~~spits~~ <sup>h</sup> Kotane sy gehoor aan teen die blankes. "We must boycott the whites .... Let us unite, organise and act - act at once".

Op 31 Augustus 1948 op 'n vergadering van die Kommunistiese Party in die Stadsaal, Kaapstad sê Kotane onder andere: "Do you know what apartheid means? It means that Europeans and non-Europeans must live together, but the latter merely as servants to tend to the needs of the Whites .... We demand economic equality".

Op 10 Augustus 1949 is 'n bulletin deur die Kommunistiese Party onderteken deur Kotane aan sy lede uitgegee. Dit bevat onder andere die volgende: "Since they came to power, the Nationalists have been busy taking away, imposing limitations on or restricting the rights of the non-European sections of the population and of the working class.... Before any progress can be made in this country the people must first rid themselves of the Nationalist pest. The racialists have nothing to offer the people of South Africa but hatred, racial strife and bitterness...."

Op 2 Maart 1950 op 'n vergadering van die Kommunistiese Party in Windermere, Kaapstad laat Kotane hom as volg uit: "We are not going to accept the Government's policy. The Government wants everybody to carry passes.... We are going to have a police state. The Government wants to divide the non-Europeans..... They say the Africans are a danger to White Baasskap. You know what happened in India! .... We will be regimented like the people in Europe under Hitler.... This is Africa. This is the land of the Africans. We are going to fight until we all get all the rights to us..."

Op 30 April 1950 op Kommunistiese Party vergadering op die Parade, Kaapstad sê Kotane: "The Government do not want Africans to come to urban areas. To prevent them they apply pin-pricks by forcing Africans to go to Pass Offices for a permit. We are not beggars.... Under the amending Bill a Native Superintendent will have power to move you from house to house...."

Op 11 Junie 1950 op Kommunistiese Party vergadering in Oos-Londen: "This country belongs to the Africans but there is no freedom for them and they have to pay for whatever they want". "...The Africans want to dispute the monopoly of the White people in South Africa that is what the Communist Party stands for.... The intention of the Government however is to reduce the Africans to such a stage that the White people can maintain their supremacy. The Africans are determined not to see this happen in South Africa.... The unlawful organisations Bill was studied and it was found that what is meant by Communism refers in fact to Africans... The Communist Party is not a gentlemen's party because some of its members are Africans. Had the Communists consisted of Whites alone, it would have been a gentlemen's party. The whole thing is that the White people want cheap labour .... What is required is a national day of protest".

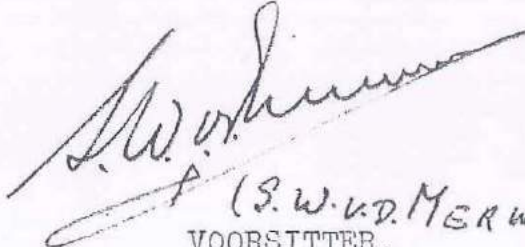
Op 13 Desember 1953 sê Kotane onder andere op 'n 'African National Congress' vergadering in Alexandra-stadsgebied: "Ek sal met julle praat oor die huidige Regering, want hulle is ons probleem. Hulle is 'n belaglike klomp...." "Die witman hier dink hy is beter as ons omdat sy vel wit is. Hulle kan nie die gevaar wat oor hulle koppe hang, sien nie. ....Hierdie is ons land. Ons sal ons nie deur uitlanders laat regeer nie".

Op 7 Februarie 1954 woon Kotane 'n vergadering by van "Let the People Speak Committee" in Moraka Lokasie en sê onder andere: "Hier is 'n skeidslyn tussen verskillende rasse ... Die nie-blankes word onderdruk.... Toe die witmense die land van die nie-blankes gesteel het, was hulle doodgeskiet en verdryf".


Op 14 Februarie 1954 sê Kotane op 'n "African National Congress"-vergadering in Alexandra-stadsgebied: "Ek het spesiaal hierheen gekom om mnr. Swart te bespreek.... As ons saamstem om die verhoogde bustariewe te betaal dan laat

ons toe dat hulle ons beroof. Ons kinders word nie geleer om <sup>nie</sup> vir ewig slawe te wees nie. Hulle moet geleer word dat hierdie land ons land is en dat ander mense dit met geweld geneem het ....".

Op 7 Maart 1954 op 'n vergadering van "Let the People Speak Committee" sê Kotane: "Toestande in Kenia is ook van toepassing hier en dit is moontlik dat dit ook hierheen kan kom. ...Watter mal regering het ons vandag - hulle het die vermetelheid om die nie-blanke bevolking te beskuldig as aanhitters maar in teendeel is hulle die aanhitters.... Een van die dae sal die nie-blankes 'n voorsprong hê op die blankes. Julle moet organiseer om julle self te help want as julle dit nie doen nie sal die Here nie help nie!"

  
(S.W.V.D. MERWE)  
VOORSITTER.

  
LID.

  
LID.

PRETORIA,

24 Junie 1954.

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2/50/2.

GEHEIM.

Die Kommissaris van die  
Suid-Afrikaanse Polisie,  
PRETORIA.

25-7-1954

INSAKE : FEITEVERSLAG : ARTIKEL 10 VAN WET NO. 44  
VAN 1950, SOOS GEWYSIG : MOSES KOTANE.

Na aanleiding van u diensbrief No. [REDACTED]  
Vol. 3 van 10 April 1954, wens ek u mee te deel dat 'n  
feiteverslag ten opsigte van bogenoemde deur die Komitee  
wat ingevolge artikel 17 van bovermelde Wet saamgestel  
is, uitgebring is.

Ten einde die Departement in staat te stel  
om die verslag aan die Minister voor te lê om te oorweeg  
of stappe ingevolge artikel 10 van die Wet teen bogenoemde  
ingestel moet word en indien hy daartoe besluit, om die  
nodige kennisgewing vir ondertekening deur hom voor te  
berei, sal dit op prys gestel word indien u wil aandui  
tot watter gebied en gedurende welke tydperk dit verlang  
word dat Kotane beperk moet word.

J. N. OBERHOLZER

SEKRETARIS VAN JUSTISIE.

*Handwritten:*  
Hans  
5/7/54

DECLASSIFIED



COPY.

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////////

at PRETORIA.

TO: Moses Kotane,  
No. 32 - 11th Street,  
Alexandra Township,  
JOHANNESBURG.

THE SUPPRESSION OF COMMUNISM ACT NO. 44  
OF 1950, AS AMENDED.

Please take notice that so much of the notice dated 28th April, 1952, which was served upon you and which in terms of section 10 of the Suppression of Communism Act No. 44 of 1950, as amended, prohibits you for a period of two years from being within any province in the Union of South Africa or the Territory of South-West Africa other than the province of the Transvaal is hereby withdrawn.

Given under my hand at Pretoria this  
4th day of July 1952.

(Sgd) C.R. SWART.

MINISTER OF JUSTICE.

I hereby certify that I have handed the original of this notice to MOSES KOTANE at the Magistrates Court, Johannesburg, on the 15th day of July, 1952, at 9-15 a.m. Nature and exigency explained to him.

(Sgd) ? Helberg.

No.13643 (F) Det. Constable.

Witness :- H. Geo Boy. D/S.  
12720 (F).

COPY.

Office of the Minister of Justice,  
Palace of Justice,  
PRETORIA.

TO Moses Kotane,  
No.32 - 11th Street,  
Alexandra Township,  
JOHANNESBURG.

THE SUPPRESSION OF COMMUNISM ACT NO. 44 OF 1950  
AS AMENDED.

WHEREAS YOUR NAME APPEARS ON THE LIST IN THE CUSTODY OF THE  
OFFICER REFERRED TO IN SECTION EIGHT,

PLEASE TAKE NOTICE THAT:

1. UNDER THE POWERS VESTED IN ME BY SECTION 5 OF THE SUPPRESSION  
OF COMMUNISM ACT, (ACT NO.44 OF 1950 AS AMENDED), YOU ARE  
HEREBY REQUIRED:

- (a) to resign within a period of 30 days from date  
hereof as an office-bearer, officer or member  
of the following organisations and not again to  
become an office-bearer, officer or member thereof  
and not to take part in their activities:

African National Congress  
Transvaal Peace Council.

- (b) not to become an office-bearer, officer or member  
and not to take any part in the activities of the  
organisation called

South African Society for Peace and  
Friendship with the USSR.

2. Under the powers vested in me by section 9 of the Suppression  
of Communism Act, (Act No. 44 of 1950 as amended), you are hereby  
prohibited from attending any gathering whatever within the Union  
of South Africa and the Territory of South-West Africa for a  
period of two years from date hereof other than gatherings of a  
bona fide religious, recreational or social nature

3. Under the powers vested in me by section ten of the Act and  
after thirty days from date hereof you are hereby prohibited for  
a period of two years from being within any province in the  
Union of South Africa, or the Territory of South-West Africa,  
other than the province of the Transvaal.

Given under my hand at Cape Town this 28th Day of April, 1952.

(Sgd) C.R. SWART.

MINISTER OF JUSTICE.



I certify that I served the original of this document on Moses Kotane at 98 - 9th Avenue, Alexandra Township, Johannesburg at 9.40 a.m. on the 13th May, 1952 in the presence of No. 11737 'F' 1/Det/Sergt. T.E.E. Moeller. read the contents of the document over to him and on concluding he said the date shown was not fair and asked, "what happens to a fish when pulled out of the water? The Government is killing the people".

(Sgd) H.G. Boy 'F' No.12720  
1/Det/Sergt.

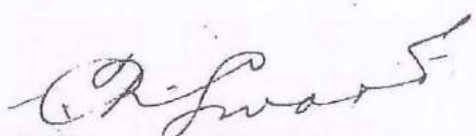


NOTICE IN TERMS OF PARAGRAPH (e) OF  
SUBSECTION ONE OF SECTION FIVE OF  
THE SUPPRESSION OF COMMUNISM ACT, 1950  
(ACT NO. 44 OF 1950), AS AMENDED.

WHEREAS your name appears on the list in the custody of the officer referred to in section eight of the abovementioned Act;

NOW THEREFORE, I, CHARLES ROBERTS SWART, in my capacity as Minister of Justice for the Union of South Africa, by virtue of the powers conferred upon me by paragraph (e) of Subsection one of Section five of the Suppression of Communism Act, 1950 (Act No. 44 of 1950), as amended, do hereby prohibit you from attending, during a period of two years as from the date that this notice is delivered or tendered to you, any gathering in any place within the Union of South Africa, and the Territory of South-West Africa.

Given under my hand at *Cape Town* on this,  
the *7th* day of *June* 1954.

  
MINISTER OF JUSTICE.

Moses Kotane,  
32 Eleventh Street,  
Alexandra Township,  
JOHANNESBURG.

IN THE SUPREME COURT OF SOUTH AFRICA.  
(CAPE OF GOOD HOPE PROVINCIAL DIVISION).

In the matter of the Petition of

SAM KAHN

Applicant.

and:

J. DE VILLIERS LOUW.

First Respondent.

and:

CHARLES ROBBERTS SWART, in his  
capacity as Minister of Justice in the  
Government of the Union of South AFRICA.

Second Respondent.

---

A F F I D A V I T.

I, MOSES KOTANE, make oath and say:-

1. I was the General Secretary of the Communist Party of South Africa from 1939 to 20th June, 1950. The Communist Party of South Africa was founded in 1921 and since that date to the date of its dissolution has openl<sup>y</sup> functioned as a Political Party.
2. During the first week of May, 1950, it became apparent that the Government of the Union of South Africa were about to introduce a bill intended inter alia to declare the Communist Party of South Africa an unlawful organisation.
3. In this emergency a special meeting of the Central Committee of the Communist Party of South Africa was convened for the sixth and seventh May, 1950, at Cape To.
4. On the 5th May, 1950, the Minister of Justice introduced the unlawful Organisations Bill, the first reading of which was passed by Parliament on that date.
5. No copy of the Bill was made available on that date or prior thereto and the first authoritative and official copies of the said Bill became available on Monday, the 8th May, 1950.

6. On the ..... /2.

6. On the 6th of May, 1950, when the Central Committee met, all members but one were present. I was one of those who were present. The absented member subsequently accepted and approved of all the decisions taken. At this meeting, the Bill as far as it could be gleaned from press reports and other sources was discussed.

7. After deliberation it was duly and unanimously agreed as follows:-

"In view of the terms of the Unlawful Organisations Bill the Central Committee of the Communist Party of South Africa resolves:-

- (1) That should this Bill pass the third reading in the House of Assembly the Communist Party shall as from the date of such reading be dissolved.
- (2) That the members of the Central Executive Committee shall take all necessary steps to see that such dissolution is properly carried out and that all District and Branch Committees and groups thereupon cease to function.
- (3) That members of the Central Executive Committee shall have the power to take such steps as are necessary to wind up the affairs of the Party.

This Committee further resolves that after the Third reading referred to above, the members of the Central Executive Committee shall issue a statement on the dissolution to the people of South Africa."

8. Thereafter the Bill was referred to a Select Committee of the House of Assembly from which there emerged subsequently a majority report recommending a bill in similar terms to the Unlawful Organisations Bill, to be called, however, the Suppression of Communism Bill.

9. By the end of May, 1950, it became apparent that the Government would proceed with the outlawing of the Communist Party of South Africa and arrangements were made for my visiting all the District (other than Cape Town) constituting the Communist Party of South Africa.
10. On the 7th June, 1950, I attended and addressed a duly convened General Meeting of Members of the Port Elizabeth District, at Port Elizabeth. At this meeting the terms of the Bill as then known and the Resolutions of the Central Committee set out in Paragraph hereof were explained and fully discussed. The Meeting duly and unanimously approved of and agreed to the said resolution.
11. On the 11th June, 1950, I attended and addressed a duly convened General Meeting of members of the East London District at East London. At this meeting also, the terms of the Bill as then known and the Resolutions of the Central Committee set out in Paragraph 7 wer explained and fully discussed. This meeting also duly and unanimously approved of and agreed to the said resolutions.
12. Similarly, District General Meetings of Members were duly convened and duly held and duly attended and addresset by me at Durban on the 19th June, 1950; at Benoni on the 20th June, 1950, where a meeting of members of the East Rand District took place; at Johannesburg on the 21st June, 1950, where a meeting of the Johannesburg District took place, and on the 22nd June, 1950 at Pretoria, where a meeting of the Pretoria District Committee took place. At all the members meetings referred to in this paragraph, the terms of the Bill as then known and the Resolutions of the Central Committee set out in Paragraph 7 hereof were explained and fully discussed. At all those meetings the said resolutions were also duly and unanimously agreed to and approved. The abovementioned Districts plus the Cape District constituted all the Districts of the Communist

13. At all the members meetings referred to in the preceding paragraphs, it was agreed and arranged that neither the Party nor any Organ, nor member thereof should continue to function, and that no further activities of any kind should be conducted, and that the District and each and every branch and group dispose and divest itself of all its funds and property including all rights and documents; all employees should be paid off and their contracts of employment forthwith terminated, the leases and tenancies of all properties and premises should be lawfully terminated, and all telephones cancelled; that all records should be destroyed and all liabilities of whatsoever nature immediately discharged.

14. By the 20th June, 1950, the Central Committee of the Communist Party of South Africa in pursuance of the Resolutions set out in Paragraph 7 Discharged all its functions, liquidated all its liabilities, divested itself of all its funds and property including rights and documents, disposed of all its assets, destroyed all its documents, minutes and record, paid all employees and terminated all contracts of employment and leases and tenancies, closed its offices, terminated all its activities and ceased to function.

15. At all these meetings no member raised any objection to the decision taken for the dissolution of the Communist Party of South Africa, which dissolution was unanimously approved and endorsed throughout.

16. Neither in the course of the steps which were taken for the dissolution nor since its dissolution in June, 1950, has any member or ex member to this date objected to, dissented from or protested against the dissolution of the Communist Party of South Africa, No such protest, objection, or dissent has been made to me nor to the best of my knowledge and belief has been made to any other person.



17. In pursuance of the decision to dissolve the Communist Party of South Africa on the 29th June, 1950, a statement upon the dissolution under the signature of the National Chairman and myself was issued to the Press of South Africa. A copy of this statement is annexed hereto marked Annexure "A". The widest publicity was given to this statement in the daily newspapers of South Africa. The announcement of the dissolution of the Communist Party of South Africa was also broadcast in the Radio News services of the South African Broadcasting Corporation. Overseas too, considerable publicity was given to the announcement dissolving the Communist Party of South Africa.

18. Prior to the Suppression of Communism Bill being passed by Parliament, the Party including every organ thereof was dissolved and ceased entirely to exist.

(Sgd) M. Kotane.

DATED at CAPE TOWN this 14th day of SEPTEMBER, 1950.  
Deponent acknowledging that he knows and understands the contents of this Affidavit.

Before me,

B. GURLAND.  
COMMISSIONER OF OATHS  
ATTORNEY, CAPE PROVINCE.

*Kaapstad*

2/50/2

3/50/

GEHEIM.

Die Sekretaris/Die Minister.

MOSES KOTANE

A. Beperking ingevolge artikel 5(1)(e) van Wet No. 44 van 1950.

1. Verwys asseblief na die diensbrief ([redacted]) ontvang van Kompol, waarin o.a. aanbeveel word dat die beperkings wat ingevolge artikel 9 van Wet No. 44 van 1950 op sekere persone geplaas is en welke beperkings nou met verloop van tyd verval het of in die loop van die jaar sal verval, of na Ngwvela se saak teruggetrek is, hernu moet word.

2. *KOTANE* is een van die persone wat hierdeur getref word. Sy/haar naam verskyn teenoor No. *57* op die lys in u bewaring ~~is op te~~ ~~aan n misdryf ingevolge artikel~~ ~~skuldig bevind.~~ Sy/haar kennisgewing het verval op *29-4-1954* / ~~is ingetrek.~~

3. Daar sal opgemerk word dat die kennisgewing kragtens die bepaling van artikel 5(1)(e) van die Wet opgestel is. Die rede hiervoor lê daarin dat artikel 5(1)(e) bepaal dat die Minister n „gelyste' kommunist of n persoon wat aan n misdryf ingevolge artikel 11 skuldig bevind is, kan aansê om nie enige byeenkoms in enige plek binne n gebied en gedurende n tydperk in die kennisgewing vermeld, by te woon nie. In teenstelling met die bepaling van artikel 9, staan die Minister onder geen verpligting om redes vir die kennisgewing en die gegewens wat hom beweeg het om dit uit te reik, aan die betrokke persoon te verstrek nie.

4. Die kennisgewing is in die lêer hieronder vir ondertekening deur die Minister indien hy bereid is om aan Kompol se aanbeveling gevolg te gee.

**SATA**  
Ondertekenaar  
*CRS* 7/6/54

In my teenwoordigheid  
19/5/54 A.H.

DECLASSIFIED  
12/1/54

19/5/54 815  
10/6/54

OPDRAG VAN DIE MINISTER VAN JUSTISIE KRAGTENS DIE  
BEVOEGDHEID HOM VERLEEN BY ARTIKEL 17 VAN DIE WET  
OP DIE ONDERDRUKKING VAN KOMMUNISME NO. 44 VAN  
1950 SOOS GEWYSIG.

---

Kragtens die bevoegdheid my verleen by artikel 17 van die Wet op die Onderdrukking van Kommunisme 1950, (Wet No. 44 van 1950) soos gewysig, stel ek, CHARLES ROBBERTS SWART, Minister van Justisie vir die Unie van Suid-Afrika hierby die ondervermelde persone aan as 'n Komitee om aan my feiteverslae te doen omtrent die persone wie se name op die lys in Bylae „A" hiervan verskyn ten einde my in staat te stel om te besluit of gemelde persone, persone is wat die verwesenliking van enige van die oogmerke van kommunisme (soos omskryf in paragraaf (ix) van subartikel (1) van artikel 1 van Wet 44 van 1950) of enige doen of late wat bereken is om die verwesenliking van so 'n oogmerk te bevorder in een of ander gebied of gebiede bepleit, aanraai, verdedig of aanmoedig of waarskynlik die verwesenliking van so 'n oogmerk of so 'n doen of late in een of ander gebied of gebiede sal bepleit, aanraai, verdedig of aanmoedig:-

Mnr. S.W. van der Merwe	<u>Voorsitter.</u>
Brigadier J.C. Kriek	Lid.
Mnr. J.E. van Zyl	Lid.

Gegee onder my hand te

hierdie dag van

19

11 JUN 1954

LYS VAN PERSONE.

1. ARENSTEIN, Roley Israel (Mnr.)
2. BERMAN, Montague David (Mnr.)
3. BERNSTEIN, Hilda (Hilda WATTS) (Mev.)
4. BERRANGE, Vernon Celliers (Mnr.)
5. BUNTING, Brian Percy (Mnr.)
6. CARNESON, Fred (Mnr.)
7. DICK, Nancy Graham (Mej.)
8. DU PLESSIS, Daniel Johannes (Mnr.)
9. DU TOIT, E.S. (Betty) (Mej.)
10. FISCHER, Abram (Mnr.)
11. FLEET, Ronald Henry Walter (Mnr.)
12. HARMEL, Michael (Mnr.)
13. HODGSON, Percy John (Mnr.)
14. JOFFE, Louis Charles (Mnr.)
15. KAHN, Sam (Mnr.)
16. KALK, Karl Frederick William (Mnr.)
17. KAPLAN, Rebecca (Mev.)
18. KODESH, Wolf (Mnr.)
19. LIPMAN, Allan Robert (Mnr.)
20. LE ROUX, Haydee (Mej.)
21. MULLER, Michael Arnoldus (Mnr.)
22. SELBY, Arnold Herbert Alfred (Mnr.)
23. SIMONS, Rachel (Ray ALEXANDER) (Mev.)
24. WILLIAMS, Cecil George (Mnr.)
25. WOLFSON, Israel (Mnr.)
26. MARKS, John Joseph
27. PHILLIPS, James
28. AMRA, Cassim Ismail
29. BHOCLA, Ismail Ebrahim

32. THAIVASIGAMONEY, Appasamy
33. BOPAPE, David Wilson
34. BOSHIELO, Flag
35. KOTANE, Moses
36. MHLABA, Raymond
37. MAIEKO, George
38. MOTSHABI, John
39. NGWEVELA, Johnson
40. PHILLIPS, Lucas
41. SEPEREPERE, Hosea
42. TLOOME, Daniel
43. TSHUME, Gladstone X.
44. MALIBA, Alpheus
45. MAVUSO, John
46. MOGOMOTSI, Solomon
47. MATI, Adam P.
48. THANDRAY, N.S.
49. SITA, Nana
50. CACHALIA, Yusaf A.
51. MANDELA, Nelson R.D.
52. MATTHEWS, J.G.
53. SESEDI, Samuel Pico
54. SIMPE, Sam
55. SISULU, Walter U.M.
56. DYANTYI, July
57. MATSHE, Robert
58. KATHRADA, A.M.
59. NJONGWE, J.L.
60. MATOMELA, Florence
61. GWENTSHE, A.S.
62. DESAI, R.H.

127/2.

2/1/2

DEPARTMENT OF JUSTICE  
2-10-1952  
RECEIVED ON:  
DEPARTMENT OF JUSTICE

DEPARTMENT VAN JUSTISIE  
PRETORIA  
RECEIVED  
17-10-1952  
RECEIVED THROUGH ON:  
DEPARTMENT OF JUSTICE

U.D.J. 402.

By beantworting meld  
In reply please quote

No. 5/6/527/52.

UNIE VAN  
SUID-AFRIKA.



UNION OF  
SOUTH AFRICA.

KANTOOR VAN DIE PROKUREUR-GENERAAL,  
OFFICE OF THE ATTORNEY-GENERAL,

Paleis van Justisie,

PRETORIA.

15 Oktober 1952.

Die Sekretaris van Justisie,  
PRETORIA.

KROON TEEN MOSES M. KOTANE.

Die aanhangsel tot u diensbrief No. 127/2 van  
7 deser gaan hiermee terug.

Ek heg hieraan die verslag van Mnr.  
C.N. v.d. Walt, die beroepsamptenaar wat namens die Kroon  
verskyn het.

*[Handwritten signature]*  
PROKUREUR-GENERAAL.

/CH. Die Minister.  
*[Handwritten initials]*  
21/10/52 A.L.

*[Handwritten initials]*

*[Handwritten signature]*  
*[Handwritten initials]*

Bere.  
27/10/52 A.L.



IN REPLY PLEASE QUOTE  
GELIEWE IN U ANTWOORD TE  
VERWYS NA

No. ....

UNION OF SOUTH AFRICA.—UNIE VAN SUID-AFRIKA.

OFFICE OF THE—KANTOOR VAN DIE

Magistraat,  
Privaatsak No. 1,  
Johannesburg,  
13 Oktober, 1952.

Die Hoof Staatsaanklaer,  
JOHANNESBURG.

KROON TEEN MOSES M. KOTANE.

Na aanleiding van diensbrief No. 5/6/527/52 van die Prokureur -Generaal wens ek as volg te rapporteer:-

1. Die Kroon het wel getuienis voor die Hof geplaas om die geaardheid van die vergadering te verduidelik, maar die Hooggeregshof het bevind dat dit nie genoegsame getuienis was nie. Die getuienis het aangetoon dat dit 'n vergadering van die "African National Congress" was, wat op 'n publieke plek gehou was. Verder was dit ook duidelik dat verskeie persone die vergadering toegesprek het. Getuie Badenhorst meld ook dat die beskuldigde in sy toespraak gesê het dat hy die vergadering in stryd met 'n bevel toegesprek het. Dit is in my opinie, 'n erkenning dat dit nie 'n sosiale, - godsdienstige - of 'n ontspanningsvergadering was nie.

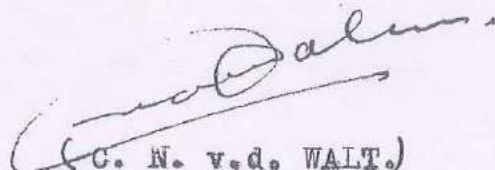
2. Ek wou getuienis lei van die manier waarop die byeenkoms adverteer was en die doel van die byeenkoms soos gemeld deur die persone wat die vergadering aan die publiek bekend gemaak het, maar die Magistraat het besluit dat die getuienis ontoelaatbaar was. Verder was ek van plan om die inhoud van die toesprake van die verskeie sprekers, wat die byeenkoms toegesprek het, te lei, maar die Hof het ook beslis ~~gewies~~ dat dit ontoelaatbaar was.

3. Afgesien van bogenoemde feite, was ek ook van die mening dat die bepalinge van artikel 127(2)(b) Wet 31/1917 hierdie element van die saak sou dek. Die Hooggeregshof het natuurlik besluit dat die artikel nie van toepassing op so 'n geval was nie.

4. Ek wil ook graag die mening uitspreek dat dit in sommige gevalle vir die Kroon ontmoontlik sal wees om getuienis op hierdie punt te lewer. 'n Polisie beampte of 'n ander persoon mag wel beskikbaar wees om te kom sê dat 'n byeenkoms nie onder die uitsonderinge van die bevel val nie. Indien die Verdediging sy verklaring aanvaar, is dit goeie getuienis, maar sodra hy deur die Verdediging aangeval word en redes vir

2/ opinie .....

opnie moet gee, mag die saak heeltemal misluk. Verder is daar ook gevalle, soos die saak teen J. Marks, waar die Polisie uit die saal gejaag was waarin die vergadering gehou was. Gewollik kan hulle niks se wat in die saal gebeur het nie en die privaat persone wat in die saal teenwoordig was, is almal teen die Kroon gekant en kan as sulks nie die Kroon se saak bevorder nie. Hierby kan nog die feit dat dit uiters moeilik is om die betekenis van die woord "sosiaal" te bepaal, en dit bly vir 'n getuie gevaarlik om so 'n bewering te maak.

  
(C. N. v.d. WALT.)  
STAATSAANKLAER.





127/2.

Verw. No. 5167527/52.  
KANT VAN JUSTISIE  
1952

11 OCT 1952

*Ben'*

Kantoor van die Prokureur-generaal,  
Paleis van Justisie,  
PRETORIA.

8t Oktober 1952.

DIE Senior Publieke Aanklaer,  
JOHAN BOSCHG.

KROON TREN MOSES M. KOTANE.

Ek heg hieraan diensbrief/~~brief~~ gedateer  
7th Oktober, 1952. en bylae ontvang van Sekretaris van  
Justisie, PRETORIA en is gelas u te versoek  
om ondersoek te laat instel, indien nodig, en die Prokureur-  
generaal te voorsien van rapport in tweevoud,.

Geliewe aanhangsels terug te stuur met u  
antwoord.

*h*

HOOFKLERK VAN DIE  
PROKUREUR-GENERAAL.

/CH.

Die Sekretaris van Justisie,  
PRETORIA.

Afskrif vir u inligting. U diensbrief No.  
127/2 gedateer 7 Oktober, 1952 verwys.

*[Signature]*  
HOOFKLERK VAN DIE  
PROKUREUR-GENERAAL.

/CB.

*[Handwritten signature]*  
13/11/52



127/2

E.7-10-1952

Die Prokureur-generaal,  
PRETORIA.

KROON TEFN MOSES M. KOTANE.

Met verwysing na die aangehegte koerantuitknipsel verneem die Minister graag waarom daar geen getuienis gelewer is soos, volgens die Regter, vereis word.

Geliewe die aanhangsels met u antwoord terug te stuur.

H. P. N. VAN RHYM

SEKRETARIS VAN JUSTISIE.

*Leat*  
*Hang out.*  
*7/10/52.*

DA/SVS. 3.10.52

# Red Act appeal upheld

From Our Correspondent

Pretoria, Thursday.

**M**OSES M. KOTANE, described as a member of the executive of the African National Congress, succeeded today in the Supreme Court in an appeal against a magistrate's finding under the Suppression of Communism Act.

Mr. Justice de Villiers found that the Crown had not proved that a gathering he had attended was not of a religious, recreational or social nature.

Kotane was alleged to have attended a gathering, not of a *bona fide* religious, recreational or social nature, in breach of a prohibition contained in a notice served on him under the Act. He was sentenced by a Johannesburg magistrate to four months imprisonment.

The judge said there was no evidence of the nature of the gathering which Kotane had attended

## CROWN ADMISSION

Counsel for the Crown admitted that there was this omission in the evidence, but contended that the matter fell under the provisions of section 127 of the code. This section created an exception to the general rule that in a criminal trial the burden of proof was on the Crown.

"The rule includes proof in the negative; for example, it is for the Crown to prove that a killing was not in self-defence," said the judge. Section 127 referred to offences created by statutory enactment, regulation or by-law, but in the present case the notice served on Kotane was not one of these. It had not the force of law of general application, and had not been promulgated. It was a ministerial prohibition served upon and affecting an individual.

"In my view the provisions of section 127 do not apply to the present case. It was, therefore, for the Crown to prove that the appellant had attended a gathering which was not of a religious, recreational or social nature before he could be convicted. This was not done, and the conviction cannot stand."

Mr. Justice de Wet concurred.

*de Wet*





127/2

By beantwoording meld asb.  
In reply please quote  
J. 21/11/1.

DEPARTMENT OF JUSTICE  
27-9-1952

UNIE VAN SUID-AFRIKA.—UNION OF SOUTH AFRICA.

Ministerie van Justisie,  
Ministry of Justice,

Uniegebou,  
Union Buildings,

Pretoria.

DIE SEKRETARIS VAN JUSTISIE :

Na aanleiding van die aangehegte koerantuitknipsel, wens ek u in opdrag mee te deel dat Sy Edele die Minister graag 'n uitleg van hierdie voorval verlang te wete, waarom daar geen getuienis gelewer is soos, volgens die Regter, vereis word.

W/S CC/L.

*[Signature]*  
PRIVAATSEKRETARIS.

M. aak AG. pr. repub.

27/9/52 Af

4  
29  
11  
52

P.C/L  
*[Signature]*  
27/9/52

DRINGEND AUB.

Rekords.

Plaas aub. oh lees en  
stuur terug na S.K. iv.

D.A.  
30/9/52.

*[Signature]*

//////////

//////

PRETORIA.  
at ~~CAPE TOWN.~~

TO: Moses Kotane,  
No. 32 - 11th Street,  
Alexandra Township,  
JOHANNESBURG.

THE SUPPRESSION OF COMMUNISM ACT NO. 44  
OF 1950, AS AMENDED.

Please take notice that so much of the notice dated 28th April, 1952, which was served upon you and which in terms of section 10 of the Suppression of Communism Act No. 44 of 1950, as amended, prohibits you for a period of two years from being within any province in the Union of South Africa or the Territory of South-West Africa other than the province of the Transvaal is hereby withdrawn.

Given under my hand at *PRETORIA*  
this *4<sup>th</sup>* day of *JULY* 1952.

(Sgd) C.R. SWART.  
MINISTER OF JUSTICE.

Received original, together with three  
copies thereof from Mr. M. W. Miles of  
Dept of Justice. *M. W. Miles*

I hereby certify that I have handed the original of this Notice to MOSES KOTANE at the Magistrates Court, Johannesburg, on the 15th day of July 1952, at 9-15 a.m. Nature and exigency explained to him.

11111  
PRETORIA.  
at CAPE TOWN.

No. 13848 (R) Det. Constable

TO: Moses Kotane, *[Handwritten initials]*  
No. 32 - 11th Street, *[Handwritten initials]*  
Alexandra Township,  
JOHANNESBURG.

THE SUPPRESSION OF COMMUNISM ACT NO. 44  
OF 1950, AS AMENDED.

Please take notice that so much of the notice dated 28th April, 1952, which was served upon you and which in terms of section 10 of the Suppression of Communism Act No. 44 of 1950, as amended, prohibits you for a period of two years from being within any province in the Union of South Africa or the Territory of South-West Africa other than the province of the Transvaal is hereby withdrawn.

Given under my hand at *PRETORIA*  
this *4<sup>th</sup>* day of *July* 1952.

*[Handwritten signature]*  
MINISTER OF JUSTICE.



2/50/2.

... ..  
... ..  
... ..

*[Handwritten signature]*

11111  
PRETORIA  
at 11/11/52

... .. (E) A-51.08

*[Handwritten signature]*  
TO: Moses Motane  
No. 33 - 11th Street,  
Alexandra Township,  
JOHANNESBURG.

THE SUPPRESSION OF COMMUNISM ACT NO. 44  
OF 1950, AS AMENDED.

Please take notice that so much of the notice dated 28th April, 1952, which was served upon you and which in terms of section 10 of the Suppression of Communism Act No. 44 of 1950, as amended, prohibits you for a period of two years from being within any province in the Union of South Africa or the Territory of South-West Africa other than the province of the Transvaal is hereby withdrawn.

Given under my hand at *PRETORIA*  
this *4th* day of *July* 1952.

(Sgd.) C.R. SWART  
MINISTER OF JUSTICE.

2/50/2

REGISTERED.

1961-6-7-

Moses Kotane,  
32 Eleventh Avenue,  
Alexandra Township,  
JOHANNESBURG.

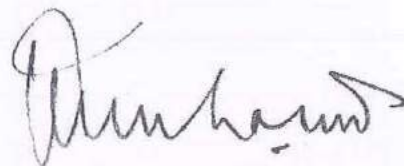
Greetings,

Act 44 of 1950 as amended by Act 50 of 1951:  
Moses Kotane.

Having now afforded you a reasonable opportunity of showing why your name should not be included in the list which I have been directed to prepare of persons who are or have at any time before or after the commencement of the Act been office-bearers, officers, members or active supporters of the Communist Party of South Africa which has been declared an unlawful organization by section 2(1) of Act 44 of 1950 as amended, you are hereby notified that I have this day included your name in the list on the grounds that you have been a member, office-bearer and active supporter of the said Organization.

Your attention is directed to the provisions of section 8 of Act 44 of 1950, as amended, and to the fact that the Secretary for Justice, Palace of Justice, Pretoria, has been designated custodian of the List.

Greetings,



LIQUIDATOR : ACT 44 of 1950.



2/50/2

REGISTERED.

10-8-1951

M.M. Kotane,  
32 Eleventh Avenue,  
Alexandra Township,  
JOHANNESBURG.

Greetings,

Act 44 of 1950 as amended by  
Act 50 of 1951 : M.M. Kotane.

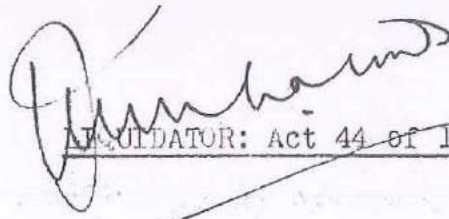
I invite attention to my previous communications to you and your Attorneys herein and to the provisions of Act No. 50 of 1951 published in the Union Gazette Extraordinary of the 20th July, 1951.

Should you, in view of the provisions of the amending Act desire to make representations to me additional to those already made on your behalf, this is your further and final opportunity to do so.

I am addressing you personally at this stage as I am not sure whether the firm of Attorneys which has hitherto acted for you is still in existence.

Representations, if any, should please be submitted to reach me not later than the 25th August, 1951.

Greetings,



REGISTRAR: Act 44 of 1950.

*Presumed to be  
Juel within box  
referred to in telegram  
20. M.M.  
2578751.*

2/50/2

14th February, 1951.

Gentlemen,

Act 44 of 1950 : Moses M. Kotane.

Further to my letter of the 29th December, 1950, I have to advise you that in the light of the affidavit filed by your client in the matter of Sam Kahn versus J. de Villiers Louw and C.R. Swart (N.O.) heard in the Cape Provincial Division of the Supreme Court on the 17th day of November 1950 and in which he admitted that he was an office-bearer of the Communist Party of South Africa, I assume that all facts relevant to his association with the Communist Party of South Africa are known to him, and are peculiarly within his knowledge particularly in the light of the position which he held therein. In view of the foregoing and the provisions of section 4(10) of the Act there appears to be no point in furnishing particulars of facts in my possession substantiating an association between your client and the Communist Party of South Africa which he has already admitted and which admission has relieved me of the necessity to determine factually whether he does or does not fall within the classes of persons referred to in the said section 4(10).

In view of the foregoing I am awaiting your representations, if any, consistent with the contents of the affidavit as to why the name of your client should not be placed on the list notwithstanding the provisions of the act and his association with the Communist Party of South Africa.

I have the honour to be,  
Gentlemen,  
Your obedient servant,

  
LIQUIDATOR : ACT 44 OF 1950.

Messrs. Berrangé and Wasserzug,  
P.O. Box 1748,  
JOHANNESBURG.

2/50/2.

4th September, 1950.

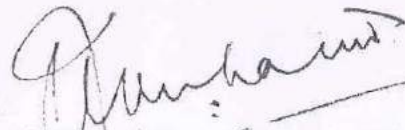
Sir,

Having been directed by the Honourable the Minister of Justice in terms of Section 4(10) of Act 44 of 1950, you are hereby afforded a reasonable opportunity in terms of the proviso of the abovementioned section to show why your name should not be included in a list of persons who are or have been office bearers, officers, members or active supporters of the Communist Party of South Africa which has been declared an unlawful organization by Section 2(1) of Act 44 of 1950.

Should you desire such reasonable opportunity you are requested to submit in writing such representations as you desire to make to reach me at the above address on or before the 25th September, 1950.

Evidence has been placed before me to show that you were General Secretary of the Central Executive Committee of the Communist Party of South Africa.

I have the honour to be,  
Sir,  
Your obedient servant,



LIQUIDATOR : ACT 44 OF 1950.

M. M. Kotane, Esq.,  
45, Mount Street,  
CAPE TOWN.

3/1/50(Gen).

13th September, 1950.

Dear Sirs,

RE : ACT 44 OF 1950.

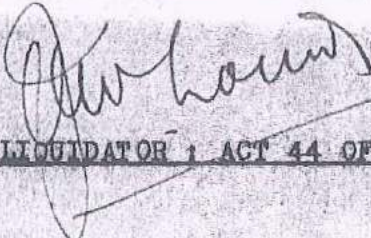
I have the honour to acknowledge receipt of your letter, reference THE/RF of the 9th instant, referring to notices served upon MESSRS. W. H. ANDREWS, MOSES KOTAME, I.O. HORVITCH, DR. H. A SIMONS, FRED CARNESON, M.P.C., B. P. BUNTING, J. A. LAGUNA and MESSDAIRES SARAH CARNESON and PAULINE PODBREY, and note contents thereof.

I propose to continue to carry out my duties in terms of Act 44 of 1950.

I have the honour to be,

Sirs,

Your obedient servant,



LIQUIDATOR : ACT 44 OF 1950.

Messrs. T. H. Snitcher & Co.,  
34, Shortmarket Street,  
Greenmarket Square,  
CAPE TOWN.