

DIREKTORAAT VAN VEILIGHEIDSWETGEWING  
DIRECTORATE OF SECURITY LEGISLATION

LÉER NR. 2141213  
FILE NO. 2141213 6

LÉER NR. 2141213  
FILE NO. 2141213

HOOFREKES  
MAIN SERIES DEFENCE AND AID FUND

ONDERWERP  
SUBJECT

LÉER  
FILE

LÉER GEOPEN OP  
FILE OPENED ON 7-9-67

LÉER GESLUIT OP  
FILE CLOSED ON 24-1-68

BESKIKKINGSVOORSKRIFTE  
DISPOSAL DIRECTIONS

SUBLEER OF GEVAL  
SUBFILE OR CASE

LÉER NR. 2141213  
FILE NO. 2141213

DEEL  
PART 6



RO

DECLASSIFIED

GEHEIM.

KAAPSTAD.

DIE SEKRETARIS.



2/2/13

DEFENCE AND AID FUND.

1. 'n Klompie eksemplare van mnr. Willcocks se verkorte verslag is in die omslag. Dit is nou aangevul ten einde die verband tussen die plaaslike "Fund" en sy teenhanger in Engeland duideliker aan te dui - kyk paragraaf (e) op bladsy 5 van die verslag en Bylae F. Origens is dit onveranderd behalwe dat die woorde in hakies na "Christian Action" op bladsy 2 bygevoeg is.

2. Hierdie veranderinge is aangebring met die doel om dit duideliker by die leser tuis te bring dat die plaaslike organisasie maar net nog 'n arm van Collins se "Christian Action" en "Defence and Aid Fund" in Londen was en dat o.a. Collins se beleidsverklarings dus ook op daardie arm van toepassing was. Insgelyks word aanspraak van die organisasie in Suid-Afrika - en dit sluit Hoffenberg in - nouer aan Collins en sy organisasies se bedrywighede en aan Collins se uitlatings gekoppel.

3. Indien u die veranderinge steun, moet die deur mnr. Willcocks ondertekende eksemplaar wat in u besit is, asseblief vernietig word. 'n Getekende eksemplaar van die gewysigde verslag is in die omslag.

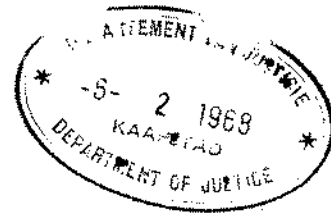
*J*  
22-1-68

DECLASSIFIED

KAAPSTAD.

PER LUGPOS.

DIE SEKRETARIS.



BEREDDERAAR SE VERSLAG INSAKE DIE DEFENCE AND AID FUND.

1. U nota aan A/S(R) (hieronder) en u aantekeninge in bygaande afskrif van die Beredderaar se verslag verwys.
2. Die afskrif van die verslag wat u voor u gehad het toe u die opmerking gemerk "A" in u nota hieronder aangebring het, was een van die eerste <sup>stel</sup> afskrifte wat aan u gestuur is. In die gewysigde <sup>stel</sup> afskrifte wat later aangestuur is, is daar wel n verwysing na die verwantskap tussen "Defence and Aid Fund" hier en "Defence and Aid" van "Christian Action" in Engeland (kyk asseblief paragraaf (e) op bladsy 5 en Bylae "F" in laasgenoemde afskrifte).
3. U aantekeninge in die verslag word in die volgorde waarin hulle aangebring is hieronder behandel:
  - (a) Aantekening op die binneblad van die omslag:  
Die volgende is nou <sup>op bladsy 5, tweede laaste paragraaf</sup> by paragraaf (f) onder die hoof Boekhouding ingewerk:

"Die bates van die "Fund" was oor die hele land versprei. Benewens die bates waarop beslag gelê is, is kontant bates aan die hand van inligting wat deur die Suid-Afrikaanse Polisie aan my verstrek is, opgespoor en geïm".
  - (b) Aantekening op rugkant van bladsy 1:

Ofskoon die Beredderaar tevrede is dat die bewering ~~wat~~ oor die organisasies wat nie gemerk is nie,

korrek is, beskik hy nie oor genoegsame inligting om dit by wyse van n verduideliking in Bylaag A te staaf nie. Hy het dus by heroorweging besluit om die name van die betrokke organisasies uit sy verslag te verwyder. Die Beredderaar het ook die besonderhede oor National Committee for Liberation for Sabotage for Political Purposes ( volgens hom is die naam korrek), die Liberale Party en die Congress of Democrats uit Bylaag "A" verwyder aangesien dit, soos u daarop wys, nie eintlik goeie voorbeelde van skakeling was nie en hy nie op kort kennisgewing beter voorbeelde tussen die duisende stukke kon uitkry nie.

- (c) Aantekening op rugkant van bladsy 2 van Bylaag "A". Die aspek is reeds in paragraaf (b) hierbo behandel.
- (d) Aantekening op rugkant van bladsy 3 van Bylaag "A". Die naam van die Liberale Party is uit die verslag verwyder (kyk paragraaf (b) hierbo).
- (e) Aantekening op rugkant van bladsy 5 van Bylaag "A". Die naam van die Congress of Democrats is uit die verslag verwyder (kyk paragraaf (b) hierbo).
- (f) Aantekeninge op rugkant van bladsy 6 en op bladsy 7 van Bylaag "A".

Die verklaring van die Bantoelid van die Kommunistiese Party van Suid-Afrika was in die feiteverslag oor Defence and Aid Fund vervat en het dus wel deel van die stukke gevorm. Die inligting wat deur Fred Carneson verstrekk is, is nou onder die betrokke hoof ingewerk. Carneson en die Bantoe se name word



nie genoem nie omdat die verklarings van hulle verkry is terwyl hulle negentig dae-aangehoudenes was en dit nog deurgaans die beleid was toe daar by vorige geleenthede na hul verklarings verwys is om hulle name te verswyg.

(g) Aantekening op rugkant van bladsy 4 van Bylaag "B".

Die Beredderaar verwys in sy verslag na talle ander stukke sonder om te vermeld waar dit verkry is.

Dit is dus nie doenlik geag om in die geval van slegs die een stuk 'n verduideliking te gee nie.

(h) Aantekening op rugkant van bladsy 2 van Bylaag "C".

Die uitknipsel waarop die betrokke advertensie voorkom, is in die omslag.

4. Dit is 'n onbegonne taak om in die stadium die feite wat in die verslag vervat is te kontroleer aangesien dit sal meebring dat al die stukke oor die "Fund" deurgewerk moet word. O/S(R) het dit by geleentheid egter duidelik aan die Beredderaar gestel dat die verslag syne is en dat hy verantwoordelikheid vir die feite daarin vervat moet aanvaar. Hy het toe aangedui dat hy tevrede is dat die feite korrek is en dat hy bereid is om daarvoor verantwoording te doen.

5. Die Taaldiensburo het onderneem om die vertaling te behartig. Ongelukkig is daar skynbaar nie onmiddellik met die taak begin nie maar daar is vanoggend vasgestel dat die vertaling voltooi is en nou getik word. Alle pogings word aangewend om die vertaling teen Woensdag (7 Februarie) af te stuur.

6. Drie afskrifte van die verbeterde verslag is aangeheg. Die res kon nie betyds afgerol word nie en word môre-oggend in Kompol se possak aangestuur.

✓ 5/2/68  
AP 12/68  
Q 5.2.68

10.0.C.

Best Party.

What is your hope  
perhaps know our future  
our meeting; Great in spirit  
at - and love me that be my  
And may we hear in  
love let me.

Yours.

Mo.

A  
John: show me your but: dear  
friends: find in the  
order in the streets;  
is - how by me even in  
me? to party and.

Mo.

~~John~~  
~~Mo.~~  
22.11.68

22.1.68  
*W. van der Merwe*  
*van der Merwe*

Sy Edele die Minister van Justisie,  
PRETORIA.

Geagte Minister,

BEREDDERING VAN DIE BATES EN LASTE VAN DIE DEFENCE  
AND AID FUND.

1. Die Defence and Aid Fund is op 18 Maart 1966 ingevolge artikel 2(2) van die Wet op die Onderdrukking van Kommunisme, 1950 (Wet No. 44 van 1950) tot 'n onwettige organisasie verklaar. U het my ingevolge artikel 3(1)(b) van die Wet as beredderaar van die organisasie se bates aangewys. Hiermee doen ek graag aan u verslag aangaande die uitvoering en afhandeling van my taak.

2. Die eerste deel van my bereddering het bestaan uit die opspoor en te gelde maak van die organisasie se bates. Hierdie gedeelte van my taak is deur 'n verskeidenheid van faktore bemoeilik. Ek ag dit nodig om u volledig aangaande hierdie faktore in te lig:

(a) Daar was talle organisasies beide in die buiteland en hier ter plaatse wat intiem aan Defence and Aid gekoppel was of daadwerklik die doelstellings van die "Fund" bevorder of help bevorder het.

In die buiteland was daar die volgende organisasies:

- (i) "American Committee on Africa".
- (ii) "Scottish Council for African Questions".
- (iii) "World Council of Churches".
- (iv) "Amnesty International".
- (v) "World Campaign for the Release of South African Political Prisoners".
- (vi) "Trades Union Congress".

- (vii) "National Executive Committee of the Labour Party".
- (viii) "Christian Action", (waarvan "Defence and Aid" 'n integrale deel uitgemaak het).
- (ix) "International Confederation of Free Trade Unions (I.C.F.T.U.)".

In Suid-Afrika was die volgende organisasies:

- (i) "Human Rights Welfare Committee".
- (ii) Suid-Afrikaanse Instituut vir Rasseverhoudings.
- (iii) Nasionale Unie van Suid-Afrikaanse Studente.
- (iv) "90 Day Protest Committee".
- (v) "Community of the Resurrection" - Alice, Kaap.
- (vi) "The Pretoria Action Council for Human Rights".
- (vii) "National Committee for Liberation".
- (viii) "Detainees Relief Fund".
- (ix) "African Relief Fund".
- (x) "Dependant's Conference", Kaapstad.
- (xi) Die Liberale Party.
- (xii) "State of Emergency Relief Fund".
- (xiii) "Religious Society of Friends (Quakers)".
- (xiv) "Treason Trial Defence Fund".
- (xv) "South African Congress of Trade Unions".
- (xvi) "Congress of Democrats".
- (xvii) "The Christian Council of South Africa".
- (xviii) "South West African National Union".
- (xix) "Christian Council for Social Action".
- (xx) "Black Sash".
- (xxi) Die Kommunistiese Party van Suid-Afrika en die Suid-Afrikaanse Kommunistiese Party.

Die fondse wat van die verskeie instansies van die buiteland hier ontvang was, het heen en weer tussen die organisasies hier te lande gevloei. Buitelandse

organisasies het dikwels hul bydraes nie deur die "Fund" gekanaliseer nie maar direk aan organisasies in Suid-Afrika gestuur, wat op hulle beurt weer met die "Fund" geskakel het.

Bogenoemde feite het die opsporing van bestaande balanse op 18 Maart 1966 (die datum van onwettigverklaring) onmoontlik gemaak. Kyk bylaag "A" wat 'n kort uiteensetting gee van die skakeling wat daar was.

(b) Sekere bepalings in die Konstitusie van die "Fund" het soos volg gelui:

"Objects:

(i) To uphold, defend and protect by all lawful means Human Rights, and Civil Liberties especially the right to hold and express opinions.

(ii) To grant relief and assistance to compensate men and women and their dependants who suffer as a result of the loss of any of the said rights and liberties whether by process of law or otherwise.

(iii) To collect money to pay for the rendering of legal advice and assistance to persons in need thereof ...

Accounts:

Proper accounts shall be kept in respect of the finances of the Fund and shall be properly audited.

Trustees:

The Fund shall have not less than three and not more than seven Trustees whose function shall be to ensure that the funds are used and applied in accordance with the objects of the Fund."

Die bepalings van die konstitusie is nie by die aangaan van uitgawes nagekom nie. Daar is nie die

minste aanduiding dat die Trustees beheer oor die besteding van fondse uitgeoefen het nie. (Kyk bylaag "B").

(c) Dit was oor en oor beklemtoon dat die fondse van die "Fund" uitsluitlik gebruik was "to pay for the legal representatives of people facing political charges and where possible to aid families who are left destitute". Dat die fondse egter nie so gebruik en aangewend was nie blyk uit bylaag "C".

(d) Die bronne van fondsverkryging was oor die hele wêreld versprei. Alhoewel "Christian Action" die grootste bron was, was aansienlike bedrae ook van instansies in Amerika, Europa, Australië en Nieu-Seeland verkry.

In Suid-Afrika was bydraes minimaal in vergelyking met oorsese bydraes. Hier te lande was dit gepoog om fondse deur middel van etes, danse en musiekaande in te samel. Gereelde skenkers was daar nie in Suid-Afrika nie.

Domheer Collins wat aan die spits gestaan het van invorderings vir "Christian Action" het gereelde bedel-advertensies laat plaas in die Britse en buitelandse koerante waarin hy gebruik gemaak het van "human interest stories". Hierdie "human interest stories" wat die "Fund" in Suid-Afrika aan hom moes verskaf, was dan verwerk om op die publiek se gevoelens te speel en sodoende fondse te bekom. (Kyk bylaag "D").

Dikwels is bydraes vir die "Fund" ook van privaat persone uit die buiteland ontvang. Deurdad bydraes uit soveel verskillende lande en van verskillende instansies ontvang was en nie in een gekonsolideerde fonds gestort was nie, kon die ontvangste vir die "Fund" nie tot by moontlike bestaande bates nagespoor word nie.

(e) Die grondwet van die Suid-Afrikaanse "Fund" het deurgaans die indruk probeer skep dat dit 'n onafhanklike organisasie is. Uit die stukke vervat in Bylaag "F" is dit egter duidelik dat dit 'n tak van "Defence and Aid" van "Christian Action" in Engeland was. Nie alleen was die geld vanaf Londen gereeld "earmarked" nie, maar die "Fund" moes beramings maandeliks aan Londen voorlê waarin die sake uiteengesit is en waarvoor toekennings dan deur Londen gemaak is. "Christian Action" het dan ook soms spesifieke gelde vir sekere sake voorgeskryf.

(f) Boekhouding:

Een van die bepalings van die konstitusie het, soos reeds aangedui, gelees:

"Proper accounts shall be kept in respect of the finances of the "Fund" and shall be properly audited".

Die stelsel van boekhouding deur die "Fund" gebruik, was een van ontvangstes en uitgawes.

Die inskrywings in die boeke van die takke was, soos blyk uit die boeke waarop beslag gelê was nie bygehou nie. Ouditring is, soos blyk uit bylaag "E(i)", nie gereeld uitgevoer nie.

Nie een van die takke, insluitende die Johannesburg-tak, het 'n deurlopende rekening van ontvangstes en uitbetalings gehou nie. Daa was deurgaans gebruik gemaak van die balanse soos deur die onderskeie banke verstrek. Uit die boekhouding van die onderskeie takke kon di op geen stadium bepaal word wat die totale ontvangstes en uitbetaling was nie.

Die bank moes aandui of die rekening 'n krediet- of debietbalans gehad het.

Die totale ontvangstes en uitbetalings van die "Fund" in Suid-Afrika kon nie bepaal word nie. 'n Ander groot leemte in die administrasie van die fondse is die feit dat aan niemand eintlik verantwoording moes gedoen word nie. Niemand kon ook korrekte syfers verstrek ten opsigte van ontvangstes en uitbetalings vir enige tak nie as gevolg van gebrekkige en nalatige boekhouding. Selfs domheer Collins



kon nie syfers van totale ontvangstes en uitgawes verstrek nie.  
(Kyk bylaag "E(ii)").

"Christian Action", wat honderde duisend rand na Suid-Afrika versend het, het nooit vir gedetailleerde state van hoe fondse bestee is gevra nie. Niemand was aan enige persoon n verduideliking ver-skuldig nie.

In baie gevalle was fondse van "Christian Action" nie by die "Fund" gestort nie, maar direk aan prokureurs vir spesifieke sake betaal. Hierdie gelde was gelaat by die prokureurs en of daar op 18 Maart 1966 nog batige saldo's was, kon nie vasgestel word nie. (Kyk bylaag "E(iii)").

Dieselfde geld ook vir voorskotte aan prokureurs gemaak voor 18 Maart 1966. Dit was nie moontlik om vas te stel of die fondse opgebruik was al dan nie.

Vir die jaar eindigende 30 Junie 1965 was die "Fund" se inkomste R68,321.00, waarvan R32,000 van "Defence and Aid" in Londen gekom het en R4,621.00 plaaslik ingesamel was. Die balans het van ander instan-sies vanaf die buiteland gekom.

Die kleinkasboek van die Kaapse-tak was net tot 11 November 1965 opgeskryf sonder dat Novembermaand behoorlik afgesluit was. Daar was daarna ongetwyfeld nog uitbetalings maar geen inskrywings was gedoen nie. Die Johannesburg-tak se kasboek is opgeskryf vir n gedeelte van Oktober 1965 en alhoewel baie uitbetalings daarna gedoen is, is dit nie aangeteken nie. (Kyk bylaag "E(iv)"). Vanaf Julie 1965 is geen maand se inskrywings behoorlik afgereken nie.

Daar was deur die "Fund" ook nie afsonderlike rekeninge gehou va prokureurs aan wie voorskotte gemaak was nie. As n prokureur sy be-raamde koste aan die "Fund" voorgelê het, was die bedrag ten dele of ten volle betaal, mits die fondse in die bank beskikbaar was.

Op 28 Desember 1965 is n tjek vir R3500 vanaf die Kaapstad-tak van die "Fund" aan Ruth Hayman (n Johannesburgse prokureur wat later kragtens die Wet op die Onderdrukking

van Kommunisme, 1950, ingeperk is), gestuur. Sy het die tjek endosseer en op haar trustrekening op 21 Januarie 1966, inbetaal. Hierdie transaksie word nie in die Johannesburgse boeke van die "Fund" getoon nie. Meer as 'n maand na 18 Maart 1966 het Ruth Hayman die beredderaar telefonies meegedeel dat sy 'n halfgebruikte tjekboek van die "Fund" in een van haar kantoorlaaie gevind het. Sy was meegedeel om dit onmiddellik aan te stuur. Die tjeknommers van die boek het geloop van 247001 tot 247200. Tjekvorms Nrs. 247001 tot en met 247076 was reeds uitgeskeur en vermoedelik gebruik. Tjekvorm Nr. 247077 was volledig geteken deur Ruth Hayman en Hannah Jaff (wat tekenmagte gehad het) sonder dat 'n bedrag geld ingevul was. Tjekvorms Nrs. 247078 tot en met 247080 was reeds onderteken deur H. Jaff maar geen bedrag geld was ingevul nie. Vir betalings uit hierdie tjekboek aan die firma Hayman and Aronsohn kyk bylaag "E(iv)".

Op 20 September 1965 is die notule van die "Management Committee" van Johannesburg onderteken deur Ruth Hayman en een van die besluite lees soos volg:  
"S. Neame Case. It was decided that the balance held by Hayman and Aronsohn for this account should be retained against costs of appeal". Geen bedrag word aangegee deur òf Ruth Hayman òf die "Fund" nie. Die saak het die "Fund" uiteindelik R5,500 gekos.

Aan die firma Crafford, Du Toit en Vennote, gektrooieerde Rekenmeesters van Pretoria was dit opgedra om uit die beskikbare boeke en dokumente 'n verslag voor te lê ten opsigte van die boekhouding van die "Fund". 'n Afskrif van die verslag verskyn in bylaag "E".

3. Die vasstelling van die organisasie se verpligtinge het nie groot probleme opgelewer nie aangesien die onus op die krediteure was om eise in te dien en te staaf.

4. Die finale balansstaat het soos volg daar uitgesien:

Invorderings:

7.4.66	Durban-tak van die Fund	4.08
7.4.66	Standard Bank, Kaapstad	996.51
7.4.66	Veiligheidstak, Suid-Afrikaanse Polisie, Kaapstad	4.94
13.4.66	E.P. Bougenootskap, Port Elizabeth	74.88
18.4.66	Veiligheidstak, Suid-Afrikaanse Polisie, Port Elizabeth	106.40
21.4.66	Allan Solomon, Arderne & Flynn, Port Elizabeth	48.76
21.4.66	Allan Solomon, Arderne & Flynn, Port Elizabeth	436.11
4.5.66	Barclays Bank, Pretoria	6928.13
23.5.66	Reitz, Jacobson & Effune, Johannesburg	1474.55
25.5.66	Hayman & Aronsohn, Johannesburg	2780.14
9.6.66	Borgkwitansie Nr. 107467	20.00
14.7.66	Standard Bank, Kaapstad	19.77
22.8.66	Miller Weedon Travel	86.20
22.8.66	Borgkwitansie	250.00
22.8.66	Telefoon Terugbetaling R. Hodgson	11.43
29.9.66	Posseëls verkoop	40
29.9.66	Posseëls verkoop	2.06
24.10.66	Borgkwitansie E. Loza	100.00
14.11.66	Staatsprokureur, Kaapstad	769.62
26.4.67	Geregsbode, Johannesburg	40.00

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28.4.67	Geregsbode, Kaapstad	97.65
8.5.67	Geregsbode, Port Elizabeth	34.25
8.5.67	Posseëls verkoop	1.05
1.6.67	Kerbel & Borman, Port Elizabeth	289.04
24.8.67	Arderne & Flynn, Port Elizabeth	100.00

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14,675.97

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Uitbetalings.

Christine Gibbs - Salaris Maart 1966	60.00
Napiers - Port Elizabeth - Skryfbehoeftes	1.65
Telefoon Rekening, Kaapstad	.75
Royal Dairy, Kaapstad	1.56
S. Urdang - Salaris Maart 1966	115.00
Vervoer - Geregsbode, Kaapstad	13.00
Sonnenburg, Hoffman & Galombik - huur	17.97
Abe Swersky - Kaapstad - Prokureursfooie	1500.00
Frank, Bernadt & Joffe, Kaapstad - Prokureursfooie	221.30
Segal & Seymore, Pretoria - Prokureursfooie	237.26
Solomon, Arderne & Flynn, Port Elizabeth, Prokureursfooie	800.33
Kerbel & Borman, Port Elizabeth, Prokureursfooie	1465.71
H.L. Schachat, Kaapstad, Prokureursfooie	518.25
M.S. Frank & Frank, Kaapstad, Prokureurs- fooie	618.34
Findlay & Tait, Kaapstad, Prokureursfooie	280.19
Hayman & Aronsohn, Johannesburg, Prokureurs- fooie	4043.27
Lubbe Recordings, Pretoria	125.80

/10...

Crafford, du Toit & Vennote,  
Pretoria - Fooie

300.00

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10,320.38

Oorbetaal aan Vereniging van  
Wetsgenootskappe

4,355.59

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R14,675.97

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*D. P. Wilcocks*

BEREDDERAAR : DEFENCE AND AID FUND.

22. 1. 68 D. P. WILCOCKS

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ORGANISASIES.

HUMAN RIGHTS WELFARE COMMITTEE.

Die volgende bedrae is deur die "Fund" aan bogenoemde geskenk:

R600 op 10 Februarie 1961.

R100 op 2 April 1962.

R200 per maand vir 3 maande (besluit deur"

Uitvoerende Komitee op 21 Januarie 1963).

R200 op 25 Januarie 1963 deur domheer Collins

direk oorbetaal aan organisasie.

SUID-AFRIKAANSE INSTITUUT VIR RASSEVERHOUDINGS.

Teen die end van 1964 het die "Fund" besluit om geen welsynswerk meer te verrig nie en bogenoemde organisasie het al die welsynswerk oorgeneem in Kaapstad.

Op 10 Desember 1962 skryf die Instituut aan die "Fund" te Kaapstad onder andere:

"I should like to appeal for assistance to help pay the costs of presenting evidence and watching the interests of Africans before the judicial Commission of Enquiry into the causes of the Paarl Riot on 22nd November, 1962. It is extremely important that the underlying cause of unrest be brought to light and for this purpose it is necessary that legal representation should be available particularly as the Police and the Paarl Municipality are being legally represented."

Die "Fund" het 'n bedrag van R800 bygedra. Op 18 Desember 1964 stuur die Instituut 'n bedrag van R1383 aan

/.....2.

die "Fund" te Johannesburg en R2500 aan die "Fund" te Port Elizabeth.

The "American Committee on Africa" het ~~1000~~ R1000 aan die "Fund" toegesê wat eindelik by die Instituut inbetaal is vir "Prison Education Fund".

Uit die notules van 'n spesiale vergadering van die Durban tak van die "Fund" blyk die volgende:

"Money had come from canon Collins and Trade Unions; there was now about R5000-00 in hand and Race Relations had been given R2500-00 for defence which it was hoped they would hand over."

Op 11 Augustus 1965 het die "Fund" weer 'n bedrag van R154-00 aan die Instituut oorbetaal.

NASIONALE UNIE VAN SUID-AFRIKAANSE STUDENTE.

Op 11 November 1964 skryf die prokureursfirma "Hayman and Aronsohr" aan die "Fund" te Johannesburg:

"We beg to advise you that several weeks ago we were instructed by N.U.S.A.S. to act on behalf of these persons (Choabe, Gawe and Saule) who were until recently 90 days detainees in East London. On the 26th October, 1964 these persons were charged under the Suppression of Communism Act ..... We understand from N.U.S.A.S. that they are in a position to provide certain of the funds for defence of these persons but obviously they will not be able to cover all the fees involved..... There are four other students who are being detained in East London. Their names are H. Kani, E. Dhlala, Paul Modiba and Stanley Mabizela..... We wish to

/.....3.

make formal application for the assistance of Defence and Aid for these persons on the basis that N.U.S.A.S. will be able to provide portion of the fees."

Die Universiteit van die Witwatersrand het op 'n stadium R200 betaal ten opsigte van borg vir ene John Mokene 'n politieke oortreder wat later die land uitgevlug het en die borggeld is verbeur.

90 DAY PROTEST COMMITTEE (KAAPSTAD).

Onder Voorsitterskap van J. Hamilton Russel het die organisasie funksioneer tydens die geldigheid van die 90 dae klousule. Na die herroeping van genoemde klousule is 'n bedrag van R1534.50 aan die "Fund" oorbetal.

NATIONAL COMMITTEE FOR LIBERATION FOR SABOTAGE FOR POLITICAL PURPOSES.

Rubin was die toonaangewende persoon in die organisasie, maar het die land in 1963 uitgevlug. Die "Fund" het Sedrich Isaacs, Achmed Cassem en James March verdedig wat Matroosfontein Poskantoor en die sub-stasie op de Waal rylaan saboteer het. Hulle was lede van die organisasie.

DETAINEES RELIEF FUND (DURBAN).

Voordat die "Defence and Aid Fund" behoorlik in Durban gefunksioneer het was dié organisasie aldaar in werking. Met die "Fund" se inwerkingtreding het hierdie organisasie verdwyn en was R634.42 aan die "Fund" oorbetal

/.....4.



DEPENDANTS CONFERENCE (KAAPSTAD).

Hierdie organisasie tesame met ander organisasies het die welsynswerk in Kaapstad en omstreke oorgeneem toe die "Fund" na 1963 met welsynswerk opgehou het.

Die organisasie bestaan vandag nog en gedurende die jare 1964 en 1965 was 'n bedrag van R20,000 vanaf die "Defence and Aid International" ontvang.

DIE LIBERALE PARTY.

Verskeie prominente lede van die party het op die uitvoerende komitees van die "Fund" gedien. Onder andere was daar Peter Hjul ('n ingeperkte kragtens die Wet op die Onderdrukking van Kommunisme, 1950), David Craighead ('n ingeperkte kragtens die Wet op die Onderdrukking van Kommunisme, 1950), Alan Paton, John Laredo, Ruth Hayman en Alex Hepple.

Beide David Craighead en Ruth Hayman was ondertekenaars vir die "Multi Racial Conference of South Africa" en by die geleentheid was 'n tjek aan die Liberale Party aangebied wat deur beide Craighead en Hayman onderteken was. Die bedrag van die tjek is onbekend.

STATE OF EMERGENCY RELIEF FUND.

Hierdie organisasie was tydens die noodtoestand van 1960 in die lewe geroep. Met die totstandkoming van die "Fund" het al die bates van die "Relief Fund" oorgegaan op die "Fund". Die bestuurskomitee van die "Relief Fund" het net so aangebly vir die Komitee van die "Fund". Aan die end van 1960 was 'n bedrag van R300,000 deur die "Relief Fund" spandeer en was nog R60,000 benodig om uitstaande ondernemings te finaliseer.

Gedurende 1960 is 'n bedrag van R2800 aan die "Relief Fund" deur die "Fund" betaal.

RELIGIOUS SOCIETY OF FRIENDS (QUAKERS).

Gedurende 1963 het die organisasie geld ingesamel en aan die "Fund" oorbetaal vir die verdediging van John Hlekani (n ingeperkte kragtens die Wet op die Onderdrukking van Kommunisme, 1950). Die bedrag oorbetaal is nie bekend nie. Op 9 September 1963 skryf dr. Ellen Hellman van die Johannesburgse tak van die "Fund" aan die Durbanse tak onder andere:-

"We give them (i.e. The Quakers) certain grants of money. We have as you likewise have, to be careful not to overstep our function which is to give compensation to people who are in difficulties by reason of the curtailment of the civil rights. Otherwise there is always the possibility of coming within the confines of the Welfare Organisation Act."

TREASON TRIAL DEFENCE FUND (T.T.D.F.).

Die fonds wat in 1956 in die lewe geroep is, het in 1960/63 oorgegaan op die "Fund".

R500 wat geleen was by die "Fund" was terugbetaal.

Op 10 Julie 1963 word die Standard Bank, Port Elizabeth as volg opdrag gegee:

"... will you please instruct the Standard Bank of South Africa to transfer the balance standing to the credit of the Treason Trial Defence Fund, to our account (i.e. the "Fund")."

Op 22 Januarie 1964 word ontvangs deur die "Fund" erken van n bedrag van R602. Die balans wat verskuldig bly is R392.21.

/.....6.

SOUTH AFRICAN CONGRESS OF TRADE UNIONS (S.A.C.T.U.).

Op 16 November 1961 het die "Fund" R100 aan die organisasie geskenk.

CONGRESS OF DEMOCRATS (C.O.D.).

Helen Joseph ('n ingeperkte kragtens die Wet op die Onderdrukking van Kommunisme, 1950), 'n stigterslid van die "Congress of Democrats", was baie bedrywig in die organisasie. Die "Fund" het haar in die "huisarres-saak" verdedig nadat verskeie advokaatsopinies bekom was.

THE CHRISTIAN COUNCIL OF SOUTH AFRICA.

Op 15 Desember 1961 word 'n bedrag van R1581.05 deur die organisasie aan die "Fund" oorbetaal ...

Uit korrespondensie blyk dat die volgende bedrae deur die organisasie by verskillende geleenthede aan die "Fund" betaal is:

R3000,00 aan Port Elizabeth.

R1000.00 aan Durban.

R1000.00 aan Kaapstad.

R200.00 aan Oos-Londen.

Op 26 Mei 1964 is 'n bedrag van 1000 dollars deur die organisasie aan die "Fund" betaal. Hierdie bedrag was ontvang van die "World Council of Churches".

SOUTH-WEST AFRICA NATIONAL UNION (S.W.A.N.U.).

Gedurende September 1962 het die organisasie die "Fund" genader vir finansiële hulp en steun vir sake teen politieke oortreders in Suidwes-Afrika. Behalwe die R330.00 wat die "Fund" op dr. Abrahams spandeer het, was dit nie aktief in Suidwes-Afrika nie.

/.....7.

BLACK SASH.

Gedurende September 1965 was 'n bedrag van R200 aan die organisasie betaal. Dit was deel van 'n bedrag betaal deur die "Fund" aan "South African Institute of Race Relations" vir die "Paarl Riot Commission".

DIE KOMMUNISTIESE PARTY VAN SUID-AFRIKA, DIE SUID-AFRIKAANSE KOMMUNISTIESE PARTY.

Die Britse "Defence and Aid Fund" van "Christian Action" maak deel uit van 'n netwerk organisasies in Brittanje wat bekend is vanweë hulle aanvalle op Suid-Afrika. Die "Fund" in Suid-Afrika was deur die Kommuniste ondersteun en het sy fondse beskikbaar gestel aan die "African National Congress" en die "Kommunistiese Party". Die nou verband tussen die Kommunistiese Party in Suid-Afrika en die "Fund" blyk uit die beëdigde verklaring van 'n Bantoelid van die Suid-Afrikaanse Kommunistiese Party:

"The 'Defence and Aid Fund' which was at this junction (sic) already in existence, was extensively used for the purposes of the South African Communist Party. In turn cash advances towards the fund were made by the South African Communist Party. Who the persons were that served on this Fund's Committee I do not know, except that Rica Hodgson who was in fact a member of the Communist Party was also serving on this Fund's Committee."

Die volgende persone wat as kommuniste gelys is, het as ampsdraers van die "Defence and Aid Fund" opgetree:

- |                     |                    |
|---------------------|--------------------|
| (1) Ruth Slovo      | (5) Bob Hepple     |
| (2) Rica Hodgson    | (6) A.L. Sachs     |
| (3) Violet Weinberg | (7) Abram Fischer. |
| (4) Solly Sachs     |                    |

BUITELANDSE ORGANISASIES.

AMERICAN COMMITTEE ON AFRICA.

Teen die end van 1965 stuur die organisasie  $\text{R}5500$  aan die "Fund" met 'n versoek dat 'n verduideliking verstrekkend moet word waarvoor die fondse aangewend sou word.

Die antwoord gedateer 17 Januarie 1966 lui soos volg "One of the 24 accused is from Port Elizabeth who have been awaiting trial since June, 1965. They are mostly young boys, who as far as we know had no particular part in any political movement. They probably belonged to the A.N.C. as did any African with any initiative and remained members after it was banned in 1961 .....

WORLD COUNCIL OF CHURCHES.

Hierdie organisasie het sy bydraes grotendeels gestort in die kas van die "Christian Council of South Africa", maar het tog opdrag gegee dat sekere bedrae vir verdediging van politieke oortreders aangewend moet word. Die volgende bedrae is met tussenposes deur die "Fund" van die organisasie ontvang:

Kaapstad	$\text{R}8000.$
	$\text{R}4993.75.$
	$\text{R}2500.$
Port Elizabeth	$\text{R}1790.67.$
	$\text{R}5000.$
	$\text{R}5000.$

TRADES UNION CONGRESS (LONDON).

'n Bedrag van  $\text{R}13515$  is direk aan die "Fund" in Suid-Afrika betaal sonder bemiddeling van Christian Action, Londen.

/.....9.

CHRISTIAN ACTION (LONDON).

Dit is nie moontlik om die totale bedrag te bepaal wat die organisasie aan die "Fund" oorbetaal het nie. Volgens 'n publikasie wat deur die "forum World Features" op 26 Februarie 1966 uitgegee is, het "Christian Action" toe alreeds 'n bedrag van R1,000,000 in die Republiek van Suid-Afrika laat spandeer op politieke oortreders en hul gesinne.

INTERNATIONAL CONFEDERATION OF FREE TRADE UNIONS (I.C.F.T.U.).

Op 10 Februarie 1961 word 'n bedrag van R600.00 wat deur die "Fund" aan "Human Rights Welfare Committee" geskenk was deur die I.C.F.T.U. aan die "Fund" vergoed.

Op 10 Junie 1963 skryf dié organisasie aan die "Fund":

"We feel that in view of the increasing critical situation in South Africa, the time has come for the I.C.F.T.U. to show again in a tangible way its sympathy with the victims of the South African regime. It therefore gives me pleasure to announce that we have transferred .....a further sum of £750 with the request that as much as possible the claims of trade Unionists should be taken into consideration ....."

Op 16 Desember 1964 skenk die organisasie nog £1000 aan die "Fund".

BYLAAG "B".

UITOEFENING VAN BEHEER.

Geen enkele geval is teëgekome waar oorleg gepleeg is met die Trustees van die "Fund" voor uitgawes aangegaan is nie. Daar was ook nie 'n enkele vergadering van die Trustees om beleidsrigting neer te lê of die konstitusie aan korrekte vertolking te onderwerp nie.

Niemand was die verpligting opgelê om verantwoording te doen vir fondse wat spandeer word nie. Elke tak het spandeer solank fondse in die verskeie handelsbanke beskikbaar was. Daarna was fondse weer net aangevra.

In 'n memorandum deur die Johannesburg-tak versprei, moes die volgende vertolking aan die Konstitusie gegee word:-

"Defence and Aid renders neither legal assistance nor advice but merely provides funds to enable legal assistance and advice to be given by other persons. Defence and Aid is not a legal aid bureau and so does not render legal advice or assistance. It does not assist persons essentially as a matter of philanthropy but in furtherance of its main object to defend civil rights and liberties. The Fund is prepared to assist without distinction of race, colour, creed or opinion - it is concerned only with the object laid down by its constitution and civil liberties and not with the policies of any organization, body or group of persons".

Telkens is die konstitusie by takke gewysig sonder om die ander takke te verwittig. Met soveel gemak was wysigings aangebring dat die notules net die volgende bevat:- "The Constitution was read and amended in a number of places". (Notules, Kaapstad se tak gedateer 18 Augustus 1965). Daar was geen aanduiding watter artikels gewysig was of wat die wysigings behels het nie.

Gelyste kommunis E.S. Sachs wat as organisierende sekretaris van "Christian Action" in Londen opgetree het, gee die volgende vertolking aan die oogmerke van "Defence and Aid":

"The aims of our Defence and Aid Fund are to provide effective legal aid to victims of apartheid who are brought to court or deprived of their liberty by administrative action and also to help their families. Our Fund is pledged to a policy of non violence but in deciding whether we should provide defence and aid in any particular case, we are concerned with the motives and not so much with the acts or omissions; nor are we concerned with the political religious or other beliefs of the person concerned. If the motive is not selfgain, but to further the interests of African freedom, he becomes entitled to our support even if the method employed by him, or the political beliefs he holds does not meet with our approval".

Op 22 April 1963 antwoord John Blundell, Voorsitter van die Kaapse-tak vir Sachs as volg: "... by now it will be clear to you that we are only too anxious to do all we can to find defence wherever and whenever it is required, even if some of us may not be motivated by quite such an unique interpretation of our constitution as you set out in your fourth paragraph.". (Hierbo aangehaal).

Na die promulgering van Wet Nr. 76 van 1962 (wat as die Sabotasiewet bekend staan), is die bepalings van die Konstitusie nie meer as leidraad gebruik vir die aangaan van uitgawes nie. Vroeër was uitgawes aangegaan in die volgende tipe sake:

- (i) Sake waarin lede van verbode organisasies tereggestaan het.
- (ii) Verbreking van inperkingsbevele.
- (iii) Bevordering van verbode organisasies.



(iv) Fondsinsameling vir verbode organisasies.

(v) Enige sake met 'n politieke kleur waar geen geweld voorkom nie.

Dat die "Fund" vroeër nie sake van geweld verdedig het nie blyk uit die volgende briewe:

Alex Hepple, voorsitter, Johannesburg-tak aan J.D.F. Martin, "Amnesty International", Londen.

"..... For various reasons the Defence and Aid Fund decided not to handle cases involving Sabotage .....". (Brief gedateer 14 Augustus 1962).

Dr. Ellen Hellman, Johannesburg-tak aan J. Hill, ('n ingeperkte kragtens die Wet op die Onderdrukking van Kommunisme, 1950), Durban-tak:

"... What is quite clear is that we do not assist in the defence of Sabotage itself ...". (Brief gedateer 15 September 1962).

Johannesburg se Uitvoerende Komitee besluit op 14 Mei 1962, onder andere:

"In terms of our constitution we do not handle cases under the Explosives Act". Toe Suliman Vallie egter tereg staan op 'n klagte van besit van plofstowwe het die "Fund" hom laat verdedig.

Op 20.9.63 besluit Durban se Uitvoerende Komitee: "..... We were asked to base our decision whether or not to defend on the question of whether or not the infringement of a civil right was involved. .... Sabotage did not fall within this definition".

Ten opsigte van die P.A.C. verhore te Durban besluit die Uitvoerende Komitee:

"..... In accordance with a ruling from Headquarters (Johannesburg) that Defence and Aid Fund could only handle cases where there was a possibility of civil rights being infringed and that sabotage did not come within this definition we gave no financial assistance

through Defence and Aid".

Wat die voorgaande beleid betref, vra domheer Collins op 17 Oktober 1963 vir Johannesburg:

"Has your Defence and Aid Committee out there yet been able to settle the question of whether it will take on defence of those involved in Sabotage cases? ... It is therefore very important that we should know whether we can transmit money for this purpose through your committee or whether we should find some other way of helping them ...".

Die Johannesburg-tak van die "Fund" antwoord die domheer hierop soos volg:

"..... The problem of assisting in cases involving sabotage and violence has not yet been resolved. You will remember that it was decided some time ago that as a matter of principle our Fund could not undertake the defence of persons who embarked upon open acts of violence to compel political changes in this country .... However, there are numerous difficulties, technical and legal, apart from other objections ... meanwhile all are agreed that your best course in regard to the Rivonia trial would be to send funds directly to the instructing attorney, Mr. Joel Joffe, 204 Provident Assurance House, Commissioner Street, Johannesburg. I should also tell you that other mass trials of members of the banned A.N.C. and other Congress groups are pending in East London (106 accused), Port Elizabeth (35 accused) and Durban (19 accused).... It is possible that you will be asked to give direct assistance in those cases too ....."

Selfs plaaslike donateurs was gekant teen verdediging van saboteurs. So skryf G.E. Bevan van Pretoria

op 27 Junie 1963 aan die "Fund" te Johannesburg:

"....I should be glad to make another contribution ... I am not prepared to help defend such as those three members of the P.A.C. who were given life sentences recently for sabotage and planning the murder of Whites, the poisoning by black servants of their employers - I have no wish to assist in the promotion of an imitation Mau-Mau in South Africa".

Sonder formele wysiginge van die Konstitusie het die plaaslike takke een na die ander fondse gebruik vir Sabotasie- en ander sake van geweld. So skryf die Johannesburg-tak op 20 Oktober 1964 aan die Kaapse-tak van die "Fund": ".... It has been decided in principle that Defence and Aid should assist financially in the defence of the 2 sabotage trials in Cape Town ...", en op 29 Oktober 1964 aan "World Council of Churches":

".... A decision has been reached by the Committee to assist financially in the defence of sabotage cases ...", en op 30 Oktober 1964 aan "Christian Action" Londen: ".... Now that sabotage trials are starting at various centres in South Africa, there has been considerable discussion about the attitude of Defence and Aid. It has been decided that those cases should not be excluded ...". Na die instemming van die "Fund" in Suid-Afrika om sabotasiesake te verdedig het domheer Collins 'n toespraak by die V.V.O. gelewer. Onder andere het hy die volgende gesê:

".... To put matters right in South-Africa requires political action on a big scale ... it seems probable that only external pressures and the threat of execution of internal revolution will bring about the desired result ... And of much importance, in my opinion,

is the fact that the contribution of Defence and Aid in this respect fosters the morale of the Internal Resistance ... it is the resistance movement in South Africa which alone can give South Africa the ability to become a non racial society .. ... By caring for their families we build their morale in gaol ... no political organization which seeks to change South Africa's racial policies can function properly in the open ... Those who wish to continue the struggle have to go underground. Nor have I touched upon the necessity to provide for the families and dependants of the underground resistance. But what man or woman can happily or easily undertake such dangerous work if he or she knows that, by doing so, the well being of the children and other dependants is at stake".

Die geld vir die Rivonia-saak was direk deur Christian Action, Londen aan die opdraggewende prokureur gestuur en het R34,000 beloop. Die Fischer saak wat deur die Fund betaal was, het R17,669 beloop.

As gevolg van die feit dat die Trustees van die "Fund" nooit geraadpleeg was nie en elke tak van die "Fund" selfstandig opgetree het, was dit onmoontlik om uit 'n enkele bron inligting te bekom.

"Christian Action" het direk aan Ruth Hayman 'n bedrag van R1,397.75 vir die Harris-saak betaal. Dit was nie moontlik om te bepaal of die bedrae van R34,000 en R1397.75 enige batige saldo gelaat het nie.

BYLAAG "C".

PONDSBESTEDING.

(i) Prokureur L. Mtshizana ('n ingeperkte kragtens die Wet op die Onderdrukking van Kommunisme, 1950), 'n lid van die Uitvoerende Komitee, Oos Londen, wat in verskeie sake opgetree het namens die "Fund" was later aangekla op verskeie klagtes van regsverdeling. Die "Fund" het R918 spandeer om die saak te verdedig. Hy is egter skuldig bevind en van die rol van prokureurs geskrap wat die "Fund" 'n verdere R300 gekos het.

(ii) Dit het geen verskil gemaak watter oortreding gepleeg was nie maar as die oortreder 'n politieke agitator was, was hy verdedig. So is daar vir politieke agitators boetes wat deur die howe opgelê is, betaal, kapitaal verskaf om besighede mee te begin, versekeringspremies betaal, sakgeld verskaf tydens aanhouding en daarna, en vervoerkoste van meubels, Bantoebelasting en begrafniskoste betaal. Hierdie bedrae word in die boekhouding as "summary advances" aangetoon en word later afgeskryf of dit word teen welsynfondse gedebiteer. Die volgende tipe sake was ook deur die "Fund" verdedig: betreding, meineed, moord, brandstigting, oortreding in gevangnisse, aanranding op bewaarders, bedrog, weier om getuienis af te lê, kwaadwillige saakbeskadiging en openbare geweld.

(iii) Die Kaapse Komitee van die "Fund" het R10 per maand bestee om vir Sobukwe op Robbeneiland van grammofoonplate, tabak, sigarette, groente en blomsaad te voorsien.

(iv) Aan Sonia Bunting (gelyste Kommunis No. 114) is met haar vertrek uit Kaapstad 'n "handwoven Moroccan bedspread" as geskenk deur die "Fund" aangebied.

(v) Op 4 Oktober 1965 skryf Dennis Scarr, voorsitter van Port Elizabeth-tak, aan Alan Paton:

"As you know I am endeavouring to start a library of court records to assist Counsel ... I believe you have some money available ... could you let me have R500 for this?".

Op 14 Oktober 1965 antwoord Paton:

"... Enclosed you will find a cheque for R500. Will you please write to me acknowledging the gift and ask for your thanks to be conveyed to the Presbyterian Church in America for their help. Please indicate briefly what the money is being used for but I think we should give some more human and immediate reason than the need for court records".

Op 27 Oktober 1965 antwoord Scarr:

"... Thank you very much for the cheque. Please convey the very sincere thanks of Defence and Aid Fund, Port Elizabeth to the Presbyterian Church in America. We intend to use these funds solely for furthering the welfare of awaiting trial prisoners, many of whom as you know are held for many months before appearing in Court". Van die biblioteek is niks gevind nie - ook nie wat van die R500 geword het nie.

(vi) Lookswart Solwandhla Ngudle was 'n 90-dae aangehoudene en tydens aanhouding het hy selfmoord gepleeg deur homself in sy sel op te hang. Met die geregtelike nadoodse ondersoek was regsverteenwoordigers vir die familie verskaf deur die "Fund". 'n Bedrag van R3,004 was hieraan bestee.

BYLAAG "D".

FONDSINSAMELING.

(i) In die saak van die Staat teen Vuyesile en andere was Vuyesile skuldig bevind aan moord en ter dood veroordeel. In 'n bedeladvertensie beweer die domheer dat Vuyesile gehang is omdat hy nie teen sy boesemvriend Wilton Mkwai wou getuig nie, maar Wilton Mkwai het toe alreeds gevlug na Basoetoland. So verwronge was die feite in "The Observer" in Londen weergegee dat hy deur Suid-Afrika Huis tereg gewys was en sy bedeladvertensie moes onttrek.

(ii) Op 24 April 1961 skryf Patrick van Rensburg van "Christian Action", Londen aan die "Fund" te Johannesburg: "...I am assuming that something is being done about Canon Collin's request for a new set of priorities and anticipating that the letter you said you are writing today (Monday) will deal with it. Can you do something further about this, incorporating the new priorities in a letter to the Editor of "The Observer". To carry on collecting we must use every trick in the book".

(iii) In Mei 1964 skryf "Bill Hoffenberg" (volgens die stukke dr. Raymond Hoffenberg wat Voorsitter van die bestuurskomitee te Kaapstad was toe die "Fund" onwettig verklaar is) uit Londen aan die Kaapse-tak van die "Fund": "... An interim report from the land of the free. Have spent many hours making myself very unpopular at the Defence and Aid Offices here.

/2....

1. Money. They sent £1000 to Johannesburg on 8th May. I told them about our misunderstanding re the £750 earmarked for the Alexander trial. They have agreed to send this amount straight to C.T. ....

Money is pouring in - largely the result of the Observer appeal. Some of this is earmarked for Rivonia, but there should be a lot due to us. Their allocations committee only meets in about 2 weeks time, but we will get a reasonable chunk. If we don't, we must make a big fuss, as I know what they've got in (spies!). Dr. Hellman must write, and John must write, stressing that we are turning down cases, while we believe that money is available in London. Stress urgent need for money now - we can't wait for committee meetings. Can't they short circuit things to make something available? Etc. Etc. .... I have used all the pressure I can. Collins is away, unfortunately, but John and Dr. Hellman must keep at them - give them details (harrowing) of cases turned down - make them up, if they don't exist. Ask Ruth Hayman to push the same line with them .... That's about all, except that we must not turn down cases, but take on all we can and throw the expense back at them. We're in quite a strong position vis-a-vis C.A. as D & A is wagging the whole concern at the moment and I think they need us quite badly."

(iv) Aan die Thubigen universiteit in Duitsland was 'n bedrag van R10,000 gekollekteer vir die verdediging van dr. Alexander wie vroeër 'n student was aan die universiteit. Die geld was in verskeie paaiemente aan die "Fund" betaal.

/3...



(v) Sowjet Rusland skenk die bedrag van R7,140.00 aan "Defence and Aid" Londen en skryf:

"... The Soviet Government has been guided by its fundamental position with regard to support for the national liberation movements of peoples struggling against colonialism and racism in all their forms and manifestations and the provision to them of moral, political and material assistance in that just struggle".

Hierdie skenking van die Sowjet Unie het veroorsaak dat twee lede van die Uitvoerende Komitee van die Kaapse-tak van die "Fund" bedank het en as volg opmerk:

Mev. Barbara Wilks:

"... I learn from the Cape Times that a sum of money has been allocated to the South African Defence and Aid Fund by Soviet Russia. If this report is true, and if the money has been, or is going to be accepted by the Fund I hereby resign, both from the Management Committee and the Defence and Aid Fund itself.

Should, of course, the report be untrue or the money refused out of hand, I shall be happy to continue serving on the committee ...".

"...Collins appears in his statement to have seriously misrepresented the work of Defence and Aid in this country. Soviet money was granted to assist the Anti-colonial struggle in this country. It might not be too strong therefore to say the money has been acquired by false means for false ends".

Adv. Donald Molteno:

"... That very appreciation on my part makes me regret that the reported donation by the U.S.S.R. to the London "Defence and Aid International" for the South

/4...

African Defence and Aid makes it impossible for me to have even such indirect connection with the administration of moneys from such a source as membership of the Cape Town Committee entails".

BYLAAG "E".

BOEKHOUDING.

(i) Die inhoud van 'n brief van die "Fund" vanaf Port Elizabeth aan Johannesburg, gedateer 8 Julie 1964, lui soos volg:-

"... How do the financial wizards feel? From our unkept books our past commitments are not clear. My predecessor thought we owed some people R500, but also implied we have this in the bank which we have not ...".

(ii) In Junie 1963 skryf D. Craighead (n ingeperkte kragtens die Wet op die Onderdrukking van Kommunisme) van Johannesburg tak aan Collins:

"... In regard to your suggestion that we advise the Society of Friends as to the amount of money received from 'Defence and Aid' London, since the Treason Trial, there is some difficulty as we do not have records of monies that have been sent direct for certain cases, nor do we have in Johannesburg full records of monies which have at times been sent to other centres ...".

In 'n memorandum van die "Fund" in 1963 kom die volgende voor:-

"... Because the records were not kept in a way to facilitate an analysis of all the cases handled total figures cannot be given ...".

Uit die "Interim Financial Report" van die "Fund" te Johannesburg op 17 Februarie 1964 kom die volgende:

"... Tabled are the unaudited Income and Expenditure Accounts and Balance Sheets for the years ended June, 30th. 1962 and June 30th. 1963 ..."

(iii) Die volgende bedrae was direk aan prokureurs betaal:

- (i) 'n Bedrag van R1997.50 aan prokureurs Ress, Richman & Co., Kaapstad.
- (ii) 'n Bedrag van R500 aan prokureurs in Kaapstad vir die Isaacs and Others saak.
- (iii) 'n Bedrag van R1397.75 aan Ruth Hayman vir Harris Saak.
- (iv) 'n Bedrag van R34000 aan prokureur Joel Joffe vir Rivonia verhoor.
- (v) 'n Bedrag van R1000 aan prokureur Sing van Durban.
- (vi) 'n Bedrag van R1000 aan prokureurs Joach en Jankelowitz te Port Elizabeth.
- (vii) 'n Bedrag van R1156 aan prokureur H. Festenstein van Johannesburg.
- (viii) 'n Bedrag van 500 dollars aan Leo Marquard van die "Fund" Kaapstad - versend deur Benjamin J. Bittenweiser van Amerika.
- (ix) 'n Bedrag van 500 dollars aan dr. E. Helmann van die "Fund" te Johannesburg - versend deur George M. Hauser van Amerika.

Selfs in Engeland was dit deur die pers aan domheer Collins gevra om volledige state te publiseer in verband met die invorderings vir "Defence and Aid", Londen. Dit was beweer dat R600,000.00 alreeds gevorder was en dat die geld gebruik was vir doeleindes anders as aangedui. Die skrywer het voortgegaan:

/.....3.

".....The advertisement portrayed the case of a man who was convicted of murder and whose appeal was dismissed ..... There was the case of the Williams family in April, 1964 when Christian Action collected £2,000 to aid a 'victim of apartheid'. Their own representative i.e. Defence and Aid in South Africa said there was nothing political about the Williams' affair and neither the Williams family nor I would be associated with any attempt to distort the facts of this matter and reflect adversely on South Africa."

Dit is onbekend of die domheer hierop geantwoord het.

(iv) Die volgende bedrae is uit die tjekboek aan Hayman and Aronsohn betaal:

19.7.65 - re Port Elizabeth	R2,000.00
20.7.65 - Cape Province and other Commitments	R2,000.00
27.7.65 - re C. Doyle	R100.00
30.7.65 - re J. Phahlamohlaka	41.30
3.8.65 - re C.P. cases	R2,000.00
12.8.65 - re J. Gqabi - 100 S. Neame - 1000 General Des. 155	R1255.00
24.8.65 - Eastern Province	R1850.00.
24.8.65 - Sylvia Neame	R2,000.00.
13.9.65 - M. v.d. Berg	5.00.
30.9.65 - Viljoensdrift - 85 L. Makfote - 72.50 M. v.d. Berg - 105.00	262.50.
30.9.65 C.P. Cases	R1000.00
26.10.65 Nine hundred Rand	R900.00.
8.11.65 Nike ingeskrif	R2000.00.

18.11.65

Niks ingeskryf

R500.00.

Die laaste drie getekende en uitgereikte tjeks bevat geen aanduiding watter dienste gelewer was nie en dit verskyn ook nie in die uitbetalings register nie, want inskrywings was gestaak sedert Oktober 1965. Geen rekenskap kan van hierdie geld opgespoor word nie.

(v) Verslag van mnre. Crafford, du Toit en Vennote gedateer 8 Maart 1967:

"Soos deur u opgedra, het ons die boeke en rekords van die Defence and Aid Fund wat in u besit is, nagegaan en doen graag as volg verslag:

1. Inleidend:

Die boekhouding was klaarblyklik nie gesentraliseer nie en elke area het sy eie boekhouding waargeneem. Boeke en rekords, wat alle stukke is waarop die Polisie ten tye van die inbandoening van die Organisasie beslag gelê het, is ten opsigte van die volgende afdelings aan ons voorgelê:

- (a) Kaapstad
- (b) Johannesburg
- (c) Port Elizabeth
- (d) Durban

Die S.A. Defence and Aid Fund is vanaf Augustus 1965 in die lewe geroep. Die dokumente wat deur ons ingesien is, skep egter die indruk dat hierdie fonds maar slegs 'n voortsetting van die Defence and Aid Fund was en vir die doeleindes van ons ondersoeking is die twee fondse as een en dieselfde organisasie beskou.

Die boeke en rekords is op 18 Maart 1966 in beslag

geneem en op daardie datum was meeste van die afdelings se boeke slegs tot Oktober/November 1965 opgeskryf.

2. Konstitusie:

Dit was nie moontlik om vanaf die beskikbare rekords presies te bepaal of die konstitusies wat op lêer is, op 'n gegewe tydstip in alle opsigte met betrekking tot wysigings wat van tyd tot tyd aangebring is, aangesuiwer is nie. Die notules is ook nie altyd van waarde in dié opsig nie, byvoorbeeld Kaapstad vergadering van 18 Augustus 1965 bevat slegs dié woorde 'The Constitution was read and amended in a number of places' as aanduiding dat die konstitusie gewysig is.

3. Boeke en rekords:

(a) Dit is uiters moeilik om uit die boeke en rekords vas te stel of behoorlik rekenskap gegee is van alle gelde wat deur die fonds hanteer is. Dit is hoofsaaklik te wyte aan die feit dat fondse van oorsee nie konsekwent na 'n sentrale punt gestuur is nie, maar aan takke direk.

(b) Die boeke toon nie 'n oorsigtelike beeld van die bates en laste van die Fonds op die datum toe die organisasie in die ban gedoen is nie.

(i) Wat die bates aanbetref, is dit bv. vir u as likwidateur onmoontlik om te bepaal dat die gelde wat u van banke ontvang het, wel alle fondse wat daar moes gewees het, verteenwoordig. U is dus in die posisie dat u die banke se syfers moet aanvaar.

(ii) Wat die laste aanbetref is dit absoluut onmoontlik om uit die boeke vas te stel wat die fonds se aanspreeklikheid vir hangende hofsake is. Op dieselfde wyse is dit onmoontlik om te bepaal

of daar nie dalk krediete by prokureurs bestaan waarvan nog nie behoorlik rekenskap gegee is nie. Ons beweer dat die boekhouding en rekordstelsel van die Fonds in hierdie opsig gebrekkig is. Veral as in ag geneem word dat die grootste deel van die fonds se uitgawes aan regs-aksies bestee is, is dit uiters belangrik dat die boeke sou aantoon hoe die geld bestee is.

Na ons mening sou die minimum vereiste wees dat ten opsigte van elke saak wat verdedig is, die boeke 'n rekening vir die geval sou toon, met die bedrag of bedrae wat in verband met die geval aan die prokureurs betaal is. By ontvangs van die prokureur se staat sal kostes dan teenoor die deposito(s) teboek gestel word om te bepaal wat nog ten opsigte van die transaksie betaalbaar is of tot krediet van die Fonds staan. Op hierdie wyse sou dan kon bepaal word watter sake mee voortgegaan is, afgehandel is of hangende is en wat die totale regskoste beloop het.

In die boeke is betalings aan prokureurs bloot na 'n rekening vir regskoste gedebiteer en is geen verdere inskrywing in verband met die transaksie gedoen nie. Dit is dus vir u as likwidateur onmoontlik om te bepaal of prokureurs behoorlik rekenskap gegee het van alle gelde deur hulle ontvang en of daar nie dalk krediete bestaan ten opsigte van bv. sake waarmee nie voortgegaan is nie. Ook sal u nie kan vasstel of die prokureurs se rekeninge aan u ten opsigte van hangende sake, korrek is nie. Teen die einde van die tydperk is byvoorbeeld glad nie meer op tjekteenblaaie spesifiseer vir welke gevalle deposito's by Prokureurs gemaak word nie - slegs 'n ronde bedrag is oorbetaal, wat in meeste gevalle op 'n aantal sake betrekking



gehad het.

Uit die stukke kon geen oorsigtelike beeld van die sake wat verdedig is, gevind word nie. Afgesien van die boeke wat nie 'n rekord van bepaalde gevalle aantoon nie, kon ook geen state van prokureurs gevind word waarin 'n volledige oorsig van alle gelde deur hulle ontvang en kostes daarteen gedebiteer, aangetoon word nie.

(c) Die boeke van die Johannesburgse tak is tot Junie 1965 gèouditeer. Andersins is daar geen aanduiding dat boeke van takke aan oudit onderwerp was nie.

(d) Bewysstukke vir betalings is nie in alle gevalle beskikbaar nie.

(e) Finansiële beheer is in die volgende gevalle wat uit ons toetsoudit na vore gekom het, gebrekkig:

(i) 'n Tjek vir R3,500 wat op 28 Desember 1965 vanaf Kaapstad na Johannesburg oorgeplaas is, verskyn nie in die boeke van Johannesburg nie. Die tjek is endosseer deur Mej. Ruth Hayman namens S.A. Defence and Aid en inbetaal in die trustrekening van Hayman en Archonson op 21 Januarie 1966. Geen inskrywing vir hierdie transaksie kon in die boeke van Defence and Aid, Johannesburg gevind word nie.

(ii) 'n Tjekboek van die Johannesburg tak (wat volgens u mededeling deur mej. Ruth Hayman aan u oorhandig is) bevat tjeks wat in blanko deur die een ondertekenaar vooruit geteken is. Mej. Hayman het as komiteelid oor tekenmagte as tweede ondertekenaar beskik, en soos bekend, het sy ook as prokureur vir die fonds opgetree.

(iii) Slegs in die geval van Johannesburg is van gedrukte kwitansieboeke gebruik gemaak. Selfs hier is daar egter geen beheer oor die voorraad ongebruikte kwitansieboeke uitgeoefen nie. Ingeval van die ander takke is van kommersiële kwitansieboeke gebruik gemaak, wat natuurlik uiters swak beheer daarstel, aangesien enige persoon gereedelik 'n dergelike kwitansieboek kan aanskaf.

4. Algemeen:

Indien enige sake in hierdie verslag genoem, nie vir u duidelik is nie, sal ons dit met graagte met u bespreek."

BYLAAG "F".

VERBAND TUSSEN DIE "FUND" IN SUID-AFRIKA  
EN SY TEENHANGER IN ENGELAND.

Met die totstandkoming van die "Fund" in Suid-Afrika het Domheer Collins, voorsitter van "Christian Action", hom as volg uitgelaat:

"... The management Committee and Trustees seem to be an admirable lot and should carry full confidence this end with the people from whom we are extracting money. It looks as though the terms of reference you have cover roughly the same as those we are working under this end so we ought to have no difficulty in passing money on to you for all the purposes for which we collect it ... the people are generally coming to regard the Defence and Aid Fund administered by Christian Action as the one National Fund for all purposes in regard to South Africa ... In the past I think there has been money sent from various people and organisations direct to South Africa in response to appeals not coming directly from the Treason Trial Committee or your new set up. I hope that this has now stopped and that in future money will be channelled through us ... Alan Paton some time ago told me that he thought it essential for the bulk of the money to be kept here in case at any point the South African Government should pass legislation by means of which they could take over any Fund held out there ... I understood from Ambrose Reeves that we had left over £6000, which we had sent out previously earmarked for the Treason Trial defence ...".

Op 2 November 1960 skryf Alex Hepple, Voorsitter van die

Johannesburg-tak van die "Fund", aan Domheer Collins:

"... On his return from London Mr. Lang delivered your verbal message in regard to the administration of the Defence and Aid Fund ... As we understand the message, certain difficulties have arisen in London and because of this you wish us to (i) radically amend our constitution and (ii) abolish our management Committee and replace it with a Board of five trustees."

"We are not clear in what respects objects should be changed ... If in addition to the present Management Committee, you know of other prominent people in South Africa who are willing to share in our work we would welcome their assistance ...".

Die aartsbiskop van Kaapstad was op 1 April 1961 genader om as President en Trustee van die "Fund" in Suid-Afrika op te tree. Hy laat hom as volg uit:

"... When we discussed the matter of Trustees this year it was agreed that reference should be made to Canon Collins to discover his wishes in the matter, in the hope that his ideas and those of Defence and Aid would coincide.

It is not quite clear whether this has been done and should like to be re-assured on this point before consenting to accept the invitation ...".

Op 10 April 1961 het die "Fund" die aartsbiskop as volg meegedeel:

"... We have had a good deal of correspondence with Canon Collins in connection with Trustees. It eventually became clear that he had two different ideas in mind. One

was the appointment of a board of Trustees to handle all Christian Action money sent to this country and virtually to act as his agents".

"... This was discussed by the management Committee and it was decided that it was not a matter for Defence and Aid, but for Christian Action alone to resolve ...".

Dr. E. Helmann van die Johannesburg-tak laat haar as volg uit teenoor Kaapstad op 6 Julie 1961:-

"... By the way Collins again stressed the great need for simple, human stories. He said that you sent him once an account of a man who had been in the same job for 17 years and lost it because he came up before the Courts on some charge. And this was a money wizard, money spinner ...".

As voorsittër van Christian Action het Domheer Collins hom op 8 Junie 1963 soos volg teenoor die "Fund" uitgelaat.

"... Realising how desperate and enormous the needs for defence and aid in South Africa are, we have been planning a number of campaigns on a national and international scale devoting special attention to the trade union in Britain (including national and branches), the U.S.A., Canada, Australia, New Zealand and possibly other countries ... there is of course not the slightest objection to the Defence and Aid Fund in South Africa receiving moneys direct and not through us ... my only concern is that you should get the maximum possible and I believe that this can best be achieved if the Trade Union movement this end is complimentary to our general

which is now both national and international. It also seems to me that it is better for money to be held in London and sent to you as and when you request it than to give you the problem of holding large balances which at any time the Government might decide to confiscate. I was wondering therefore whether your committee would consider writing to the General Council of the T.U.C. pointing out the benefits which would result for the folks in South Africa if all moneys went through our Defence and Aid Fund here in London ...".

Op 18 Junie 1964 skryf die Kaapse-tak aan Johannesburg-tak van die "Fund":

"... I received a letter from Mrs. Nuell, Secretary of Christian Action. She tells me that London has forwarded a further amount to you of which £750 is earmarked for the Alexander appeal ... I must explain that we are more or less acting as a conduit pipe between C.A. and the Friends of the accused as we did not make any appeals to C.A. for this case. The £750 was promised as a result of a private appeal, made to C.A."

Domheer Collins het hom op 12 November 1964 as volg teenoor Leo Marquard van Kaapstad uitgelaat:

"... As you may be aware, the Defence and Aid Fund (International) has recently been approved as an agency of the United Nations ...".

"Three agencies have been chosen namely the Defence and Aid (international), Amnesty International and the Joint Committee for the High Commission Territories. We feel

we are best suited to administer such moneys ... We work through the South African Defence and Aid Committees and we have already collected and distributed an amount of £300,000 ...".

Op 16 Augustus 1965 deel Johannesburg die Kaapse-tak as volg mee:

"... London has informed us that they will be sending money at intervals and that R4,000 will be sent at a time. This has been coming through at more or less fortnightly intervals, and one can only presume that they have reason for this ...".

Mary-Louise Hooper van die "American Committee on Africa" het haar as volg uitgelaat teenoor die "Fund", Port Elizabeth:

"... You will soon, if you have not perhaps already, receive the sum of 1000 dollars from the International Defence and Aid, London, which was earmarked by us for your office, for relief of the families ... Our office is now affiliated with the International Defence and Aid so we will send money through them, from time to time ..."

Volgens n publikasie wat deur die "forum World Features" op 26 Februarie 1966 uitgegee is, het Christian Action alreeds n bedrag van R1,000,000 in die Republiek van Suid-Afrika op politieke gevangenes en hulle gesinne laat spandeer.

In die uitgawe van die publikasie "Christian Action" wat in die somer van 1964 verskyn het, lewer Aartsbiskop Joost de Blank n oorsig van die bedrywighede van "Defence and Aid" in Suid-Afrika en merk onder andere op:

"... It would be impossible to pay too high a tribute to the local Committee in South Africa".

Op n Uitvoerende Komitee Vergadering gehou te Kaapstad op 11 Augustus 1965 word die volgende besluit geneem:

"... It was resolved that the Secretary should write to Johannesburg asking them to ask London to send sufficient money at one time to cover our immediate commitments".

In die notule van n Uitvoerende Komitee vergadering te Kaapstad op 30 September 1964 is besluit om Londen as volg in te lig:

"... (a) that when making statements appealing for money and also when allocating money direct from England for defence costs in specific cases in South Africa, the name Defence and Aid should not be used.

(b) that as far as possible the local committees of Defence and Aid be entrusted with the allocation of money for cases in South Africa".



DECLASSIFIED

GEHEIM.

*100/105*

2/2/13.

DIE SEKRETARIS/MINISTER.

9 -1- 1968

VERSLAG: DEFENCE AND AID FUND.

MINISTER OF PRISONS



1. Die volledige verslag wat die Beredderaar in verband met sy administrasie van die "Fund" opgestel het asook 'n verkorte verslag in meer bruikbare vorm, is aangeheg. (Verslag;

Verkorte Verslag). Laasgenoemde verslag is reeds in 'n vorm opgestel dat dit, indien nodig, in die Parlement ter tafel gelê kan word.

2. 'n Stuk wat die Minister in die Parlement kan gebruik in geval die Hoffenberg-geval te berde gebring word, en waarin onder andere die verband tussen Dr. Hoffenberg en die "Fund" aangetoon word, word nou opgestel. Dit sal vroeg in die nuwe jaar aan die Minister besorg word.

*2028/12/67*  
*28/12/67*  
*29.12.67*

*Die lang verslag is reeds in 'n vorm opgestel wat meer bruikbaar is en kan ter tafel gelê word. Die kort verslag bevat reeds wat onsas insiens reeds ter tafel gelê kan word. Die verslag is reeds in 'n vorm opgestel wat dit, indien nodig, in die Parlement ter tafel gelê kan word. Die verslag sal vroeg in die nuwe jaar aan die Minister besorg word.*

*Pho*  
*29.12.67*

DECLASSIFIED



DIE "DEFENCE AND AID FUND".

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2/2/13.

DEFENCE AND AID FUND.

1. Owerheidsopptrede.

Ingevolge subartikel (2) van artikel twee van die Wet op die Onderdrukking van Kommunisme, 1950 (Wet No. 44 van 1950), is die organisasie bekend as "The Defence and Aid Fund" per Proklamasie No. R.77 van 1966, op 18 Maart 1966 tot 'n onwettige organisasie verklaar.

Ingevolge paragraaf (b) van subartikel (1) van artikel drie van die Wet op die Onderdrukking van Kommunisme, 1950 (Wet No. 44 van 1950), is ek aangewys as beredderaar van die bates van "The Defence and Aid Fund" soos per Goewermentskennigewing No. 485 van 25 Maart 1966. Hierna word na "The Defence and Aid Fund" verwys as die "Fund".

Ingevolge genoemde paragraaf (b) van die Wet het al die eiendom (met inbegrip van alle regte en dokumente) wat die "Fund" besit, of wat op die naam van enige persoon ten voordele van die Fund gehou word, met ingang van 18 Maart 1966 op die beredderaar oorgegaan. Op genoemde datum is daar beslag gelê op duisende dokumente en fondse wat oor die land gehou was in die verskeie kantore van die "Fund". Hierdie dokumente was almal aan my oorhandig binne bestek van enkele dae na beslaglegging.

Enige persoon wat 'n eis teen die "Fund" gehad het moes dit so gou doenlik by die Beredderaar indien.

As gevolg van die feit dat verskeie advokate en prokureurs dwarsoor die land opgetree het in verhoor wat deur die "Fund" finansieer was en nog nie finaliseer was op 18 Maart 1966 nie, het Sy Edele die Minister van Justisie in oorleg met die Beredderaar 'n pereverklaring

/2...

uitgereik ten effekte dat verhoor wat alreeds begin was voor 18 Maart 1966 voltooi kon word en dat die Beredderaar aanspreeklikheid sou aanvaar vir die koste aangegaan, mits die koste redelik is en fondse beskikbaar is.

Verskeie prokureurs en ander instansies het eise ingestel.

Die bepaling van subartikel (2) van artikel vier van Wet No. 44 van 1950, lui dat na verloop van 'n tydperk van minstens ses maande vanaf die datum waarop 'n organisasie 'n onwettige organisasie geword het, sal die beredderaar alle maatreëls tref wat nodig is om die bates te gelde te maak en indien die bates voldoende is om die skuld te vereffen, sal die beredderaar die skulde vereffen wat na sy oordeel bewys is.

As gevolg van bogenoemde bepaling is Goewermentskennisgewing No. 1589 op 14 Oktober 1966 publiseer ten effekte dat geen eise teen die "Fund" oorweeg sou word na verloop van een-en-twintig dae na 14 Oktober 1966 nie.

Die bereddering van die "Fund" se bates en laaste was baie verregaag omdat "The South African Defence and Aid Fund" as eerste applikant en Raymond Hoffenberg as tweede applikant met die Minister van Justisie as Respondent op 29 Maart 1966 by Kennisgewing van Mosie asoek deur 'n dagvaarding aksie in die Hooggeregshof van Suid-Afrika, Kaap die Goeie Hoop Provinsiale Afdeling, die regsgeldigheid van Proklamasie No. R.77 van 18 Maart 1966 betwis het.

Op 16 Mei 1966 is uitspraak gegee in die Mosie-aensoek en was die aansoek om Proklamasie R.77 van 18 Maart 1966 ongeldig te verklaar, van die hand gewys met koste.

/3...

Op 18 Mei 1966 is appèl na die Appèlafdeling aangeteken teen hierdie uitspraak van die Mosie-aansoek en op 10 November 1966 is uitspraak gegee in die Appèlhof met 'n meerderheidsbeslissing teen die ongeldig verklaring van Proklamasie No. R.77 van 18 Maart 1966.

Met hierdie beslissing was applikante nog nie tevrede nie en het hulle die dagvaardingaksie in die Kaapse Hooggeregshof voortgesit. Teen die dagvaarding was 'n eksepsie opgewerp wat later van die hand gewys was. Nadat die pleitstukke afgesluit was, was daar gewag op die ter rolle plasing vir verhoor. Daar was egter 'n aansoek om blootlegging en dit was 'n taak van geen geringe aard nie. Daar is etlike duisende dokumente ( $\pm$  20,000) wat op beslag gelê was en hierdie dokumente moes sistematies gerangskik word ten einde blootlegging te vergemaklik. Hierdie taak was in veertien dae afgehandel en lyste van die dokumente was opgestel en aan applikante voorgelê. Hiermee was applikante ook nie tevrede nie. Hulle wou die dokumente bekom waarop die Minister ageer het toe die "Fund" onwettig verklaar was. Hierdie dokumente was egter privillegeerd en was nie blootgelê nie. Die saak was toe nog nie ter rolle geplaas nie.

In subartikel (2) van Artikel drie van Wet No. 44 van 1950 word bepaal: "Na verloop van 'n tydperk van 14 dae vanaf die datum van 'n proklamasie kragtens subartikel (2) van artikel twee word geen geding vir die ongeldigverklaring van daardie proklamasie by enige hof ingestel nie, en na verloop van 'n tydperk van twaalf maande vanaf die datum van so 'n proklamasie, het geen hof regsbevoegdheid om oor die regsgeldigheid daarvan uitspraak te doen nie.

Op 13 Desember 1966 skryf prokureurs Frank, Bernadt en Joffe van Kaapstad aan Hayman & Aronsohn,

/4...

prokureurs van Johannesburg, inter alia:

"... The trial action has to be completed before the 18th March, next or otherwise it falls away in terms of Section 3(2) of the Suppression of Communism Act. The present position is that we have applied for discovery and as soon as the Schedule of Documents used is produced, we will be able to consider the matter further.

To all intents and purposes, as far as the defendant is aware, we are proceeding to the final end and determination of this action.

...".

Na 18 Maart 1967 was daar geen optrede van die kant van applikante nie en was die Beredderaar genoodsaak om saterdag te laat vestig op die bepalings van bo-kwoteerde artikel. Eers teen die middel van Mei 1967 het applikante laat weet dat die saak nie mee voortgegaan word nie.

Op 21 November 1966 het die applikante deur hul prokureurs die beredderaar in kennis gestel dat die beredderaar aanspreeklik gehou word vir alle koste deur applikante aangegaan in verband met die betwisting om die regsgeldigheid van Proklamasie No. R.77 van 18 Maart 1966.

Op 28 November 1966 het die Beredderaar die betrokke prokureurs in kennis gestel dat hy geen aanspreeklikheid aanvaar vir enige koste in hierdie verband nie. Dit ten spyte is kosterekenings opgestel en aan die Beredderaar voorgelê vir vereffening. Steeds het die beredderaar geweier.

Op 19 Junie 1967 is deur bemiddeling van die Staatsprokureur verneem van die betrokke prokureurs dat applikante nie met die eis vir koste voortgaan nie, en dat dit laat vaar is.

Uit die voorgaande is dit duidelik dat 'n ver-  
tragingsbeleid gevolg is sodat die "Fand" tesame met die betrokke prokureurs met eer uit die stryd kon tree en die mislukking van die saak gewyt kan word aan die feit dat na twaalf maande geen hof regsbevoegdheid het om oor die regs-  
geldigheid van so 'n proklamasie uitspraak te doen nie.

Opmerklik is dit dat een van die prokureurs wat 'n eis ingestel het uit wanhoop later aan die beredenaar gevra het of die betrokke prokureurs nie net besig is om tyd te mors nie.

Die gelde wat beslag op gelê en bates wat te gelde gemaak was is die volgende:

1.	7.4.66	Durban Tak Defence & Aid Fund	4.08
2.	7.4.66	Standard Bank, Kaapstad	996.51
3.	7.4.66	Veiligheidstak, Kaapstad	4.94
4.	13.4.66	Eastern Province Bougenootskap, Port Elizabeth	74.88
5.	18.4.66	Veiligheidstak, Port Elizabeth	106.40
6.	21.4.66	Allan Solomon, Arderne & Flynn, Port Elizabeth	48.76
7.	21.4.66	Allan Solomon, Arderne & Flynn, Port Elizabeth	436.11
8.	4.5.66	Barclays Bank, Pretoria	6928.13
9.	23.5.66	Reitz, Jacobson & Effune, Johannesburg	1474.55
10.	23.5.66	Hayman & Aronsohn, Johannesburg	2780.14
11.	9.6.66	Borgkwitansie No. 107467	20.00

12.	14.7.66	Standard Bank, Kaapstad	19.77
13.	22.8.66	Miller Weedon Travel	86.20
14.	22.8.66	Borgkwitansie	250.00
15.	22.8.66	Telefoon Terugbetaling R. Hodgson	11.43
16.	29.9.66	Posseëls Verkoop	.40
17.	29.9.66	Posseëls Verkoop	2.06
18.	24.10.66	Borgkwitansie E. Loza	100.00
19.	14.11.66	Staatsprokureur, Kaapstad	769.62
20.	26.4.67	Geregsbode, Johannesburg	40.00
21.	28.4.67	Geregsbode, Kaapstad	97.65
22.	8.5.67	Geregsbode, Port Elizabeth	34.25
23.	8.5.67	Posseëls Verkoop	1.05
24.	1.6.67	Kerbel & Borman, Fort Elizabeth	289.04

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R14575.97

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Item (1) is 'n bedrag geld wat deur die Sekretaris van die Durban tak van die Fund direk aan die beredderaar gestuur was. Items (2), (4), (8) en (12) is bedrae geld wat deur die betrokkenes in deposito gehou was en aan die beredderaar oorbetaal is.

Items (3) en (5) is bedrae geld beslag op gelê in die kantore van die "Fund" te Kaapstad en Port Elizabeth respektiewelik en aan die beredderaar oorbetaal is. Items (6), (7), (9) (10) en (24) is bedrae geld wat by betrokkenes in trust gehou was vir die "Fund" en aan die beredderaar oorbetaal is.

Items (11), (14) en (18) is gelde wat deur die "Fund" gestort was as borggelde. Met die beslaglegging van die dokumente is op hierdie borgkwitansies ook beslag gelê en te gelde gemaak. Die bedrag van R100 namens E. Loza betaal, moes van die Kommissaris van Binnelandse Sake teruggevorder word.

/7...



Item (13) is die bedrag geld wat teruggevorder is op twee ongebruikte lugkaartjies. Die kaartjies is beslag op gelê in die Port Elizabeth kantoor van die "Fund".

Item (15) is 'n bedrag teruggevorder van die Poswese Departement waar dit tot die krediet van die "Fund" gestaan het.

Items (16), (17) en (23) is posseëls waarop beslag gelê was in die kantore van die "Fund" en verkoop is.

Item (19). In dië twee siviele eise ingestel deur Stephanie Kemp en Allan Brooks teen die Minister van Justisie het die "Fund" 'n bedrag van R3000 aan die prokureurs Frank, Bernadt & Joffe, Kaapstad betaal. Die prokureurs het op versoek van die beredderaar geweier om die gelde oor te betaal. Die aangeleentheid was na die Staatsprokureur verwys en uiteindelik is die bedrag van R769.62 van die prokureurs ontvang.

Items (20), (21) en (22) is gelde ontvang vir die verkoop van meubels waarop beslag gelê was.

Die eise wat teen die Fund ingestel was en deur die beredderaar as bewese aanvaar was, is:-

1. Christine Gibbs - Salaris - Maart 1966	60.00
2. Napiers - Port Elizabeth - Skryfbehoeftes	1.65
3. Telefoon Rekening, Kaapstad	.75
4. Royal Dairy, Kaapstad	1.56
5. Stephanie Urdang - Salaris - Maart 1966	115.00
6. Vervoer - Geregsbode - Kaapstad	13.00
7. Sonnenberg, Hoffman & Galombik - Haur	17.97
8. Abe Swersky & Associates, Kaapstad - Prokureursfoeie	1500.00
9. Frank, Bernadt & Joffe, Kaapstad - Prokureursfoeie	221.30
10. Segal & Seymore, Pretoria - Prokureursfoeie	237.26

/s...

11.	Allan Solomon, Arderne & Flynn, Port Elizabeth - Prokureursfooie	800.33
12.	Kerbel & Borman, Port Elizabeth, Prokureursfooie	1465.71
13.	H.L. Schachat & Co., Kaapstad - Prokureursfooie	518.25
14.	M.S. Frank & Frank, Kaapstad Prokureursfooie	618.34
15.	R. Bugwandeem, Durban, Prokureurs- fooie	582.00
16.	Pindlay & Tait, Kaapstad, Prokureurs- fooie	280.19
17.	Hayman & Aronsohn, Johannesburg Prokureursfooie	4043.27
18.	Lubbe Recordings, Pretoria	125.80
19.	Crafford, du Toit & Vennote, Pretoria - fooie	300.00

R10,902.38

Items (1) en (5) is salarisse geëis deur sekretaresse van die "Fund" te Port Elizabeth en Kaapstad onderskeidelik.

Item (2) is skryfbehoeftes verskaf aan die "Fund" se tak te Port Elizabeth.

Item (3) is onbetaalde telefoonrekening te Kaapstad.

Item (4) is vir melk verskaf aan die kantoor van die "Fund" te Kaapstad.

Item (6) is vervoerkoste wat die Geregsbode, Kaapstad aangegaan het om die meubels van die kantoor van die "Fund" te Kaapstad te vervoer na die bergplek.

Item (7) is die huurgeld verskuldig vir die maand April 1966.

Item (8) is die fooie waarop die Beredderaar besluit het die firma van prokureurs geregtig was. Aanvanklik het die prokureursfirma 'n getakseerde rekening van R6229.68 voorgelê. Uit dokumente waarop beslag gelê was is egter vasgestel dat die "Fund" 'n maksimum bedrag van R2500 /o....

gewaarborg het in 'n skrywe van 17 Maart 1966, met die voorbehoud dat indien die prokureursfooie die bedrag van R2500 oorskry die Uitvoerende Komitee van die "Fund" die saak verder sal oorweeg. Met hierdie voorwaardes het die prokureursfirma ingestem en met die saak voortgegaan. Die verhoor van die saak (Fred Carneson) het eers 'n aanvang geneem na 18 Maart 1966, die datum waarop die "Fund" tot 'n onwettige organisasie verklaar was. Ten spyte van die onwettig verklaring van die "Fund" en die wete dat geen Uitvoerende Komitee van die "Fund" verdere fooie kon oorweeg nie is die saak deurgevoer en die totale koste van die "Fund" geëis.

Voor 18 Maart 1966 het die Fund aan Abe Swersky & Associates 'n bedrag van R1000 betaal as 'n voorskot op die uiteindelijke eis. Op 9 Maart 1966 het die prokureursfirma die ontvangs erken en 'n kwitansie uitgereik. Die Beredderaar het die prokureursfirma versoek na 18 Maart 1966 om die bedrag oor te betaal dog by het geweier. Na 'n verdere skrywe is die beredderaar meegedeel dat die R1000 alreeds uitbetaal is vir voorlopige kostes aangegaan.

Die beredderaar het die firma van prokureurs toe meegedeel dat die eis tot 'n maksimum van R2500 oorweeg sal word en dat R1000 van die R2500 alreeds deur hom ontvang is. Die eis sal dan alleenlik oorweeg word vir 'n bedrag van R1500. Uiteindelik is die beredderaar meegedeel dat die bedrag van R1500 aanvaar sal word in volle en finale vereffening van die eis.

Items (9) tot (17) is getakseerde rekenings wat as bewese en redelik aanvaar is.

Item (18) is die bedrag verskuldig aan Lubbe Recordings, Pretoria vir die verskaf van die oorkonde van 'n saak waarin appèl aangeteken was voor 18 Maart 1966. Lubbe

Recordings het vriendelik onderneem om die getikte rekord te verskaf en later deur die beredderaar betaal te word.

Item (19) is die fooie verskuldig aan die geëkstrooi-  
eerde rekenmeesters wat 'n verslag verstrek het in verband met die boekhouding van die "Fund".

'n Staat van bates en laste van die "Fund" vir finale bereddering is aan Sy Edele die Minister van Justisie per memo voorgelê op 3 Julie 1967. In die memo was ook voorgestel dat die batige saldo van die "Fund" aan die Vereniging van Wetsgenootskappe van die Republiek van Suid-Afrika oorbetaal word. Hiertoë het Sy Edele die Minister sy toestemming verleen.

Omdat dit vir die beredderaar moeilik was om vas te stel of prokureurseise redelik en korrek was, was al die prokureurs wat eise ingestel het versoek om hulle eise voor te lê aan hulle onderskeie griffiers van die Hooggeregshowe. Die griffiers het al die eise nagegaan en getakseer. In hierdie vorm was die eise aan die beredderaar voorgelê.

Op 11 Augustus 1967 is van die Vereniging van Wetsgenootskappe verneem dat die oorskot fondse deur hulle aanvaar word en gebruik sal word vir regshulpfondse.

Op 28 Julie 1967 het die firma R. Bugwandeën van Durban die beredderaar as volg meegedeel:

"... I wish to inform you that my fees in the above matter have been paid in full and that I do not require any payment from you".

Hierdie mededeling het gevolg op 'n navraag van die beredderaar of hy enige betaling ter vereffening van sy eis ontvang het. Uit 'n delikate bron was verneem dat hy ten volle betaal was. (Sien ook opmerking op bladsy 102 waar metode van huidige versending van geld vanaf die

buiteland ter sprake is).

Op 24 Augustus 1967 skryf prokureurs Arderne & Flynn, van Port Elizabeth onder andere:

"We have to advise that in making payment of Counsel's fees in the matter of State vs. Mountain Mgalonkulu counsel has informed us that he has already received payment of such fees from the firm of Hayman & Aronsohn. For your records we enclose a photostat copy of counsel Adv. P. Hare's letter to that effect".

The said letter reads as follows:-

"According to my fee book, I appeared in the above matter in the Supreme Court of South Africa, Eastern Cape Division on 3rd of March, 1966, and I subsequently received payment thereof from Mrs. Ruth Hayman. In the circumstances as I have already received payment in the above matter I return your cheque". (R100.00).

Die finale bedrag wat derhalwe oorbetaal word aan die Vereniging van Wetsgenootskappe beloop R4355.59.

/12...

## 2. Die Ontstaan van Defence and Aid Fund.

Ten einde die Defence and Aid Fund (hierna die "Fund" genoem) in sy regte perspektief te sien moet teruggegaan word na die gebeure wat die totstandkoming van die fund vooraf gegaan het.

Die "Defence and Aid Fund" is in 1956 in Brittanje gestig deur "Christian Action" 'n liggaam wat ten nouste saamwerk met die "Movement for Colonial Freedom", die "Africa Bureau" en die "Anti-Apartheid Movement". Oor die jare is die saamgenoerde bedrywighede van al hierdie liggame gekenmerk deur geswore en heftige vyandigheid teenoor Suid-Afrika.

Met die begin van die hoogverraad-saak in Suid-Afrika in 1956 het Defence and Aid in Brittanje besluit om vir al die beskuldigdes in die bresse te tree. In Suid-Afrika is 'n organisasie in die lewe geroep naamlik die "Treason Trial Defence Fund" wat nie alleen na die verdediging van beskuldigdes moes omsien nie, maar ook na die families van die aangeklaagdes. Hierdie organisasie was as 'n welsyns-organisasie geregistreer by die Welsynsraad. Fondse wat etlike honderd duisende rand beloop is deur Defence and Aid, Brittanje in die Treason Trial Defence Fund se fondse gestort. Met die ontslag van die laaste groep beskuldigdes van die hoogverraadsaak het die Treason Trial Defence Fund organisasie gevind dat daar nog steeds na party van die betrokke gesinne omgesien moes word en was die "Treason Trial Defence Fund" nie onmiddellik ontbind nie.

Die A.N.C. en die P.A.C. het op hierdie stadium, veral na alle beskuldigdes in die hoogverraadsaak ontslaan was, besonder bedrywig geword. Die Sharpeville insident het kort daarna gevolg en daarop is beide die A.N.C. en P.A.C. as onwettige organisasie verklaar op 3 April 1960 en

'n noodtoestand was afgekondig. Onmiddellik na bogenoemde gebeure het die biskop van Johannesburg, Father Ambrose Reeves, 'n fonds in die lewe geroep naamlik "The State of Emergency Relief Fund". Hierdie fonds moes voorsien in die behoeftes van almal wat deur die gebeure te Sharpville getref was.

Op hierdie stadium het die gedagte ontstaan by die verskeie organisasies om 'n gekonsolideerde liggaam tot stand te bring waarin al die kleiner organisasies absorbeer sal word en die liggaam sou bekend staan as "Defence and Aid Fund".

Op 21 Junie 1960 word die stigtingsvergadering te Johannesburg gehou en kort daarna gaan die voorsitter van die Johannesburg tak na Kaapstad en Port Elizabeth om soortgelyke takke te stig. Beide Kaapstad en Port Elizabeth besluit om die "State of Emergency Relief Fund" komitees aan te hou totdat die noodtoestand beëindig is en dan voert te gaan as komitees van die "Defence and Aid Fund". Die onderskeie takke kan die geld spandeer wat in hulle onderskeie gebiede gevorder was mits dit binne die bestek van "Defence and Aid Fund" se konstitusie val. Aanvanklik was die doelstelling van "Defence and Aid Fund":-

- (1) To uphold, defend and protect by all lawful means Human Rights and Civil Liberties especially the right to hold and express opinions.
- (2) To operate in the Union of South Africa and South West Africa.

In 'n memorandum deur die Johannesburg-tak van die "Fund" word die ontstaan so omskryf: "The Defence and Aid Fund" developed from a loose arrangement of emergency funds which were gradually absorbed or merely changed their names. The object was to find defence for political cases outside the scope of the Treason Trial Defence Fund. The State

of Emergency was proclaimed and The State of Emergency Relief Fund was founded in Cape Town, Port Elizabeth, Durban and Johannesburg. Canon Collins sent £750 to Cape Town for State of Emergency Relief Fund and towards the end of 1960 the different towns linked up with Johannesburg and constituted "Defence and Aid Fund". Collins then sent money to "Defence and Aid Fund" via Johannesburg. State of Emergency Relief Fund, Johannesburg then become part of Defence and Aid, Johannesburg".

Johannesburg se welynsafdeling van die "Fund" was verskeie om in noue samewerking met die Rooikruis, "Society of Friends (Quakers)", "Christian Council of Churches" en "Social Welfare Department" op te tree.

Die ondergenoemde persone was komiteelede by die stigting van "Defence and Aid Fund" talle in die onderseker plekke:-

<u>Kaapstad:</u>	Peter Hjul	-	Voorsitter
	Thomas Ngwenja	-	Onder-voorsitter
	John Blundell	-	Onder-voorsitter
	Sally Shapiro	-	Sekretaris
	Lind Ntliche	-	Assistent en Tolks
<u>Durban:</u>	Prof. Leo Kuper	-	Voorsitter
	Alan Magid		
	Cyril Canin		
	Mev. J.F. Hill	-	Sekretaresse
	Ishmail Meer		
	N.T. Naicker		
	J.N. Singh		
	Dr. Padyachee		
	George Mbele		

Dit is opvallend dat die Durban Komitee-lede se name nie verskyn het in die notules nie. Met die hoeveelheid lede



word aangedui. Selfs persone wie verskonings aangebied het vir afwesigheid by vergaderings se name word nie aangedui nie - net die hoeveelheid wat afwesig was met verskonings.

Johannesburg:

A. Hepple	-	Voorsitter
Mev. Mary Walker	-	Sekretaresse
Mev. H. Jaff	-	Tesouriere
Dr. E. Helmann	-	Komiteelid
Eerw. Sidebottom	-	Komiteelid
Dr. Blaxell	-	Komiteelid
Adv. Unterhalter	-	Komiteelid
Mev. J. Sinclair	-	Komiteelid
Mr. J. Lewin	-	Komiteelid
Mev. Lovegrove	-	Komiteelid
Eerw. Campbell	-	Komiteelid

Port Elizabeth:

Eerw. Cyprian Thorpe	-	Voorsitter
J. Laredo		

Cos-Londen:

Dr. M.N. Russel		
Marjorie Shingler		

Daar was nog ander stede waar Defence and Aid Fund ook klein Komitees gehad het, maar hulle het nooit werklik aktief funksioneer nie. Die onderskeie komitees het baie gewissel en byvoegings en bedankings was deurgaans aan die orde van die dag.

/16...

3. Die Konstitusie(s).

Die Konstitusie van die "Fund" het soos volg  
gelui:-

"1. Name:

The name of the FUND shall be THE DEFENCE AND AID FUND.

2. Objects:

The OBJECTS of the Fund shall be :

- (a) To uphold, defend and protect by all lawful means Human Rights and Civil Liberties especially the right to hold and express opinions.
- (b) To grant relief and assistance to compensate men and women and their dependants who suffer as a result of the loss of any of the said rights and liberties whether by process of law or otherwise.
- (c) To collect money to pay for the rendering of legal advice and assistance to persons in need thereof as a result of the loss of any of the said civil rights and/or liberties whether by process of law or otherwise.

3. Area of Operation:

The DEFENCE AND AID FUND shall operate within the UNION OF SOUTH AFRICA and SOUTH WEST AFRICA.

4. Management:

- (i) The MANAGEMENT of the Fund shall be vested in a Management Committee which shall consist of not less than TEN persons, including the President, two Vice-Presidents, Chairman, Secretary and Treasurer.
- (ii) The Management Committee shall have the power to appoint an Executive Committee from amongst its members. The Chairman, Secretary and Treasurer shall be members of the Executive Committee ex-officio.

- (iii) The Management Committee, at the inauguration of the Fund, shall consist of the persons whose names are set out in the Schedule 1 hereto. (No Schedule attached).
- (iv) The Management Committee shall have the power to co-opt members to the Committee and to any Sub-Committees it may establish and to fill any vacancies which might occur on the Management Committee or any Sub-Committee.

5. Powers of the Management Committee:

- (i) To raise funds by various means, including appeals, campaigns and functions of any nature.
- (ii) To expend such monies in any manner which will, in its sole discretion, in any respect further the objects of the Fund as set out in Paragraph (2).
- (iii) (a) To open offices, establish Sub-committees and Branch committees anywhere within the Union of South Africa and South West Africa.  
(b) To employ persons, hold meetings and issue publicity material and other literature in furtherance of the objects.
- (iv) To co-operate to any extent and upon any conditions which it deems desirable in its sole discretion in furtherance of its objects, with any person, body, organisation, committee, association or institution, whether presently existing or established subsequent to this Constitution.
- (v) To do all such things as are reasonably necessary or incidental to further the objects.

/18...

6. Sub-Committees:

(i) The Management Committee may establish the following sub-committees and shall appoint the convencers thereof:

- Law Sub-committee,
- Welfare Sub-committee,
- Bail Sub-committee,
- Fund-Raising Sub-committee,
- Publicity Sub-committee,

and any other Sub-committees which may from time to time be necessary for such purposes as the Management Committee may decide.

(ii) The Office Bearers of the Management Committee shall be ex-officio members of all Sub-committees.

7. Power to disestablish Sub-committees:

The Management Committee is hereby empowered in its sole discretion to disestablish any sub-committee.

8. Management Committee and Annual General Meetings:

(a) The Management Committee shall meet at least once in every three months and seven days written notice of such Meeting shall be given.

(b) Quorum. The Quorum at any Meeting of the Management Committee shall be FIVE (5) Persons and at any sub-committee meeting the quorum shall be three persons.

(c) Annual General Meeting: The Annual General Meeting shall be held within 60 days after the end of each financial year and fourteen days written notice of such Annual General Meeting shall be given. The business to be transacted at

such Annual Meeting shall include:

- (i) Annual Report of Chairman;
- (ii) Report on Balance Sheet and Financial Accounts;
- (iii) Election of Office Bearers and Executive Committee.

9. Amendment of this Constitution:

The Management Committee shall have the power to amend this Constitution in such manner as may in its opinion be necessary to enable the objects or functions of the Fund to be carried out.

10. Monies and Legal Proceedings:

- (i) All monies collected and all assets shall be vested in the Management Committee who may represent the Fund in any legal proceedings.
- (ii) The control and use of the monies and assets of the Fund shall be vested in the Management Committee which shall be entitled to use such monies and assets for or in connection with the objects, functions and work of the Fund in any manner in which the Management Committee, in its sole discretion, may deem fit.
- (iii) All cheques and other negotiable instruments shall be signed by any two of the following members of the Executive Committee: The Chairman, Treasurer, Secretary and Convenors of the Law and Welfare Committees.

11. Accounts:

Proper accounts shall be kept in respect of the finances of the Fund and shall be properly audited. The Auditors of the Fund shall be:

Ronald G. Creecy and Co., Accountants and  
Auditors,  
510 Corporation Buildings, Commissioner St.,  
Johannesburg.

Each financial year shall commence on the first day of JULY  
of each and every year and shall terminate on the 30th  
day of JUNE of each and every following year.

12. Branches:

- (i) The Management Committee may in its sole and absolute discretion establish or constitute branches anywhere within the Union of South Africa and South West Africa as it may deem necessary.
- (ii) The Management Committee shall have the right on application by such organisation to take over and/or absorb any organisation having any of the same or similar objects to that of the Fund and to continue operating such organisation as a branch of or subsidiary to this Fund.
- (iii) Any branch or subsidiary established in terms of (i) hereof or taken over in terms of (ii) hereof shall be administered by such persons as may be appointed or elected in any local area provided that such branch or subsidiary shall:
  - (a) undertake to carry out the objects of this Fund and such policy as may be laid down from time to time by the Management Committee;
  - (b) account for and be responsible to the Management Committee for the expenditure of any monies received by it from the Fund as also any funds raised by such branch in the name of the Fund.

- (iv) The Management Committee shall have the right to nominate a representative to the Executive Committee of any branch or subsidiary.

13. Dissolution:

- (a) The Fund shall be dissolved if at least two-thirds of the members present and voting at a Meeting of the Management Committee, especially convened for the purpose of considering the question of dissolution, vote in favour of dissolution. Fourteen clear days notice of such a special meeting shall be given and the notice shall state the purpose of such meeting.
- (b) If at such a special meeting it is decided to dissolve the Fund the assets of the Fund, after payment of all liabilities of the Fund, shall be paid or handed to such other organisation or organisations as the Committee may determine.
- (c) If the Committee fails to dispose of the assets within six months of the date on which the decision to dissolve was taken the assets shall be dissolved of in a manner to be determined by the National Welfare Organisation Board.

14. Trustees:

The Fund shall have not less than three and not more than seven Trustees whose function shall be to ensure that the funds are used and applied in accordance with the objects of the Fund.

The Management Committee shall appoint the Trustees and may replace any Trustee as deemed necessary in the interest of the Fund."

Gelyktydig met die totstandkoming van die "Fund" is aansoek gedoen om dit as Welsynsorganisasie te laat registreer by die Welsynsraad. Inmiddels het die "Fund" 'n permit verkry van die plaaslike landdros om fondse in te samel. Johannesburg-tak het op sulke permitte gefunksioneer vanaf Junie 1960 tot 14 Junie 1961 toe dit ontdek is dat die Fund nie onder die Welsyns Organisasie Wet sou ressorteer nie indien 'n klein wysiging in die konstitusie sou aangebring word. Die wysiging is toe aangebring, om dit buite die bepalings van regulasie 2(4) van die Regulasies van die Wet op Welsynsorganisasies 1947 te plaas. Artikel 2(b) van die Konstitusie is gewysig om soos volg te lei: "To grant relief and assistance to compensate men and women (and their dependants) who suffer as a result of the loss of any of the said rights and liberties whether by process of law or otherwise. Thus the Fund does not require registration under the Welfare Act to collect from the public".

Die aansoek om registrasie was toe ook teruggetrek. In 'n memorandum wat deur die Johannesburg-tak versprei is, moet die volgende vertolking aan die konstitusie gegee word:

"Defence and Aid Fund renders neither legal assistance nor advice but merely provides funds to enable legal assistance and advice to be given by other persons. Defence and Aid Fund is not a legal aid bureau and so does not render legal advice or assistance. It does not assist persons essentially as a matter of philanthropy but in furtherance of its main object - to defend civil rights and liberties. The Fund is prepared to assist without distinction of race, colour, creed or opinion - it is concerned only with the object laid down by it's constitution and



civil liberties, and not with the policies of any organization, body or group of persons".

Uit die notules van die verskillende takke het dit telkens geblyk dat die konstitusie gewysig is maar wat die wysigings presies behels het kan nie duidelik vasgestel word nie. So byvoorbeeld lees die notules van die Kaapse Tak van 18 Augustus 1965 onder andere:

"The Constitution was read and amended in a number of places". Dit word nie aangedui ten opsigte van watter artikels wysigings aangebring was nie of wat die wysigings behels het nie. Die ander takke was ook nie van die wysigings in kennis gestel nie. Dit wil voorkom of die takke na willekeur kon wysig aan die Konstitusie soos dit op daardie stadium dié besondere tak gepas het.

Die Konstitusie het onder andere voorsiening gemaak vir nie minder as drie en nie meer as 7 Trustees nie. Die funksies van die Trustees was soos volg omskryf: "The function of the Trustees shall be to ensure that the funds are used and applied in accordance with the objects of the Fund.

Aansienlike moeilikhede was egter ondervind omdat Suid-Afrika so 'n uitgestrekte gebied is en of die Rhodesies en Nyasaland ingesluit moet word.

Die volgende name was deur Domheer Collins voorgestel as moontlike lede: A. Paton, Joost de Blank, Ellen Helman, Luthuli, John Wilson, Z.K. Matthews, Schreiner (oudregter).

Die volgende persone het hulle die aanstellings laat welgeval:

A. Paton, Dr. Edgar Brooks, Joost de Blank, Prof. Z.K. Matthews, Eerw. A.A. Xulu.

Domheer Collins was baie besorg oor wie die trustees moet wees soos duidelik blyk uit 'n brief van hom aan Alex Hepple, Johannesburg:-

"Christian Action is concerned that if their monies are invested in South Africa with persons who are engaged in political movements which clearly are unacceptable to the Government such monies may be liable to confiscation. Trustees must not be engaged directly with political work".

Dit is opmerklik hoe veelrassig al die Komitees saamgestel was en hoe min die Trustees geraadpleeg was in verband met die besteding van fondse. Inteendeel kon uit die dokumente nie 'n enkele geleentheid opgespoor word waar die Trustees geraadpleeg was met wysigings aan die Konstitusie of beleidsverandering nie. Veranderinge wat die beleid van die Fund ondergaan het sal later getoon word.

Op 23 Maart 1962 skryf Peter Hjul van die Kaapse-tak aan Johannesburg-tak:-

"... At a meeting we had in Johannesburg a year ago, we decided that the Defence and Aid Fund should re-organise itself as a representative national body. Ways of achieving this were discussed and it was agreed that we should have a national committee in which all branches would be represented and which would meet periodically in different Centres of South Africa ... We should like to know when this committee will meet and where".

Op 3 April 1962 het Johannesburg hierop geantwoord:

"National Committee.

The principle of a National Committee is fully supported but its establishment has been delayed because of practical difficulties ...".

Op 3 Oktober 1962 het Kaapstad-tak die Johannesburg tak meegedeel dat 'n voorlopige Nasionale Sekretariaat /25...

gestig is met die volgende lede: Donald Molteno,  
Eerw. Wood, Thomas Ngwenya, Albie Sachs en Peter Hjul.  
Hierdie Sekretariaat sou aandag skenk aan die verskuiwing  
van die hoofkantoor vanaf Johannesburg na Kaapstad en sekere  
wysigings in die Konstitusie. Dit het egter nooit funksioneer  
nie en die voorstelle het nooit materialiseer nie.

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4. Beleidsverandering.

Vanaf die totstandkoming van Defence and Aid Fund in 1960 was dit deur die afsonderlike takke van die Fund as 'n beleid aanvaar dat geen verdediging sal voorsien word in sake van geweld nie. Sedert die begin van die Hoogverraadsaak in 1956 kan die gebeure in Suid-Afrika as 'n skaakspel gesien word. Vir elke set was daar 'n teëset en dit het onverbiddelek voortgegaan.

Na die ontslag van die beskuldigdes in die Hoogverraadsaak het Sharpsville gevolg, die resultaat waarvan was die onwettig verklaring van die P.A.C. en A.N.C. organisasies. 'n Noodtoestand was afgekondig en die 90-dae en later die 180-dae aanhoudings was promulgeer. Sabotasie het nou sporadies voorgekom en hierop het gevolg Wet No. 76 van 1962, die Sabotasie Wet.

Voor die Sabotasiewet van 1962 het die Fund meesal die volgende tipe sake verdedig:

- (1) Lede van verbode organisasies.
- (2) Verbreking van Inperkingsbevele.
- (3) Bevordering van verbode organisasies.
- (4) Fondse insamel vir verbode organisasies.
- (5) Enige sake met 'n politieke kleur waar geen geweld voorkom nie.

In 'n brief van 8 Augustus 1960 vermoedelik afkomstig van die P.A.C. of A.N.C. hoofkwartiere nadat beide organisasies in die ban gedoen was, word die volgende gevind:

"... Sons of Africa.

Philip Kgosana was subsequently arrested in very treacherous circumstances. He had been promised safe conduct by the Police and when he went to the city for negotiations with a highly placed official in the department of Justice, he was arrested. I suppose that was the Boer's way of

of avenging Piet Retief ... Peter Brown was among a number of white Liberals who were locked in for well over three months.

... Some people are of course thinking of Sabotage ... I am against violence ... I have been told sabotage is the cheapest in terms of manpower form of effective opposition now that the ban has sent political organisations underground ..

Die aanvanklike beleid van die Fund blyk duidelik uit die volgende:

Op 14 Augustus 1962 skryf Alex Hepple, Voorsitter van die Johannesburgse tak van die Fund aan J.D.F. Martin, Amnesty International, Londen, Engeland wie oegerig is om finansiële steun te verleen aan B. Turok wat in 1962 vir sabotasie veroordeel is:

"For various reasons the Defence and Aid Fund decided not to handle cases involving Sabotage, so we have given no financial or other aid in this case. I would gladly act as intermediary on your behalf in handling money raised to assist the Turok family".

Op 5 Februarie 1962 besluit die Johannesburgse Uitvoerende Komitee van die "Fund" dat in alle sake van sabotasie waarin om hulp by die "Fund" aansoek gedoen word, sulke sake eers na die volle Uitvoerende Komitee verwysal word. Johannesburg was op hierdie stadium nog beskou as die hoofkantoor van die "Fund" wat die beleid moes neerlê.

Op 15 September 1963 skryf Er. Ellen Hellman, later voorsitter van die Johannesburg-tak aan mevr. J. Hill, sekretaresse van die Durbanse tak:

"The objects of the Fund (in so far as they affect the question of who should or should not be given legal assistance) read as follows: 'To uphold, defend and protect

by all lawful means Human rights and Civil Liberties, especially the right to hold and express opinions. To collect money to pay for the rendering of legal advice and assistance to persons in need thereof as a result of the loss of any of the said civil Rights and/or liberties whether by process of law or otherwise .....

The application of this formula presents certain difficulties in certain border-line cases, specially these relating to 'conspiring to promote the objects of an unlawful organisation', when it is not clear to what conspiring refers. In others there is no difficulty: e.g. membership of an unlawful organisation or of communism (in its broad definition as laid down in the 1950 Suppression of Communism Act) are matters falling within the purview of D.A. as they result directly from the curtailment of what are generally agreed to be civil rights. On the other hand, the Johannesburg Defence and Aid Legal Committee had before it an application from 6 people charged with undergoing military training outside South Africa and it turned down this application. I, myself, lacking any legal training, find that I have always to put the simple question, 'Is X or Y a civil right', and that usually the answer to this delivers the answer to the basic question ... What is quite clear is that we do not assist in the defence of Sabotage itself."

Op 14 Mei 1962 besluit Johannesburg se Uitvoerende Komitee:

"In terms of our constitution we do not handle cases under the explosives Act". Tog het Suliman Vallio voorgestaan op 'n aanklag van besit van plofstowwe en was hy verdedig deur bemiddeling van die "Fund".

Op 20 September 1963 besluit die Uitvoerende Komitee van die Durban-tak van die "Fund":-

"... We were asked to base our decision whether or not to defend on the question of whether or not the infringement of a civil right was involved ... Sabotage did not fall within this definition".

Op 5 November 1963 word die Sekretaris van die Durban-tak opdrag gegee deur die Uitvoerende Komitee om van die Johannesburg-tak vas te stel wat Johannesburg se beleid gaan wees in verband met die Rivonia-verhoor.

Op 12 November 1963 skryf Sekretaris van "Defence and Aid" in Johannesburg aan Dr. Clem Goodfellow, Grahamstown:

"I was very pleased to hear via Peter that you were interested in forming a Defence and Aid Fund Committee in Grahamstown if it were possible ... I think Peter told you that we do not take cases involving violence because our constitution binds us on this matter. But we take any cases of a political nature, in which we feel that people will get a better defence that way".

Op 12 November 1963 skryf E. Lewin, sekretaris van die Johannesburg-tak aan die Voorsitter van die Fort Elizabeth-tak:

"The enclose cheque is for defence cases only. Not for any aid to families. ... But I want to make it clear that this money is not to be used for the Grahamstown cases as this is a case we cannot take because of our constitution. The money is to be used for political cases only, and only for political cases which do not involve violence"

In die Oos-Londen Komitee van die Fund was daar verdeeldheid in verband met die verdediging van Sabotasie-sake. So skryf een van die Komitee-lede (B.I.U. Amen) aan die voorsitter (Dr. Russel) van die Oos-Londen tak:

" I want to say first of all that I have always found myself to be in complete harmony with the members of the local committee. I emphasise this because I have felt that our approach differs somewhat to that of the main organization. It is difficult to be precise about such a matter but I have got the impression that the Johannesburg office is prepared to assist in the defence of anyone brought before our courts provided only the charge has some political connotation. This attitude may be right. I do not set myself up as a model judge but this is one I cannot agree with. Because of this approval to the problem I would not like to accept the responsibility of administering funds placed at our disposal by the Johannesburg Committee. I would prefer therefore to resign from the local committee if it was decided to administer such funds"..

In 'n brief van die Sekretaresse van die "Fund", Johannesburg, skryf sy op 17 September 1963 aan Matthews Makhalina p/a Die Pretoria Tronk:

"I confirm our telegram sent to you today informing you that the Defence and Aid Fund is unable to provide legal defence in the case which is being brought against you and six others on 23 September on allegations of having undergone training of a military nature in Ethiopia during the period 27th July, 1962 to 18th January, 1963. The Constitution of our fund does not permit us to assist in cases of this kind".

In 'n Uitvorende Komitee verslag van die Durbanse tak van die Fund oor die P.A.C.-verhore te Durban is die volgende gerapporteer:

"In accordance with a ruling from Headquarters

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(Johannesburg) that Defence and Aid Fund could only handle cases where there was a possibility of civil rights being infringed, and that sabotage did not come within this definition we gave no financial assistance through Defence and Aid".

Uit die voorgaande briefwisseling is dit baie duidelik dat al die takke van die "Fund" in Suid-Afrika dit eens was dat sake waarin geweld 'n element was nie deur die "Fund" verdedig mag word nie omdat dit buite die bestek van die konstitusie sou val.

As gevolg van die onsekerheid skryf Domheer Collins aan die Johannesburg-tak van die Fund op 17 Oktober 1963:-

"Has your Defence and Aid Committee out there yet been able to settle the question of whether it will take on defence of those involved in Sabotage cases? I would be very grateful if you would let me know as quickly as possible, because we are now planning an urgent appeal for money for the new trial shortly to start in Pretoria of eleven accused under the 'Sabotage Act'. It is therefore, very important that we should know whether we can transmit money for this case through your committee or whether we should find some other way of helping them".

Dit is dus duidelik dat die domheer alreeds besluit het dat sabotasiesake moet verdedig word en as die plaaslike komitees nie te vinde was om geld vir die doel te administreer nie, sal die geld nogtans gestuur word om deur ander persone of liggame vir die doel administreer te word.

In antwoord op die brief van die domheer skryf die Johannesburg-tak as volg:

"The problem of assisting in cases involving sabotage and violence has not yet been resolved. You will

remember that it was decided some time ago that as a matter of principle our Fund could not undertake the defence of persons who embarked upon open acts of violence to compel political changes in this country. Since that decision was taken, it has become apparent that in the very nature of the various laws against political opposition and the large scale arrests and prosecutions. Some members of our committee believe that it should be our responsibility to take an interest in sabotage cases i.e. where the charge is sabotage under the Sabotage Act, the Rivonia trial being a case in point. However, there are numerous difficulties technical and legal, apart from other objections. ... A sub-committee has been appointed to draw up a set of guiding principles in making decisions on applications ... Meanwhile all are agreed that your best course in regard to the Rivonia Trial would be to send funds directly to the instructing attorney, Mr. Joel Joffe, 204 Provident Assurance House, Commissioner Street, Johannesburg. I should also tell you that other mass trials of members of the banned A.N.C. and other Congress groups are pending in East London (106 accused), Port Elizabeth (35 accused) and Durban (19 accused) ... It is possible that you will be asked to give direct assistance in those cases too."

In 'n skrywe aan die "Defence and Aid Fund" te Kaapstad het gelyste kommunist E.S. Sachs as organiserende sekretaris van "Christian Action" hom as volg uitgelaat ten opsigte van die beleid van "Christian Action":

"The Aims of our Defence and Aid Fund are to provide effective legal aid to victims of apartheid who are brought to court or deprived of their liberty by administrative action and also to help their families. Our Fund is pledged to a policy of non-violence but in

deciding whether we should provide defence and aid in any particular case, we are concerned with the motives and not so much with the acts or omissions; nor are we concerned with the political, religious or other beliefs of the person concerned. If the motive is not self gain, but to further the interests of African freedom, he becomes entitled to our support even if the method employed by him, or the political beliefs he holds do not meet with our approval ...".

Op 22 April 1963 antwoord John Blundell vir Sachs as volg:-

"... By now it will be clear to you that we are only too anxious to do all we can to find defence wherever and whenever it is required, even if some of us may not be motivated by quite such an unique intepretation of our constitution as you set out in your fourth paragraph". (Fourth paragraph quoted above).

Op 10 Junie 1963 skryf die sekretaris van die International Confederation of Free Trade Unions Engand, aan Defence and Aid Fund in Johannesburg soos volg:

"... There is another matter on which we should like to have your advice. Further repressive legislation has been enacted in South-Africa, such as the General Law Amendment Act (known as the Anti-Sabotage Act) and subsequent refinements of this oppressive law. We should like to know whether the Defence and Aid Fund also comes to the assistance of victims charged under these latest pieces of legislation. It is of some importance to us to know this at your earliest convenience, since it has been suggested to us that the South African Defence and Aid Fund is unable or has decided against, coming to the aid of those charged under the Anti-Sabotage Act, and we should naturally like to be clear about this aspect of

of the matter".

Met die bepalings van die konstitusie van die "Fund" en vorige besluite dat sake van geweld nie mag verdedig word nie, het die kontensieuse navrae van die buiteland die plaaslike komitees in die war gejaag. Die plaaslike komitees het maar te goed besef hoe absoluut afhanklik hulle was van buitelandse fondse en om die buitelandse bron nie te laat opdroog nie is die bepalings van die konstitusie en vorige besluite oor boord gegooi en alle sake van geweld met politieke agtergrond is verdedig.

In 'n "memorandum on Defence and Aid Fund" wat deur die Johannesburg tak opgestel was in Januarie 1964 word die volgende gevind:

"Before the Sabotage Acts of 1962 and 1963 and above all before the activities of underground organizations like Poqo and the Spear of the Nation (Umkonto we Sizwe) became manifest, no particular difficulty was experienced in deciding which cases fell within the competence of Defence and Aid. Until mid 1963 Defence and Aid, Johannesburg took pride in the knowledge that despite its limited resources, it had not refused assistance in a single case in which an application for help had been made ... Charges involving violence against persons are in general not regarded as falling within the definition of restrictions on civil rights. The Fund did not accordingly, take up the Rivonia case (quite apart from the fact that it did not have funds to do so). Canon Collins of Christian Action is, however, assisting in that case on the grounds that adequate legal defence should be made available to all accused".

"Until the beginning of 1963 a great deal, though obviously not all of the legal work for Defence and Aid

was done pro amico by attorneys and advocates. Since the second quarter of 1963, after a series of acts of sabotage had been committed and allegations of a wide spread "Poqo" conspiracy aimed at the take-over of the country, the number of arrests snow-balled".

Op 10 Oktober 1964 word op 'n spesiale vergadering van die "Fund" te Durban besluit dat sake van sabotasie nie verdedig sal word nie. Daar word egter opgemerk dat: "The Station Court case had not been defended by Defence and Aid but arrangements had been made from overseas for lawyer to be paid retainer to enable her to deal with the case". Ruth Hayman is die "her" na wie verwys word.

Aanvanklik was die Port Elizabeth-tak gekant teen die verdediging van sabotasie-sake. Hulle siening was dat persone wat willens en wetens dade van sabotasie gepleeg het nie geregtig is op verdediging nie veral nie uit publieke fondse nie. Dit was ook gevoel dat as sabotasie sake verdedig word die bestaande konstitusie gewysig sou moet word en die gevaar dan bestaan dat die owerheid dit kan gebruik as verskoning vir optrede teen Defence and Aid en sy lede. Nogtans sonder formele wysigings van die konstitusie is sabotasie-sake deurgaans verdedig met publieke fondse.

Op 20 Julie 1964 besluit die Johannesburg-tak van die "Fund" die volgende:

"General. The Committee agreed that the Constitution should be changed to include consideration of all types of cases which fell under laws like the Criminal Laws Amendment Act, the Suppression of Communism Act, the General Laws Amendment Act and others of a similar nature. Mr. Maisels would be asked to redraft the constitution and failing him Mr. Kentridge would be asked

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to do it. Mr. Maisels reports that he is experiencing difficulties with the redrafting. Miss Ruth Hayman now undertakes to do it".

Daar kon geen bewyse opgespoor word by enige van die takke dat die konstitusie inderdaad gewysig was nie. Al die takke het doodluiters voortgegaan om sake van sabotasie tesame met ander sake te verdedig. So skryf die Johannesburg-tak aan die World Council of Churches op 29 Oktober 1964:-

"A decision has been reached by the Committee to assist financially in the defence of the sabotage cases ... Very considerable sums of money will be involved as the cases are complex and it has been necessary to brief Senior Counsel. Further there will be the State versus Fischer and others. This case involves 14 other people and will involve a large amount of money over and above the ability of any accused to contribute.

Op 20 Oktober 1964 laat die Johannesburg-tak hom as volg uit teenoor Kaapstad-tak:

"It has been decided in principle that Defence and Aid should assist financially in the defence of the 2 sabotage trials in Cape Town ...".

Op 30 Oktober 1964 rapporteer die Johannesburg-tak aan Christian Action, Londen as volg:-

"Now that sabotage trials are starting at various centres in South Africa, there has been considerable discussion about the attitude of Defence and Aid. It has been decided that those cases should not be excluded, but each application would be treated on its merits, having regard to all the circumstances and to the availability of Funds". Met ander woorde as "Christian Action" toesien dat daar fondse is sal sabotasie sake verdedig word. Hierna was alle sabotasie-

sake verdedig deur die verskillende takke.

Met die kondisionering van die "Defence and Aid"-takke in Suid-Afrika deur die buitelandse donateurs, onder andere "Christian Action", "World Council of Churches", "International Confederation of Free Trade Unions" en andere dat sabotasie sake verdedig moet word, het domheer Collins sy gewraakte toespraak gemaak by die V.V.O. Die domheer was versterk in sy siening, want, het die "Defence and Aid" in Suid-Afrika dit dan nie duidelik laat blyk dat ten spyte van die doelstellings van organisasies soos die P.A.C., A.N.C., Umkonto we Sizwe en Poqo, om die Suid-Afrikaanse regering omver te werp, die "Defence and Aid" in Suid-Afrika die oortreders ten alle koste moet verdedig nie?

Enkele uittreksels uit die domheer se toespraak voor die V.V.O. lui soos volg:

"To put matters right in South Africa requires political action on a big scale ... there is little if any likelihood of effecting the necessary political changes, by normal democratic, internal political processes. In such a situation it seems probable that only external pressures and the threat of execution of internal revolution will bring about the desired result ...".

"I believe it would be wrong to suppose that the work done by the Defence and Aid Fund is no more than a palliative. I think that, as well as bringing to the persecuted victims of unjust legislation and oppressive and arbitrary procedures, and relief to their families and dependents - and that thoroughly worth-while job we have done now for many years, - and will continue to do until the non-Whites in South Africa are politically, socially

and economically free men and women - the Defence and Aid has played, and continues to play, a vital role in bringing about these political changes so desired by all the people of goodwill. And of much importance, in my opinion, is the fact that the contribution of Defence and Aid in this respect fosters the morale of the Internal resistance, for, if the necessary political changes are to be brought about with the minimum of violence, and no sane person could wish otherwise - it is the resistance movement inside South-Africa, the front line of the struggle for freedom, which alone can give South-Africa the ability to become a non-racial society based upon a free democratic way of life".

"... The Government had planned to use the trial (Rivonia trial) as a propaganda platform for its attempt to make the world believe it was up against a communist plot. This very largely failed. It was in fact Nelson Mandela and his fellow accused who were able, from the dock, to state their political aims to the entire world, and to reveal the true nature and integrity of the resistance movement. The convicted men went to gaol, knowing that as far as was humanly possible, their families would be cared for.

... By caring for their families we build their morale in gaol".

Hoe sterk hierdie moraal gebou was blyk uit 'n brief van die Sekretaris van die Durban-tak aan Allan Paton op 8 Februarie 1966:-

"... Mrs. Zulu came over to see me at last. Mind you she had written to me. I did want her to give an acknowledgement of the R24.00. This I send to you. She is beside herself now that she has seen her husband.

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She says her husband went into jail a frightened man, he is now a tiger! Somebody should tell this story to Vorster. Maybe he'll change his mind about keeping Sobukwe in jail".

Die domheer het voortgegaan:

"... I have explained one aspect of the welfare work of Defence and Aid, namely, that the morale of the man in gaol is kept up when they know that their families are cared for".

"... I have given only a bare outline of all the needs. Nor have I touched upon the necessity to provide for the families and dependants of the underground resistance. ... But what man or woman can happily or easily undertake such dangerous work if he or she knows that, by doing so, the well-being of the children and other dependents is at stake".

Uit die voorgaande is dit baie duidelik dat die fondse wat deur die domheer ingesamel en na Suid-Afrika gestuur was gebruik moes word om saboteurs, moordenaars, brandstigters, meineders en dies meer, in hulle kwaadwillige optredes te sterk, nie alleen om hulle verdediging te waarborg nie, maar om ook die familie onderhoud in al sy fasette te onderneem. Met ander woorde om nie alleen 'n politieke, industriële, sosiale of ekonomiese verandering teweeg te bring nie, maar dit met geweld te bewerkstellig en die domheer sal die nodige fondse verskaf, as die persoon net gekry kan word om die misdade te pleeg, of dit lewens en bloedvergieting in sy spore laat, tel by die domheer weinig meer as niks - die oortreders en naasbestaandes moet goed versorg en na omgesien word. Die aanmoediging tot die pleeg van die misdade kon die domheer nie duideliker gestel het nie. Die Uitvoerende Komitees van die Fund in Suid-Afrika was goed bewus van die toedrag van sake,

maar het voortgegaan met die verdediging van die oortreders wat somtyds duisende rand beloop het. In die saak van die Staat teen Mkalipi en andere is 'n bedrag van amper dertien duisend rand betaal vir die verdediging van die beskuldigdes. Mkalipi en drie ander was aangekla dat hulle die land onwettig verlaat het, militêre opleiding buite die grense van Suid-Afrika ontvang het; dat hulle na Suid-Afrika teruggekeer het en rekrute gewerf het vir buitelandse militêre en sabotasie-opleiding. Vonnisse van 20, 17 en 11 jaar gevangenisstraf was opgelê terwyl een beskuldigde onskuldig bevind en vrygespreek was.

Dit is 'n welbekende feit dat die verbode Kommunistiese Party alleenlik lede aanvaar wat alreeds lede is van 'n ander organisasie. Defence and Aid in Suid-Afrika was ook welbewus van die feit, maar het deurgaans P.A.C., A.N.C. Poqo en Umkonto we Sizwe sake verdedig. Tereg het Sy Edele Regter Snyman in die Paarl Onluste Onderzoek opgemerk:

"... South Africa's greatest danger is the Communist led African National Conference which is already gaining strength from the decline of Poqo. The acts of sabotage in South Africa are done largely under the guidance of Communists. They use the A.N.C. and Poqo and other bodies for this purpose".

Die uitlatings van domheer Collins by die V.V.O. het 'n stortvloed van proteste uitgelok. Hy was behoorlik voor stok gekry deur die "Defence and Aid" Komitees van Suid-Afrika en niemand minder nie as die redakteur van die "Sunday Times".

So skryf die domheer aan die redakteur van die "Sunday Times":-

"I wish to state categorically that no money from Defence and Aid Fund of which I am the Chairman ever has been or ever will be allocated to foster violence ... You ought to know - Dr. Verwoerd certainly does - that to defend in the Courts persons accused of violence is not the same thing as to incite to violence" ... Die redakteur merk egter op:- "It is significant that Canon Collins avoids all reference to his astonishing statement at the U.N. that he was collecting funds "to support the underground resistance movement in South-Africa".

Die redakteur van die "Sunday Times" het later vervolg:-

"We are not prepared to retract in any way our condemnation of Canon Collins for this campaign to raise funds for promoting violence, sabotage and subversion in South Africa. This is not the way we intend to solve our political problems, and this type of incitement will not be tolerated by the Government or the Opposition. Whoever proposes to resort to violence as a political weapon will find all South-Africa firmly united against it".

Op 10 Junie 1965 skryf die Voorsitter van "Defence and Aid", Port Elizabeth, aan Johannesburg-tak:-

"You have no doubt read Canon Collin's latest address at U.N.O. with his ill-advised statements about 'underground resistance'. For my part I have no desire to receive further funds from Defence and Aid, London if it is thought that the money is used for this purpose ... Please advise me as soon as possible what action you intend taking to refute this rubbish as the position is difficult enough already without the Canon making statements

of this nature".

Selfs private donateurs hier te lande het beswaar gemaak teen die verdediging van beskuldigdes wat gewelddadig opgetree het. So skryf G.E. Bevan van Pretoria aan "Defence and Aid", Johannesburg, op 27 Junie 1963:-

"... I should be glad to make another contribution to the help of such unfortunates as you list but should like just to be assured that you discriminate between the violent and the non-violent. Although sympathetic, for they have been consistently provoked, I am not prepared to help defend such as those three-members of the P.A.C. who were given life-sentences recently for sabotage and planning the murder of whites, the poisoning of black servants of their employees - I have no wish to assist in the promotion of an imitation Mau-Mau in South Africa".

Hierop antwoord "Defence and Aid", Johannesburg soos volg:-

"We would like to inform you that as a matter of principle the Defence and Aid does not give aid to persons who are charged with acts of violence. ... We are not in a position to judge on the merits of any case and facts may emerge at trials which were not known to us when appeals for assistance were made".

Hoe flou en oneerlik die verskoning is blyk uit die feit dat die advokaat of prokureurs wat optree namens beskuldigdes deurgaans van 'n klagtestaat voorsien word geruime tyd voor die verhoor. Wat die Staat beweer in die klagtestaat moet immers bewys word voor 'n skuldigbevinding kan volg. Die advokate en prokureurs het gereeld die beskuldigdes konsulteer en Staatsaanklaers was deurgaans geroadpleeg. Met al hierdie feite bekend is dit nie

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moontlik om onkundigheid te pleit nie.

Wat egter gebeur het is dat alle aansoëke aanvaar was die oomblik as aansoek gedoen was. Opdragte was dan aan prokureurs en advokate gegee en dan eers was die feite van die saak vasgestel. As dit volgens "Defence and Aid" 'n politieke saak was, was dit aanvaar of dit geweldadige optrede was al dan nie. Die sake van Dr. Alexander en andere, Fred Carneson en baie ander, word in hierdie verband in gedagte geroep.

In die saak waarin Lynette van der Riet saam met Edward Joseph Daniels, David Guy de Keller, Anthony Andrew Trew, Allan Keith Brooks en Stephanie Kemp op klagtes van sabotasie verskyn het voor Sy Edele Regter Beyers in die C.P.D. in November 1964 het van der Riet erken dat "explosive charges were prepared in her flat and that at one stage the feasibility of using bacteria for sabotage was discussed".

In genoemde saak het Adrian Leftwich, 'n staatsgetuie wat eintlik 'n medepligtige was, en 'n vorige president van NUSAS was, erken dat teen die end van 1963 het hulle kollegas in Londen 'n geskenk aan hulle gestuur. "It was a crate marked 'Glass'. Under a false bottom it contained sticks of plastic explosives. Hierdie 'sticks' of 'plastic explosives' was vir 'n tyd in die woonstel van van der Riet gehou.

Indien die optredes van hierdie groep sou slaag sou die gevolge iets skrikwekkend en ramspoedig gewees het.

Met hierdie feite bekend het "Defence and Aid" in Kaapstad die beskuldigdes laat verdedig deur die beste beskikbare talent. Dit strook natuurlik ook met die uitlatings van die dombeer in sy toespraak by die V.V.O.

Dit kan egter nie in lyn gebring word nie met die konstitusie van die "Fund" wat lui dat alleenlik gekyk word na "the protection and upholding of by all lawful means Human rights and civil liberties".

Dat "Defence and Aid Fund" gebruik was bo en behalwe "Human Rights and Civil Liberties" blyk uit die volgende brief wat deur A.K. Ganyile van Bizana in die Transkei gerig was aan "Defence and Aid", Johannesburg:

"A 'Golden City Post' reporter has recommended your firm to my people (Pondos) who are faced with arson cases. But before committing ourselves, we would like your firm, if possible, to give an indication as to what its charges are per sitting, per week and any other relevant information. At present we feel that we are painfully paying skyhigh charges, and if this continues the whole campaign against the Bantu Authorities Act will be a flop. We are now paying to our two attorneys £120 a week with the result that four cases have nearly cost us about £1000. This does not include £200 which we have used for bailing out some of our men. Last Friday four accused were nearly not defended because our attorneys demanded £60 a day. After a long discussion they reduced this to £40. This case has been on for three days and has already cost us £120. I have been confidentially informed that these cases will take about four to six months. There are still cases for incitement coming. We would very much appreciate your co-operation".

Sonder uitsondering was alle beskuldiges wat die land onwettig verlaat en waer binnegekom het, militêre opleiding, en opleiding in sabotasie buite die landsgrense ondergaan het deur die "Fund" verdedig. Dit was uitdruklik beklemtoon dat hierdie tye sake van uiterste belang is en

ten alle koste moet verdedig word deur Senior Advokate, die bestes wat beskikbaar is.

Dit is net nodig om na die manifestos van die A.N.C. en P.A.C. te kyk ten einde die eintlike doel van die "Fund" te bepaal. In die saak die Staat teen Maika (1962) verhoor in die Johannesburg Streekhof, was die manifesto van die P.A.C. ingehandig as bewysstuk. Nie alleen is die dokumente nie, maar ook die hele hofrekord met bevindings van die landdros by die "Fund" kantore gekry. Nieteenstaande die feit dat die "Fund" gewest het wat die P.A.C. se doel is, het die "Fund" nogtans ywerig voortgegaan om diesulkes te verdedig.

Die doel van die P.A.C. was onder andere:

"(1) The first task is to consolidate the underground organisation of the P.A.C. This means that each region or branch must resort to cell organization. (Vgl. Kommunistiese metodes). Each and every cell in a branch or area must be in touch through its leaders, with a small branch. Executive Committee which is itself a cell unit --- The cell must meet frequently under conditions of extreme secrecy. Iron discipline must be instilled among members.

(2) The second task is just as vital. The fact that P.A.C. went into positive action in order to have all Pass Laws removed from the Statute Book. (Vgl. Sharpeville).

(3) The final decisive phase will be a call by P.A.C. for nation wide Mass Action with P.A.C. membership constituting a militant spear head or vanguard ... The call will come from Central Headquarters. P.A.C. leaders of all grades and strata forward now to Action, to consolidatio

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and preparaticn. Now."

Sedert 18 Maart 1966 is sake van sabotasie, A.N.C. en F.A.C. bedrywighede, land onwettig verlaat vir militêre en sabotasie-opleiding, besit van plofstowwe, inteedeel enige sake van geweld, tot 'n minimum beperk. Dit moet onteenseglik toegeskryf word aan die feit dat daar nie meer 'n "Defence and Aid" fonds was nie. Die feit dat die Staat in sekere gevalle verdediging van genoemde tipe sake pro deo verskaf het in gevalle waar die doodstraf opgelê kan word het nie algemene byval gevind nie. Inteedeel het sake voorgekom waar beskuldigdes staatsverdediging summier van die hand gewys het. Soos blyk uit die hofverrigtinge soos hieronder weergegee in die saak Die Staat teen Julius Mtalaha en 2 ander voor sy Edele Regterpresident Jennett op 27 Oktober 1965 in die Oos-Kaapse Afdeling :

"Counsel for the defence informs the court that the accused do not wish him to defend them. Counsel was appointed pro deo.

By the Court: Tell the Accused Mr. Intepreter that I understand that they refused to have Counsel? --- That is correct.

Can I ask why? --- We want one appointed by the Defence and Aid.

Why? -- We don't know the gentleman who was supposed to Defend us.

Do you know these people at the Defence and Aid? -- Yes we do.

Which of them do you know? -- I have just momentarily forgotten his name.

Now you know one? -- Yes.

From where? -- From Port Elizabeth.



Let me tell them that the Attorney General and the Registrar have been to great pains over the last fortnight. They have been in direct contact with the Defence and Aid on a number of occasions. The Defence and Aid said that they were not defending anyone of the Accused in this series of trials and I think that one of the reasons is because the Court was prepared to offer Counsel to you. It seems to me in the result that the Defence and Aid have had the extraordinary affect of creating in your minds the outlook that the only Counsel you could trust would be the Defence and Aid Counsel. And if that is so, I can only say, and I say it deliberately that they would have done a great disservice. In due course I might have other comments to offer, and I finally understand from you that you wish to defend yourselves? -- If we cannot obtain Counsel from Port Elizabeth, we will then defend ourselves.

You will not obtain Counsel from Port Elizabeth, that I can assure you, unless you pay for Counsel yourselves? -- Under the circumstances I wish the trial to continue and I shall defend myself.

Yes. You can inform your colleagues the Defence and Aid in none of the cases being tried in this series right throughout until the end of next week, will receive the Defence and Aid Counsel."

In een geval was 'n advokaat deur beide die Staat en Defence and Aid vergoed.

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5. Gebruik van Fondse en Vorderingsmetodes.

Dit was oor en oor beklemtoon dat die fondse van die "Fund" uitsluitlik gebruik was vir "to pay for the legal representatives of people facing political charges and where possible to aid families who are left destitute".

In 'n memo was dit as volg omskryf:

"The Fund does not assist persons essentially as philanthropy but in furtherance of its main object - to defend civil rights and liberties. Accordingly no means test on the economic position of the applicant is applied as a condition of a grant or a loan".

Die invorderings hier te lande het nooit noemenswaardige syfers behaal nie. Gereelde donateurs het net nie bestaan nie en die plaaslike takke het deur middel van etes, danse, konserte bedelbriewe, en dies meer die stywing van die "Fund" probeer aanhelp. As dit nie was vir buitenlandse bydraes nie, kon die "Fund" nooit in Suid-Afrika behoorlik funksioneer nie en sou dit 'n vroeë dood gesterf het.

Daar is egter afdoende bewyse dat die "Fund" in baie opsigte buite die bepalings van die konstitusie opgetree het. As 'n persoon vir 'n politieke oortreding aangekla was het die "Fund" al sy belange en verpligtinge oorgeneem en hom in 'n beter posisie gestel as wat hy voorheen was. Die "Fund" het in alle opsigte as die Universele Barmhartige Samaritaan opgetree, bloot omdat so 'n persoon 'n politieke oortreding begaan het. Die volgende is 'n paar gevalle waarvoor fondse onder andere ook gebruik was:

(1) Prokureur I. Mtshizana, 'n lid van die Uitvoerende Komitee, Oos-Londen, wat in verskeie sake opgetree het

namens "Defence and Aid Fund" was later aangekla op verskeie klagtes van regsvertydeling. Die "Fund" het R918 spandeer om die saak te verdedig. Hy is egter skuldig bevind en van die rol van prokureurs geskrap wat "Defence and Aid" 'n verdere R300 gekos het.

(2) Dit het geen verskil gemaak watter oortreding gepleeg was nie, maar as die oortreder 'n politieke agitator was, was hy verdedig. So is daar onder andere, die oortreder se hofopgelegde boete betaal, kapitaal verskaf om 'n besigheid te begin, versekerings betaal, sakgeld verskaf tydens aanhouding en daarna, vervoerkoste van meubels, natuurlike-belasting, begrafniskoste. Hierdie bedrae word in die boekhouding aangetoon as "sundry advances" en word later afgeskryf of dit word teen die welsyns fondse gedebiteer.

(3) Die volgende sake wat seker nie noodwendig as politieke sake kan beskou word nie, was ook deur die "Fund" verdedig. Betreding, meineed, moord, brandstigting, oortredings in gevangnisse, aanranding op bewaarders, bedrog, weier om getuienis te gee, kwaadwillige saakbeskadiging, openbare geweld. Ook hier was die deurslaggewende faktor wie die persoon is wat die oortreding gepleeg het. Waar soortgelyke oortredings gepleeg was en waar daar nie 'n politieke agtergrond was nie, het die "Fund" geweier om op te tree.

(4) Robert Sobukwe was spesiaal uitgesonder om voordele aan te verskaf. So besluit die Kaapse Komitee om R10 per maand opsy te sit vir die aankoop van grammofoon plate tabak en sigarette, groente en blomsaad vir Sobukwe op Robbeneiland. Plate wat alleen 'n kenner van musiek kan waardeur was gestuur. Geen wonder dat Benjamin Pogrand later aan die "Fund" Kaapstad die volgende skryf nie:- /49...

"In any event he (Sobukwe) says that the cigarettes etc. are reaching him regularly and he expresses his appreciation. He said that you could spare yourself sending him records. My own feeling however, is that if it is not proving any burden to you, it would be a good idea to continue sending him records".

Ook aan Sonia Bunting was met haar vertrek uit Kaapstad 'n "handwoven Moroccan bedspread" as geskenk deur die "Fund", Kaapstad aangebied.

(5) Op 4 Oktober 1965 skryf Dennis Scar voorsitter van die Port Elizabeth-tak aan Allan Paton:

"... As you know I am endeavouring to start a library of court records to assist Counsel in the trials being held here in the Eastern Cape. I believe you have some money available which could be used for the purchase of these records. If this is so could you let me have say R500 for this?". Hierop antwoord Allan Paton op 14 Oktober 1965:-

"Enclosed you will find a cheque for R500. Will you please write to me acknowledging the gift and ask for your thanks to be conveyed to the Presbyterian Church in America for their help. Please indicate briefly what the money is being used for but I think we should give some more human and immediate reason than the need for Court records".

Op 27 Oktober 1965 skryf Scarr and Paton:

"... Thank you very much for the cheque. Please convey the very sincere thanks of Defence and Aid Fund, Port Elizabeth, to the Presbyterian Church in America.

We intend to use these funds solely for furthering the welfare of awaiting trial prisoners, many of whom, as you know are held for many months before appearing in Court".

Van die biblioteek is niks gevind nie - ook nie wat van die geld geword het nie.

(6) Looksmart Solwandhla Ngudle was 'n 90-dae aangehoudene en tydens aanhouding het hy selfmoord gepleeg deur homself in sy sel op te hang. Met die nadoodse ondersoek was regsverteenwoordigers vir die familie verskaf deur die "Fund". 'n Bedrag van R3004 was bestee hieraan.

Die onderstaande is 'n uittreksel uit 'n beëdigde verklaring gemaak deur Elijah Loza op 19 September 1963:-

"... Looksmart Ngudle was responsible for sending men over the borders for military training he was the regional Chief of Mkonto We Sizwe - I do not know where the money came from for their fares. Our region did not pay for it i.e. Cape Western Region of A.N.C.

As far as I remember Looksmart mentioned that his unit was responsible for the following acts of sabotage:-

- (1) Cutting of telephone cables at Nyanga Railway Station.
- (2) Cutting of telephone cables on Cape Flats.
- (3) Cutting of telephone cables in Oak Street, Cape Town.
- (4) Throwing petrol bombs into house where the delegates of Kaizer Matanzima were housed.
- (5) Cutting telephone cables between Langa and Cape Flats.
- (6) Cutting telephone cables in Chappel Street, Cape Town.
- (7) Cutting electric cables in Settlers Way.
- (8) Throwing petrol bomb at the Nyanga Administration Offices".

Met die insameling van fondse in Brittanje is gebruik gemaak van metodes wat nie anders as skokkend kan beskryf word nie. Domheer Collins is welbekend met die gebruik van "human interest" verhale wat hy so maklik kon uitbuit deur die werklike feite onjuis weer te gee.

In die saak van die Staat teen Vuyisile en andere was Vuyisile skuldig bevind aan moord en ter dood veroordeel. In 'n bedeladvertensie beweer die domheer dat Vuyisile gehang is omdat hy nie teen sy boesemvriend Wilton Mkwai wou getuig nie, maar Wilson Mkwai het toe alreeds gevlug na Basoetoland. So verwronge was die feite in "The Observer" in Londen weergegee dat hy deur Suid-Afrika Huis tereg gewys was en sy bedeladvertensie moes onttrek.

So skryf Patrick van Rensburg van Christian Action, Londen aan die 'Fund' in Johannesburg op 24 April 1961:-

"... I am assuming that something is being done about Canon Collin's request for a new set of priorities and anticipating that the letter you said you are writing today (Monday) will deal with it. Can you do something further about this, incorporating the new priorities in a letter to the Editor of "The Observer". To carry on collecting we must use every trick in the book".

In Mei van 1964 skryf dr. Bill Hoffenberg toe Voorsitter van die Kaapse-tak van die Fund, uit Londen aan die Kaapse-tak:-

"An interim report from the land of the free. Have spent many hours making myself very unpopular at the Defence and Aid offices here.

1. Money. They sent £1,000 to Johannesburg on 8th May. I told them about our misunderstanding re the £750 earmarked for the Alexander trial. They have agreed to send this amount straight to C.T. More important is that their prospects look good - money is pouring in - over the past two months - largely the result of the Observer appeal. Some of this is earmarked for Rivonia, but there should be

a lot due to us. Their allocations committee only meets in about 2 weeks time, but we will get a reasonable chunk. If we don't, we must make a big fuss, as I know what they've got in (spies!). Dr. Hellman must write, and John must write, stressing that we are turning down cases, while we believe that money is available in London. Do this soon and make it string. Stress urgent need for money now - we can't wait for committee meetings. Can't they short-circuit things to make something available? Etc., etc.

They are considering (at my request) a scheme whereby they will underwrite an unspecified amount (£500?) at C.T. and JHB. so that we can get into debt to this amount and know that they will help us out.

I've used all the pressure I can. Collins is away, unfortunately, but John and Dr. Hellman must keep at them - give them details (harrowing) of cases turned down - make them up, if they don't exist! Ask Ruth Hayman to push the same line with them. Lang is doing his best, incidentally, but is himself tied down.

2. The Williams Case ... a sore point! They say that they couldn't help themselves - money and phone calls and help of all sorts poured in - what were they to do? Further, they helped him through C.A., not D. & A. which is a subsidiary. They are furious about Bloomberg, who was recommended to them by someone here. I've created a lot of fuss about this, so perhaps play it down a bit from now on.

That's about all, except that we must not turn down cases, but take on all we can and throw the expense back at them. We're in quite a strong position vis-a-vis C.A., as D & A. is wagging the whole concern at the moment and I think they need us quite badly."

Op 28 Junie 1961 skryf prof. Leo Kuper, voorsitter van die Durbanse-tak aan die "Fund" in Johannesburg:-

"... I should say that we do not have any special lawyers for the Fund, and so far as I can see one of our difficulties may be that no matter how much money we collect it will always be insufficient to meet the requests of Messrs. Arenstein & Fehler and Mr. Naicker. Personally I find it a bit frustrating to be merely a fund raising agency for two firms of lawyers".

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6. Boekhouding.

[Aan die firma Crafford, Du Toit en Vennote, ge-oktrooieerde Rekenmeesters van Pretoria was dit opgedra om uit die beskikbare boeke en dokumente 'n verslag voor te lê ten opsigte van die boekhouding van die "Fund". 'n Afskrif van die verslag <sup>verstrek in bylaage</sup> word hierby aangeheg. Van die amptenare wat belas was met die beslaglegging op 18 Maart 1966 was die versekering verkry dat alle beskikbare dokumente oorhandig was.

Die sisteem van boekhouding wat die "Fund" gevolg het was een van ontvangste en uitbetalings. Johannesburg was veronderstel om die hoofkantoor te wees waar alle buitelandse skenkings ontvang sou word en vanwaar die verdeling na die onderskeie takke sou gemaak word. Die ander takke behalwe Johannesburg het egter baie dikwels skenkings uit die buiteland direk ontvang en dan Johannesburg net daarvan kennis gegee. Hierdie bedrae was dan in rekening gebring met die daaropvolgende toekenning van Johannesburg.

Nie een van die takke, ingesluit Johannesburg, het 'n deurlopende rekening gehou van ontvangste en uitbetalings nie. Daar was deurgaans gebruik gemaak van die balanse soos deur die onderskeie banke verstrek. Uit die boekhouding van die onderskeie takke kon dit op geen stadium bepaal word wat die totale ontvangste en uitbetalings was nie. Die bank moes die informasie verskaf of

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die rekening in debiet of krediet is.

Die totale ontvangste van die "Fund" in Suid-Afrika kan dus nie bepaal word nie asook nie die uitbetalings nie. Die enigste aanduidings van ontvangste en uitbetalings word verkry uit sekere dokumente wat besonderhede verstrek vir sekere periodes. As gevolg van die gebrekkige boekhouding is hierdie syfers dan ook geensins betroubaar nie.

'n Ander groot leemte in die administrasie van die fondse is die feit dat aan niemand eintlik verantwoording moes gedoen word nie. Die fondse het die land ingestroom in duisende rand wat distribueer was aan die takke. 'n Globale syfer was dan verstrek deur die takke aan Johannesburg in party gevalle, wat 'n bedrag vir verdedigingskoste en welsynswerk aantoon. Daar was gereeld aan Christian Action Londen, rapporteer wat die beraamde uitgawes vir sekere tydperke sal beloop, maar nooit was spesifieke besonderhede verstrek van hoe die fondse gebruik is nie. Dit het 'n vrye hand aan die Administrateurs van die fondse in Suid-Afrika gegee.

Die inskrywings in die boeke van die takke was nie bygehou nie soos blyk uit die boeke waarop beslag gelê was.

Die inhoud van die brief van "Defence and Aid" , Port Elizabeth, aan Johannesburg op 8 Julie 1964 bewys die bostaande bewering:

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"..... How do the financial wizards feel?  
From our unkept books our past commitments are not clear.  
My predecessor thought we owed some people R500, but he  
also implied we have this in the bank which we have not ...".

Ook uit die volgende brief blyk die gebreke  
in die boekhouding. "Defence and Aid", Port Elizabeth  
aan Kaapstad, kantoor:

"..... I have a letter from Dot Clemenshaw  
enquiring about the costs of the above appeal (Mrwetyana)  
as evidently she promised to provide funds to cover it.  
I am rather in the dark as to how much we have already  
had towards this case and I wondered if you could clari-  
fy this point. As far as I can make out we have already  
had R120 from Mrs. Clemenshaw, 20 rand from Dr. Bromberger  
and an unknown amount from London University. Can you let  
me know what we have had then I can let Mrs. Cleminshaw  
know what remains to be paid".

Die Kaapstad tak skryf hierop aan "Defence and  
Aid" Londen, op 17 Maart 1966:-

"... Livingstone Mrwetyana. I do not know  
what his original sentence was ... Could you please  
tell us the exact amount earmarked for his trial?  
Port Elizabeth do not have a record of it and would  
like to know".

In Junie 1963 skryf D. Craighead, Voorsitter  
van Johannesburg-tak aan domheer Collins:

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".... In regard to your suggestion that we advise the Society of Friends as to the amount of money received from 'Defence and Aid' London, since the Treason Trial, there is some difficulty as we do not have records of monies that have been sent direct for certain cases, nor do we have in Johannesburg full records of monies which have at times been sent to other centres".

In 'n memorandum van die "Fund" in 1963 kom die volgende onder andere voor:-

"... Because the records were not kept in a way to facilitate an analysis of all the cases handled total figures cannot be given...."

Uit die "Interim Financial Report" van die "Fund" te Johannesburg op 17 Februarie 1964 kom die volgende:

"... Tabled are the unaudited Income and Expenditure Accounts and Balance Sheets for the years ended June 30th 1962 and June 30th, 1963".

Vir die jaar eindigende 30 Junie 1965 was die "Fund" se inkomste R68,321.00 waarvan R32,000 van "Defence and Aid", Londen, gekom het en R4621.00 plaaslik ge-in was. Die balans het van ander instansies vanaf die buiteland gekom.

Die Kleinkas Boek van die Kaapse tak was net tot 11 November 1965 opgeskryf sonder dat Novembermaand behoorlik afgesluit was. Daar was ongetwyfeld nog uitbetalings maar geen inskrywings was gedoen nie. Die Johannesburg tak se kasboek is opgeskryf tot gedeelte

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Oktober 1965 en alhoewel baie uitbetalings daarna gedoen is, is dit nie aangeteken nie. Vanaf Julie 1965 is geen maand se inskrywings behoorlik afgereken nie. Vir die bedrae ontvang vanaf "Defence and Aid", Londen, en in Suid-Afrika ge-in was behoorlike kwitansies uitgereik. Ten opsigte van die ander bedrae is in party gevalle kwitansies uitgereik, maar in baie gevalle is die ontvangs net per brief erken. Of die bedrae almal behoorlik in rekening gebring was kon nie vasgestel word nie.

Domheer Collins was op verskeie geleenthede versoek om alle aansoeke om hulp uit Suid-Afrika na die "Fund" in Suid-Afrika te verwys. Nieteenstaande die versoeke het domheer Collins op baie geleenthede geld direk aan die applikante of prokureurs versend.

Enkele gevalle is die volgende:

- (a) 'n Bedrag van R1997.50 word deur Christian Action direk aan prokureurs Ress, Richman & Co. Kaapstad gestuur vir die Alexander appèlsaak.
- (b) R500 direk na prokureurs in Kaapstad vir Isaac & Others saak.
- (c) 'n Bedrag van R1397.75 is direk oorbetaal aan Ruth Hayman vir die Harris saak.
- (d) Die Rivonia verhoor het die "Fund" R34,000 gekos. Christian Action wat aanspreeklikheid aanvaar het vir die verdedigingskoste het dit voorsien deur dit direk aan prokureur Joel Joffe te versend.

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- (e) Aan prokureur J.N. Singh van Durban is 'n bedrag van R1,000 direk gestuur.
- (f) Aan prokureurs Joach en Jankelowitz van Port Elizabeth is R1,000 direk gestuur.
- (g) Aan prokureur H. Festenstein van Johannesburg is R1,156 direk gestuur.
- (h) Benjamin J. Bottenwiser van Amerika het op 17 Januarie 1964 500 dollars direk aan Leo Marquard, van die "Fund", Kaapstad, gestuur.
- (i) George M. Hauser van Amerika het op 6 Februarie 1964, 500 dollars aan dr. E. Helman van die "Fund" in Johannesburg gestuur.

In bogenoemde gevalle is daar geen kontrole oor die geld wat op die wyses ontvang is nie. Die bewering wil geensins gemaak word dat enige van die geld verduister is nie, maar die beheer en te boekstelling was so onbevredigend dat baie onreëlmatighede gepleeg kon geword het.

Daar was deur die "Fund" ook nie afsonderlike rekeninge gehou van prokureurs aan wie voorskotte gemaak was nie. As 'n prokureur sy beraming voorgelê het was die bedrag of ten dele of ten volle aan hom betaal mits die fondse in die bank beskikbaar was.

Met die aansoek van die "Fund" in 1961 om as Welsynorganisasie registreer te word meld die Registrateur van Welsynorganisasies in 'n brief aan die "Fund" die volgende:

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".... The auditor of the statements states that he only examined some records. Kindly advise me why all records were not made available to the auditor. He also states that he has not been able to verify the items of income and expenditure beyond checking them with Bank statements for the period and examining some paid cheques and vouchers submitted. He also states that no records from branches were available and accordingly the payments shown merely represent the amounts advanced to the branches shown from the head office account. It will be appreciated if further information concerning the amounts advanced to branches can be furnished".

Dit is duidelik dat reg van die begin af was geen behoorlike kontrole oor die spandering uitgeoefen nie.

Selfs in Engeland was dit deur die pers aan domheer Collins gevra om volledige state te publiseer in verband met die invorderings vir "Defence and Aid", Londen. Dit was beweer dat R500,000 alreeds gevorder was en dat die geld gebruik was vir doeleindes andersins as aangedui. Een van die doelstellings was "to aid victims of unjust legislation, oppressive and arbitrary procedures". Die skrywer gaan voort:

"... The advertisement portrayed the case of a man who was convicted of murder and whose appeal was dismissed ... There was the case of the Williams family in April 64, when Christian Action collected £2000, to aid the case of a 'victim of apartheid'. Their own representative i.e. 'Defence and Aid' in South Africa said there

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was nothing political about the Williams' affair and neither the Williams family nor I would be associated with any attempt to distort the facts of this matter and reflect adversely on South-Africa".

Uit die wyse waarop die boekhouding gedoen was is dit duidelik dat verskeie aspekte van die doen en late van die "Fund" nie kan omskryf en bepaal word nie, naamlik:

- (1) Dit is onmoontlik om te bepaal of al die geld deur die "Fund" ontvang in berekening gebring is.
- (2) Dit is onmoontlik om te bepaal of die gelde wat beslag op gelê was al die beskikbare fondse van die "Fund" verteenwoordig.
- (3) Die eise wat teen die "Fund" ingestel is vir verdediging van sake kan nie behoorlik kontroleer word nie. Daar kon nog krediete bestaan het by die prokureurs waarvan net die prokureurs bewus was veral gesien in die lig van die boekhouding wat gestaak was na Oktober/November 1965. Sien ook opmerking van rekenmeestersverslag - paragraaf 5 op bladsy 2.

So vroeg as 1960 het domheer Collins al die vrees uitgespreek dat "Defence and Aid" geld moontlik beslag op gelê kan word in Suid-Afrika en het dus die grootste gedeelte geld in Brittanje gehou vanwaar periodiek geld gestuur was na Suid-Afrika.

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7. Skeiding van "Defence and Aid", Naamsverandering en Verskuiwing van Hoofkantoor.

Vanaf die totstandkoming van die "Fund" in Suid-Afrika het dit welsynswerk tesame met die verdediging van politieke oortreders onderneem. Met die fondse was egter so rojaal gewerk dat daar kronies 'n tekort was om al die verpligtinge na te kom. Dit was dan al in 1961 deur Komiteelede gevoel dat die "Fund" hom meer moet toelê op verdediging van politieke oortreders as op welsynswerk.

Die Johannesburg-tak het hierop vir "Christian Action" in Londen laat weet dat dit die gevoel is en dat indien geld beskikbaar gestel word dit lefs vir verdediging moet gebruik word. "Christian Action" het egter laat weet dat indien geen welsynswerk verrig word deur die "Fund" in Suid-Afrika nie, invorderings bitter moeilik in Brittanje sal wees. Desnieteenstaande het die "Fund" al minder welsynswerk gedoen totdat in 1963 dit geheel en al gestaak was. Verskeie bedrae geld was aan ander organisasies betaal om met welsynswerk voort te gaan. So is in 1961, R500 betaal aan die Quakers vir welsynswerk.

Op 20 November 1963 skryf die Johannesburg-tak aan Kaapstad-tak:

"... It seems to me a much better idea for the welfare side to be handled separately from the Defence side. Here we do not handle welfare at all at present, as it is handled here by the Quakers".

En op 28 Augustus 1964 skryf Johannesburg weer aan Kaapstad:

"... It now seems to me that one of the main purposes of the conference would be (talking on the welfare side only) to try to establish similar machinery in other centres e.g. Durban and East London where it apparently

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is not working ... to me it seems that legal defence and welfare will - and probably should be dealt with separately as you do in Cape Town and as we, in fact, do in Johannesburg".

Op 6 November 1964 versoek domheer Collins, mnr. D. Craighead van die Johannesburg-tak om "defence " and "aid" te skei. Hierop het Craighead geantwoord dat dit alreeds gedoen word en dat 'n organisasie gestig is wat alleenlik welsynswerk sou doen. Die volgende lede is benoem: Dr. Oscar Wolheim, voorsitter van S.A.B.R.A., Eerw. Brown, Sekretaris van S.A.B.R.A., en mnr. Barron van die Quakers. Die Hoofbron van inkomste sou wees "World Council of Churches" en "Oxford Famine and Relief Fund". Die organisasie sou bekend staan as "Christian Council of South Africa".

Op 1 Augustus 1965 was 'n nasionale vergadering gehou te Kaapstad waarby Johannesburg, Durban en Port Elizabeth verteenwoordig was. Die volgende besluite was onder andere, geneem:

"1. It was resolved that because the aims of the Defence and Aid Fund in South Africa differs from the aims of the Defence and Aid in London, the former will henceforward be named 'The South African Defence and Aid Fund'. Letterheads and banking accounts are to be changed accordingly".

2. It was agreed that the sole purpose of the South African Defence and Aid Fund is to provide defence.

3. It was agreed that a central office of the Fund should be retained to receive funds and to distribute them to all the branches.

4. It was resolved that the National Headquarters should be removed from Johannesburg to Cape Town.

Headquarters are to be transferred by either 16th or the 31st of August.

5. It was resolved that all branches are to have their books audited up till the 30th June, 1965.

6. It was agreed that Cape Town and Johannesburg committees should continue without electing a chairman.

7. It was agreed that the Constitution is not to be changed until legal opinion has been taken".

Dit was as gevolg van inperkingsbevele op Komiteelede dat Johannesburg en Kaapstad takke sonder voorsitters was. Veral die Johannesburg-komitee was gevoelig getref deur inperkings en lede wat vertrek het uit die gebied.

So skryf Ruth Hayman een van die oorgeblewene komitee-lede van Johannesburg aan die Kaapse-tak op 24 Februarie 1966:

"... It is with great sadness that I write to inform you and your Committee that at a meeting held last Monday, the Johannesburg Committee took a decision to dissolve itself with immediate effect".

Ten einde uitvoering te gee aan die besluite van die nasionale vergadering gehou op 1 Augustus 1965 te Kaapstad skryf die sekreteresse van die Kaapse-tak aan die bank waar hulle rekening gehou was:

"... The South African Defence and Aid Fund was up till the 1st August, 1965, named the Defence and Aid Fund".

Voornoemde brief het die opdrag bevat dat alle tjeks en bankoordragte wat in die naam van "Defence and Aid Fund" uitgemaak was voortaan gekrediteer moet word teen

die rekening "South African Defence and Aid Fund" en die brief het afgesluit met:

"The South African Defence and Aid Fund, the Defence and Aid Fund and Defence and Aid are all one and the same organisation".

Selfs na Augustus 1965 is die benaming "South African Defence and Aid Fund" nie konsekwent gebruik nie. In briewe tussen takke en selfs met en van "Defence and Aid" in Londen word die benaming "Defence and Aid" baie dikwels gebruik.

Die bewering dus dat proklamasie No. R.77 van 18 Maart 1966 nie na "The South African Defence and Aid Fund" verwys nie, was heeltemal ongegrond.

Aan die besluit dat die hoofkantoor na Kaapstad moes verskuif word is ook gehoor gegee. Ruth Hayman en Hannah Jaff, twee van die Komiteelede van Johannesburg het die werk daar voortgesit.

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8. Verwante Organisasies in Suid-Afrika.

Dit is opvallend hoeveel ander organisasies in Suid-Afrika met die "Fund" geskakel het. Nie alleen het die ander organisasies fondse van die "Fund" bekom nie, maar dikwels het hulle ook hul gewig ingegooi by die "Fund" om politieke oortreders te laat verdedig of te laat help verdedig.

Die doelstellings van die organisasies het baie punte van ooreenkoms gehad met die van die "Fund" en die deurslaggewende faktor was altyd - die verdediging van politieke oortreders en die omsien na die families.

Die ontstaan van baie van die organisasies kan nie bepaal word nie en dit is duidelik dat van die organisasies vandag nog met sommige doelstellinge van die "Fund" voortgaan. Onder andere, het die volgende organisasies na vore getree tydens die bestaan van die "Fund":

(i) Human Rights Welfare Committee.

Op 10 Februarie 1961 het die "Fund" te Johannesburg 'n bedrag van R600 geskenk aan die organisasie waarvan Helen Joseph toe die sekretaresse was en op 2 April 1962 was 'n verdere bedrag van R100 deur die "Fund" geskenk. Die fondse was geskenk vir hulp aan bannelinge.

Later in 1962 het die organisasie weer om hulp aangeklop by die "Fund" en was die volgende antwoord verstrekk:

"... as far as it is within the capacity of the Defence and Aid Fund we shall endeavour to provide assistance in obtaining legal advice and guidance ... the assistance we render could not be extended in cases where the legal problems are not a consequence of banishment".

Op 21 Januarie 1963 het die Uitvoerende Komitee van die "Fund" te Johannesburg besluit om R200 per maand

vir die volgende drie maande aan die organisasie te betaal.

Op 25 Januarie 1963 skryf Collins aan A. Hepple, Voorsitter van Johannesburg-tak van die "Fund":

"... We have had a telephone call ... telling us that the Human Rights Committee for banished people are very urgently in need of money. I am therefore sending you by cable £100, as a token of our concern and goodwill ...".

(ii) Suid-Afrikaanse <sup>Instituut</sup> ~~Baro~~ vir rasse Aangeleenthede (S.A.I.R.)

Hierdie organisasie is welbekend in Suid-Afrika. Met die besluit van die "Fund" om geen welsynswerk meer te doen nie het S.A.I.R.A. en die "Christian Council of South Africa" onderneem om al die welsynswerk in Kaapstad oor te neem. Die vernaamste bron van inkomste van S.A.I.R.A. was die "World Council of Churches" en "Oxford Famine Relief Fund".

Op 10 Desember 1962 skryf S.A.I.R.A. aan die "Fund" te Kaapstad as volg:

"... I should like to appeal for assistance to help pay the costs of presenting evidence and watching the interests of Africans before the judicial Commission of Enquiry into the causes of the Paarl Riot on 22nd November, 1962. It is extremely important that the underlying causes of unrest be brought to light and for this purpose it is necessary that legal representation should be available particularly as the Police and the Paarl Municipality are being legally represented".

Die "Fund" het 'n bedrag van R800 bygedra.

Op 18 Desember 1964 skryf S.A.I.R.A. aan D. Craig-head, voorsitter van Johannesburg-tak van die "Fund":

"... I enclose a cheque for the sum of R1383.00 for Defence and Aid. The sum of R2000.00 was sent to Port

Elizabeth Defence and Aid and a further cheque of R500".

Op 24 Augustus 1965 skryf S.A.I.R.A. weer aan Johannesburg-tak van die "Fund":

"... Thank you for your letter of the 17th August, in which you advised us of your intention of arranging to send \$1000 from the American Committee on Africa to us ...".

Uit die notules van 'n Spesiale Vergadering van die Durban-tak van die "Fund" blyk die volgende:

"... Money had come from Canon Collins and Trade Unions; there was now about R5001.00 in hand and Race Relations had been given R2500.00 for defence which it was hoped they would hand over. World Council had promised to raise a further sum - our chairman undertook to write and ask that money be sent through proper channels".

Nadat die "American Committee on Africa" die "Fund" in kennis gestel het dat hulle voornemens is om 'n bedrag van \$1000 aan "Defence and Aid" te skenk vir "prison education" het laasgenoemde as volg terug rapporteer:

"... Unfortunately, the South African Defence and Aid Fund has recently taken a decision that monies for purposes other than defence should be sent to a Co-ordinati Committee, c/o S.A. Institute of Race Relations that this money is earmarked for education and can be sent to Miss Hayman

Uit korrespondensie blyk dit dat daar op 11 Augustus 1965 'n bedrag van R154.00 aan S.A.I.R.A. oorbetaal is deur die "Fund".

(iii) Nasionale Unie van Suid-Afrikaanse Studente, (N.U.S.A.S.).

Ook hierdie organisasie is welbekend in Suid-Afrika en lidmaatskap is beperk tot studente aan plaaslike universiteite. Dit wil egter voorkom of die bedrywighede

van die organisasie nie beperk is tot akademiese aangeleenthede nie soos blyk uit die volgende briewe:-

Op 11 November 1964 skryf die prokureurs-firma Hayman and Aronsohn aan die "Fund" te Johannesburg:

"We beg to advise you that several weeks ago we were instructed by N.U.S.A.S. to act on behalf of these persons (Choabe, Gawe and Saule) who were until recently 90-day detainees in East London. On the 26th October, 1964, these persons were charged under the Suppression of Communism Act, ... We understand from N.U.S.A.S. that they are in a position to provide certain of the funds for the defence of these persons but obviously they will not be able to cover all the fees involved. We therefore make formal application to your committee to handle these matters and to provide such funds for the legal defence of these persons as cannot be met by N.U.S.A.S.-- We have now been advised by N.U.S.A.S. that there are four other students or former students who are being detained in East London, and we have been requested to act for these persons. Their names are: H. Kani, E. Dhlala, Paul Modiba, Stanley Mabizela ... We wish to make formal application for the assistance of Defence and Aid for these persons on the basis that N.U.S.A.S. will be able to provide portion of the fees".

Op 21 Augustus 1965 was die volgende versoek van 'n Grahamstadse lid van N.U.S.A.S. aan die "Fund" te Port Elizabeth gerig:

"...As the Director of Publications on the Rhodes N.U.S.A.S. local committee, I am interested in publishing a Fact Sheet on Defence and Aid ... one of your staff could help us in this respect by writing an article of between 1000 and 1200 words on Defence and Aid dealing in particular



with:

1. Where Defence and Aid gets its money.
2. N.U.S.A.S. involvement.
3. The number of political prisoners in South Africa, and the number in Eastern Cape.
4. Difficulties facing Defence and Aid".

Op 26 Augustus 1965 het die President van N.U.S.A.S. aan die "Fund" die volgende mededeling gedoen:

"... The following resolution adopted at our recent Student Assembly to you for your information ...".

"That this Student Assembly, noting that useful contact has been maintained between N.U.S.A.S. and the South African Defence and Aid, during the past year, expresses the hope that this will continue in the future, notes the attacks made - upon the South African Defence and Aid Fund during the past year and regards these unfounded, and expresses its support for the South African Defence and Aid".

Op 22 Oktober 1965 skryf die sekretaresse van die "Fund" te Port Elizabeth aan N.U.S.A.S. Grahamstad:

"... I have recently become Secretary of this organisation and one of the projects Mr. Scarr (Voorsitter, Port Elizabeth-tak) has asked me to take over is the article on Defence and Aid aims and objectives. I agree with you that it is very important for N.U.S.A.S. to know as much as possible about Defence and Aid and I have prepared an article under the headings you requested. One thing puzzles me and that is the heading 'Nusas Involvement'. This surely you would know more about than I would and all the information I have included about this is taken from correspondence received from Cape Town University.

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If you mean what role should N.U.S.A.S. play in aiding Defence and Aid with its objectives, this again I feel is up to you not to me to suggest".

Die Universiteit van die Witwatersrand het R200 betaal ten opsigte van borg vir ene John Mokene 'n politieke oortreder. Hy het die land uitgevlug en die borgtog is verbeur. Die vermoede bestaan dat die R200 eintlik betaal is deur N.U.S.A.S.

(iv) 90 Day Protest Committee (Kaapstad).

Hierdie organisasie het funksioneer tydens die geldigheid van die 90-dae aanhoudingsklousule onder voorsitterskap van J. Hamilton Russel. Na die herroeping van die 90-dae klousule het die organisasie ophou bestaan en terselfdertyd 'n bedrag van R1534.50 aan die "Fund" oorbetaal.

(v) Community of the Resurrection - Alice, Cape.

(vi) The Pretoria Action Council for Human Rights (A.B.A. Brink, P.O. Box 1291, Pretoria).

(vii) National Committee for Liberation, for sabotage for political purposes. Rubin was die toonaangewende persoon in die organisasie maar het die land uitgevlug in 1963. Die "Fund" het Sedrich Isaacs, Achmed Cassem en James March verdedig wat Matroosfontein Feskantoor en sub-stasie op de Waal rylaan saboteer het. Hulle was lede van die organisasie.

(viii) Detainees Relief Fund (Durban).

Voordat die "Defence and Aid Fund" behoorlik funksioneer het in Durban was dié organisasie aldaar in werking. Met die "Defence and Aid Fund" se inwerkingtreding het hierdie organisasie verdwyn en was R634.42 aan die "Fund" oorbetaal.

(ix) African Relief Fund, Johannesburg.

Hierdie organisasie was beperk tot Johannesburg en omgewing. Die doelstellings was:

"1. To raise funds by donations, parties, concerts, membership fees, collections and grants with a view to assist children in need of care, families in poverty and individuals who are dependants of breadwinners arrested and convicted or killed as a result of political strife.

2. Membership shall be open to all people of African origin by payment of an annual membership of 10/-. Life members will pay £5. No person will serve on the Committee unless his membership fee is paid.

(x) Dependants Conference, Kaapstad.

Met die besluit van die "Fund" om na 1963 geen welsynswerk meer te doen nie, het daar veral in Kaapstad verskeie organisasies ontstaan wat die welsynswerk wou voortsit. Daar was nie minder as sestiën sulke liggame waaronder "Dependant's Conference", "Dependant's Committee", "National Co-ordinating Committee", "Social Services, Cape Town", "Society of Friends", "National Welfare Committee", "Black Sash" en "Quakers".

Omdat daar dikwels oorvleueling was, was 'n vergadering byeengeroep in Augustus 1964 om 'n poging aan te wend om die verskillende organisasies te laat amalgameer. Onderlinge geskille en wantroue het dit laat misluk. Tog was weekliks 'n vergadering gehou met verteenwoordigers van drie verskillende liggame.

Die "Dependants Conference" bestaan vandag nog, en gedurende die jare 1964 en 1965 was 'n bedrag van R20,000 ontvang vanaf die "Defence and Aid International".

(xi) Die Liberale Party.

Dit is opvallend hoeveel van die lede van die Liberale Party as lede van die Uitvoerende Komitee van die "Fund" opgetree het. Vergaderings van beide die Liberale Party en die "Fund" was ook gereël om saam te val. Die Liberale Party het ook in die optrede van die "Fund" 'n gulde geleentheid gesien om hulle doelstellings te bevorder met rassegelykheid. Die volgende persone het prominent na vore getree in beide organisasies:

Peter Hjul, David Craighead, Alan Paton, John Laredo, Ruth Hayman, Alex Hepple.

Aanvanklik was daar probleme met die stigting van 'n tak van die "Fund" te Oos-Londen. Op 13 Junie 1960 besluit die Liberale Party te Oos-Londen om 'n Komitee te stig om "Defence and Aid" werksaamhede aldaar voort te sit.

Beide David Craighead en Ruth Hayman was ondertekenaars vir die "Multi Racial Conference of South Africa" en by die geleentheid was 'n tjek aangebied aan die Liberale Party wat onderteken was deur beide Craighead en Hayman.

(xii) State of Emergency Relief Fund. (S.E.R.F.).

Hierdie organisasie was in die lewe geroep tydens die noodtoestand van 1960 en direk na Sharpville gebeure. In 'n verslag deur die organisasie word die volgende opgemerk:

"... Defence and Aid: The experience of S.E.R.F. emphasises the need for a permanent organisation of this type in the Western Cape. Our offices and organisation are already well known among the people in this area ... at the October meeting of the committee it was agreed in principle that S.E.R.F. should be wound up by the end of November and replaced by a Western Cape Branch of the ..."

Defence and Aid Fund. The office-bearers of S.E.R.F. have been instructed by the Committee to start negotiations with the Defence and Aid Fund in Johannesburg ...".

Op 19 Desember 1960 skryf Peter Hjul aan "Defence and Aid", Johannesburg, dat S.E.R.F. in Kaapstad ontbind het en dat al die bates van S.E.R.F. oorgegaan het op die "Cape Division of the Defence and Aid Fund". Verder dat die eertydse bestuurskomitee van S.E.R.F. aanvaar het om te dien op "Defence and Aid", Kaapstad.

Aan die end van 1960 was 'n bedrag van R300,000 deur S.E.R.F. spandeer en was nog R60,000 benodig om die uitstaande ondernemings te finaliseer.

Die feit dat die organisasie S.E.R.F. al die beskuldigdes, aangehoudenes en die families so goed versorg het was die stimulus agter die leiers van die verbanne organisasies om tot gewelddadige optredes oor te gaan. As gevolg hiervan het die Sabotasiwet gevolg om die gewelddadige optredes die hoof te bied.

In Kaapstad onder andere het S.E.R.F. ook verdediging van beskuldigdes onderneem afgesien van hulle welsynswerk. In Julie 1960 was 'n bedrag van R750 aan S.E.R.F. geskenk deur die Aartsbiskop van Kaapstad en later was 'n bedrag van R500 deur "Defence and Aid", Johannesburg aan S.E.R.F. Kaapstad geskenk.

Gedurende 1960 is 'n bedrag van R2800.00 aan S.E.R.F. deur die "Fund" betaal.

(xiii) Religious Society of Friends (Quakers).

Hierdie is 'n ou welbekende organisasie wat welsynswerk verrig. Of hulle altyd beperk is tot welsynswerk is nie so duidelik nie.

Uit briewe van die Quaker organisasie aan die "Fund" blyk dit dat hulle 'n bedrag geld gevorder het en

aan die "Fund" oorbetaal het vir verdediging van 'n politieke oortreder, John Hlekani wat verhoor was op 4 Desember 1963.

In 'n verslag vir 1961 het die "Quaker Service" hulle as volg uitgelaat:

"... Discussions were held with Defence and Aid Fund who were already experiencing some difficulty in providing sufficient welfare funds for the regular support of families dependent on men then imprisoned for political offences ... Quaker Services agreed to take over some of these families completely and to assist with the problem-solving and workseeking aspects of the welfare work for these and those remaining in Defence and Aid".

Op 9 September 1963 skryf Dr. Ellen Helmann van die Johannesburgse-tak van die "Fund" aan die Durbanse-tak:

"... I had a longish talk with Miss Gibson about welfare. In Johannesburg the position is that all welfare is done by Quakers Service, which does not, of course, confine itself to Defence and Aid cases. We give them (i.e. Quakers service) certain grants of money. We have as you likewise have, to be careful not to overstep our function which is to give compensation to people who are in difficulties by reason of the curtailment of the civil rights. Otherwise there is always the possibility of coming within the confines of the Welfare Organisation Act ...".

(xiv) Treason Trial Defence Fund (T.T.D.F.).

Hierdie fonds was in die lewe geroep met die begin van die hoogverraadsaak in 1956. Met die afhandeling van die saak in 1960 het die fonds voortbestaan omdat die fonds gereken het dat sekere welsynswerk nog aandag verg.

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Die fonds het nog fungeer met die totstandkoming van die "Defence and Aid Fund" en vir 'n rukkie het die twee saam opgetree.

So skryf die Kaapse-tak aan Johannesburg-tak van die "Fund" op 29 September 1961.

"... We have had discussions with members of the Treason Trial Fund - Raising Committee who have agreed to co-operate with us in fund-raising in the future, and I have been asked by the Executive Committee to write to you about this. We would like to know whether or not steps have been taken on a national level to amalgamate the two funds, or rather, their fund raising ...

"In smaller fund raising events, such as rummage sales, parties, and so on, I assume we would keep whatever we manage to raise but T.T.D.F. raise funds on a far larger scale. They cannot, of course, raise funds for us under their Welfare Registration, but their committee is willing to form itself into a Defence and Aid Fund-raising committee, subject to the decision of our Management Committee....".

Op 'n Uitvoerende Komitee Vergadering van die Johannesburg-tak van "Defence and Aid" lees die notules onder andere:

"... It was decided that the Treason Trial Defence Fund was now in a position to repay the R500 loan to Defence and Aid".

Op 10 Julie 1963 skryf die Johannesburg-tak van die "Fund" aan Port Elizabeth-tak:

"... will you please instruct the Standard Bank of South Africa to transfer the balance standing to the credit of the Treason Trial Defence Fund, to our account ...".

Op 30 Desember 1963 skryf Johannesburg-tak van

die "Fund" aan Johannesburg T.T.D.F.:-

"... To your share of rent, telephone etc. for period October 1961 to December 1963 i.e. 27 months @ R6.00 per month ... R162.00.

To clerical assistance, postage, and other service rendered during the period July, 1961 to December, 1963 i.e. 30 months @ R30.00 per month ... R900.00.  
Total - R1062.00."

Op 22 Januarie 1964 skryf Johannesburg-tak van die "Fund" aan Johannesburg T.T.D.F.:-

"... This serves to place on record that the Defence and Aid Fund agrees to accept the amount of R994.21 in full payment of the account for R1062.00 submitted to you for services and facilities supplied. We acknowledge receipt of the amount of R602.00 paid to us in September and will be glad to have your further cheque for R392.21 in full and final settlement ...".

(xv) South African Congress of Trade Unions (S.A.C.T.U.).

Op 16 November 1961 het S.A.C.T.U. per brief die "Fund" bedank vir 'n bedrag van R100. Hierdie bedrag is vir die volgende doeleindes aangewend:

"... (a) R60.00 has been paid to ... as part payment for extremely heavy legal expenses in connection with the strike case at the Natal Dairies ...".

... R40 has been used to refund a loan in connection with legal expenses incurred in the strike case of the workers at the Klipfontein Organic Products ...".

S.A.C.T.U. het hulle ook as volg uitgelê:

"... We are still anxious to have a meeting with representatives of your Committee and the members of our Management Committee for discussion of the type of cases



your fund handles ...".

Op versoek van S.A.C.T.U. het die "Fund" op 25 September 1962 'n bedrag van R60.00 aan 'n prokureurs-firma te Kimberley betaal. Hierdie uitstaande bedrag was verakuldig nadat ses lede van die "African General Workers Union", Kimberley, daaraan skuldig bevind is dat hulle 'n reserwaat sonder toestemming binne gegaan het.

(xvi) Congress of Democrats (C.O.D.).

Hierdie organisasie het tot stand gekom met die uitsluitlike doel om na politieke oortreders en hulle naasbestandes om te sien. Die beleid van die organisasie het egter so radikaal verander dat dit op 7 September 1962 tot 'n verbode organisasie verklaar is.

So skryf die Sekretaresse van die Kaapse-tak van die "Fund" aan die Johannesburgse-tak op 17 November 1961:-

"... I have been approached by some C.O.D. members who are anxious to obtain information on the Pondoland cases ... the main points are:

- (a) which cases are being assisted by Defence and Aid (or Christian Action)?
- (b) which cases are not being assisted owing to lack of funds?
- (c) who are in these cases that have no defence (and what are the charges)?
- (d) could suitable defence be provided if funds were found to assist these cases?

I gained the impression that funds might be raised, or might already be available, but that no one down here knows where the money should go and who needs it ...

I myself feel if we could supply the information some

money might be forthcoming.

Gedurende 1961 het geweld en onluste hoogty gevier in Pondoland en omdat die "Fund" op die tydstip nog nie sake van geweld en sabotasie wou verdedig nie, wou die C.O.D. in die bresse tree vir beskuldigdes in Pondoland wat wel sake van geweld en sabotasie gepleeg het.

Dit is duidelik dat fondse reeds by die C.O.D. organisasie beskikbaar was indien daarom gevra sou word - een van die beweegredes waarskynlik waarom die "Fund" later besluit het om wel sake van geweld en sabotasie te verdedig.

Op 29 November 1961 skryf Durbanse-tak aan Johannesburgse-tak van die "Fund":

"... but we feel you should be informed that our Chairman raised with Mr. Arenstein the question of fees, as he felt that the organisation to which the accused belonged should if possible meet the costs, and Mr. Arenstein agreed that the Congress of Democrats would in fact meet the costs". (Pondoland Incitement Trial).

Helen Joseph 'n stigterslid van C.O.D. was baie bedrywig in hierdie organisasie. As lid van die "South African League of Women", 'n hoogverraad beskuldigde, aangehoudene tydens die noodtoestand en eerste vrou wat onder huisarres geplaas was, kon sy respek afdwing by haar enersdenkendes. Die "Fund" wat haar op die huisarres saak verdedig het, het ook verskeie advokaats-opinies bekom alvorens met die saak begin was.

(xvii) The Christian Council of South Africa (C.C. of S.A.).

Op 15 Desember 1961 skryf A. Blaxall, eretresourier van C.C. of S.A. aan die "Fund" te Johannesburg:

"... herewith cheque for R1581.05 which represents

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the balance of a fund held by this council from the time of the 1960 Emergency.

At our Executive Meeting this week, it was resolved to pass this balance to the Defence and Aid Fund ... the original grant which made it possible for this Council to hold an Emergency Fund, came from the Inter Church Aid Department of the World Council of Churches".

Op 14 November 1963 skryf Basil Brown die sekretaris van "Christian Council of South Africa" aan Johannesburgsetak van die "Fund" dat die volgende skenkings reeds aan "Defence and Aid" deur "Christian Council of South Africa" gemaak was;

R3,000.00 aan Port Elizabeth

R1,000.00 aan Durban.

R1,000.00 aan Kaapstad.

R200.00 aan Oos-Londen.

Op 26 Mei 1964 verwittig die "Christian Council of South Africa", die "Fund" te Johannesburg dat 'n bedrag van £1,000 ten behoeve van die "Defence and Aid" ontvang is van dr. Z.K. Matthews, Africa Secretary, Division of Inter Church Aid, Refugee and World Service" van die "World Council of Churches". 'n Verdere bedrag van £7,000 was deur laasgenoemde belowe.

(xviii) South West Africa National Union (S.W.A.N.U.).

Gedurende September 1962 het hierdie organisasie die "Fund" te Kaapstad genader vir finansiële hulp en steun vir sake wat in Suidwes-Afrika teen politieke oortreders aanhangig gemaak is. "Defence and Aid" het egter nooit baie aktief opgetree in Suidwes-Afrika nie behalwe in die saak van dr. Abrahams waarop die "Fund" R330.00 spandeer het.

(xix) Black Sash.

Hierdie organisasie is in die lewe geroep in 1955 met die promulgering van die Senaatswet van daardie jaar.

Behalwe dat hierdie organisasie ook welsynswerk verrig het wat deur die "Fund" na hulle verwys is, het dit geen noemenswaardige rol gespeel in die bestaan van die "Fund" nie. Die "Black Sash" organisasie het baie nou saamgewerk met die "Christian Council for Social Action" en die "Fund" se sekretaresse in Kaapstad was ook 'n veldwerker van "Black Sash".

Uit die Uitvoerende Komitee Vergadering van Kaapstad kom die volgende: (22.9.65).

"... The Fund was asked by the Institute of Race Relations whether R200 of the donation made by the Fund towards the Paarl Riot Commission could be used for legal costs incurred by the Athlone Advice Office (Black Sash). This was agreed to by the Committee".

(xx) Christian Council for Social Action.

Op 12 Augustus 1964 skryf Denis Scarr, voorsitter van die "Fund" tak te Port Elizabeth aan Kaapse-tak:

"... Until November last year the Defence and Aid Fund operated as the name implied, i.e. handling both defence and aid. The Christian Council of South Africa (through Basil Brown) presented the local Christian Council for Social Action with R2,000 to be used for aid only. Following discussions between the Christian Council for Social Action and Defence and Aid it was agreed to set up a sub-committee of the former to handle the 'aid-side' of Defence and Aid and the position is thus similar to that in Cape Town. As I was chairman of this sub-committee,  
/82...

I now find myself running both organisations".

Op 2 April 1965 skryf Sheila Penny, Sekretaresse van die Port Elizabethse-tak van die "Fund" aan B. Mellor, Amnesty International, Londen die volgende:

"... There are two parallel organisations in South Africa working for the dependents of political prisoners and those awaiting trial ... The first named, Christian Council for Social Action, handles aid only in that they pay the house rent of the dependents, distribute food to them and clothing and help explain the complex laws of the country to them and give advice wherever possible and whatever aid we can. The Defence and Aid Fund handles the legal aspect ... I am secretary of both organisations in Port Elizabeth".

(xxi) Die Kommunistiese Party van Suid-Afrika, die Suid-Afrikaanse Kommunistiese Party.

Alhoewel beide hierdie organisasies al geruime tyd in die ban gedoen was tog het hulle nog ondergronds opgetree en in verskeie aangeleenthede hulleself manifesteer.

Die Britse "Defence and Aid Fund" van "Christian Action" maak deel uit van 'n netwerk van ekstremistiese en ineengestremgelde organisasies in Brittanje wat berug is vanweë die vuur waarmee hulle Suid-Afrika beveg. Hierdie organisasies word ondersteun deur die Kommunistiese Party en het in sommige gevalle ampsdraers wat vooraanstaande Kommuniste is. Die "Defence and Aid Fund" in Suid-Afrika was deur die Kommuniste ondersteun en het sy fondse beskikbaar gestel aan die "African National Congress" en die Kommunistiese Party- twee ondermynende organisasies wat kragtens wet in Suid-Afrika verbode organisasies was.

Enkele van die organisasies in Brittanje wat deur die Kommunistiese Party gesteun word en bydraes maak

het aan "Defence and Aid", Londen, is die volgende:

1. "Movement for Colonial Freedom".
2. "Anti-Apartheid Movement".
3. "Africa Bureau" (Stigter Michael Scott).
4. "World Campaign for the Release of South African Political Prisoners".
5. "The African Communist". Dit is 'n nuusblad wat die steun van "World Campaign for the Release of South African Political Prisoners" geniet.

Bekende Kommuniste soos Vella Pillay, Rosalynde Ainslee, Abdul Minty, Ronald Segal, Raymond Kunene en Tony O'Dowd dien op die bestuur van die "Anti-Apartheid Movement" wat verbind is met "Christian Action" en die steun geniet van die Britse Kommunistiese Party.

Die nou verband van die Kommunistiese Party in Suid-Afrika en die "Fund" blyk uit die volgende beëdigde verklaring van Bartholomeus Moro Hlapane 'n Bantoelid van die Suid-Afrikaanse Kommunistiese Party:

"... The Defence and Aid Fund which was at this junction already in existence, was extensively used for the purposes of the South African Communist Party. In turn cash advances towards the fund were made by the South African Communist Party. Who the persons were that served on this Fund's Committee I do not know, except that Rica Hodgson who was in fact a member of the Communist Party was also serving on this Fund's Committee".

Hierdie verklaring was gemaak op 1ste Oktober 1964.

Na die gewraakte toespraak van Domheer Collins by die V.V.O. was "Defence and Aid", Londen as 'n goedgekeurde agentskap van die V.V.O. aanvaar. "Defence and Aid",

Londen kon nou geld invorder op internasionale basis en hierdie oproep het ook geld gebring van Sowjet Rusland <sup>skenke</sup> ~~in~~ die bedrag van R7140.00. ~~Soos met die skenking aan "Defence and Aid" Londen, skryf die Sowjet Regering:~~

"... The Soviet Government has been guided by its fundamental position with regard to support for the national liberation movements of peoples struggling against colonialism and racism in all their forms and manifestations and the provision to them of moral, political and material assistance in that just struggle".

Hierdie skenking van die Sowjet Unie het veroorsaak dat twee lede van die Uitvoerende Komitee van die Kaapse-tak van die "Fund" bedank het en as volg opmerk:

Mrs. Barbara Wilks:

"... I learn from the Cape Times that a sum of money has been allocated to the South African Defence and Aid Fund by Soviet Russia. If this report is true, and if the money has been, or is going to be accepted by the Fund I hereby resign, both from the Management Committee and the Defence and Aid Fund itself.

Should, of course, the report be untrue or the money refused out of hand, I shall be happy to continue serving on the committee...".

"... Collins appears in his statement to have seriously misrepresented the work of Defence and Aid in this country. Soviet money was granted to assist the Anti-colonial struggle in this country. It might not be too strong therefore to say the money has been acquired by false means for false ends".

Adv. Donald Moltenc:

"... That very appreciation on my part makes

me regret that the reported donation by the U.S.S.R. to the London "Defence and Aid International" for the South African Defence and Aid makes it impossible for me to have even such indirect connection with the administration of moneys from such a source as membership of the Cape Town Committee entials".

Ook vanuit die publieke oogpunt was ontevredenheid uitgespreek oor die skenking. R.F.C. Struben, Commander R.N. (retired) skryf soos volg aan die Kaapse tak van die "Fund":

"... I enclose a subscription to your Fund ...

If I believed that Defence and Aid is financed in any part by communists with the intention of furthering the aims of Communism, I most certainly would not support it".

Dit is opmerklik hoeveel gelyste en bekende Kommuniste gemoeid was met die administrasie van die "Fund".

Solly Sachs 'n gelyste kommunist, wat hom in Londen bevind, het opgetree as die invorderingssekretaris van "Defence and Aid" in Brittanje. In die hoedanigheid het hy Australië besoek, met nie veel sukses nie omdat hy as kommunist ook in Australië bekend was. Hy was nogtans deur Domheer Collins gestuur. Sy giftige uitlatings teen Suid-Afrika is welbekend.

Hier te lande het ons die volgende in verskillende Komitees van die "Fund" aangetref:

Mev. Ruth Slovo (gebore First) - 'n gelyste kommunist het op die Komitee van die "Fund" te Johannesburg as tesouriere gedien. Sy was arrester op 10 Augustus 1963 en moes haar pos toe ontruim.

Mev. Rica Hodgson - 'n gelyste Kommunist dien op die Komitee van die "Fund" te Kaapstad vanaf 18 September



1961.

Mev. Violet Weinberg 'n gelyste kommunist was in 1964 as sekretaris van die Fund te Johannesburg, die destydse hoofkantoor, van die "Fund" aangestel.

Uit hoofde van haar amp was sy in 'n sleutelposisie om die verspreiding van die fonsse in Suid-Afrika te beheer.

Gerhard Ernst Mittag, 'n gelyste kommunist was lank voorsitter van die Kaapse tak van die "Fund".

Albert Thomas 'n lid van die Uitvoerende Komitee van die Kaapse-tak van die "Fund" was arresteer op 12 Augustus 1965 en aangekla onder Wet Nr. 44 van 1950. (Wet op die Onderdrukking van Kommunisme).

Adrian Leftwich een van die beskuldigdes in die saak, Die Staat teen Daniels, De Klerk en andere, het Staatsgetuie geword en het erken dat hy, terwyl hy lid was van die Kaapse Komitee van die "Fund", verskeie dade van sabotasie gepleeg het. Daarna het hy opgehou om lid van die Komitee te wees.

Bob Hepple, Albert Louis Sachs en Abram Fischer is van die gelyste persone wat die "Fund" van regsadvies voorsien het. Hulle drie het gedien op die regskomitee van die "Fund".

Dit is opmerklik hoe die welsyns-afdeling van die "Fund" geleidelik afgeneem het totdat dit geheel en al gestaak was aan die begin van 1964. Met die gelyste kommuniste in die geledere van die Komitees kan ook niks anders verwag word nie. Die doel van die Kommunistiese Party is immers die omverwerping van die bestaande regering en deur welsynswerk te doen kan dit nie bereik word nie. Geweld, sabotasie en ondermynende bedrywighede moet aangeblaas word en boweal word die nodige fondse deur die "Fund" beskikbaar gestel vir die doel.

Die Kommunistiese magtigste wapen is insydeling en deur insydeling in die Komitees van die "Fund" kon die bedrywighede van Kommunisme maklik bevorder word onder die vaandels van die "Fund". Dit het dan ook inderdaad gebeur.

Na die beëindiging van Welsynswerk deur die "Fund" is al die fondse gebruik vir die politieke bedrywighede van die verbode "African National Congress, die "Pan Africanist Congress" en "Kommunistiese Party". Salarisse van amptenare van die Kommunistiese Party is ook uit hierdie fondse gedek.

In 'n beëdigde verklaring op 9 Januarie 1966 erken Fred Carneson dat hy onlangs 'n bedrag van R4,000 van Alf Arenstam gekry het vir gebruik deur die Kommunistiese Party. Hierdie geld was deur bemiddeling van Eric Flegg by die firma Frank, Bernadt & Joffe, Kaapstad in trust geplaas. Carneson meld verder:

"... All the money so withdrawn I used for purposes of the Communist Party also to pay bail money at Defence and Aid and for relieving purposes of dependants of political prisoners".

Die "Fund" het ook nie geskroom om gelyste Kommuniste vir oortredings onder Wet No. 44 van 1950 te verdedig nie. Twee uitstaande persone in hierdie verband is Fred Carneson en Bram Fischer. Die koste wat die "Fund" in die onderskeie sake verantwoordelik voor was beloop R6229.68 en R17669.00 onderskeidelik.

Op 14 Januarie 1966 is die volgende besluit genotuleer in die Kaapse-tak van die "Fund":

"... Lately we have taken on the trial of Fred Carneson who has been charged under the Suppression of

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Communism Act. We have been told by his attorneys that the trial is going to be a long and costly one. Fred Carneson who is a named Communist and is a former member of the Provincial Council. He was also at one time editor of "New Age" which has since been banned ...".

Die nou verband van die "Fund" en die Kommunistiese Party in Suid-Afrika blyk uit die volgende brief van "Defence and Aid" Londen aan Dr. Hellman voorsitster van die Johannesburg-tak van die "Fund":-

"... I am writing to tell you that we have been strongly advised by Mr. Joel Joffe and also by Bram Fischer that in the present situation it would be wise to retain a lawyer to deal with all the political cases in Johannesburg. We have therefore agreed to retain Miss Ruth Hayman as the lawyer and have offered a fee of R600 (£300), per month commencing on 1st October, 1964. In the first instance for a trial period of six months ...".

Op 6 Augustus 1964 het Domheer Collins hom as volg aan Bram Fischer per brief uitgelaat:-

"... Enclosed is a copy of an account in respect of legal fees in the case of James Kantor who has appealed to Defence and Aid for a refund of this amount which he states he borrowed to pay the lawyers ... in view of the present grave situation and the many new demands which I anticipate will be made on the Fund it is important to get your opinion on this matter to know whether you think that this is our responsibility, and should be paid by us? In part? or in full? ...".

Bram Fischer die gelyste kommunis het die Fund beide in Suid-Afrika en in Brittanje van raad bedien wat sekerlik nie kommunisme sou beveg nie.

9. Buitelandse Organisasies.

In die buiteland was daar ook verskeie organisasie wat met Defence and Aid in Suid-Afrika direk geskakel het. Omdat hierdie geld direk na Suid-Afrika gestuur was, was bloot net 'n kwitansie uitgereik vir die ontvangs daarvan. Die werklike besteding was geen kontrole oor nie. Die ondergenemde organisasies het bydraes gelewer:

(i) American Committee on Africa:

Hierdie instansie het 'n bedrag van \$5500 aan Defence and Aid in Suid-Afrika gestuur met die versoek dat 'n verduideliking gegee word waarvoor die geld gebruik is. Op 17 Januarie 1966 skryf die Sekretaris van Port Elizabethse-tak van die "Fund" aan Mary Louis Hooper in die verband as volg:

"... I will try to explain what we are using the money for at the moment and will follow up some 'human interest' stories tomorrow.

... One of the 24 accused's from Port Elizabeth who have been awaiting trial since June, 1965. They are mostly young boys, who as far as we know had no particular part in any political movement. They probably belonged to the A.N.C. as did any African with any initiative and remained members after it was banned in 1961 ...".

(ii) Scottish Council for African Questions.

Alhoewel geen bewyse kon gevind word dat fondse uit hierdie bron ontvang is nie, het die organisasie te kenne gegee dat sabotasie-sake spesiale aandag moet kry en verdedig moet word.

(iii) World Council of Churches.

Hierdie organisasie het grotendeels sy bydraes

gestort deur die Christian Council of South Africa (Basil Brown) maar het tog gespesifiseer dat sekere bedrae vir verdediging aangewend moet word. Die volgende bedrae is met tussenposes deur die "Fund" in Suid-Afrika ontvang:

Kaapstad .....	£8000
.....	R4993.75
.....	£2500
Port Elizabeth .....	R1790.67
.....	£5000
.....	£5000

(iv) Amnesty International.

Hierdie organisasie wat wêreldwyd optree verkry die name van politieke gevangenes en voorsien dan fondse om die gevangenes se lot te verlig. Die fondse was dikwels deur bemiddeling van die "Fund" administreer. Die organisasie "Amnesty International" weier egter om op te tree waar gevangenes van gewelddadige optrede veroordeel is. Indien navrae by die "Fund" gedoen was deur "Amnesty International" in verband met 'n gevangene was die feit dat die gevangene van geweld gebruik gemaak het sonder meer verswyg.

(v) World Campaign for the Release of South African Political Prisoners - London.

Navrae oor die finansiële toestand van Anne Harris (vrou van Harris wie gehang was vir gooi van die bom op Johannesburgstasie) aan die "Fund" in Suid-Afrika het die volgende antwoord ontlok:

"... Anne Harris has shown fantastic courage throughout her ordeal and recently issued a statement that her political beliefs remained unchanged and she would continue to be active ...".

- (vi) Trades Union Congress (London) het R13515 direk aan die "Fund" in Suid-Afrika betaal terwyl
- (vii) National Executive Committee of the Labour Party (Engeland) 'n bedrag van R800 aan die "Fund" betaal het.
- (viii) Christian Action London. *Bylae "F"*

Met die totstandkoming van die "Fund" in Suid-Afrika het Domheer Collins, voorsitter van <sup>"Christian Action"</sup> ~~begemelde~~ ~~organi-~~ ~~sasie~~ hom as volg uitgelaat:

"... The management Committee and Trustees seem to be an admirable lot and should carry full confidence this end with the people from whom we are extracting money. It looks as though the terms of reference you have cover roughly the same as those we are working under this end so we ought to have no difficulty in passing money on to you for all the purposes for which we collect it ... the people are generally coming to regard the Defence and Aid Fund administered by Christian Action as the one National Fund for all purposes in regard to South Africa ... In the past I think there has been money sent from various people and organisations direct to South Africa in response to appeals not coming directly from the Treason Trial Committee or your new set up. I hope that this has now stopped and that in future money will be channelled through us ... Alan Paton some time ago told me that he thought it essential for the bulk of the money to be kept here in case at any point the South African Government should pass legislation by means of which they could take over any Fund held out there ... I understood from Ambrose Reeves that we had left over £6000, which we had sent out previously earmarked for the Treason

Trial defence ...".

Op 2 November 1960 skryf Alex Hepple, Voorsitter van die Johannesburg-tak van die "Fund" aan Domheer Collins:

"... On his return from London Mr. Lang delivered your verbal message in regard to the administration of the Defence and Aid Fund ... As we understand the message, certain difficulties have arisen in London and because of this you wish us to (i) radically amend our constitution and (ii) abolish our management Committee and replace it with a Board of five trustees."

"We are not clear in what respects objects should be changed ... If in addition to the present Management Committee, you know of other prominent people in South Africa who are willing to share in our work we would welcome their assistance ...".

Die aartsbiskop van Kaapstad was op 1 April 1961 genader om as President en Trustee van die "Fund" in Suid-Afrika op te tree. Hy laat hom as volg uit:

"... When we discussed the matter of Trustees this year it was agreed that reference should be made to Canon Collins to discover his wishes in the matter, in the hope that his ideas and those of Defence and Aid would coincide.

It is not quite clear whether this has been done and should like to be re-assured on this point before consenting to accept the invitation ...".

Op 10 April 1961 het die "Fund" die aartsbiskop as volg meegedeel:

"... We have had a good deal of correspondence with Canon Collins in connection with Trustees. It eventually

became clear that he had two different ideas in mind. One was the appointment of a board of Trustees to handle all Christian Action money sent to this country and virtually to act as his agents".

"... This was discussed by the management Committee and it was decided that it was not a matter for Defence and Aid, but for Christian Action alone to resolve ...

Dr. E. Helmann van die Johannesburg-tak laat haar as volg uit teenoor Kaapstad op 6 Julie 1961:-

"... By the way Collins again stressed the great need for simple, human stories. He said that you sent him once an account of a man who had been in the same job for 17 years and lost it because he came up before the Courts on some charge. And this was a money wizard, money spinner .

Die finansiële posisie van die "Fund" word as volg in 'n skrywe vanaf Johannesburg aan die Kaapse tak beskryf (19.10.61):-

"... The fact of the matter is that Defence and Aid leaned too heavily upon Christian Action with the result that when C.A. sends nothing finances become desperate. Although Canon Collins undertook to provide £6000 over 4 months (May to August) only £2000 has been forthcoming and you have had a fair share of that ...".

Die volgende is 'n aanhaling uit 'n notule van 'n vergadering gehou deur die Uitvoerende Komitee. (5.2.1962).

"... We received a letter from Christian Action which said that it was difficult to raise money if we did not provide welfare grants ...".

As voorsitter van Christian Action het Domheer



op 8 June 1963

Collins hom soos volg uitgelaat teenoor die "Fund".

(8.5.63):

"... Realising how desperate and enormous the needs for defence and Aid in South Africa are, we have been planning a number of campaigns on a national and international scale devoting special attention to the trade union in Britain (including national and branches), the U.S.A., Canada, Australia, New Zealand and possibly other countries .. ~~recently had a chat with Harold Wilson, and he readily agreed to sign an appeal to British, U.S.A., and Commonwealth trade unions to donate generously to our Defence and Aid Fund~~ ... there is of course not the slightest objection to the Defence and Aid Fund in South Africa receiving moneys direct and not through us ... my only concern is that you should get the maximum possible and I believe that this can best be achieved if the Trade Union movement this end is complimentary to our general which is now both national and international. It also seems to me that it is better for money to be held in London and sent to you as and when you request it than to give you the problem of holding large balances which at any time the Government might decide to confiscate. I was wondering therefore whether your committee would consider writing to the General Council of the T.U.C. pointing out the benefits which would result for the folks in South Africa if all moneys went through our Defence and Aid Fund here in London ...".

Die vrees om die Domheer se wense nie na te kom nie spreek uit 'n brief van die Kaapse tak aan Johannesburg.

(7.8.63).

"... At our Management Committee Meeting on the 6th instant it was suggested that an appeal be made in

/95..

America for funds. ~~It was pointed out that Christian Action might be upset by such fund raising ...~~".

Op 18 Junie 1964 skryf die Kaapse-tak aan Johannesburg-tak van die "Fund":

"... I received a letter from Mrs. Nuell, Secretary of Christian Action. She tells me that London has forwarded a further amount to you of which £750 is earmarked for the Alexander appeal ... I must explain that we are more or less acting as a conduit pipe between C.A. and the Friends of the accused as we did not make any appeals to C.A. for this case. The £750 was promised as a result of a private appeal, made to C.A."

Domheer Collins het hom op 12 November 1964 as volg teen Leo Marquard van Kaapstad uitgelaat:

"... As you may be aware, the Defence and Aid Fund (International) has recently been approved as an agency of the United Nations ..."

"Three agencies have been chosen namely the Defence and Aid (International), Amnesty International and the Joint Committee for the High Commission Territories. We feel we are best suited to administer such moneys ... We work through the South African Defence and Aid Committees and we have already collected and distributed an amount of £300,000 ..."

Op 16 Augustus 1965 deel Johannesburg die Kaapse-tak as volg mee:

"... London has informed us that they will be sending money at intervals and that R4,000 will be sent at a time. This has been coming through at more or less fortnightly intervals, and one can only presume that they have reason for this ..."

Mary-Louise Hooper van die "American Committee on Africa" het haar as volg uitgelaat teenoor die "Fund"

Port Elizabeth:

"... You will soon, if you have not perhaps already, receive the sum of 1000 dollars from the International Defence and Aid, London, which was earmarked by us for your office, for relief of the families ... Our office is now affiliated with the International Defence and Aid so we will send money through them, from time to time ...".

Volgens 'n publikasie wat deur die "forum World Features" uitgegee is op 26 Februarie 1966 het ~~C.A.~~ <sup>Christian Action</sup> alreeds 'n bedrag van R1,000,000 in die Republiek van Suid-Afrika laat spandeer op politieke gevangenes en hulle gesinne.

In die uitgawe van die publikasie "Christian Action" wat in die somer van 1964 verskyn het, lewer Aartsbiskop Joost de Blank 'n oorsig van die bedrywighede van "Defence and Aid" in Suid-Afrika en merk onder andere op:

~~"... Dit is onmoontlik om te hoër lof toe te swaar aan die Plaaslike Komitee in Suid Afrika in South Africa"~~

Op 'n Uitvoerende Komitee Vergadering gehou te Kaapstad op 11 Augustus 1965 word die volgende besluit geneem:

"... It was resolved that the Secretary should write to Johannesburg asking them to ask London to send sufficient money at one time to cover our immediate commitments".

In die notule<sup>e</sup> van 'n Uitvoerende Komitee vergadering te Kaapstad op 30 September 1964 is besluit om Londen as volg in te lig:

"... (a) that when making statements appealing for money and also when allocating money direct from England for defence costs in specific cases in South Africa, the name Defence and Aid should not be used.

*It would be impossible to pay too high a tribute to the local Committee* | Hcal  
*swaar aan die Plaaslike Komitee in Suid Afrika* | Eng.  
*in South Africa"* | aar



(b) that as far as possible the local committees of Defence and Aid be entrusted with the allocation of money for cases in South Africa".

Die grondwet van die Suid-Afrikaanse "Fund" het deurgaans probeer die indruk skep dat dit 'n onafhanklike organisasie is. Uit briewewisseling soos hierbo aangehaal is dit egter baie duidelik dat dit niks anders was as 'n tak van die "Defence and Aid Fund" van "Christian Action" nie. Nie alleen was die geld vanaf Londen gereeld "earmarked" nie, maar die "Fund" moes beramings maandeliks aan Londen voorlê waarin die sake uiteengesit is en waarvoor toekennings dan deur Londen gemaak is. "Christian Action" het dan ook nie geskroom om spesifieke fooie vir sekere sake voor te skryf nie.

(ix) International Confederation of Free Trade Unions.  
(I.C.F.T.U.).

Hierdie organisasie van vakbonde met sy hoofkwartiere in Brittanje het 'n internasionale ledetal wat hulle beywer vir die bevordering van die vakbondwese. Dit het 'n geweldige aanhang veral in Brittanje waar sosialisme sterk ondersteuning geniet. Om hierdie rede het I.C.F.T.U. ook belang gestel in die vakbondwese in Suid-Afrika en deur bemiddelling van die "Fund" geldelike bydraes gelewer. Die bedrag van R600 wat deur die "Fund" op 10 Februarie 1961 aan "Human Rights Welfare Committee" geskenk was is deur I.C.F.T.U. aan die "Fund" vergoed. (Sien Human Rights Welfare Committee).

In 'n skrywe van die I.C.F.T.U. laat die Algemene Sekretaris hom as volg uit teenoor die "Fund" op 10 Junie 1963:-

"... it was in October last year that we made

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our last contribution to the South African Defence and Aid Fund. We feel that in view of the increasingly critical situation in South Africa, the time has come for the I.C.F.T.U. to show again in a tangible way its sympathy with the victims of the South African regime. It therefore gives me pleasure to announce that we have transferred ... a further sum of £750, with the request that as much as possible the claims of trade unionist's should be taken into consideration ...".

Op 16 Desember 1964 skenk I.C.F.T.U. 'n verdere bedrag van £1000 aan Johannesburg vir die "Fund".

As gevolg van die vrygewigheid van I.C.F.T.U. het die "Fund" op 30 September 1965 die organisasie in kennis gestel dat hulle R15000 benodig om hulle verpligtinge na te kom.

/99...

10. Borgstellings.

'n Lastige probleem waarmee die "Fund" dikwels te kampe gehad het was borgstellings. Aanvanklik het die verskeie takke elk so 'n borgstellingfonds gestig deur lenings van privaat persone renteloos te bekom. Dit het egter gou geblyk dat beskuldigdes misbruik maak van die voorreg om nie aangehou te word nie deur die land uit te vlug en die "Fund" moes dan instaan vir die terugbetalings aan die leners. Hierna het die "Fund" self die voorskotte gedoen.

Die toenemende ontvlugting uit die land deur geborgdes het die "Fund" genoop om alle borgstellings in te trek nadat R1150 op die manier verbeur was. Dit was reeds in 1961.

Selfs Domheer Collins was ook gekant teen 'n borgfonds en laat hom soos volg uit:

"... one or two people to jump their bail and there will be a lot of dirty press against us".

Desnieteenstaande het die "Fund" nog voortgegaan om fondse te gebruik vir die doel selfs nadat Mathew Nkoana die land uitgevlug het en die "Fund" 'n bedrag van R500 verbeur het.

Die "Fund" was baie trots op die feit dat hulle nie borggeld voorsien het aan of Bram Fischer of Walter Sisulu of Nelson Mandela nie. Dit was by herhaling in briewe en die pers beklemtoon. Die verdediging het hulle egter waargeneem.

/100 ...

11. Appèlsake.

Die "Fund" het 'n baie eienaardige benadering openbaar ten opsigte van sake waarin appèl aangeteken was. Dit het geensins gegaan oor die regsbeginsels of feite van die saak nie, maar alleenlik of fondse beskikbaar was.

Die beginsel was bykans deurgaans gehuldig dat op 'n skuldigbevinding moet appèl aangeteken word. Dit is een van die redes waarom sulke enorme bedrae geld verorber was vir verdediging van politieke misdade. Elke saak was as uiters belangrik beskou en die vryspreking van 'n beskuldigde was as 'n triomf beskou wat die koste ook gewees het.

In die saak van die Staat teen Livingstone Mrwetyana het beide die advokaat en prokureurs teen 'n appèl geadviseer. Dit ten spyte het die "Fund" opdrag gegee om appèl aan te teken. Die appèl was van die hand gewys en vonnis van 4 jaar gevangenisstraf bekragtig. Die appèl kos die "Fund" R500.

Frank, Bernadt & Joffe, prokureurs van Kaapstad skryf op 15 November 1965 aan die Kaapse-tak van die "Fund" onder andere:-

"... We feel that the prospects of success in such an appeal (to have portion of the sentence suspended) must be regarded as something less than 50% and the decision regarding appeal must largely depend on the availability of funds....".

George Poonen het die land verlaat terwyl hy op borg uit was en daar gewag was vir die uitslag van sy saak waarin appelleer was. Tenspyte van sy ontvlugting en verbeuring van borgakte besluit die "Fund" dat met die appèl voortgegaan word.

12. Rivonia Verhoor.

Alhoewel die "Fund" gedurende sy bestaan etlike duisende sake laat verdedig het tog is daar enkele sake van besondere belang in soverre dit die "Fund" raak..

Nog voor die Rivoniasaak 'n aanvang geneem het, het die "Fund" hier ter plaatse besluit om geensins daarmee gemoeid te wees nie. In die eerste plek, so het hulle argumenteer, is dit 'n tipe saak wat buite die bestek en bepaling van die konstitusie val en tweedens was fondse ook nie beskikbaar nie vir so 'n groot saak op daardie stadium.

Domheer Collins wou ten alle koste die saak laat verdedig en het ook die nodige fondse beskikbaar gestel deur die geld aan prokureur Joel Joffe van Johannesburg te stuur. Op hierdie wyse is R34,000 beskikbaar gestel vir die verdediging van beskuldiges in die Rivonia verhoor. Hierdie geld was direk aan Joel Joffe gestuur en of die geld alles gebruik en behoorlik verantwoordig voor gedoen was is onmoontlik om vas te stel. Domheer Collins was hieroor nie begaan nie en daarom was dit selfs vir hom ook onmoontlik om behoorlike state van "Defence and Aid" in Londen te publiseer. Daar is onteenseglik baie geld van behoeftiges in Brittanje gevorder of liever "extracted" soos die Domheer dit self genoem het en dan was dit op die wyse spandeer soos blyk in die Rivonia verhoor.

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13. Fischer and Andere - Verhoor.

Die Fischer en andere verhoor het 'n wêreldwye opskudding veroorsaak veral nadat Fischer sy borg verbeur het en ondergronde gegaan het. Die Voorsitter van die "Fund" te Port Elizabeth het sy Komitee meegedeel dat die "Fund" nie betrokke is by die Fischer verhoor nie. Uit die volgende uittreksels uit briewe is dit duidelik dat die "Fund" van die begin af wel met die saak gemoeid was.

Op 31 Maart 1964 skryf die Johannesburg-tak van die "Fund" aan Hayman & Aronsohn soos volg:

"... We have pleasure in enclosing two cheques. The first R4,000 is made up of R3,750 for the Fischer Trial and R250 for the trial of Naidoo ...".

Op 16 Desember 1964 skryf Domheer Collins aan die "Fund" te Johannesburg:

"... This letter also confirms that we will guarar the sum of £3,000 in the case of Advocate Fischer and co-accused. We understand that Mr. Joel Joffe, the lawyer who originally handled the case, had already briefed counsel and is now leaving South Africa ...".

Op 22 Januarie 1965 skryf Defence and Aid, Londen aan David Craighead, Voorsitter, Johannesburg-tak van die "Fund":

"... The reason for our delay in replying is that Canon Collins is away from London for two months and was waiting for him to come up to London yesterday to discuss the whole question of costs with particular regard to the case of Bram Fischer and thirteen others ..."

Op 7 April 1965 skryf "Defence and Aid", Londen aan David Craighead as volg:

"We would like to know from you the total costs in the Fischer case as we hope to meet all these including

the costs of Mr. Fischer's defence Counsels".

Sover nagespoor kan word het die "Fund" 'n bedrag van R17,669 betaal aan Hayman and Aronsohn ten opsigte van die Fischer saak. Die beraamde koste het R17,000 beloop.

In antwoord op die navraag van "Christian Action" skryf die Johannesburg-tak op 15 April 1965:-

"... To date we have paid out an amount of R17,669 for the Fischer trial. This includes costs of Mr. Fischer's defence counsels and all expenses to date. However, some more will be needed and it is certain to be taken on appeal ...".

Die doelstellings van die beskuldigdes in beide die Rivonia en Fischer verhore laat nie die minste twyfel nie - die omverwerping van die bestaande regeringstelsel deur geweld en bloedstorting en die daarstelling van 'n despotiese regeringstelsel gebaseer op die diktatorskap van die proletariaat. Om genoemde sake in die bestek van die Konstitusie van die "Fund" te bring sal ook 'n unieke vertolking vereis soos John Blundell tereg opgemerk het in sy brief aan Solly Sachs.

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14. Uitstaande Persoonlikhede.

Om die rol van elke afsonderlike lid te bepaal in die funksionering van "Defence and Aid Fund" beide in Engeland en Suid-Afrika sou 'n onbegonne taak wees. Dit is egter insiggewend om die hooffigure in Engeland en Suid-Afrika van naderby te beskou.

(i) Domheer Collins.

In Engeland het domheer Collins nie alleen as voorsitter van "Christian Action" en "Defence and Aid" opgetree nie, maar was hy ook alleenheerser oor al die fondse wat ingesamel was. Die verbittering waarmee al sy aanvalle op Suid-Afrika gepaard gegaan het, het geen perke geken nie. Die Anglikaanse domheer het in sy bitsige aanvalle op Suid-Afrika so ver gegaan dat hy by sy Biskop aangekla was dat "The political activities of Canon Collins has become a serious scandal in the Church". Hierop het die Right Reverend Robert Stopford, Biskop van Londen geantwoord dat hy niks daaraan kan doen nie en die domheer het onverpoosd en ongehinderd voortgegaan.

Die domheer het ook nie geskroom om sy gevoelens en oortuigings luidkeels die wêreld in te stuur nie en so goed was dit ontvang dat selfe Rusland daarop geantwoord het met 'n skenking van R7140 aan "Defence and Aid" te Londen! Dit is van die fondse wat die "Fund" in Suid-Afrika gebruik het vir die "liberation movement".

So skryf die domheer aan Walter Sisulu met die Rivonia-verhoor:

"... We shall certainly do everything we can to go on helping until the liberation movement succeeds in its purpose ...".

Om die uitkyk van die domheer oor aangeleenthede

in Suid-Afrika goed te begryp sal enkele uittreksels uit sy toespraak voor die V.V.O. weergegee word:

"... The policy of Apartheid, certainly as it is practised in South Africa, is clearly quite incompatible with the Charter of the United Nations and the Universal Declaration of Human Rights. To put matters right in South-Africa requires political action on a big scale ... there is little if any likelihood of effecting the necessary political changes by normal, democratic, internal political processes. In such a situation it seems probable that only external pressures and the threat or execution of internal revolution will bring about the desired result:

I believe it would be wrong to suppose that the work done by the Defence and Aid Fund is no more than a palliative. I think that, as well as bringing to the persecuted victims of unjust legislation and oppression and arbitrary procedures ... the Defence and Aid Fund has played and continues to play a vital role in bringing about those political changes so desired by all the people of good will ... the contribution of Defence and Aid in this respect fosters the morale of the internal resistance; for if the necessary political changes are to be brought about with the minimum of violence - and no sane person could wish otherwise - it is the resistance movement inside South Africa, the front line of the struggle for freedom, which alone can give to South Africa the ability to become a non-racial society based upon a free democratic way of life...

... Legal defence achieves far more, I think, than a bare recital of the statistics of those defended would indicate. First and foremost it builds and sustains the

morale of the people in the face of deliberate government policy to break their spirit...

... The Government had planned to use the trial (Rivonia) as a propaganda platform for its attempt to make the world believe it was up against a communist plot. This very largely failed ...

... The convicted men went to gaol, knowing that as far as humanly possible, their families would be cared for ... By caring for their families we build morale in gaol.

... I have explained one aspect of the welfare work of Defence and Aid, namely that the morale of the men in gaol is kept up when they know that their families are cared for ...

I have given only a bare outline of all the needs. Nor have I touched upon the necessity to provide for the families and dependants of the underground resistance ... no political organisation which seeks to change South Africa's racial policies can function properly in the open ... Those who wish to continue the struggle have to go underground.

But what man or woman can happily or easily undertake such dangerous work if he or she knows that, by doing so, the wellbeing of the children and other dependants is at stake" ..

As dit nie 'n uitnodiging tot geweld en bloedvergieting is nie dan sal 'n unieke vertolking ook hieraan toegeskryf moet word.

Kort na die toespraak van die domheer het Alan Paton vermoedelik hom tereg gewys en toe hy geen antwoord van hom kry nie skryf Paton op 14 Oktober 1965 aan

Dennis Scarr, Voorsitter van die Port Elizabeth-tak as volg:

"... Not a word from our friend yet. No money either, I believe. He was deeply hurt by our letter. I have now received the U.N. transcript and the tricky passages are these - 'Nor have I touched upon the necessity to provide for the families and dependants of the underground resistance. But what man or woman can happily or easily undertake such dangerous work if he or she knows that, by so doing, the well being of the children and other dependants is at stake!

As I read this it means that Defence and Aid (South Africa) is deliberately helping dependants so that the underground fighters can go on happily with their work. I think it was an incredibly stupid speech to make. You might like to know that the Christian Action version of Collin's speech in respect of the above quoted remarks is the same as the U.N.O. version".

Die domheer het ontken dat hy die gewraakte woorde gebesig het en die bewyse dat dit wel gebruik was word in die laaste sin bevat.

(ii) Ruth Hayman.

Die persoon wat in Suid-Afrika die grootste rol gespeel het in die "Fund" is sonder twyfel Ruth Hayman van die firma Hayman & Aronsohn, prokureurs van Johannesburg. Sy het 'n leeu aandeel van die fondse beheer en hanteer. Sy het in vele hoedanighede opgetree en was die stukrag agter die administrasie van die "Fund".

Met die ontstaan van die "Fund" het die verskeie takke regs Komitees aangestel om die Uitvoerende Komitees van regsraad te bedien. Die regs Komitees het bestaan uit praktiserende prokureurs en advokate.

Vir die Johannesburg-tak van die "Fund" het

Ruth Hayman opgetree as konvenor en lid van die regskomitee. Ook het sy as lid van die Uitvoerende Komitee diens gedoen. Hierdie tweeledige optrede het haar in 'n magsoffisiële geplaas wat sy dan ook ten volle uitgebuit het. Met die uitsondering van enkele sake het sy ook nog opgetree as opdraggewende prokureur in alle sake waarin die Johannesburgse-tak van die "Fund" gemoeid was. Vir etlike jare was sy ook opdraggewende prokureur vir al die sake in Oos-Kaapland.

Dit volg dan logies dat sy voorregte en toegewings geniet het waaroor niemand anders beskik het nie. Sy het voorstelle ingedien by die regskomitee wat weer aan die Uitvoerende Komitee voorgelê was en sy as opdraggewende prokureur moes uitvoer.

Met die verskuiwing van die hoofkantoor van die "Fund" vanaf Johannesburg na Kaapstad in Augustus 1965 het weinig van die Johannesburg Komitee oorgebly. Daar was geen voorsitter of sekretaris nie en net vier lede het oorgebly waaronder Ruth Hayman en Hannah Jaff. Die werk het egter voortgegaan en groot bedrae geld was hanteer sonder dat die Komitee formeel byeen gekom het. Dit verduidelik die posisie waars die geldelike transaksie van die "Fund" vir Johannesburg alleenlik tot November 1965 opgeskryf is. Ruth Hayman en Hannah Jaff was die twee gemagtigde ondertekenaars van tjeks namens die "Fund" en vanaf Augustus 1965 tot 22 Februarie 1966 toe die Johannesburg-tak heeltemal ontbind het, was groot bedrae geld uitbetaal deur Ruth Hayman en ook groot bedrae ontvang.

Op 28 Desember 1965 is 'n tjek vir R3500 vanaf Kaapstad-tak van die "Fund" gestuur na Ruth Hayman. Sy het die tjek endosseer en inbetaal op haar trustrekening op 21 Januarie 1966. Hierdie transaksie word nie getoon in die Johannesburg-boeke van die "Fund" nie.

Meer as 'n maand na 18 Maart 1966 het Ruth Hayman die beredderaar geskakel per telefoon en meegedeel dat sy 'n half gebruikte tjekboek van die "Fund" in een van haar kantoorlaaie gekry het. Sy was meegedeel om dit onmiddellik aan te stuur. Die tjeknommers van die boek het geloop vanaf 247001 tot en met 247200. Tjeknommers 247001 tot en met 247076 was reeds uitgeskeur en vermoedelik gebruik. Tjek Nr. 247077 was volledig geteken, maar geen bedrag was ingevul nie. Dit was onderteken deur Ruth Hayman en H. Jaff wat tekenmagte gehad het. Tjeks Nrs. 247078 tot en met 247080 was reeds onderteken deur H. Jaff met geen bedrag geld aangedui nie.

Die onderstaande is bedrae betaal aan Hayman en Aronsohn uit bogenoemde tjekboek:

19.7.65	Hayman & Aronsohn - re Port Elizabeth	2000.00
20.7.65	Hayman & Aronsohn - Cape Province and other Commitments	2000.00
27.7.65	Hayman & Aronsohn re G. Doyle	100.00
30.7.65	Hayman & Aronsohn re J. Phehlamohlaka	41.30
3.8.65	Hayman & Aronsohn re C.P. Cases	2000.00
12.8.65	Hayman & Aronsohn re J. Gqabi - 100 ) S. Neame 1000 ) General Disbursements 155 )	2155.00
24.8.65	Hayman & Aronsohn Eastern Province	1850.00
24.8.65	Hayman & Aronsohn Sylvia Neame	2000.00
13.9.65	Hayman & Aronsohn M. v.d. Berg	5.00
30.9.65	Hayman & Aronsohn Viljoensdrift 85.00) L. Makfote 72.50 M. v.d. Berg 105.00)	262.50
30.9.65	Hayman & Aronsohn C.P. Cases	1000.00
26.10.65	Hayman & Aronsohn Nine Hundred Rand	900.00
8.11.65	Hayman & Aronsohn Niks ingeskryf	2000.00
18.11.65	Hayman & Aronsohn Niks ingeskryf	500.00

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Die laaste drie getekende en uitgereikte tjeks bevat geen aanduiding watter dienste gelewer was nie en dit verskyn ook nie in die uitbetalingsregister nie want inskrywings was gestaak sedert Oktober 1965. Geen rekening kan van hierdie geld opgespoor word nie.

Ook uit notules kom ietwat eienaardige besluite van die Komitee. Op 20 September 1965 is die notule van die "Management Committee" van Johannesburg onderteken deur Ruth Hayman en onder andere die volgende besluit:

"S. Neame case. It was decided that the balance held by Hayman and Aronsohn for this account should be retained against costs of the appeal ...".

Geen syfers word aangegee of deur die "Fund" of deur Hayman and Aronsohn nie, en dit kon maklik gedoen geword het, want Ruth Hayman was voorsitter by die spesifieke vergadering en ook die opdraggewende prokureur. Die saak van Sylvia Neame het die "Fund" uiteindelik R5500.00 gekos.

Uit die notules van die "Management Committee" blyk dit dat H. Jaff die vergaderings van 9 Augustus 1965 en 14 Januarie 1966 as voorsitster onderteken het. Uit bogenoemde vergadering se notules kom onder andere die volgende voor:

"... It was accepted in principle that when there was a credit balance at the end of a case handled by Miss Hayman's office that amount should be transferred to the allocation already passed for any other case being handled by her ...".

Dit is inderdaad 'n toegewing wat, gepaard met die feit dat Ruth Hayman en H. Jaff die enigste twee gemagtigde ondertekenaars van tjeks vir die "Fund" is, as uiters ongewens en onreëlmatig moet bestempel word.

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Ruth Hayman was volgens die toegewing nie verplig om die balans indien enige te verstrek nie en al sou sy ook 'n balans verstrek het kon die "Fund" dit nie kontroleer nie as gevolg van gebrekkige boekhouding.

Ruth Hayman was ook die algemene raadgewer van die "Fund" oor die hele land. So was sy genader om 'n vraelys op te stel wat gebruik sou word vir nadere besonderhede in verband met alle politieke sake. Memoranda oor die A.N.C. en die Wet op Onderdrukking van Kommunisme het die vraelyste vergesel. Sy was dan ook gebruik as tussenganger vir versending van fondse in verskeie politieke verhore.

Op 17 Maart 1967 het die beredderaar beslag gaan lê op die boeke van Ruth Hayman wat op daardie tydstip by 'n ouditeursfirma was. Geen onreëlmatighede kon gevind word nie. 'n Ouditeursverslag word sangeheg. Uit die rekening "Defence and Aid General" word verskeie groot bedrae oorbetaal. Rekenings word egter nie afsonderlik vir kliënte gehou nie met die gevolg dat niemand weet of focie bedoel vir kliënte almal uitbetaal is nie.

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15. Algemeen.

(i) Op 15 Mei 1967 het die Veiligheidstakke te Durban, Port Elizabeth en Kaapstad in oorleg met die beredderaar, die prokureurs wie eise ingedien het, se boeke nagegaan vir enige onreëlmatighede. Van hierdie metode was gebruik gemaak omdat dit die enigste wyse was waarop gelyktydig toegeslaan kon word. Daar was geen onreëlmatighede gevind nie.

By verskeie geleenthede het mev. Helen Suzman vrae gestel in die Huis in verband met politieke verhore. Sy het hierdie vrae gestel in opdrag van die "Fund". Toe sy deur Sy Edele Minister Vorster beskuldig was dat sy as agent optree vir die "Fund" was haar toorn billik ontstoke. Die inligting wat die "Fund" benodig het vir "Christian Action" was op hierdie taktiese wyse verkry.

(ii) Huidige Versending van Fondse.

Uit die notule van die Uitvoerende Komitee van die "Fund" van Kaapstad kom die volgende voor (8.9.65):

"... Correspondents. It has been decided that the proposal to establish correspondents in London, through whom our legal fees could be paid to attorneys in South Africa, is not satisfactory, as the Fund would not have control over these funds. However, it may be advantageous to receive its own funds via a firm of attorneys in London".

Uit 'n delikate bron is dit vasgestel dat hierdie metode nou wel gebruik word om fondse na Suid-Afrika te versend. Fondse wat Christian Action na Suid-Afrika wil stuur word aan 'n Londense prokureursfirma oorbetal en op hulle beurt word die fondse direk aan die prokureurs in Suid-Afrika versend. Domheer Collins het by meer as een

geleentheid gesê dat indien die Suid-Afrikaanse regering teen die "Fund" sou optree hy ander prosedures het wat hy sou volg, maar dat die geld nog na Suid-Afrika sou versend word.

Die gedaantewisseling wat die "Fund" deur die jare in wese ondergaan het kom duidelik na vore in die woorde van die skrywers van "The Puppeteers":-

"... The Communists have for a long time recognised that emotional 'do-gooder' organisations have soft underbellies which can easily be penetrated. Many such organisations travel long distances before it dawns upon them that they are unconsciously being used as fellow-travellers".

Die veranderings in wese en die infiltrasie van kommuniste in die administrasie van die "Fund" het duidelik bewyse gelewer dat deur hulle optrede dit beoog was om 'n politieke, industriële, sosiale of ekonomiese verandering te bewerkstellig. Die "Fund" is maar nog net een van die fasette van die Kommuniste.

*D.P. Wilcocks*

D.P. Wilcocks,  
Beredderaar - Defence and /  
6 September 1967.

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VIGILANSGEROU 501,  
 PRETORIUSSTRAAT 287,  
 PRETORIA.

VERTROULIK

8 Maart 1967.

Die Likwidateur,  
 Defence and Aid Fund,  
 Privaatsak 81,  
PRETORIA.

Meneer,

Boekhouding van die Defence and Aid Fund.

Soos deur u opgedra, het ons die boeke en rekords van die Defence and Aid Fund wat in u besit is, nagegaan en doen graag as volg verslag:

1. Inleidend:

Die boekhouding was klaarblyklik nie gesentraliseer nie en elke area het sy eie boekhouding waargeneem. Boeke en rekords, wat alle stukke is waarop die Polisie ten tye van die inbandoening van die Organisasie beslag gelê het, is ten opsigte van die volgende afdelings aan ons voorgelê:

- a) Kaapstad
- b) Johannesburg
- c) Port Elizabeth
- d) Durban

Die S.A. Defence and Aid Fund is vanaf Augustus 1965 in die lewe geroep. Die dokumente wat deur ons ingesien is, skep egter die indruk dat hierdie fonds maar slegs 'n voortsetting van die Defence and Aid Fund was en vir die doeleindes van ons ondersoeking is die twee fondse as een en dieselfde organisasie beskou.

Die boeke en rekords is op 18 Maart 1966 in beslag geneem en op daardie datum was meeste van die afdelings se boeke slegs tot Oktober/November 1965 opgeskryf.

2. Konstitusie:

Dit was nie moontlik om vanaf die beskikbare rekords presies te bepaal of die konstitusies wat op leer is, op 'n gegewe tyd in alle opsigte met betrekking tot wysigings wat van tyd tot tyd aangebring is, aangesuiwer is nie. Die notules is ook nie altyd van waarde in dié opsig nie, bv. Kaapstad vergadering van 18 Augustus 1965 bevat slegs dié woorde "The Constitution was read and amended in a number of places" as aanduiding dat die konstitusie gewysig is.

3. Boeke en rekords:

- (a) Dit is uiters moeilik om uit die boeke en rekords vas te stel of behoorlik rekenskap gegee is van alle gelde wat deur die fonds hanteer is. Dit is hoofsaaklik te wyte aan die feit dat fondse van oorsee nie konsekwent na 'n sentrale punt gestuur is nie, maar aan takke direk.
- (b) Die boeke toon nie 'n oorsigtelike beeld van die bates en laste van die Fonds op die datum toe die organisasie in die ban gedoen is nie.

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- (i) Wat die bates aanbetref, is dit bv. vir u as likwidateur onmoontlik om te bepaal dat die gelde wat u van banke ontvang het, wel alle fondse wat daar moes gewees het, verteenwoordig. U is dus in die posisie dat u die banke se syfers moet aanvaar.
- (ii) Wat die laste aanbetref is dit absoluut onmoontlik om uit die boeke vas te stel wat die fonds se aanspreeklikheid vir hangende hofsake is. Op dieselfde wyse is dit onmoontlik om te bepaal of daar nie dalk krediete by prokureurs bestaan waarvan nog nie behoorlik rekenskap gegee is nie.

Ons beweer dat die boekhouding en rekordstelsel van die Fonds in hierdie opsig gebrekkig is. Veral as in ag geneem word dat die grootste deel van die fonds se uitgawes aan regsaksies bestee is, is dit uiters belangrik dat die boeke sou aantoon hoe die geld bestee is.

Na ons mening sou die minimum vereiste wees dat ten opsigte van elke saak wat verdedig is, die boeke 'n rekening vir die geval sou toon, met die bedrag of bedrae wat in verband met die geval aan die prokureurs betaal is. By ontvangs van die prokureur se staat sal kostes dan teenoor die deposito(s) teboek gestel word om te bepaal wat nog ten opsigte van die transaksie betaalbaar is of tot krediet van die Fonds staan. Op hierdie wyse sou dan kon bepaal word watter sake mee voortgegaan is, afgehandel is of hangende is en wat die totale regskoste beloop het.

In die boeke is betalings aan prokureurs bloot na 'n rekening vir regskoste gedebiteer en is geen verdere inskrywing in verband met die transaksie gedoen nie. Dit is dus vir u as likwidateur onmoontlik om te bepaal of prokureurs behoorlik rekenskap gegee het van alle gelde deur hulle ontvang en of daar nie dalk krediete bestaan ten opsigte van bv. sake waarmee nie voortgegaan is nie. Ook sal u nie kan vasstel of die prokureurs se rekeninge aan u ten opsigte van hangende sake, korrek is nie. Teen die einde van die tydperk is bv. glad nie meer op tjkteenblaai spesifiseer vir welke gevalle deposito's by Prokureurs gemaak word nie - siegs 'n ronde bedrag is oorbetal, wat in meeste gevalle op 'n aantal sake betrekking gehad het.

Uit die stukke kon geen oorsigtelike beeld van die sake wat verdedig is, gevind word nie. Afgesien van die boeke wat nie 'n rekord van bepaalde gevalle aantoon nie, kon ook geen state van prokureurs gevind word waarin 'n volledige oorsig van alle gelde deur hulle ontvang en kostes daarteen gedebiteer, aangetoon word nie.

- (c) Die boeke van die Johannesburgse tak is tot Junie 1965 geouditeer. Andersins is daar geen aanduiding dat boeke van takke aan oudit onderwerp was nie.
- (d) Bewysstukke vir betalings is nie in alle gevalle beskikbaar nie.
- (e) Finansiële beheer is in die volgende gevalle wat uit ons toetsoudit na vore gekom het, gebrekkig:
  - (i) 'n Tjek vir R3,500 wat op 28 Desember 1965 vanaf Kaapstad na Johannesburg oorgeplaas is, verskyn nie in die boeke van Johannesburg nie. Die tjek is endosseer deur Mej. Ruth Hayman namens S.A. Defence and Aid en inbetaal in die trustrekening van Hayman en Arohson op 21 Januarie 1966. Geen inskrywing vir hierdie transaksie kon in die boeke van Defence and Aid, Johannesburg gevind word nie.

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- (ii) 'n Tjekboek van die Johannesburg tak (wat volgens u mededeling deur mej. Ruth Hayman aan u oorhandig is) bevat tjeks wat in blanko deur die een ondertekenaar vooruit geteken is. Mej. Hayman het as komiteelid oor tekenmagte as tweede ondertekenaar beskik, en soos bekend, het sy ook as prokureur vir die fonds opgetree.
- (iii) Slegs in die geval van Johannesburg is van gedrukte kwitansieboeke gebruik gemaak. Selfs hier is daar egter geen beheer oor die voorraad ongebruikte kwitansieboeke uitgeoefen nie. Ingeval van die ander takke is van kommersiële kwitansieboeke gebruik gemaak, wat natuurlik uiters swak beheer daarstel, aangesien enige persoon geredelik 'n dergelike kwitansieboek kan aanskaf.

4. Algemeen:

Indien enige sake in hierdie verslag genoem, nie vir u duidelik is nie, sal ons dit met graagte met u bespreek.

Die uwe,

CRAFFORD, DU TOIT & VENNOTE

per:

*J. B. Botha*

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82931 X246.

2/2/13

111 -12- 1967

GEHEIM.

Die Kommissaris van die  
Suid-Afrikaanse Polisie,  
Privaatsak 302,  
PRETORIA.

DEFENCE AND AID FUND.

n Afskrif van n druktelegram gedateer 15 November  
(1967) en deurgestuur aan die Privaatsekretaris van Sy  
Edele die Minister van Justisie deur die S.A.U.K.,  
Pretoria is vir u spoedige kommentaar aangeheg asseblief.

f. 29/11/

S. S. TERBLANCHÉ

Wnde. SEKRETARIS VAN JUSTISIE.

DECLASSIFIED



NEWS/21/11/67/1218  
EX JHB (SEN NEWS)  
FOR PTA (POL KOR)

ITEM EX NOFFKE FOR YOUR INFORMATION AND FOLLOW-UP PLEASE....

LONDON, NOVEMBER 15 (UPAFP) -- [THE INTERNATIONAL DEFENCE AND AID FUND IS NOW APPARENTLY GIVING LEGAL AND OTHER AID TO PERSONS CHARGED UNDER THE TERRORISM ACT IN SOUTH AFRICAN COURTS.

THE PRESIDENT OF THE INTERNATIONAL DEFENCE AND AID FUND CANNON JOHN COLLINS, MADE IT QUITE CLEAR IN LONDON LAST NIGHT THAT HIS ORGANISATION WAS IN FULL SYMPATHY WITH TERRORISTS OPERATING IN SOUTHERN AFRICA. CANNON COLLINS SPOKE AT A LEFT WING RALLY IN LONDON AND SAID PEOPLE WERE FULLY JUSTIFIED TO SUPPORT THESE TERRORIST ACTIVITIES.

THE DEFENCE AND AID FUND WAS RECENTLY BANNED IN SOUTH AFRICA. INFORMED CIRCLES IN LONDON BELIEVE THAT THE INTERNATIONAL DEFENCE AND AID FUND HAS NOW DEVELOPED NEW MEANS OF CHANNELING FUNDS TO SOUTH AFRICA TO BE USED TO AID PERSONS APPEARING UNDER CHARGES OF TERRORISM. (NOTA THIERDIE BERIG IS KORREK, DAAR SAL WAARSKYNLIK BINNEKORT 'N VERDERE VERWIKKELING WEES).

EINDE PCG.

*Sekretaris*  
*Vin sekuritas, berpresensi, dan*  
*Konsep di bawah asf.*

*J 22/11/67*  
*11/11/67*



SUID-AFRIKAANSE UITSAAIKORPORASIE

ENIGSTEL, KLAGGENS NIE 22 VAN 1967

*Kom 1/2 3/4 5/1*  
PRETORIA

U VERW.  
ONS VERW.

MINNAARSTRAAT, 237,  
PRETORIA.  
POSBUS 942.  
TELEGRAMME EN KABELS  
"UTSAAI"  
PRETORIA.  
TELEFON 26061

22. 11. 67.

Geogte Mrs Hunter,



Hiermee die  
afskrif vd. Brief oor die  
Internasionale Defence o. Ho.  
Tammes vir die krentels  
Maar dit was by gister-  
aand hanteer is.

Daan J. Steyn.

ALLE KORRESPONDENSIE MOET AMP DIE SPREEKORREKTEUR GENG WORG.



*Le Katers*

*Vin iakgting, korrespondensie  
Kontrol en verslag oet.*

*P 22/11/67  
M. J. Steyn*

22-12-67

Sy Edele die Minister van Justisie,  
PRETORIA.

Geagte Minister,

BEREDDERING VAN DIE BATES EN LASTE VAN DIE DEFENCE  
AND AID FUND.

1. Die Defence and Aid Fund is op 18 Maart 1966 ingevolge artikel 2(2) van die Wet op die Onderdrukking van Kommunisme, 1950 (Wet No. 44 van 1950) tot 'n onwettige organisasie verklaar. U het my ingevolge artikel 3(1)(b) van die Wet as beredderaar van die organisasie se bates aangewys. Hiermee doen ek graag aan u verslag aangaande die uitvoering en afhandeling van my taak.

2. Die eerste deel van my bereddering het bestaan uit die opspoor en te gelde maak van die organisasie se bates. Hierdie gedeelte van my taak is deur 'n verskeidenheid van faktore bemoeilik. Ek ag dit nodig om u volledig aangaande hierdie faktore in te lig:

(a) Daar was talle organisasies beide in die buiteland en hier ter plaatse wat intiem aan Defence and Aid gekoppel was of daadwerklik die doelstellings van die "Fund" bevorder of help bevorder het.

In die buiteland was daar die volgende organisasies:

- (i) "American Committee on Africa".
- (ii) "Scottish Council for African Questions".
- (iii) "World Council of Churches".
- (iv) "Amnesty International".
- (v) "World Campaign for the Release of South African Political Prisoners".
- (vi) "Trades Union Congress".

- (vii) "National Executive Committee of the Labour Party".
- (viii) "Christian Action".
- (ix) "International Confederation of Free Trade Unions (I.C.F.T.U.)".

In Suid-Afrika was die volgende organisasies:

- (i) "Human Rights Welfare Committee".
- (ii) Suid-Afrikaanse Instituut vir Rasseverhoudings.
- (iii) Nasionale Unie van Suid-Afrikaanse Studente.
- (iv) "90 Day Protest Committee".
- (v) "Community of the Resurrection" - Alice, Kaap.
- (vi) "The Pretoria Action Council for Human Rights".
- (vii) "National Committee for Liberation".
- (viii) "Detainees Relief Fund".
- (ix) "African Relief Fund".
- (x) "Dependant's Conference", Kaapstad.
- (xi) Die Liberale Party.
- (xii) "State of Emergency Relief Fund".
- (xiii) "Religious Society of Friends (Quakers)".
- (xiv) "Treason Trial Defence Fund".
- (xv) "South African Congress of Trade Unions".
- (xvi) "Congress of Democrats".
- (xvii) "The Christian Council of South Africa".
- (xviii) "South West African National Union".
- (xix) "Christian Council for Social Action".
- (xx) "Black Sash".
- (xxi) Die Kommunistiese Party van Suid-Afrika en die Suid-Afrikaanse Kommunistiese Party.

Die fondse wat van die verskeie instansies van die buiteland hier ontvang was, het heen en weer tussen die organisasies hier te lande gevloei. Buitelandse

organisasies het dikwels hul bydraes nie deur die "Fund" gekanaliseer nie maar direk aan organisasies in Suid-Afrika gestuur, wat op hulle beurt weer met die "Fund" geskakel het.

Bogenoemde feite het die opsporing van bestaande balanse op 18 Maart 1966 (die datum van onwettigverklaring) onmoontlik gemaak. Kyk bylaag "A" wat 'n kort uiteensetting gee van die skakeling wat daar was.

(b) Sekere bepalinge in die Konstitusie van die "Fund" het soos volg gelui:

"Objects:

(i) To uphold, defend and protect by all lawful means Human Rights, and Civil Liberties especially the right to hold and express opinions.

(ii) To grant relief and assistance to compensate men and women and their dependants who suffer as a result of the loss of any of the said rights and liberties whether by process of law or otherwise.

(iii) To collect money to pay for the rendering of legal advice and assistance to persons in need thereof ...

Accounts:

Proper accounts shall be kept in respect of the finances of the Fund and shall be properly audited.

Trustees:

The Fund shall have not less than three and not more than seven Trustees whose function shall be to ensure that the funds are used and applied in accordance with the objects of the Fund."

Die bepalinge van die konstitusie is nie by die aangaan van uitgaves nagekom nie. Daar is nie die

minste aanduiding dat die Trustees beheer oor die besteding van fondse uitgeoefen het nie. (Kyk bylaag "B").

(c) Dit was oor en oor beklemtoon dat die fondse van die "Fund" uitsluitlik gebruik was "to pay for the legal representatives of people facing political charges and where possible to aid families who are left destitute". Dat die fondse egter nie so gebruik en aangewend was nie blyk uit bylaag "C".

(d) Die bronne van fondsverkrying was oor die hele wêreld versprei. Alhoewel "Christian Action" die grootste bron was, was aansienlike bedrae ook van instansies in Amerika, Europa, Australië en Nieu-Seeland verkry.

In Suid-Afrika was bydraes minimaal in vergelyking met oorsese bydraes. Hier te lande was dit gepoog om fondse deur middel van etes, danse en musiekaande in te samel. Gereelde skenkers was daar nie in Suid-Afrika nie.

Domheer Collins wat aan die spits gestaan het van invorderings vir "Christian Action" het gereelde bedel-advertensies laat plaas in die Britse en buitelandse koerante waarin hy gebruik gemaak het van "human interest stories". Hierdie "human interest stories" wat die "Fund" in Suid-Afrika aan hom moes verskaf, was dan verwerk om op die publiek se gevoelens te speel en sodoende fondse te bekom. (Kyk bylaag "D").

Dikwels is bydraes vir die "Fund" ook van privaat persone uit die buiteland ontvang. Deurdad bydraes uit soveel verskillende lande en van verskillende instansies ontvang was en nie in een gekonsolideerde fonds gestort was nie, kon die ontvangste vir die "Fund" nie tot by maandelike bestaande bates nagespoor word nie.

(e) Boekhouding:

Een van die bepalings van die konstitusie het, soos reeds aangedui, gelees:

"Proper accounts shall be kept in respect of the finances of the "Fund" and shall be properly audited".

Die stelsel van boekhouding deur die "Fund" gebruik, was een van ontvangstes en uitgawes.

Die inskrywings in die boeke van die takke was, soos blyk uit die boeke waarop beslag gelê was nie bygehou nie. Ouditering is, soos blyk uit bylaag "E(i)", nie gereeld uitgevoer nie.

Nie een van die takke, insluitende die Johannesburg-tak, het 'n deurlopende rekening van ontvangstes en uitbetaling gehou nie. Daar was deurgaans gebruik gemaak van die balanse soos deur die onderskeie banke verstrekk. Uit die boekhouding van die onderskeie takke kon dit op geen stadium bepaal word wat die totale ontvangstes en uitbetalings was nie.

Die bank moes aandui of die rekening 'n krediet- of debietbalans gehad het.

Die totale ontvangstes en uitbetalings van die "Fund" in Suid-Afrika kon nie bepaal word nie. 'n Ander groot leemte in die administrasie van die fondse is die feit dat aan niemand eintlik verantwoording moes gedoen word nie. Niemand kon ook korrekte syfers verstrekk ten opsigte van ontvangstes en uitbetalings vir enige tak nie as gevolg van gebrekkige en nalatige boekhouding. Selfs domheer Collins kon nie syfers van totale ontvangstes en uitgawes verstrekk nie. (Kyk bylaag "E(ii)").

"Christian Action", wat honderde duisend rand na Suid-Afrika versend het, het nooit vir gedetailleerde state

van hoe fondse bestee is gevra nie. Niemand was aan enige persoon 'n verduideliking verskuldig nie.

In baie gevalle was fondse van "Christian Action" nie by die "Fund" gestort nie, maar direk aan prokureurs vir spesifieke sake betaal. Hierdie gelde was gelaat by die prokureurs en of daar op 18 Maart 1966 nog batige saldo's was, kon nie vasgestel word nie. (Kyk bylaag "E(iii)").

Dieselfde geld ook vir voorskotte aan prokureurs gemaak voor 18 Maart 1966. Dit was nie moontlik om vas te stel of die fondse opgebruik was al dan nie.

Vir die jaar eindigende 30 Junie 1965 was die "Fund" se inkomste R68,321.00, waarvan R32,000 van "Defence and Aid" in Londen gekom het en R4,621.00 plaaslik ingesamel was. Die balans het van ander instansies vanaf die buitenland gekom.

Die kleinkasboek van die Kaapse tak was net tot 11 November 1965 opgeskryf sonder dat Novembermaand behoorlik afgesluit was. Daar was daarna ongetwyfeld nog uitbetalings maar geen inskrywings was gedoen nie. Die Johannesburg-tak se kasboek is opgeskryf vir 'n gedeelte van Oktober 1965 en alhoewel baie uitbetalings daarna gedoen is, is dit nie aangeteken nie. (Kyk bylaag "E(iv)"). Vanaf Julie 1965 is geen maand se inskrywings behoorlik afgereken nie.

Daar was deur die "Fund" ook nie afsonderlike rekeninge gehou van prokureurs aan wie voorskotte gemaak was nie. As 'n prokureur sy beraamde koste aan die "Fund" voorgelê het, was die bedrag ten dele of ten volle betaal, mits die fondse in die bank beskikbaar was.

Op 28 Desember 1965 is 'n tjek vir R3500 vanaf die Kaapstad-tak van die "Fund" aan Ruth Hayman ('n Johannesburgse prokureur wat later kragtens die Wet op die Onderdrukking van Kommunisme, 1950, ingeperk is), gestuur. Sy het die tjek



endosseer en op haar trustrekening op 21 Januarie 1966, inbetaal. Hierdie transaksie word nie in die Johannesburgse boeke van die "Fund" getoon nie. Meer as 'n maand na 18 Maart 1966 het Ruth Hayman die beredderaar telefonies meegedeel dat sy 'n halfgebruikte tjekboek van die "Fund" in een van haar kantoorlaaie gevind het. Sy was meegedeel om dit onmiddellik aan te stuur. Die tjeknommers van die boek het geloop van 247001 tot 247200. Tjekvorms Nrs. 247001 tot en met 247076 was reeds uitgeskeur en vermoedelik gebruik. Tjekvorm Nr. 247077 was volledig geteken deur Ruth Hayman en Hannah Jaff (wat tekenmagte gehad het) sonder dat 'n bedrag geld ingevul was. Tjekvorms Nrs. 247078 tot en met 247080 was reeds onderteken deur H. Jaff maar geen bedrag geld was ingevul nie. Vir betalings uit hierdie tjekboek aan die firma Hayman and Aronsohn kyk bylaag "E(iv)".

Op 20 September 1965 is die notule van die "Management Committee" van Johannesburg onderteken deur Ruth Hayman en een van die besluite lees soos volg:  
"S. Neame Case. It was decided that the balance held by Hayman and Aronsohn for this account should be retained against costs of appeal". Geen bedrag word aangegee deur of Ruth Hayman of die "Fund" nie. Die saak het die "Fund" uiteindelik R5,500 gekos.

Aan die firma Crafford, Du Toit en Vennote, gektrooieerde Rekenmeesters van Pretoria was dit opgedra om uit die beskikbare boeke en dokumente 'n verslag voor te lê ten opsigte van die boekhouding van die "Fund". 'n Afskrif van die verslag verskyn in bylaag "E".

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3. Die vasstelling van die organisasie se verpligtinge het nie groot probleme opgelewer nie aangesien die onus op die krediteure was om eise in te dien en te staaf.

4. Die finale balansstaat het soos volg daar uitgesien:

Invorderings:

7.4.66	Durban-tak van die Fund	4.08
7.4.66	Standard Bank, Kaapstad	996.51
7.4.66	Veiligheidstak, Suid-Afrikaanse Polisie, Kaapstad	4.94
13.4.66	E.P. Bougenootskap, Port Elizabeth	74.88
18.4.66	Veiligheidstak, Suid-Afrikaanse Polisie, Port Elizabeth	106.40
21.4.66	Allan Solomon, Arderne & Flynn, Port Elizabeth	48.76
21.4.66	Allan Solomon, Arderne & Flynn, Port Elizabeth	436.11
4.5.66	Barclays Bank, Pretoria	6928.13
23.5.66	Reitz, Jacobson & Effune, Johannesburg	1474.55
25.5.66	Hayman & Aronsohn, Johannesburg	2780.14
9.6.66	Borgkwitansie Nr. 107467	20.00
14.7.66	Standard Bank, Kaapstad	19.77
22.8.66	Miller Weedon Travel	86.20
22.8.66	Borgkwitansie	250.00
22.8.66	Telefoon Terugbetaling R. Hodgson	11.43
29.9.66	Posseëls verkoop	40
29.9.66	Posseëls verkoop	2.06
24.10.66	Borgkwitansie E. Loza	100.00
14.11.66	Staatsprokureur, Kaapstad	769.62
26.4.67	Geregsbode, Johannesburg	40.00

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28.4.67	Geregsbode, Kaapstad	97.65
8.5.67	Geregsbode, Port Elizabeth	34.25
8.5.67	Posseëls verkoop	1.05
1.6.67	Kerbel & Borman, Port Elizabeth	289.04
24.8.67	Aderne & Flynn, Port Elizabeth	100.00
		<hr/>
		14,675.97

Uitbetalings.

Christine Gibbs - Salaris Maart 1966	60.00
Napiers - Port Elizabeth - Skryfbehoeftes	1.65
Telefoon Rekening, Kaapstad	.75
Royal Dairy, Kaapstad	1.56
S. Urdang - Salaris Maart 1966	115.00
Vervoer - Geregsbode, Kaapstad	13.00
Sonnenburg, Hoffman & Galombik - huur	17.97
Abe Swersky - Kaapstad - Prokureursfooie	1500.00
Frank, Bernadt & Joffe, Kaapstad - Prokureursfooie	221.30
Segal & Seymore, Pretoria - Prokureursfooie	237.26
Solomon, Arderne & Flynn, Port Elizabeth, Prokureursfooie	800.33
Kerbel & Borman, Port Elizabeth, Prokureursfooie	1465.71
H.L. Schachat, Kaapstad, Prokureursfooie	518.25
M.S. Frank & Frank, Kaapstad, Prokureurs- fooie	618.34
Findlay & Tait, Kaapstad, Prokureursfooie	280.19
Hayman & Aronsohn, Johannesburg, Prokureurs- fooie	4043.27
Lubbe Recordings, Pretoria	125.80

/10...

Crafford, du Toit & Vennote,  
Pretoria - Fooie

300.00

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10,320.38

Oorbetaal aan Vereniging van  
Wetsgenootskappe

4,355.59

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R14,675.97

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*D.P. Wilcocks*

BEREDDERAAR : DEFENCE AND AID FUND.

22.12.67

ORGANISASIES.

HUMAN RIGHTS WELFARE COMMITTEE.

Die volgende bedrae is deur die "Fund" aan bogenoemde geskenk:

R600 op 10 Februarie 1961.

R100 op 2 April 1962.

R200 per maand vir 3 maande (besluit deur

Uitvoerende Komitee op 21 Januarie 1963).

R200 op 25 Januarie 1963 deur domheer Collins

direk oorbetaal aan organisasie.

SUID-AFRIKAANSE INSTITUUT VIR RASSEVERHOUDINGS.

Teen die end van 1964 het die "Fund" besluit om geen welsynswerk meer te verrig nie en bogenoemde organisasie het al die welsynswerk oorgeneem in Kaapstad.

Op 10 Desember 1962 skryf die Instituut aan die "Fund" te Kaapstad onder andere:

"I should like to appeal for assistance to help pay the costs of presenting evidence and watching the interests of Africans before the judicial Commission of Enquiry into the causes of the Paarl Riot on 22nd November, 1962. It is extremely important that the underlying cause of unrest be brought to light and for this purpose it is necessary that legal representation should be available particularly as the Police and the Paarl Municipality are being legally represented."

Die "Fund" het 'n bedrag van R800 bygedra. Op 18 Desember 1964 stuur die Instituut 'n bedrag van R1383 aan

/.....2.

die "Fund" te Johannesburg en R2500 aan die "Fund" te Port Elizabeth.

The "American Committee on Africa" het ~~1~~1000 aan die "Fund" toegesê wat eindelijk by die Instituut inbetaal is vir "Prison Education Fund".

Uit die notules van 'n spesiale vergadering van die Durban tak van die "Fund" blyk die volgende:

"Money had come from canon Collins and Trade Unions, there was now about R5000-00 in hand and Race Relations had been given R2500-00 for defence which it was hoped they would hand over.".

Op 11 Augustus 1965 het die "Fund" weer 'n bedrag van R154-00 aan die Instituut oorbetaal.

NATIONALE UNIE VAN SUID-AFRIKAANSE STUDENTE.

Op 11 November 1964 skryf die prokureursfirma "Hayman and Aronsohn" aan die "Fund" te Johannesburg:

"We beg to advise you that several weeks ago we were instructed by N.U.S.A.S. to act on behalf of these persons (Choabe, Gawe and Saule) who were until recently 90 days detainees in East London. On the 26th October, 1964 these persons were charged under the Suppression of Communism Act ..... We understand from N.U.S.A.S. that they are in a position to provide certain of the funds for defence of these persons but obviously they will not be able to cover all the fees involved..... There are four other students who are being detained in East London. Their names are H. Kani, E. Dhlala, Paul Modiba and Stanley Mabizela..... We wish to

/.....3.

make formal application for the assistance of Defence and Aid for these persons on the basis that N.U.S.A.S. will be able to provide portion of the fees."

Die Universiteit van die Witwatersrand het op 'n stadium R200 betaal ten opsigte van borg vir ene John Mokene 'n politieke oortreder wat later die land uitgevlug het en die borggeld is verbeur.

90 DAY PROTEST COMMITTEE (KAAPSTAD).

Onder Voorsitterskap van J. Hamilton Russel het die organisasie funksioneer tydens die geldigheid van die 90 dae klousule. Na die herroeping van genoemde klousule is 'n bedrag van R1534.50 aan die "Fund" oorbetaal.

NATIONAL COMMITTEE FOR LIBERATION FOR SABOTAGE FOR POLITICAL PURPOSES.

Rubin was die toonaangewende persoon in die organisasie, maar het die land in 1963 uitgevlug. Die "Fund" het Sedrich Isaacs, Achmed Cassem en James March verdedig wat Matroosfontein Poskantoor en die sub-stasie op de Waal rylaan saboteer het. Hulle was lede van die organisasie:

DETAINÉES RELIEF FUND (DURBAN).

Voordat die "Defence and Aid Fund" behoorlik in Durban gefunksioneer het was dié organisasie aldaar in werking. Met die "Fund" se inwerkingtreding het hierdie organisasie verdwyn en was R634.42 aan die "Fund" oorbetaal

/.....4.

DEPENDANTS CONFERENCE (KAAPSTAD).

Hierdie organisasie tesame met ander organisasies het die welsynswerk in Kaapstad en omstreke oorgeneem toe die "Fund" na 1963 met welsynswerk opgehou het.

Die organisasie bestaan vandag nog en gedurende die jare 1964 en 1965 was 'n bedrag van R20,000 vanaf die "Defence and Aid International" ontvang.

DIE LIBERALE PARTY.

Verskeie prominente lede van die party het op die uitvoerende komitees van die "Fund" gedien. Onder andere was daar Peter Hjul ('n ingeperkte kragtens die Wet op die Onderdrukking van Kommunisme, 1950), David Craighead ('n ingeperkte kragtens die Wet op die Onderdrukking van Kommunisme, 1950), Alan Paton, John Laredo, Ruth Hayman en Alex Hepple.

Beide David Craighead en Ruth Hayman was ondertekenaars vir die "Multi Racial Conference of South Africa" en by die geleentheid was 'n tjek aan die Liberale Party aangebied wat deur beide Craighead en Hayman onderteken was. Die bedrag van die tjek is onbekend.

STATE OF EMERGENCY RELIEF FUND.

Hierdie organisasie was tydens die noodtoestand van 1960 in die lewe geroep. Met die totstandkoming van die "Fund" het al die bates van die "Relief Fund" oorgegaan op die "Fund". Die bestuurskomitee van die "Relief Fund" het net so aangebly vir die Komitee van die "Fund". Aan die end van 1960 was 'n bedrag van R300,000 deur die "Relief Fund" spandeer en was nog R60,000 benodig om uitstaande ondernemings te finaliseer.

Gedurende 1960 is 'n bedrag van R2800 aan die "Relief Fund" deur die "Fund" betaal.



RELIGIOUS SOCIETY OF FRIENDS (QUAKERS).

Gedurende 1963 het die organisasie geld ingesamel en aan die "Fund" oorbetaal vir die verdediging van John Hlekani (n ingeperkte kragtens die Wet op die Onderdrukking van Kommunisme, 1950). Die bedrag oorbetaal is nie bekend nie. Op 9 September 1963 skryf dr. Ellen Hellman van die Johannesburgse tak van die "Fund" aan die Durbanse tak onder andere:-

"We give them (i.e. The Quakers) certain grants of money. We have as you likewise have, to be careful not to overstep our function which is to give compensation to people who are in difficulties by reason of the curtailment of the civil rights. Otherwise there is always the possibility of coming within the confines of the Welfare Organisation Act."

TREASON TRIAL DEFENCE FUND (T.T.D.F.).

Die fonds wat in 1956 in die lewe geroep is, het in 1960/63 oorgegaan op die "Fund".

R500 wat geleen was by die "Fund" was terugbetaal.

Op 10 Julie 1963 word die Standard Bank, Port Elizabeth as volg opdrag gegee:

"... will you please instruct the Standard Bank of South Africa to transfer the balance standing to the credit of the Treason Trial Defence Fund, to our account (i.e. the "Fund")."

Op 22 Januarie 1964 word ontvangs deur die "Fund" erken van n bedrag van R602. Die balans wat verskuldig bly is R392.21.

/.....6.

SOUTH AFRICAN CONGRESS OF TRADE UNIONS (S.A.C.T.U.).

Op 16 November 1961 het die "Fund" R100 aan die organisasie geskenk.

CONGRESS OF DEMOCRATS (C.O.D.).

Helen Joseph ('n ingeperkte kragtens die Wet op die Onderdrukking van Kommunisme, 1950), 'n stigterslid van die "Congress of Democrats", was baie bedrywig in die organisasie. Die "Fund" het haar in die "huisarres-saak" verdedig nadat verskeie advokaatsopinies bekom was.

THE CHRISTIAN COUNCIL OF SOUTH AFRICA.

Op 15 Desember 1961 word 'n bedrag van R1581,05 deur die organisasie aan die "Fund" oorbetaal ...

Uit korrespondensie blyk dat die volgende bedrae deur die organisasie by verskillende geleenthede aan die "Fund" betaald is:

R3000,00 aan Port Elizabeth.

R1000,00 aan Durban.

R1000,00 aan Kaapstad.

R200,00 aan Oos-Londen.

Op 26 Mei 1964 is 'n bedrag van 1000 dollars deur die organisasie aan die "Fund" betaald. Hierdie bedrag was ontvang van die "World Council of Churches".

SOUTH-WEST AFRICA NATIONAL UNION (S.W.A.N.U.).

Gedurende September 1962 het die organisasie die "Fund" genader vir finansiële hulp en steun vir sake teen politieke oortreders in Suidwes-Afrika. Behalwe die R330,00 wat die "Fund" op dr. Abrahams spandeer het, was dit nie aktief in Suidwes-Afrika nie.

/.....7.

BLACK SASH.

Gedurende September 1965 was 'n bedrag van R200 aan die organisasie betaal. Dit was deel van 'n bedrag betaal deur die "Fund" aan "South African Institute of Race Relations" vir die "Paarl Riot Commission".

DIE KOMMUNISTIESE PARTY VAN SUID-AFRIKA, DIE SUID-AFRIKAANSE KOMMUNISTIESE PARTY.

Die Britse "Defence and Aid Fund" van "Christian Action" maak deel uit van 'n netwerk organisasies in Brittanje wat bekend is vanweë hulle aanvalle op Suid-Afrika. Die "Fund" in Suid-Afrika was deur die Kommuniste ondersteun en het sy fondse beskikbaar gestel aan die "African National Congress" en die "Kommunistiese Party". Die nou verband tussen die Kommunistiese Party in Suid-Afrika en die "Fund" blyk uit die beëdigde verklaring van 'n Bantoelid van die Suid-Afrikaanse Kommunistiese Party:

"The 'Defence and Aid Fund' which was at this junction (sic) already in existence, was extensively used for the purposes of the South African Communist Party. In turn cash advances towards the fund were made by the South African Communist Party. Who the persons were that served on this Fund's Committee I do not know, except that Rica Hodgson who was in fact a member of the Communist Party was also serving on this Fund's Committee."

Die volgende persone wat as kommuniste gelys is, het as ampsdraers van die "Defence and Aid Fund" opgetree:

- |                     |                    |
|---------------------|--------------------|
| (1) Ruth Slovo      | (5) Bob Hepple     |
| (2) Rica Hodgson    | (6) A.L. Sachs     |
| (3) Violet Weinberg | (7) Abram Fischer. |
| (4) Solly Sachs     |                    |

BUITELANDSE ORGANISASIES.

AMERICAN COMMITTEE ON AFRICA.

Teen die end van 1965 stuur die organisasie \$5500 aan die "Fund" met 'n versoek dat 'n verduideliking verstrekk moet word waarvoor die fondse aangewend sou word.

Die antwoord gedateer 17 Januarie 1966 lui soos volg:-

"One of the 24 accused is from Port Elizabeth who have been awaiting trial since June, 1965. They are mostly young boys, who as far as we know had no particular part in any political movement. They probably belonged to the A.N.C. as did any African with any initiative and remained members after it was banned in 1961 .....

WORLD COUNCIL OF CHURCHES.

Hierdie organisasie het sy bydraes grotendeels gestort in die kas van die "Christian Council of South Africa", maar het tog opdrag gegee dat sekere bedrae vir verdediging van politieke oortreders aangewend moet word. Die volgende bedrae is met tussenposes deur die "Fund" van die organisasie ontvang:

Kaapstad	\$8000.
	R4993.75.
	\$2500.
Port Elizabeth	R1790.67.
	\$5000.
	\$5000.

TRADES UNION CONGRESS (LONDON).

'n Bedrag van R13515 is direk aan die "Fund" in Suid-Afrika betaal sonder bemiddeling van Christian Action, Londen.

/.....9.

CHRISTIAN ACTION (LONDON).

Dit is nie moontlik om die totale bedrag te bepaal wat die organisasie aan die "Fund" oorbetaal het nie. Volgens 'n publikasie wat deur die "Forum World Features" op 26 Februarie 1966 uitgegee is, het "Christian Action" toe alreeds 'n bedrag van R1,000,000 in die Republiek van Suid-Afrika laat spandeer op politieke oortreders en hul gesinne.

INTERNATIONAL CONFEDERATION OF FREE TRADE UNIONS (I.C.F.T.U.).

Op 10 Februarie 1961 word 'n bedrag van R600.00 wat deur die "Fund" aan "Human Rights Welfare Committee" geskenk was deur die I.C.F.T.U. aan die "Fund" vergoed.

Op 10 Junie 1963 skryf dié organisasie aan die "Fund":

"We feel that in view of the increasing critical situation in South Africa, the time has come for the I.C.F.T.U. to show again in a tangible way its sympathy with the victims of the South African regime. It therefore gives me pleasure to announce that we have transferred .....a further sum of £750 with the request that as much as possible the claims of trade Unionists should be taken into consideration .....".

Op 16 Desember 1964 skenk die organisasie nog £1000 aan die "Fund".

BYLAAG "B".

UITOEFENING VAN BEHEER.

Geen enkele geval is teëgekome waar oorleg gepleeg is met die Trustees van die "Fund" voor uitgawes aangegaan is nie. Daar was ook nie 'n enkele vergadering van die Trustees om beleidsrigting neer te lê of die konstitusie aan korrekte vertolking te onderwerp nie.

Niemand was die verpligting opgelê om verantwoording te doen vir fondse wat spandeer word nie. Elke tak het spandeer solank fondse in die verskeie handelsbanke beskikbaar was. Daarna was fondse weer net aangevra.

In 'n memorandum deur die Johannesburg-tak versprei, moes die volgende vertolking aan die Konstitusie gegee word:-

"Defence and Aid renders neither legal assistance nor advice but merely provides funds to enable legal assistance and advice to be given by other persons. Defence and Aid is not a legal aid bureau and so does not render legal advice or assistance. It does not assist persons essentially as a matter of philanthropy but in furtherance of its main object to defend civil rights and liberties. The Fund is prepared to assist without distinction of race, colour, creed or opinion - it is concerned only with the object laid down by its constitution and civil liberties and not with the policies of any organization, body or group of persons".

Telkens is die konstitusie by takke gewysig sonder om die ander takke te verwittig. Met soveel gemak was wysigings aangebring dat die notules net die volgende bevat: "The Constitution was read and amended in a number of places (Notules, Kaapstad se tak gedateer 18 Augustus 1965)." Daar was geen aanduiding watter artikels gewysig was of wat die wysigings behels het nie.

Gelyste kommunis E.S. Sachs wat as organisierende sekretaris van "Christian Action" in Londen opgetree het, gee die volgende vertolking aan die oogmerke van "Defence and Aid":

"The aims of our Defence and Aid Fund are to provide effective legal aid to victims of apartheid who are brought to court or deprived of their liberty by administrative action and also to help their families. Our Fund is pledged to a policy of non violence but in deciding whether we should provide defence and aid in any particular case, we are concerned with the motives and not so much with the acts or omissions; nor are we concerned with the political religious or other beliefs of the person concerned. If the motive is not selfgain, but to further the interests of African freedom, he becomes entitled to our support even if the method employed by him, or the political beliefs he holds does not meet with our approval".

Op 22 April 1963 antwoord John Blundell, Voorsitter van die Kaapse-tak vir Sachs as volg: "... by now it will be clear to you that we are only too anxious to do all we can to find defence wherever and whenever it is required, even if some of us may not be motivated by quite such an unique interpretation of our constitution as you set out in your fourth paragraph." (Hierbo aangehaal).

Na die promulgering van Wet-Nr. 76 van 1962 (wat as Sabotasiewet bekend staan), is die bepalinge van die Konstitusie nie meer as leidraad gebruik vir die aangaan van uitgawes nie. Vroeër was uitgawes aangegaan in die volgende tipe sake:

- (i) Sake waarin lede van verbode organisasies tereggest het.
- (ii) Verbreking van inperkingsbevele.
- (iii) Bevordering van verbode organisasies.

(iv) Fondsinsameling vir verbode organisasies.

(v) Enige sake met 'n politieke kleur waar geen geweld voorkom nie.

Dat die "Fund" vroeër nie sake van geweld verdedig het nie blyk uit die volgende briewe:

Alex Hepple, voorsitter, Johannesburg-tak aan J.D.F. Martin, "Amnesty International", Londen.

"..... For various reasons the Defence and Aid Fund decided not to handle cases involving Sabotage .....". (Brief gedateer 14 Augustus 1962).

Dr. Ellen Hellman, Johannesburg-tak aan J. Hill, ('n ingeperkte kragtens die Wet op die Onderdrukking van Kommunisme, 1950), Durban-tak:

"... What is quite clear is that we do not assist in the defence of Sabotage itself ...". (Brief gedateer 15 September 1962).

Johannesburg se Uitvoerende Komitee besluit op 14 Mei 1962, onder andere:

"In terms of our constitution we do not handle cases under the Explosives Act". Toe Suliman Vallie egter tereg staan op 'n klagte van besit van plofstowwe het die "Fund" hom laat verdedig.

Op 20.9.63 besluit Durban se Uitvoerende Komitee: "..... We were asked to base our decision whether or not to defend on the question of whether or not the infringement of a civil right was involved. .... Sabotage did not fall within this definition".

Ten opsigte van die P.A.C. verhore te Durban besluit die Uitvoerende Komitee:

"..... In accordance with a ruling from Headquarters (Johannesburg) that Defence and Aid Fund could only handle cases where there was a possibility of civil rights being infringed and that sabotage did not come within this definition we gave no financial assistance



through Defence and Aid".

Wat die voorgaande beleid betref, vra domheer Collins op 17 Oktober 1963 vir Johannesburg:

"Has your Defence and Aid Committee out there yet been able to settle the question of whether it will take on defence of those involved in Sabotage cases? ... It is therefore very important that we should know whether we can transmit money for this purpose through your committee or whether we should find some other way of helping them ...".

Die Johannesburg-tak van die "Fund" antwoord die domheer hierop soos volg:

"..... The problem of assisting in cases involving sabotage and violence has not yet been resolved. You will remember that it was decided some time ago that as a matter of principle our Fund could not undertake the defence of persons who embarked upon open acts of violence to compel political changes in this country .... However, there are numerous difficulties, technical and legal, apart from other objections ... meanwhile all are agreed that your best course in regard to the Rivonia trial would be to send funds directly to the instructing attorney, Mr. Joel Joffe, 204 Provident Assurance House, Commissioner Street, Johannesburg. I should also tell you that other mass trials of members of the banned A.N.C. and other Congress groups are pending in East London (106 accused), Port Elizabeth (35 accused) and Durban (19 accused).... It is possible that you will be asked to give direct assistance in those cases too ....."

Selfs plaaslike donateurs was gekant teen verdediging van saboteurs. So skryf G.E. Bevan van Pretoria

op 27 Junie 1963 aan die "Fund" te Johannesburg:

"....I should be glad to make another contribution ... I am not prepared to help defend such as those three members of the P.A.C. who were given life sentences recently for sabotage and planning the murder of Whites, the poisoning by black servants of their employers - I have no wish to assist in the promotion of an imitation Mau-Mau in South Africa".

Sonder formele wysiginge van die Konstitusie het die plaaslike takke een na die ander fondse gebruik vir Sabotasie- en ander sake van geweld. So skryf die Johannesburg-tak op 20 Oktober 1964 aan die Kaapse-tak van die "Fund": ".... It has been decided in principle that Defence and Aid should assist financially in the defence of the 2 sabotage trials in Cape Town ...", en op 29 Oktober 1964 aan "World Council of Churches":

".... A decision has been reached by the Committee to assist financially in the defence of sabotage cases ...", en op 30 Oktober 1964 aan "Christian Action" Londen: ".... Now that sabotage trials are starting at various centres in South Africa, there has been considerable discussion about the attitude of Defence and Aid. It has been decided that those cases should not be excluded ...". Na die instemming van die "Fund" in Suid-Afrika om sabotasiesake te dedig het domheer Collins 'n toespraak by die V.V.C. gelewe Onder andere het hy die volgende gesê:

".... To put matters right in South-Africa requires political action on a big scale ... it seems probable that only external pressures and the threat of execution of internal revolution will bring about the desired result ... And of much importance, in my opinion,

is the fact that the contribution of Defence and Aid in this respect fosters the morale of the Internal Resistance . it is the resistance movement in South Africa which alone can give South Africa the ability to become a non racial society ... By caring for their families we build their morale in gaol ... no political organization which seeks to change South Africa's racial policies can function properly in the open ... Those who wish to continue the struggle have to go underground. Nor have I touched upon the necessity to provide for the families and dependants of the underground resistance. But what man or woman can happily or easily undertake such dangerous work if he or she knows that, by doing so, the well being of the children and other dependants is at stake".

Die geld vir die Rivonia-saak was direk deur Christian Action, Londen aan die opdraggewende prokureur gestuur en het R34,000 beloop. Die Fischer saak wat deur die Fund betaal was, het R17,669 beloop.

As gevolg van die feit dat die Trustees van die "Fund" no geraadpleeg was nie en elke tak van die "Fund" selfstandig opgetree het, was dit onmoontlik om uit 'n enkele bron inligting te bekom.

"Christian Action" het direk aan Ruth Hayman 'n bedrag van R1,397.75 vir die Harris-saak betaal. Dit was nie moontlik om te bepaal of die bedrae van R34,000 en R1397.75 enige batige saldo gelaat het nie.

BYLAAG "C".

FONDSBESTEDING.

(i) Prokureur L. Mtshizana ('n ingeperkte kragtens die Wet op die Onderdrukking van Kommunisme, 1950), 'n lid van die Uitvoerende Komitee, Oos Londen, wat in verskeie sake opgetree het namens die "Fund" was later aangekla op verskeie klagtes van regsverdeling. Die "Fund" het R918 spandeer om die saak te verdedig. Hy is egter skuldig bevind en van die rol van prokureurs geskrap wat die "Fund" 'n verdere R300 gekos het.

(ii) Dit het geen verskil gemaak watter oortreding gepleeg was nie maar as die oortreder 'n politieke agitator was, was hy verdedig. So is daar vir politieke agitators boetes wat deur die howe opgelê is, betaal, kapitaal verskaf om besighede mee te begin, versekeringspremies betaal, sakgeld verskaf tydens aanhouding en daarna, en vervoerkoste van meubels, Bantoebelasting en begrafniskoste betaal. Hierdie bedrae word in die boekhouding as "summary advances" aangetoon en word later afgeskryf of dit word teen welsynfondse gedebiteer. Die volgende tipe sake was ook deur die "Fund" verdedig: betreding, meineed, moord, brandstigting oortreding in gevangnisse, aanranding op bewaarders, bedrog, weier om getuienis af te lê, kwaadwillige saakbeskadiging en openbare geweld.

(iii) Die Kaapse Komitee van die "Fund" het R10 per maand bestee om vir Sobukwe op Robbeneiland van grammofoonplate, tabak, sigarette, groente en blomsaad te voorsien.

(iv) Aan Sonia Bunting (gelyste Kommunis No. 114) is met haar vertrek uit Kaapstad 'n "handwoven Morocian bedspread" as geskenk deur die "Fund" aangebied.

(v) Op 4 Oktober 1965 skryf Dennis Scarr, voorsitter van Port Elizabeth-tak, aan Alan Paton;

"As you know I am endeavouring to start a library of court records to assist Counsel ... I believe you have some money available ... could you let me have R500 for this?".

Op 14 Oktober 1965 antwoord Paton:

"... Enclosed you will find a cheque for R500. Will you please write to me acknowledging the gift and ask for your thanks to be conveyed to the Presbyterian Church in America for their help. Please indicate briefly what the money is being used for but I think we should give some more human and immediate reason than the need for court records".

Op 27 Oktober 1965 antwoord Scarr:

"... Thank you very much for the cheque. Please convey the very sincere thanks of Defence and Aid Fund, Port Elizabeth to the Presbyterian Church in America. We intend to use these funds solely for furthering the welfare of awaiting trial prisoners, many of whom as you know are held for many months before appearing in Court". Van die biblioteek is niks gevind nie - ook nie wat van die R500 geword het nie.

(vi) Looksmart Solwandhla Ngudle was 'n 90-dae aangehoudene en tydens aanhouding het hy selfmoord gepleeg deur homself in sy sel op te hang. Met die geregtelike nadoodse ondersoek was regsverteenvoerders vir die familie verskaf deur die "Fund". 'n Bedrag van R3,004 was hieraan bestee.

BYLAAG "D".

FONDSINSAMELING.

(i) In die saak van die Staat teen Vuyesile en andere was Vuyesile skuldig bevind aan moord en ter dood veroordeel. In 'n bedeladvertensie beweer die domheer dat Vuyesile gehang is omdat hy nie teen sy boesemvriend Wilton Mkwai wou getuig nie, maar Wilton Mkwai het toe alreeds gevlug na Basoetoland. So verwronge was die feite in "The Observer" in Londen weergegee dat hy deur Suid-Afrika Huis tereg gewys was en sy bedeladvertensie moes onttrek.

(ii) Op 24 April 1961 skryf Patrick van Rensburg van "Christian Action", Londen aan die "Fund" te Johannesburg: "...I am assuming that something is being done about Canon Collin's request for a new set of priorities and anticipating that the letter you said you are writing today (Monday) will deal with it. Can you do something further about this, incorporating the new priorities in a letter to the Editor of "The Observer". To carry on collecting we must use every trick in the book".

(iii) In Mei 1964 skryf "Bill Hoffenberg" (volgens die stukke dr. Raymond Hoffenberg wat Voorsitter van die bestuurskomitee te Kaapstad was toe die "Fund" onwettig verklaar is) uit Londen aan die Kaapse-tak van die "Fund": "... An interim report from the land of the free. Have spent many hours making myself very unpopular at the Defence and Aid Offices here.

/2....

*Handed at money fields as the book's*

1. Money. They sent £1000 to Johannesburg on 8th May. I told them about our misunderstanding re the £750 earmarked for the Alexander trial. They have agreed to send this amount straight to C.T. ....

Money is pouring in - largely the result of the Observer appeal. Some of this is earmarked for Rivonia, but there should be a lot due to us. Their allocations committee only meets in about 2 weeks time, but we will get a reasonable chunk. If we don't, we must make a big fuss, as I know what they've got in (spies!). Dr. Hellman must write, and John must write, stressing that we are turning down cases, while we believe that money is available in London. Stress urgent need for money now - we can't wait for committee meetings. Can't they short circuit things to make something available? Etc. Etc. .... I have used all the pressure I can. Collins is away, unfortunately, but John and Dr. Hellman must keep at them - give them details (harrowing) of cases turned down - make them up, if they don't exist. Ask Ruth Hayman to push the same line with them ..... That's about all, except that we must not turn down cases, but take on all we can and throw the expense back at them. We're in quite a strong position vis-a-vis C.A. as D & A is wagging the whole concern at the moment and I think they need us quite badly."

(iv) Aan die Thubigen universiteit in Duitsland was n bedrag van R10,000 gekollekteer vir die verdediging van dr. Alexander wie vroeër n student was aan die universiteit. Die geld was in verskeie paaiemente aan die "Fund" betaal.

/3...

(v) Sowjet Rusland skenk die bedrag van R7,140.00 aan "Defence and Aid" Londen en skryf:

"... The Soviet Government has been guided by its fundamental position with regard to support for the national liberation movements of peoples struggling against colonialism and racism in all their forms and manifestations and the provision to them of moral, political and material assistance in that just struggle".

Hierdie skenking van die Sowjet Unie het veroorsaak dat twee lede van die Uitvoerende Komitee van die Kaapse-tak van die "Fund" bedank het en as volg opmerk:

Mev. Barbara Wilks:

"... I learn from the Cape Times that a sum of money has been allocated to the South African Defence and Aid Fund by Soviet Russia. If this report is true, and if the money has been, or is going to be accepted by the Fund I hereby resign, both from the Management Committee and the Defence and Aid Fund itself.

Should, of course, the report be untrue or the money refused out of hand, I shall be happy to continue serving on the committee ...".

"....Collins appears in his statement to have seriously misrepresented the work of Defence and Aid in this country. Soviet money was granted to assist the Anti-colonial struggle in this country. It might not be too strong therefore to say the money has been acquired by false means for false ends".

Adv. Donald Molteno:

"... That very appreciation on my part makes me regret that the reported donation by the U.S.S.R. to the London "Defence and Aid International" for the South



African Defence and Aid makes it impossible for me to have even such indirect connection with the administration of moneys from such a source as membership of the Cape Town Committee entails".

BYLAAG "E".

BOEKHOUDING.

(i) Die inhoud van n brief van die "Fund" vanaf Port Elizabeth aan Johannesburg, gedateer 8 Julie 1964, lui soos volg:-

"... How do the financial wizards feel? From our unkept books our past commitments are not clear. My predecessor thought we owed some people R500, but also implied we have this in the bank which we have not ...".

(ii) In Junie 1963 skryf D. Craighead (n ingeperkte kragtens die Wet op die Onderdrukking van Kommuniste) van Johannesburg tak aan Collins:

"... In regard to your suggestion that we advise the Society of Friends as to the amount of money received from 'Defence and Aid' London, since the Treason Trial, there is some difficulty as we do not have records of monies that have been sent direct for certain cases, nor do we have in Johannesburg full records of monies which have at times been sent to other centres ...".

In n memorandum van die "Fund" in 1963 kom die volgende voor:-

"... Because the records were not kept in a way to facilitate an analysis of all the cases handled total figures cannot be given ...".

Uit die "Interim Financial Report" van die "Fund" te Johannesburg op 17 Februarie 1964 kom die volgende:

"... Tabled are the unaudited Income and Expenditure Accounts and Balance Sheets for the years ended June, 30th, 1962 and June 30th, 1963."

(iii) Die volgende bedrae was direk aan prokureurs betaal:

- (i) n Bedrag van R1997.50 aan prokureurs Ress, Richman & Co., Kaapstad.
- (ii) n Bedrag van R500 aan prokureurs in Kaapstad vir die Isaacs and Others saak.
- (iii) n Bedrag van R1397.75 aan Ruth Hayman vir Harris Saak.
- (iv) n Bedrag van R34000 aan prokureur Joel Joffe vir Rivonia verhoor.
- (v) n Bedrag van R1000 aan prokureur Sing van Durban.
- (vi) n Bedrag van R1000 aan prokureurs Joach en Jankelowitz te Port Elizabeth.
- (vii) n Bedrag van R1156 aan prokureur H. Festenstein van Johannesburg.
- (viii) n Bedrag van 500 dollars aan Leo Marquard van die "Fund" Kaapstad - versend deur Benjamin J. Bittenweiser van Amerika.
- (ix) n Bedrag van 500 dollars aan dr. E. Helmann van die "Fund" te Johannesburg - versend deur George M. Hauser van Amerika.

Selfs in Engeland was dit deur die pers aan domheer Collins gevra om volledige state te publiseer in verband met die invorderings vir "Defence and Aid", Londen. Dit was beweer dat R600,000.00 alreeds gevorder was en dat die geld gebruik was vir doeleindes anders as aangedui. Die skrywer het voortgegaan:

/.....3.

".....The advertisement portrayed the case of a man who was convicted of murder and whose appeal was dismissed ..... There was the case of the Williams family in April, 1964 when Christian Action collected £2,000 to aid a 'victim of apartheid'. Their own representative i.e. Defence and Aid in South Africa said there was nothing political about the Williams' affair and neither the Williams family nor I would be associated with any attempt to distort the facts of this matter and reflect adversely on South Africa."

Dit is onbekend of die domheer hierop geantwoord het.

(iv) Die volgende bedrae is uit die tjekboek aan Hayman and Aronsohn betaal:

19.7.65 - re Port Elizabeth	R2,000.00
20.7.65 - Cape Province and other Commitments	R2,000.00
27.7.65 - re C. Doyle	R100.00
30.7.65 - re J. Phahlamohlaka	41.30
3.8.65 - re C.P. cases	R2,000.00
12.8.65 - re J. Gqabi - 100 S. Neame - 1000 General Des. 155	R1255.00
24.8.65 - Eastern Province	R1850.00.
24.8.65 - Sylvia Neame	R2,000.00.
13.9.65 - M. v.d. Berg	5.00.
30.9.65 - Viljoensdrift - 85 L. Makfote - 72.50 M. v.d. Berg - 105.00	262.50.
30.9.65 C.P. Cases	R1000.00
26.10.65 Nine hundred Rand	R900.00.
8.11.65 Niks ingeskryf	R2000.00.

18.11.65

Niks ingeskryf

R500.00.

Die laaste drie getekende en uitgereikte tjeks bevat geen aanduiding watter dienste gelewer was nie en dit verskyn ook nie in die uitbetalings register nie, want inskrywings was gestaak sedert Oktober 1965. Geen rekenskap kan van hierdie geld opgespoor word nie.

(v) Verslag van mnr. Crafford, du Toit en Vennote gedateer 8 Maart 1967:

"Soos deur u opgedra, het ons die boeke en rekords van die Defence and Aid Fund wat in u besit is, nagegaan en doen graag as volg verslag:

1. Inleidend:

Die boekhouding was klaarblyklik nie gesentraliseer nie en elke area het sy eie boekhouding waargeneem. Boeke en rekords, wat alle stukke is waarop die Polisie ten tye van die inbandoening van die Organisasie beslag gelê het, is ten opsigte van die volgende afdelings aan ons voorgelê:

- (a) Kaapstad
- (b) Johannesburg
- (c) Port Elizabeth
- (d) Durban

Die S.A. Defence and Aid Fund is vanaf Augustus 1965 in die lewe geroep. Die dokumente wat deur ons ingesien is, skep egter die indruk dat hierdie fonds maar slegs 'n voortsetting van die Defence and Aid Fund was en vir die doeleindes van ons ondersoeking is die twee fondse as een en dieselfde organisasie beskou.

Die boeke en rekords is op 18 Maart 1966 in beslag

geneem en op daardie datum was meeste van die afdelings se boeke slegs tot Oktober/November 1965 opgeskryf.

2. Konstitusie:

Dit was nie moontlik om vanaf die beskikbare rekords presies te bepaal of die konstitusies wat op lêer is, op 'n gegewe tydstip in alle opsigte met betrekking tot wysigings wat van tyd tot tyd aangebring is, aangesuiwer is nie. Die notules is ook nie altyd van waarde in dié opsig nie, byvoorbeeld Kaapstad vergadering van 18 Augustus 1965 bevat slegs dié woorde 'The Constitution was read and amended in a number of places' as aanduiding dat die konstitusie gewysig is.

3. Boeke en rekords:

(a) Dit is uiters moeilik om uit die boeke en rekords vas te stel of behoorlik rekenskap gegee is van alle gelde wat deur die fonds hanteer is. Dit is hoofsaaklik te wyte aan die feit dat fondse van oorsee nie konsekwent na 'n sentrale punt gestuur is nie, maar aan takke direk.

(b) Die boeke toon nie 'n oorsigtelike beeld van die bates en laste van die Fonds op die datum toe die organisasie in die ban gedoen is nie.

(i) Wat die bates aanbetref, is dit bv. vir u as likwidateur onmoontlik om te bepaal dat die gelde wat u van banke ontvang het, wel alle fondse wat daar moes gewees het, verteenwoordig. U is dus in die posisie dat u die banke se syfers moet aanvaar.

(ii) Wat die laste aanbetref is dit absoluut onmoontlik om uit die boeke vas te stel wat die fonds se aanspreeklikheid vir hangende hofsake is. Op dieselfde wyse is dit onmoontlik om te bepaal

of daar nie dalk krediete by prokureurs bestaan  
waarvan nog nie behoorlik rekenskap gegee is nie.

Ons beweer dat die boekhouding en rekordstelsel van die Fonds  
in hierdie opsig gebrekkig is. Veral as in ag geneem word  
dat die grootste deel van die fonds se uitgawes aan regs-  
aksies bestee is, is dit uiters belangrik dat die boeke sou  
aantoon hoe die geld bestee is.

Na ons mening sou die minimum vereiste wees dat ten opsigte  
van elke saak wat verdedig is, die boeke 'n rekening vir  
die geval sou toon, met die bedrag of bedrae wat in verband  
met die geval aan die prokureurs betaal is. By ontvangs van  
die prokureur se staat sal kostes dan teenoor die deposito(s)  
teboek gestel word om te bepaal wat nog ten opsigte van die  
transaksie betaalbaar is of tot krediet van die Fonds staan.  
Op hierdie wyse sou dan kon bepaal word watter sake mee  
voortgegaan is, afgehandel is of hangende is en wat die  
totale regskoste beloop het.

In die boeke is betalings aan prokureurs bloot  
na 'n rekening vir regskoste gedebiteer en is geen verdere  
inskrywing in verband met die transaksie gedoen nie.  
Dit is dus vir u as likwidateur onmoontlik om te bepaal  
of prokureurs behoorlik rekenskap gegee het van alle gelde  
deur hulle ontvang en of daar nie dalk krediete bestaan  
ten opsigte van bv. sake waarmee nie voortgegaan is nie.  
Ook sal u nie kan vasstel of die prokureurs se rekeninge  
aan u ten opsigte van hangende sake, korrek is nie. Teen  
die einde van die tydperk is byvoorbeeld glad nie meer op  
tjekteenblaai spesifiseer vir welke gevalle deposito's  
by Prokureurs gemaak word nie - slegs 'n ronde bedrag is oor-  
betaal, wat in meeste gevalle op 'n aantal sake betrekking

gehad het.

Uit die stukke kon geen oorsigtelike beeld van die sake wat verdedig is, gevind word nie. Afgesien van die boeke wat nie 'n rekord van bepaalde gevalle aantoon nie, kon ook geen state van prokureurs gevind word waarin 'n volledige oorsig van alle gelde deur hulle ontvang en kostes daarteen gedebiteer, aangetoon word nie.

(c) Die boeke van die Johannesburgse tak is tot Junie 1965 geouditeer. Andersins is daar geen aanduiding dat boeke van takke aan oudit onderwerp was nie.

(d) Bewysstukke vir betalings is nie in alle gevalle beskikbaar nie.

(e) Finansiële beheer is in die volgende gevalle wat uit ons toetsoudit na vore gekom het, gebrekkig:

(i) 'n Tjek vir R3,500 wat op 28 Desember 1965 vanaf Kaapstad na Johannesburg oorgeplaas is, verskyn nie in die boeke van Johannesburg nie. Die tjek is endosseer deur Mej. Ruth Hayman namens S.A. Defence and Aid en inbetaal in die trustrekening van Hayman en Arohson op 21 Januarie 1966. Geen inskrywing vir hierdie transaksie kon in die boeke van Defence and Aid, Johannesburg gevind word nie.

(ii) 'n Tjekboek van die Johannesburg tak (wat volgens u mededeling deur mej. Ruth Hayman aan u oorhandig is) bevat tjeks wat in blanko deur die een ondertekenaar vooruit geteken is. Mej. Hayman het as komiteelid oor tekenmagte as tweede ondertekenaar beskik, en soos bekend, het sy ook as prokureur vir die fonds opgetree.



(iii) Slegs in die geval van Johannesburg is van gedrukte kwitansieboeke gebruik gemaak. Selfs hier is daar egter geen beheer oor die voorraad ongebruikte kwitansieboeke uitgeoefen nie. Ingeval van die ander takke is van kommersiële kwitansieboeke gebruik gemaak, wat natuurlik uiters swak beheer daarstel, aangesien enige persoon geredelik 'n dergelike kwitansieboek kan aanskaf.

4. Algemeen:

Indien enige sake in hierdie verslag genoem, nie vir u duidelik is nie, sal ons dit met graagte met u bespreek."

UNITED NATIONS  
GENERAL  
ASSEMBLY



PROVISIONAL  
A/C.4/SR.1699  
26 October 1967  
ENGLISH  
ORIGINAL: FRENCH

Twenty-second Session

FOURTH COMMITTEE

PROVISIONAL SUMMARY RECORD OF THE ONE THOUSAND SIX HUNDRED AND  
NINETY-NINTH MEETING

Held at Headquarters, New York,  
on Monday, 23 October 1967, at 3.25 p.m.

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Requests for hearings (A/C.4/694 and 695)

Question of South West Africa: hearing of petitioners  
(A/C.4/692 and Add.1-4)

<u>Chairman:</u>	Mr. TOMEH	Syria
<u>Rapporteur:</u>	Mr. DASHTSEREN	Mongolia

Corrections to this record should be submitted in one of the three working languages (English, French or Spanish), preferably in the same language as the text to which they refer. Corrections should be sent in triplicate within three working days to the Chief, Conference and Meetings Control, Office of Conference Services, Room 1104, and also incorporated in mimeographed copies of the record.

AS THIS RECORD WAS DISTRIBUTED ON 26 OCTOBER 1967, THE TIME-LIMIT FOR CORRECTIONS WILL BE 31 OCTOBER 1967.

Publication of the final printed records being subject to a rigid schedule, the co-operation of delegations in strictly observing this time-limit would be greatly appreciated.

67-74055

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Mr. JOHLENTI (Syria) asked what possibilities of legal defence were available to the South West African leaders who were imprisoned, and what the relevant procedures and costs were.

The Reverend Michael SCOTT (International League for the Rights of Man) said he had sent a letter on that subject to the Chairman of the Special Political Committee. In that letter, he urged the United Nations to contribute towards the defence of the imprisoned leaders by establishing a fund which could also take charge of the defence of persons put on trial in Southern Rhodesia. Furthermore, he had no doubt that the Liberation movements would make arrangements for the defence of their members.

In the United Kingdom, dismay had been caused by the failure - due to many difficulties - of the arrangements made for remitting funds for the defence of accused persons in Southern Rhodesia and South Africa. In his opinion, the Government of the United Kingdom should assume responsibility for the defence of Southern Rhodesian residents prosecuted by the illegal régime, and for the upkeep of their families; and it should do so openly through the channels of communication which it maintained with Salisbury, rather than through voluntary organizations. The Government of the United Kingdom should also assume responsibility for defending the South West African leaders imprisoned at Pretoria, since South Africa had withdrawn the Territory of South West Africa from the jurisdiction of the British Crown by unilateral action, thus depriving the population of United Kingdom protection. Some of the laws that were being applied in South West Africa today, and particularly those governing testimony and evidence, would not be acceptable in the United Kingdom. South African legislation admitted the unverified statements of accused persons, whereas the Privy Council of the United Kingdom did not accept evidence supplied by persons who had been subjected to prolonged imprisonment and intense pressure.

Concern had also been caused by the high proportion of the funds collected for the fight against apartheid which had to be used for paying large lawyers' fees. That necessity was due to the fact that Southern Rhodesian and South African lawyers did not dare to take low fees for such cases, for fear they should be suspected of sympathy with the accuseds' political position. He suggested that the United Kingdom and other States Members of the United Nations should

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(The Rev. Michael Scott, International  
League for the Rights of Man)

supply funds for those purposes through their embassies and missions, so that the matter could be dealt with at the governmental level. In that connexion, he expressed his gratitude to the Government of Sweden, which had contributed generously to the defence of accused persons in Southern Rhodesia and South Africa.

The task of fighting apartheid had changed into a political struggle against European and American pressure groups which were squandering millions of pounds a year to promote South African interests. For carrying on that struggle, it was necessary to establish a political organization, such as a "Free Africa Foundation", which would discharge an openly political function. For the same purpose, it had been suggested that the United Nations should set up a committee to investigate the extent of the influence of secret services, espionage services and financial foundations and trusts on the voluntary organizations working in Africa and on the new generations of African leaders.

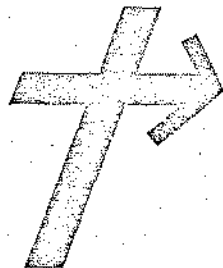
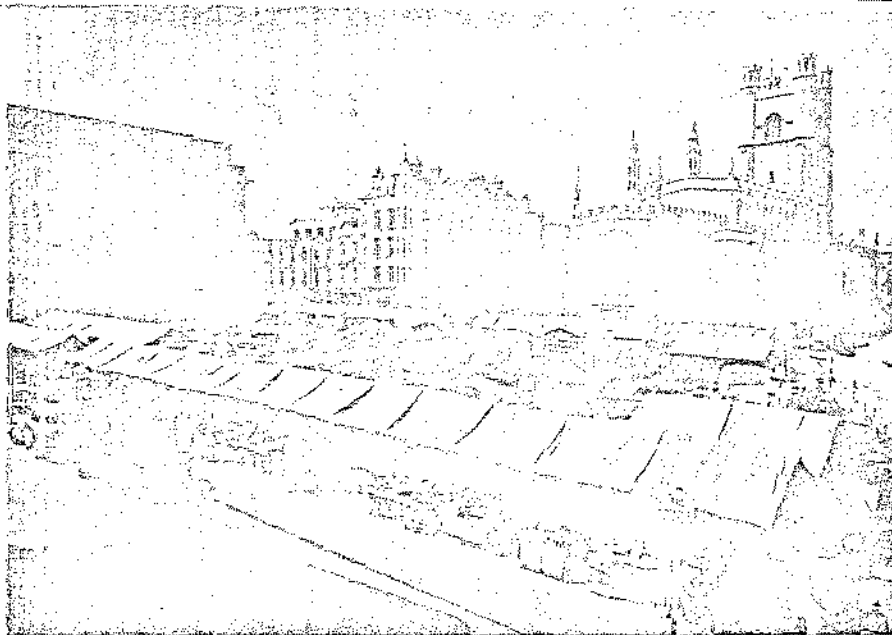
Mr. EILAN (Israel) asked that the petitioners' statements, or at least summaries of them, should be distributed as soon as possible, so that representatives could comment on them.

The CHAIRMAN said that the Secretariat would note that request and make the necessary arrangements.

Mr. CHIDZANJA (Malawi) deplored the fact that one of the petitioners had made charges against the Government of Malawi; and he observed that it was not to attack Governments that petitioners resorted to the Committee, but to present petitions on behalf of their peoples. As to the problems of southern Africa, Malawi had adopted a position different from that taken by other African States, because it considered that the use of force would not give the African population of South Africa its freedom, but would impede its progress. The people of Malawi fully supported their brothers of South Africa, but thought that a peaceful solution to their problem should be sought.

The petitioners withdrew.

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# Christian Action

SUMMER 1964 Price 2/6d.

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Seen 6/5/17 via  
aanhaaling wat  
in de Beeldkrant  
re vooort te verlag  
gebruik is  
18/1/68

## Editorial

For many readers this may well be the first copy of *Christian Action* they have ever seen. Others may wonder what someone has been doing to the old *News letter*. Both groups deserve an explanation. *Christian Action* has for long felt that its quarterly publication deserved a wider readership than that afforded by subscribing Associate Members. A study of contemporary religious journals shows, furthermore, that a nationally-circulated review devoted to Christian social comment is urgently needed, especially since the unfortunate demise of *Junction*.

In the past, the *News letter* has been complimented on the high standard of its contributions. Our immediate target is to raise this even higher. *Christian Action* will cover catholic range of topics including matters which have not, as yet, been the direct concern of our movement but are still the imperative concern of all Christians. In an age of renewal within the Church we shall include many articles by representatives of the many movements which seek to implement this renaissance of the Spirit. *Christian Action* will endeavour to give increased space to full and topical comment on the present rich output of books on the Christian and his relationship with Society. It will, of course, continue to report regularly on the "domestic" activities of *Christian Action* which may initially be of only peripheral interest to some new readers but will, we hope, serve to draw many of them into active membership of *Christian Action*.

*Christian Action* will be available through leading ecclesiastical bookshops as well as by direct subscription (10/- per annum) to the *Christian Action* office. Associate members will continue to receive the new quarterly free as part of their normal annual subscription.

The affair of the Williams family brought a more-than-usually large post to *Christian Action's* office. Most of it approved of our action in a touchingly practical way. Some letters were, however, critical; a few to the point of vituperation. One phrase in particular cropped up time and again in these. It was almost as irksomely familiar as the stock clichés of racist abuse. It rounded off appeals to "think of our old-age pensioners before coloureds" and, ironically enough, was used to underline the plight of the nation's homeless. This phrase was, "Charity begins at home".

Almost every argument for the restriction of charity centres round the needs of others and their claim for priority. Are there not those in need of help in our own country—or town or village or street or family or . . . Alas, the logical conclusion of such argument is that the only truly deserving beneficiary of charity is oneself! And is not its terrible nemesis the family fall-out shelter equipped with firearms to mow down intruding neighbours!

The "Charity-begins-at-home" argument bears an intellectual similarity to Judas Iscariot's celebrated protest that the ointment used by the woman to anoint the feet of the Lord could have been more profitably sold and the

proceeds given to the poor. Jesus's answer was penetratingly accurate in its assessment of the psychology of such arguments and those who advance them. There is always someone in every community who needs help. This does not mean however that the special instance, the impulsive act of love that lies outside the cold context of merit grading must be ruled out. Jesus also knew as we know that those who are first to press the claims of "our own poor and needy" are not especially conspicuous in their devotion to good works at other times. St. John lays bare Iscariot's true motive in one brilliant stroke. Judas was a thief!

Jesus's own sublime parable which illustrates something of the nature of these charitable "priorities" was very different. Yet for the Good Samaritan, charity did, in a way, begin at home. In the sense that he tackled the job in hand, the problem dumped on his own doorstep, rather than write to *The Times* about the paucity of police patrols on the Jerusalem-Jericho highway. In the sense that charity must keep sizing up its objects like names on a bookmaker's slate the Good Samaritan did not stick to the rules. In the first place, the injured party was an alien and, furthermore, one from a most unfriendly territory. Secondly, one could find many hundreds of more "deserving" cases on the first hundred yards outside Jerusalem than a man whose influence was worth the attention of highwaymen. Nor are we told whether the journey was necessary and if the traveller was foolishly careless about precautions.

There is a good deal of talk today of "situational ethics". Is there not also "situational charity", the charity that responds to a sudden cry for help, charity that accepts the accidental as part of divine calculation? Christian Action ever since its foundation has been sensitive to this special call upon its concern and generosity. In fact, individual request for help has often sharpened our awareness of a much bigger problem which both challenges the social conscience and demands concrete action. Several of Christian Action's campaigns in the past have originated in this way.

When Christian Action extended a hand of friendship and assistance to the Williams family the movement was reacting to such a "situational" demand. We did not act alone. In fact, we became the executive arm for what the *Daily Mail* described as the "silent people", the ordinary Briton whose everyday concern with politics is minimal, who has been dubbed "self-centred" and "insular" but who has proved once again his capability of rising to an occasion when human dignity has been affronted, when human happiness has been disregarded. Through and in spite of the abuse of fascists, the malicious chatter of a section of the South African press, the grumbles of the parsimonious, the voice of conscience aroused sounds resolute and unwavering. The following is a resolution sent to Christian Action by the Montgomery and Salop Presbytery of The Presbyterian Church of Wales, comprising 31 Churches with 2,460 members. Copies were also sent to the Home Secretary and all the Members of Parliament whose constituencies coincided with the area of the Presbytery:

"That the Presbytery fully supports the approach to the problem of Mr. Williams, his wife and five sons from South Africa, taken by the Christian Action Committee and strongly expresses the desire that they should be given asylum in the British Isles".

# The Family Who Wouldn't Go Home

*Ian Henderson*

Early in the last century a poor Spanish boy stowed away on a boat bound for Africa. When he arrived at the Cape, not knowing his own surname, he took that of the master of the vessel, Williams.

A century and a half later, that name was to become famous, not because its present owner had become especially rich or powerful, but because he wished to reverse the path of his ancestor and leave South Africa for Europe. Mr. John Williams wished to give his five sons a better chance in life than they would have had in a country where they were classified second-class citizens. For Mr. Williams and his wife are Coloured.

The Williams family had cherished for many years the idea of immigration to Britain. They had many friends in Britain and still regarded themselves as British subjects. Mr. Williams was especially proud of having had fought for Britain in World War I. So the Williams family, despite the demands of five growing sons, saved up their earnings. Mr. Williams was a carpenter, Mrs. Williams a nurse. Both worked long and hard. Came the day when the fare was finally complete. They decided on a return fare as they had some confused idea that this would make their exodus from South Africa less conspicuous. They did, however, sell their house, their furniture and even packed their cherished piano in a crate! The piano was to become something of a talisman for the Williams family. And for the reporters!

So far in our story the Williams family are unknown tourist-class would-be emigrants. On Maundy Thursday their boat docked at Southampton. There, an immigration official questioned them. At first they claimed to be holiday-makers but then, after further questioning (and the discovery of the piano!) admitted they wished to settle in Britain. They had no labour permits. In fact they didn't really know about such things. But Mr. Williams was prepared to work. Would Britain be prepared to let him? The answer is an unambiguous "No". At 68 Mr. Williams was too old. Too old to work, too old to find a new home.

And that was about that as far as the immigration authorities were concerned. Whether Mrs. Williams and her two eldest sons, aged 19 and 17 were eligible for permits was never discussed. No legal advice was sought or counsel given. The family was unceremoniously bundled back in the next boat for Cape Town. A young Rhodesian housewife and friend of the family, now domiciled in Britain, made desperate, eleventh-hour efforts to delay their departure. She could find no one to turn to. No one, that is, but a solitary reporter, the Southampton correspondent of a national newspaper. His telephone call to London lifted the Williams family from the bottom of a Union Castle Line passenger list to the headlines of the world's press. At this point Christian Action enters the story. As an organisation with unique experience of South African problems, it seemed to be the obvious choice for a champion of the Williams family. Public indignation and sympathy was being roused by the newspaper reports. A retired university professor sent a cheque for £500 to compensate



the family for their loss and offered a financial guarantee if this would persuade the Home Office to reverse the decision of the Immigration Officer at Southampton. This was quickly followed by more donations, more letters of sympathy and offers of accommodation. One of the latter was from a young Pakistani business man living in Bromley who was willing to open his home to the family.

A delegation from Christian Action went to see the Minister of State at the Home Office to discuss the case of the Williams family who were now on an unwilling journey back to South Africa. No change of the official heart was forthcoming. The decision of the Immigration Officer was upheld. By this time tension was building up in Parliament as well as outside it. Several questions tabled by Members met with the same unsatisfactory response as that which was given to Christian Action. An attempt by Mrs. Judith Hart to move the adjournment of the House provoked one of the fiercest exchanges in the lifetime of the present Parliament. Finally, Mrs. Hart and Mr. Fenner Brockway organised a deputation of Opposition Members to call on the Leader of the House. As a result of this dramatic midnight meeting, hopes were once more raised for the Williams family. The Home Office agreed that if genuine offers of employment were found for Mrs. Williams and her eldest son the Ministry of Labour would give "sympathetic and urgent consideration" to the issue of work permits.

Coinciding with these official second thoughts, the Williams family arrived in Cape Town. Fears for their safety made it imperative that they should be represented. Christian Action cabled the first Cape Town solicitor it could find, with a request that the family be cared for. As it happened, however, world concern of the family's plight inhibited any action the South African government may have contemplated. The Williams family were not molested or questioned by the authorities. Nevertheless, they still felt themselves understandably to be under pressure. The climate of creeping Fascism which obtains in South Africa is not the most conducive to fearless and candid expression of one's views. The Williams family felt both frightened and friendless. They had now no home on either side of the Equator. Strange and contradictory statements began to come out of Cape Town. They were not against apartheid, claimed one report. In fact, maintained another, they never wanted to settle in Britain at all. They were holiday-makers pure and simple! Christian Action and those M.P.'s who championed the family maintained an unwavering sceptical attitude to these reports, even to one which claimed that Mr. Williams was laying down "conditions" for his return. Job offers trickled into the Ministry of Labour. In a few days it announced its readiness to issue permits for Mrs. Williams and Matteo, her son, to work at a chemical factory in North London. The offers were accepted with alacrity by the family, despite the tempting carrots of houses and jobs dangled before their eyes by the South African government. On April 17th, the family set sail once more for Britain.

While on the high seas, Christian Action received a cable from Mr. Williams which vindicated its evaluation of the stories from Cape Town. These reported statements, said Mr. Williams, were made under "duress". The family confirmed its original intentions; "We want to be free from apartheid and live in Britain". When the family arrived at Southampton, for the second time on 1st May, they stressed their wish to become British subjects. "Apartheid is evil", they told reporters.

The Williams affair has written a modest footnote to the annals of British Constitutional History. It has also shown that even in these dehumanised times public opinion is not only capable of securing a hearing but can also, surprisingly, change hearts and minds and official decisions. Why did Christian Action take up the cause of this simple, ordinary and fundamentally apolitical family? From the beginning of the Defence and Aid Fund, Christian Action has recognised that there are two categories of refugees from South Africa; the first, our primary concern, are those who have been active in the political struggle against oppression. The second are those Bantu, Indian and Coloured families who have suffered the indignity of apartheid. These two different categories were recognised by those engaged in succouring refugees from Nazi tyranny in the thirties. Can we fail to recognise them now in the context of what Brian Bunting has dubbed "The South African Reich"?

The Williams family constitute a very special, perhaps unique case, for Christian Action. Too many critics of our concern for the family—and there have been several—forget Mr. Williams originally tried to find a new home for his family by his own patient and unaided efforts. It was British officialdom and our complex immigration laws, so often unjust in their operation, that wasted the Williams's slender capital and turned a quiet, home-loving family into the most celebrated nomads of contemporary history. Christian Action did not create public indignation and generosity. They existed already and found in our movement a wise and experienced vehicle for their expression.

We would that all South Africans who detest Dr. Verwoerd's regime remained if possible in their homeland and fought to restore freedom and human dignity to its people of all races. Most do. Nelson Mandela has expressed his willingness to die for this sacred cause. But not everyone is able to aspire to such heights of heroism. And to those such parents who feel most conscientiously that their first duty is to their children's lives and future, Christian Action must also offer the hand of friendship. Which is why, now that the anxious weeks of restless uncertainty are at last behind them we in Christian Action say "Welcome to Britain, Williams family!"

## Christians Debate The Bomb

*Diana Collins*

Two years ago I took part in a deputation on the subject of nuclear weapons to the British Council of Churches. Their pamphlet *The Valley of Decision* had just been published, and one of our main pleas was that the Council should produce a comparable pamphlet, based on the findings of an equally eminent study group, which would express within a theological framework, what has come to be called the unilateralist point of view. These two pamphlets would be presented side by side as equally possible and respectable Christian positions, and each would be impartially recommended for study and discussion. We were courteously promised that consideration would be given to this proposal, but I don't think any of us felt that much would come of it.

Instead we now have the new Report *The British Nuclear Deterrent: B.C.C. Resolution in October, 1963. Report of a Working Group, S.C.M. (1/6)*. When I

toured America in 1953, in every choir of every Episcopalian Church which I attended throughout the North, was one solitary negro. In 1963, on a similar tour, I found that the number had increased, there were now sometimes as many as six black singers. Much the same development is discernible in B.C.C. study groups: whereas there used to be perhaps one known pacifist on the study group which produced this new report, there were to my knowledge, at least two pacifists and two or three more unilateralists, there may even have been others. This is a development to be welcomed as is the pamphlet itself which is clearly the product of intensive, informed and honest discussion. But I still think that the alternative of producing two contradictory or complementary pamphlets, would have been better.

Attention has already been drawn to the slanted title of the new document. Why could it not have been called quite straightforwardly *British Nuclear Weapons?* As it stands the issue is clouded from the start, and the grim facts of the nature of nuclear weapons are covered up in a way that is intellectually less than honest. Deterrence is assumed as a given fact and is never questioned; that there are serious arguments against such an assumption is never faced. The same kind of uncritical acceptance of current political slogans and of military defence thinking is evident throughout, though it should be said that it is considerably less evident than it was in the Council's two previous pamphlets on the same subject. But the B.C.C. do seem to be hypnotised by what is called expert technical knowledge, and I sometimes think that they are particularly hypnotised by the persuasive personal charm, as well as by the knowledge of, Sir Anthony Buzzard, Director of Naval Intelligence, 1951-54, now a director of Vickers-Armstrong Ltd. Of course we must pay attention to as much information as we can get, but information is not at all the same as opinion; particularly political opinion. Experts are frequently divided among themselves, and are often wrong even on points of fact. Of this the accounts now appearing of what went on behind the scenes before and during the 1939-45 war, provide plenty of evidence. In 1956, experts assured us that without control of the Suez Canal, which Egypt would be quite unable to operate effectively anyway, Great Britain would be in danger of starvation. Experts also change their minds. Much of the reasoning and the recommendations contained in this pamphlet are based on the assumption of a great Russian superiority in conventional weapons but American experts have recently decided that this superiority, like "the Missile gap" before it, has been grossly over-estimated. It might even be possible to make out a case that considerations of right and wrong are more permanently reliable as guides for human behaviour than opinions of experts.

This report does not attempt to set its thinking in any particular, theological framework but it does at least start from a welcome assumption that the present situation is "morally unacceptable". It makes a passing reference to what are called the "theological presuppositions" of the unilateralists which it rejects without saying what they are. My own experience is that the theological presuppositions of unilateralists differ very widely indeed and cannot possibly be lumped together in this way. This is another argument for a separate pamphlet.

I would like to praise the clear way in which the pamphlet is set out and with certain probably unavoidable exceptions, the clarity of its writing. A great

deal of discussion, opinion and fact is compressed into a small space, yet the whole is easily assimilable. This is particularly valuable in a document intended to be a basis for study and discussion.

I do not want to attempt any detailed criticism of the points raised by the B.C.C. because this has been admirably done by John Vincent in his pamphlet *Christian Nuclear Perspectives* (Epworth Press, 3/6). He is, in fact, more radically critical of the report even than I would be, perhaps partly because he was himself a member of the study group which produced it. He deals with a number of important points which the report ignores, for instance, the morality of nuclear tests, tactical nuclear weapons and some lessons of the Cuban crisis, when Britain's nuclear weapons got her to no conference chambers, top tables or exclusive clubs. The whole argument is set in a Christian (not necessarily *the* Christian) framework and he makes, I think, a very good case for the validity of unilateral action as a Christian technique. Christ, he says, "suffers and redeems unilaterally so that multilateral blessing may come". He tries to show, positively and realistically, how this technique might be applied to the present political situation. A personal document such as this is far more alive and persuasive, its avowed aim is to persuade, than any group report can hope to be: it may lack a certain clarity and balance but it makes up in vigour. It is very much to be hoped that groups, which decide to embark on study based on *The British Nuclear Deterrent* will pay equal attention to *Christian Nuclear Perspectives* and that as many people as possible will read both.

These two documents illustrate very well both the progress of the nuclear debate and its value. A majority of those Christians who oppose unilateralism now acknowledge publicly and generously the value of C.N.D. as a stimulus to thought and conscience—I think that we, on our side, might be more generous than we sometimes are in acknowledging the value to us of the questioning and opposition which we have met in trying to put the case. It is right that we should never be allowed to rest in any simplifications and that we should be made to think seriously about possible and probable consequences of actions we try to recommend. Both these pamphlets show a valuable cross-fertilization and illustrate how much the thinking of each side has influenced the other and for this we have to thank the British Council of Churches and a number of groups who have been meeting for discussion over the years.

The abandonment of extreme positions and the very tentative drawing together among Christians, were evident in the Church Assembly debate when the B.C.C. report and accompanying resolutions were presented by the Bishop of Chichester. I listened to the whole of this debate with the greatest interest and encouragement. The level of information and of serious argument was very much higher than in a comparable debate in Convocation two years ago, and among the clergy there was a real sense of urgency and importance; they were much less inclined than some of the laity to trot out the bad old slogans and clichés. The resolutions already passed by the B.C.C. were endorsed with an amendment slightly strengthening one of them and a weakening amendment which asked only for a "general" acceptance was overwhelmingly defeated.

The trouble about resolutions like these, which are drawn up to accommodate as many different view points as possible, is that they tend to be either hopelessly ambiguous or obviously self-contradictory. It has not yet been made unmistakably clear whether the Assembly of the Church of England is unalter-

ably opposed to *any* use of nuclear weapons or only to a *first* use. Undoubtedly a big majority in this debate was opposed to *any* use, but the resolution was so worded as to make it just possible for the second strikers to vote for it, or at least not to vote against. The same applies to the resolution about the British semi-independent deterrent. Very fearfully, hedged about with safeguards and escape-clauses, the B.C.C. came down against British independence. "There is no case", they said "for independent nuclear action—that is without prior consultation with our allies—in any part of the world". Does this mean, that if our allies agree, we may use our nuclear weapons say in the Middle East, for our allies would hardly consent to any independent use in Europe? Must we have the agreement of all our allies (General De Gaulle?) or only of our big boss, the U.S.? And although the report states that we must be willing to forego the claim to independent action, there are so many "ifs" attached, that such "willingness" seems almost devoid of reality. There was enough ambiguity in the wording, however, for one speaker to declare anxiously that "we must make it crystal-clear that we are not siding with the unilateralists", and for another to exclaim in horror "are we saying that Christians cannot support the policy of the Conservative Government?"

Crystal-clear the resolutions are certainly not, but their passage through the Assembly does represent a significant shift of opinion. There was a considerable number, especially among the clergy, who emphasised that they would have liked the resolutions to go much further. The conscience of the Churches on the whole issue of nuclear weapons and of war and peace is thoroughly aroused, and there is a hope that it will not too easily or too quickly go to sleep again.

## The Simon Community Trust

*Hugh Elwes*

This is the story about a man, and an idea, and how the two have become synonymous. The man's name is Wallich-Clifford, and the idea, which has now become a reality, is called the Simon Community Trust. But in order to understand this story, one must appreciate the problem which they faced, and which we, as a society know too little about, or, worse, are not prepared to recognise.

On 19th September last year at 3.45 in the morning 89 men and women were sleeping out in Waterloo station. A professional team of social workers have reckoned that during the 1961-62 winter 1,200 men and women were dependant on common lodging houses and 1,000 were sleeping out in London. Of these about 200 had been mental patients. These unhappy people roam the streets of London; where ever they turn they are spurned and rejected from a largely self-centred and pre-occupied society. They do not exactly compel sympathy as they are often not the most attractive people. By far the majority are what are called social inadequates. When they are not in prison they either spend most of their time wandering through the cold impartiality of lodging houses, or the luckier ones are taken into hostels. But even here, there is always the horror of knowing that they can only stay for a limited time because of acute overcrowding.

These men and women are the outcasts of the twentieth century. They have nothing to live for as they are unable to face up to the demands, pressures and responsibilities of our society. Their minds are, in the words of Tony Parker " a confused no man's land of water-logged craters, and barbed wire, of collapsed dug-outs and unchartered wastes of mud, shrouded in a pall of dark through which they flounder perpetually frightened and alone".

The social inadequate or misfit, is recognised in Scandinavia, and in some states of America, but not in this country. It is because of this that the Simon Community Trust has been founded. Its director is a former London Bow Street probation officer, Anton Wallich-Clifford. He, and two others, have devoted their lives to the work, and, at the moment, are based at Hastings. In the words of Wallich-Clifford himself, "The Simon Community is the practical realisation of a ten-years' old dream. A community of service, self-help, study, and research; Catholic inspired, but open to all; idealistic in concept, but realistic in function and operation. A focal point in the campaign for the homeless and helpless, who, despite all ramifications of the Welfare State are by and large, unrecognised, unwanted and neglected".

At first, Wallich-Clifford's plans went well. Within three weeks capital of £14,000 was raised by way of guarantee. A suitable property came on the market, which could easily accommodate 50 people. The plan envisaged a home farm, an alcoholics lodge, and a system of family cottages. Given the tranquillity of its surroundings, and the removal of every day stresses, Wallich-Clifford believed that at last, he could help the mis-fitting members of society into a long and painful journey back into something like a normal way of life. He had his helpers, and, by this time, a considerable amount of people prominent in public life had become patrons of this venture. They included the Earl of Longford, Father Borelli, whose work for the urchins of Naples has won him world-wide acclaim, seven M.P.s, including Jo Grimmond, the Reverend Timothy Beaumont, Archbishop Roberts, S.J., Miss Susan Younger, and Tony Parker, the writer. The trustees were now led by Mr. Justice Elwes, and included the well-known Bow Street probation officer and broadcaster, Miss Mary Hamilton.

Then something went wrong. Planning permission was refused, and Wallich-Clifford found that his appeal to the minister could not be heard for a long time. He was worried because he was going to be held up in his work. This meant that he still had to turn away all those people he wanted to help so badly, because he had nowhere to put them, and he still had nothing concrete to show his ever-increasing band of supporters. Then, when he was feeling even more exasperated than usual, he was suddenly offered a house in the East End of London, and also another house near Hastings.

With the promise of financial support from Christian Action, Wallich-Clifford is now convinced that he will win his fight for the recognition of the social inadequate. But in his own words: "We of the Simon Community dedicate ourselves to the cause of the many 'unknown citizens' of our day. We are willing to help carry their crosses and we do not expect that the road we have to tread will be covered with roses all the way, but we know there will be rough passages in places. Those of us who have come together in this Act of Faith feel privileged to participate actively in this experiment, but ideas and enthusiasm will not feed and clothe, our 'family'—we need that big, ever-

increasing outer circle of friends and supporters to open up channels of communication and supply”.

The Simon Community will be unique in this country, and the directors and sponsors of the scheme believe that it will provide the answer for all those people who fall through the cracks in the Welfare State. However, the Simon Community cannot hope to survive unless it receives the backing of the general public. An organisation called the “Companions of Simon” has been started, and already has a membership of about 2,000. It gives financial and practical support to the actual community. Perhaps it does not occur to many people enjoying normal self-reliance that there could be so many of their fellow human beings who are literally incapable of an independent existence in a modern world. Yet these people do exist, and the Simon Community is trying to help them. If you would like to know more about the Trust, or are interested in supporting it, you should write to: Colin Andrew Calder, Organising Secretary, Flat 4, 106 Marine, St. Leonards-on-Sea, Sussex.

## Activities and Reports

### *HOMELESS IN BRITAIN FUND*

Two developments of particular interest have occurred in the last few weeks in Christian Action's work for the homeless.

First, Project Notting Hill, about which its prime mover, the Reverend Bruce Kenrick, wrote in our January issue, is now firmly established. Christian Action, which has a special sympathy with the aims of this project, gave through the Homeless in Britain Fund, the entire cost of purchasing their first house. As a result the vision which Mr. Kenrick committed to paper many months previously could begin to be realised in practical terms; the local people have pressed on with conversion work and the first families are installed.

On this foundation, Mr. Kenrick and his committee plan to create a considerable extension of their work for the homeless, both locally and in other parts of the country. They now feel able to proceed without further assistance from the Homeless in Britain Fund, themselves raising the further money they will need. We wish them all success and are grateful that Christian Action should have been the means of getting this project off the ground. This kind of help is the prime object of our existence; we have also helped several established housing societies to undertake extensions which, but for the assistance of the Homeless in Britain Fund would have had to be delayed.

Second, the Council has agreed in principle that Christian Action should itself establish a Housing Society as the next effective method of promoting new projects in localities where they are most needed. Local committees will carry full responsibility for these projects, the function of Christian Action being to get them started. We are most fortunate in having the help of Mr. Thomas Frankland who has an outstanding record of achievement in this field. The organisation of which he is the Director promoted no less than 63 new charitable housing societies last year. He is willing to serve Christian Action (of which he has long been a member) in an advising capacity. With the benefit of his experience, our efforts to relieve homelessness can be greatly increased.

The calls on the Homeless in Britain Fund are, therefore, likely to increase, especially as the Council hopes still to make grants to other new and existing projects. This is a tremendously worthwhile effort—to use money so that sheer misery is ended now rather than five or ten years hence. We earnestly commend this fund to your sympathy. Please help to make it widely known.

#### *PASSPORT TO LIVING*

I was up early on that morning of the 22nd March. As I pulled back my curtains to let in the daylight, my spirits fell—it had started to pour with rain. I thought of Anton Wallich-Clifford and his small group of Simon Community workers who had been praying that rain would keep away.

I left my bedsitter at 8.30 for St. Martin-in-the-Fields, where Anton had set up his headquarters. As I got off the bus at Trafalgar Square in pouring rain, my heart was full of joy to see the square and the streets around me alive with Simon workers.

At the gateway leading down to the crypt of St. Martin-in-the-Fields stood Anton and a boy with a poster and leaflets. He told me he had been working right through the night, getting only three hours' sleep, at the Newman Centre in Soho Square. The little office was busy with people coming and going, collecting Simon leaflets, and doing a dozen other things. By 2.30 p.m. it looked as if God had answered their prayers. The sun came out and everyone cheered.

Soon people started to assemble in the square. By 3.30 there were over 2,000 people. They came from all backgrounds and it was good to see that most of them were young. There were delegates from all over the country. Among them stood serious groups of people, probation officers, social workers, nuns, priests and monks—and, of course, the misfits, the down-and-outs. Last, but not least, there were members of C.N.D. and Committee of 100, who had come in support of the Rally.

The Chairman was Hugh Elwes, who is only 21 years old, and the son of Sir Richard Elwes, the High Court Judge. He opened the meeting with a recorded message from Fr. Mario Borelli, the founder of the famous House of Urchins in Naples.

On the plinths of Nelson's Column stood Rev. Austin Williams, the Vicar of St. Martin-in-the-Fields, Dr. Donald Soper, Douglas Hyde, Betty McCulloch from Christian Action, Sidney Burkett Smith of the Simon Community and Anton Wallich-Clifford. Others who joined the platform included Archbishop Roberts S.J., and, finally, Doctor Bertram Peake, founder of the Golborne Centre, a home for ex-prisoners. It was the most genuinely ecumenical meeting I've ever attended.

The *Passport to Living* Rally, said Austin Williams, had been organised "to rouse the social conscience of the nation to the desperate need of the thousands of homeless, inadequate, people in Britain". He went on to describe them as men and women fumbling through life, never belonging. He talked of how, night after night, he found them on his doorstep at St. Martin-in-the-Fields with nowhere to put their heads. He ended his speech by saying: "Their greatest need is companionship and friendship, a spur to live afresh. Many places must be provided where as many of them as possible can stay permanently, knowing they will never be thrown out". It was this that the Simon Community was trying to achieve.



Betty McCulloch, the only woman speaker, spoke appropriately of the sense of deprivation and despair that homelessness inevitably engendered, particularly among women who had no roof of their own to shelter their families. She referred to Christian Action's active concern with the problem which had inspired the establishment of the Homeless in Britain Fund to help such projects as the Simon Community Trust.

Donald Soper spoke on behalf of the tens of thousands of Alcoholics and the Unmarried Mothers. He said there were 350,000 Alcoholics in Britain today. He was followed by Douglas Hyde, the celebrated author and journalist, who called on the Society to fill the gaps which the Welfare State, for all that it had already done, nevertheless could not fill, it must be prepared to work for 20 years on a single person if necessary, notwithstanding repeated failure and disappointment.

The Rally came to an end with a stirring call from Anton Wallich-Clifford, who, as the final speaker, pleaded that we should recognise as our brothers and sisters the rejected men and women "who have no safe bed tonight and no tomorrow". This reminded us of the day when "Dismas made the grade and Simon's life was changed once he had felt the impact of the Cross".

#### *DEFENCE AND AID FUND*

In these last months the Chairman, Canon Collins has been engaged in writing a book so that at times we have sorely missed his inspired touch. Nevertheless these last months have been very busy ones for the Defence and Aid Fund. We have been mainly engaged in trying to keep the many crucial issues in Southern Africa before the attention of all those in Britain who feel that we have an obligation to the oppressed in both South Africa and Southern Rhodesia, and to spread our resources however thinly to provide a legal defence to those who need it most urgently. We are deeply grateful to the many thousands of donors who continue to make this work possible.

Looking back to 1963 and the work of this year, our supporters should have reason for satisfaction with the modest successes that we have achieved. In Southern Rhodesia we are assisting Mapolisa in his appeal against a death sentence under the "Hanging Act" to the Privy Council while earlier we were pleased to have provided Matima with the defence which led to his acquittal on a charge which also carried a compulsory death penalty.

In South Africa last year we undertook the defence of some 800 persons under various apartheid laws of whom more than half were acquitted. Typical of the cases we dealt with was the case of Simon Lescia who was convicted by the magistrate on evidence which the appeal judge said was simply non-existent, and he was released on appeal after spending a year in a South African prison. He had received a sentence of three years imprisonment for belonging to a banned organisation, the Pan African Conference, so that on balance the Fund's intervention saved him from the balance of his sentence.

We have had three major trials on our hands, all of which are now completed with most of the accused being convicted. In each case, at Cape Town, at Pietermaritzburg and at Pretoria the charges were such that the accused faced a possible death penalty. We are certain that the defence provided by the Fund had the effect of saving certain of the accused from this dreadful end. We are still vitally concerned about the Rivonia trial where amongst the nine convicted

are two of South Africa's foremost political leaders, Nelson Mandela and Walter Sisulu. Not only are we determined to provide these brave men with an appeal but we feel an urgent obligation to provide for the families and dependents left destitute by the loss of the breadwinners. However money for the Fund is the vital condition precedent to all our future fund-raising and so for the remainder of 1964 this must continue as always to be the sole pre-occupation of all those concerned in the Fund.

We started the year with a most successful meeting in the Westminster Central Hall and we summarise for you some of the very important things which were said then.

Report of Christian Action Meeting, Central Hall, Westminster, February 10th, 1964.

*Speakers:* Mr. Tom Kellock, Mr. Marlon Brando, Archbishop Joost de Blank, Mr. Archie Lewitton and Mr. John Lang.

This meeting, which was almost entirely unnoticed by the press, was one of the most important ever organised by Christian Action on the subject of South Africa. Its purpose was announced by the Chairman Canon John Collins "to call upon all in Britain who cherish freedom and the right of everyone to face trial to do all they can to provide for the defence in the courts of the victims of apartheid and to ensure that, as far as possible, their dependents are properly cared for". This purpose can only be realised if the message of the meeting is carried vigorously far and wide, and this is not easy in the face of public apathy and indifference, and in view of the fact that the press is frankly unwilling to print very much on the subject of South Africa; Christian Action and other interested bodies have to do the best that they can.

We were extremely fortunate in securing, at the last minute, Mr. Marlon Brando as a guest speaker. He spoke of the work he was doing in organising a cultural boycott of all places which practise racial segregation, and he read out an impressive list of names of writers and actors who had already agreed to refuse to allow any performances of any works with which they were associated to take place in racially-segregated countries or cities. Mr. Brando's presence on the platform added a very welcome spice of glamour and excitement to an already interesting meeting.

All the other speakers pursued two themes: first, a most damning indictment of the present South African Government, and second, a tribute to the work of the Defence and Aid Fund and an insistence upon the absolute necessity for its expansion. On the first theme, the charge of torture was repeated again and again, and it does seem absolutely monstrous that no public notice whatever should have been taken of this. Even in England there was an outcry over the methods used by the French in Algeria, why then are we all so silent about what goes on in South Africa? Here is some of the evidence:

*Mr. Tom Kellock:* I went to South Africa trying to be as unprejudiced as possible. I found how easy it was not to notice apartheid at all. Staying in Johannesburg in the European part of the town a visitor may completely fail to realise the evils of the system around him. He lives a life in a good suburb with a fine climate, swimming baths and willing servants. On his travels to the centre of the town he may go in a white bus or a white taxi to offices where everybody except the cleaners are white. It is unlikely that he will penetrate to Alexandria or the other townships.

However, the situation slowly creeps up on one. By reading the newspapers one sees such headlines as "Human Rights Day" and with pictures taken in Pretoria under the heading "Indian Women Dispersed by Dogs". These were women who were protesting against the application of the Group Areas Act and whose wish to see the Prime Minister were prevented by the police and Alsations. In talking to people I found that most people preferred to talk about politics in the open air because they are frightened of microphones in the house. I saw lawyers holding their conferences in corridors because they could not trust their offices. People are careful on the telephone. All the atmosphere of a police state exists if one steps out of the line of being a complete tourist.

In Pretoria the 10 accused in the Rivonia Trial are charged with conspiracy to procure acts of violence, of sabotage, guerrilla warfare and violent revolution. The laws in any country are designed to deal with charges of this sort. But in South Africa special laws have been made. Accused are denied the advantage of preliminary hearing. The trial is by the judge alone and without a jury. The onus in many ways of proving their innocence is on them and the law is such that one of the allegations against one of the accused, an attorney, is that he personally handled cases in which someone was accused of subversion. It is a strange law that connects a lawyer with the crime of his client.

But the Rivonia Trial is not the only trial going on in the country. Figures are difficult to obtain but in the Cape Town area alone the Defence and Aid Committee alone from January to the 30th September last year had assisted in the cases of 537 people. Multiplied throughout the country it shows the extent of the political trials that have been going on. One of the interesting figures is that out of the 537 cases 235 persons were discharged or found not guilty. One hates to think what might have happened to these people if the Defence and Aid Fund had not been available, and unfortunately there are many cases in which it is either not available for lack of money or in fact not obtained for other reasons.

But perhaps the worst of all is the so-called 90 Days' Detention Clause. This Clause enables the police to detain a person for 90 days plus another 90 days if needs be and another if they wish to, for the purpose of questioning. The detention is in solitary confinement in a cell about 10 feet by 12 feet. There is no reading matter except the Bible. No writing materials are allowed. The warders are forbidden to talk to the prisoners and there is only one hour's exercise per day. Is it surprising that 60 leading psychiatrists, psychologists and medical specialists in South Africa itself labelled this system as "inhuman and unjustifiable"? They further go on to say that the "individual's testimony is no longer reliable, because the mental deterioration of the prisoner may not be obvious either to himself or those in charge of him. The results of interrogation of detainees in this state might well be untrustworthy. In spite of this the majority of witnesses that I heard in the Rivonia and other trials were people who had themselves been detained in these conditions. Apart from anything else the thought must have been in their minds that they might return to their solitary confinement. In these circumstances I found it very difficult to take as trustworthy the evidence I heard.

On September 5th Mr. Looksmart Solwandle Ngudie was found hanged in the Pretoria police cells. At an inquest it was alleged by counsel on behalf of his widow that he had been driven to suicide by the questioning and physical

torture of the police. In this connection one Isaac Tlale gave evidence that in the police station he himself had been first beaten and then after being strapped in a squatting position and with a bag over his head, he had been given electric shocks through his thumb until he fainted. He alleged that the deceased had told him that he also had had electric treatment. Again I should point out that the Defence and Aid Fund has enabled the widow to be represented at this inquest and it is probably due to this fact that this evidence has been brought into the open.

There have been many other statements and affidavits alleging that the South African police have been using this electric torture. The Progressive Party and even the United Party have been demanding an inquiry but the Minister of Justice steadfastly refuses to admit that there is anything to inquire into.

Archbishop de Blank: I am glad to be here today as it is my first opportunity publicly to say "thank you" for all that Christian Action and the Defence and Aid Fund have done for South Africa over the last year. Of all the organisations that have come into existence for a longer or shorter time to help South Africa over the last years, I may say that Defence and Aid has gone on month after month, year after year—even when South Africa was no longer hitting the newspaper headlines day after day, and, and *this is the important point*, we never applied for help in vain.

We are hearing at this time of trials all over the Republic. I do not say that all the defendants are lily-white innocents. Some there are who have clearly been involved in subversive activity; some, though many fewer than the Government admits, may have been actively engaged in furthering Communism; but it seems to me that Defence and Aid exists to do one or, if you like, two crucially important things. It exists one, in order that justice may be done, and two, in order that justice may be seen to be done. It has therefore provided the means for proper legal defence and has done everything possible to see to it that those accused are given a fair trial with all the safeguards that you would expect of a civilised society, but which in South Africa would go by default were they not provided by an agency such as this.

Those who are opposed to Government apartheid policy travel a very difficult and tricky road. They have to take things as they are. They may object, as I do, to many of the laws of the land; but even within the framework of a society where the scales of justice are heavily weighted against the non-white population, even in such a lamentable state of affairs, they have to try and ensure that those brought to the courts are fairly treated and adequately represented legally.

Needless to say to an informed audience like this, that this gets more and more difficult. Under the 90 days' detention business, people can be arrested and incarcerated without trial—and they can be deprived of their freedom for an unlimited period of time at the whim of a man who is called the Minister of Justice. The most glaring and scandalous example of this is seen in Sobukwe. It is worth recalling in this hall that Sobukwe was a Methodist local preacher who could stand the ever fiercer discrimination against his people no longer and who was arrested and condemned to three years' imprisonment as the result of his share of the African actions at the time of the Sharpeville massacre.

It needs to be remembered that he had just about paid the penalty for his crime and was due for release, when the Minister of Justice rushed through his detention bill so that Sobukwe might be detained in jail, even after what must

have been considered by the Judge as a suitable period of imprisonment, had expired. Whenever or if ever he will be released remains uncertain. And it has to be remembered that those arrested under the 90 days' detention clause may be re-arrested again and again. Many of these are held in solitary confinement against which leading medical men, psychologists and psychiatrists in South Africa have publicly protested. During which time it is now unmistakably clear, and the evidence of such eminent South Africans as Hamilton Russel, methods of torture have been used so that men begin to incriminate themselves and others without any loyalty to the truth but solely in the hope of being spared more brutality.

I have among my papers here two sworn affidavits made by Africans stating that they were tortured while in prison, though, let me add for the sake of accuracy, these men were not arrested under the 90 days' business, but were nevertheless held in prison for many months without trial and without charges being laid against them.

Undoubtedly the most important aspect of the work of the Defence Committee recently has been the handling of cases involving people who have been held for periods of 90 days. There were about 30 or 40 new detentions during October, while the prisons and police stations were still filled with men and women who had been held from two to five months under this clause. It was extremely difficult to keep track of detainees, as the police flatly refused to give any information or any description about them. Even wives could wander from one police station to the other for several days trying to locate their husbands, and never being sure whether the food and clothing they sent in was ever received. A state of extreme tension began to build up, as the detentions increased every day. Rumours of torture began to filter out from the jails, and it was reported in the press and subsequently confirmed that a detainee had hanged himself. The anxiety was beginning to reach the point of hysteria in the African townships, and women filled the Defence and Aid office every day desperately hoping for some re-assuring news.

Then suddenly certain prominent members of the police began to sit up and take notice, and pressure was brought to bear on the minister for this apparent abuse of his powers. The immediate result was that nearly all detainees were hastily brought into court and charged, and arrests seemed to decrease. When those arrested are brought to trial, the bulk of the evidence used against them will have been extracted from them during their detention under the 90-day clause.

The most telling case to arise out of these detentions is the inquest on Looksmart Solwandie, who is alleged to have hanged himself in Pretoria Goal. The hearing began late in October and the Advocate has called several witnesses who allege the most frightful torture in Pretoria. There are 22 witnesses to this torture. None of the evidence so far brought has collapsed under cross-examination, and the record is already 400 pages thick. Naturally this case is proving to be a tremendous financial burden on the Fund, but it is one which clearly cannot be abandoned.

Now my contention is a very simple one and that is why I am here, namely that without the help of the Defence and Aid Fund, not only would many more have been brought to trial (it is astonishing how many are released when it is learnt that Defence and Aid will provide means to defend them) but many

more than the 213 without proper legal representation would have been sentenced to prison.

So the work goes on, and so South Africa still needs your help. It would be impossible to pay too high a tribute to the local Committee in South Africa and to that wonderful organisation, the Black Sash, for all that they are doing to maintain a trust and respect for the white man among the millions of Africans.

But as I said when I began, so I repeat now: Defence and Aid has made possible positive Christian Action in South Africa. I pray its work may never diminish while the need persists but may go on from strength to strength.

Mr. Archie Lewitton spoke briefly of his personal experiences in solitary confinement. He was, he said, in a cell 13 feet by 7 feet. He slept on two felt mats on a concrete floor and that was all the bedding he had. In winter in South Africa it can be bitterly cold at nights, and there is no heating of any type in the cells. In theory prisoners are allowed one hour's exercise a day, in practice they are lucky if it is ten minutes. Africans have been confined as long as six weeks without ever leaving their cells.

He spoke of the feelings of despair and thoughts of suicide which begin to overwhelm people after a few weeks and of the strange symptoms which afflict those in solitary confinement—uncontrollable trembling, nightmares, insomnia and hallucinations.

Mr. Lewitton ended with a solemn accusation. Evidence was coming out of the prisons from all over South Africa of the use of electrical torture on African prisoners. "I do not believe", he said, "that this is something thought up independently by the special branch; they are not people who act on their own initiative, they don't use their own money to go out and buy electrical machines; they can only be acting on orders from above. I accuse the South African Government of pursuing a deliberate policy of torturing its African citizens".

Mr. John Lang began his speech with a quotation from Mr. Alan Paton. He went on to pay tribute once again to the work of the Defence and Aid Fund, and to the courage of those who, in the early days, had spoken out against apartheid and especially to the leaders of the Anglican Church. He ended with a somewhat ironical quotation from General Smuts who said in a speech in 1934 'Freedom is the most ineradicable craving of human nature, the denial of human rights must in the long run lead to a cataclysm.' "It is clear", went on Mr. Lang "that Smuts never paused to apply these principles to the society which he had done so much to create, but they apply nevertheless. Mr. Paton, in a recent speech said "It is a terrible fear that for any man or woman of honour, and that is to fear those who fear change, and to be silent because of them and to contribute to the catastrophe that will overtake us if all change is forever resisted." Those who fear those who fear change are often silent because they have come to the end of their economic tether. They wonder who will tend their children once they are caught into the yawning abyss of a South African prison.

The audience, between 1,600 and 1,700 people, responded magnificently to the Chairman's appeal for money for the Defence and Aid Fund, and about £1,900 was collected—the largest collection ever made at a Christian Action meeting.

#### RECITAL AT WIGMORE HALL

On the evening of 22nd May, Harold Rubens the well-known pianist gave a recital at the Wigmore Hall for the Defence and Aid Fund which was well attended and evoked a warm response from an enthusiastic audience. A telephone hoax that a bomb would go off during the recital was taken in good part by everyone, while a police search proved nothing.

Mr. Rubens gave up his post as Senior Lecturer in Cape Town University Music Department because of his opposition to apartheid and returned to this country a year ago. Christian Action is very grateful to him for so generously giving his services which raised some £200 for the Defence and Aid Fund.

#### DATES FOR YOUR DIARY

Future activities planned in aid of our work include:

*Thursday, 9th July; 8 p.m.*

*A Concert at the Stationers' Hall, E.C.4., during the City of London Festival, Tickets 42/- each. Supper, if required, 25/- a head. In aid of Christian Action. See notice enclosed in this issue of Christian Action.*

*Monday, 14th September; 7.30 p.m.*

*A Recital at the Wigmore Hall by Mildred Dilling, the celebrated Harpist. Margaret Le Foe, Coloratura Mezzo Soprano. Tickets: 30/-; 20/-; 15/-; 10/-; 5/-. In aid of The Homeless in Britain Fund.*

*Sunday, 15th November; 7.30 p.m.*

*A Musical and Dramatic Presentation: In Praise of Freedom at the Royal Albert Hall. Musical Adviser: Lord Harewood. In aid of the Defence and Aid Fund.*

*Saturday, 28th November; 3 p.m.*

*A Recital at the Wigmore Hall by Wilfred Brown, Tenor; John Williams, Guitar. Tickets: 20/-; 15/-; 10/-; 5/-. In aid of Christian Action.*

Fuller details of the last two items will be given in the September issue of *Christian Action*. We would welcome all possible help from readers and their friends in selling tickets for any of these events, in particular for the Albert Hall presentation which promises to be an exciting and memorable occasion, in its own right, quite apart from the worthy cause it seeks to aid.

#### CHRISTMAS CARDS 1964

Advance copies of this year's illustrated list are available on application. Supplies of the extended range of cards, from 3d. to 2/-, will be ready in July. The illustrated list will be sent out with the next issue of *Christian Action*—in September.

# Stop Press!

## RIVONIA TRIAL COUNCIL SPEAKS

The savage sentences of life imprisonment imposed upon the defendants at the Rivonia Trial were only just announced as were we going to press. However, we were in time to include part of an outstanding letter sent to Canon Collins by one of the defence council. The letter, we feel, speaks for itself.

"The Rivonia case ended at noon today, when sentences of life imprisonment were imposed on all the remaining eight accused—Bernstein as you know was acquitted yesterday and immediately re-arrested, presumably on a charge of taking part in the activities of one of our unlawful organizations.

There was tremendous tension in court. Even before arriving in Pretoria one had to pass through police blocks all along the main roads leading to that city. In and around the court buildings there were armed police, tommy guns, rifles with bayonets, etc. The atmosphere which this sort of thing creates in an ordinary court is extremely difficult to describe. I think one has to experience it in order to know what it is. . . . All the accused have asked me to express to you personally their deep gratitude for all that Defence and Aid has done not only for them but also for those many accused in different parts of the country who have benefited so much by the assistance. Being the men they are, they are probably more grateful for the assistance given to others than for the assistance which they received. I should like to assure you and Defence and Aid that this assistance has been of tremendous value in two ways. It has of course boosted the morale of the many hundreds who have been prosecuted but has also saved a very substantial number from conviction and in many cases has led to lighter sentences than the accused would otherwise have received.

Two enormous tasks remain. The first of course is to build up a public opinion which will persuade this government to release its political prisoners and if possible persuade them not to execute the four men condemned to death. The second task is one about which I hesitate to speak because of the enormous efforts already made by Defence and Aid. But it is clear that there are going to be many other prosecutions all over the country and as you know the government is making it as difficult as possible to conduct defences. . . . I would like to say two further things. The morale of the men in the Rivonia Trial was splendid. Through all the long months they have thought a good deal more about others in trouble, in 90 days or being prosecuted in out of the way corners in South Africa, than they have about their own troubles. Indeed at times they appeared almost unconscious of the very real danger in which they themselves lived. We went to see the accused after sentence and found them eating a cold chicken lunch which had been sent into the cells for them. . . . In many ways, important and unimportant, this trial has changed attitudes. One intelligent civil servant, when Mbeki suggested that he would have to get used to living with Mbeki for many years, said in Afrikaans: 'I do not think we shall keep you so long; we have all learnt a great deal during this case'. The other thing is that X. Y. has been magnificent in the quiet, efficient and inexpensive way in which he has managed to conduct not only this enormous case but other prosecutions in Johannesburg and Pretoria.

Please convey to everyone who has been concerned with the collection of funds in London my personal thanks for all that they have done. This may sound as if



I am overlooking the value of the moral support which we have received. That in fact has been very great indeed. The Christian Action vigil must have been very impressive.

As always, with many thanks”.

P.S. 13th June, 1964.

“I have just received your two cables and would like on behalf of the accused to express their sincere thanks, which I know they will send as soon as I am able to see them again. The support for the families will indeed be extremely welcome. In particular there are a number of small children to be educated”.

## Books and Pamphlets

### A Start in Freedom

by Sir Hugh Foot (Hodder and Stoughton, 30/)

When I was asked to review this book I at once agreed to do so. I accepted so readily partly because, having met Sir Hugh Foot shortly after he resigned his post in the British delegation at the United Nations, I was anxious to know more about this man. But also, since my visit to the United Nations, I wanted to know how someone who has had such intimate knowledge of this organisation as Sir Hugh Foot regards the United Nations. Certainly *A Start in Freedom* satisfied both my desires. As I read his lively description of his experiences in Palestine, in the Middle East, in Nigeria, Jamaica, and Cyprus, I began to understand a little better how much we owe to men such as him. Of himself he says “When I have been speaking to American audiences I have suggested that they should look twice at the battered figure before them. For never again might they see a British Colonial Governor. We are becoming increasingly rare. Soon, except in a few scattered islands and outposts, there will be none of us left. I am the last of an almost extinct species”. One can only hope that not only American audiences, but many people in this country will in reading this book take a long look at this man who has packed so much that has been so worthwhile into his life, and recounts it here in such a direct and exciting fashion that he holds the reader's attention to the very end. The largest single chapter is that in which he describes the time that he spent at the United Nations; a chapter which he prefaces significantly with St. Paul's words, “For which I am an ambassador in bonds; that therein I may speak boldly, as I ought to speak”. The whole of this chapter merits careful study, and not least the section in which he discusses colonial questions at the United Nations. Both British politicians and this whole nation would do well to ponder his serious warning when in discussing the struggle between African nationalism and white domination in Africa he writes these serious words: “We may soon find ourselves on the wrong side in a losing battle. All that we have done in preparing colonial territories for independence will then count for little or nothing in our favour. Our many African friends will turn against us. Instead of discrediting the Soviet Union we shall play into its hands. We shall be divided from the Commonwealth. The Americans will not stay with us. We shall be isolated with Portugal and South Africa”. Small wonder that the time came when Sir

Hugh could no longer continue to speak for Her Majesty's Government on Southern Rhodesia in the United Nations, though as he says even at a late stage he hoped that "the British Government might still intervene to give some hope and some assurance for the future". He goes on tersely "Lord Home was in New York and I went to him to urge him that the drift should be stopped. I flew to London and had a long talk with Mr. Butler. I thought at one time that I had convinced them. Lord Home went back to London and told me I could expect a quick decision. I repeated that if there was no new initiative someone else would have to take my place. But word came back within a week that nothing could be done. I resigned . . ." One can only hope that this brief extract will encourage readers of this review to read for themselves the sequence of events that led Sir Hugh Foot with characteristic courage to make this momentous decision.

The final chapter which is entitled "The Future" and which is prefaced with the well-known prayer of Sir Francis Drake, might have been in some ways specially written for supporters of Christian Action. At least one would hope that at any rate they will take to heart what is written in the last pages of *A Start in Freedom*. Indeed the first two sections of this chapter might well provide signposts for Christian Action in the days that lie ahead. Each sentence in these sections of this last chapter deserve to be pondered over by any who care for the future of these islands and the peace of the world.

† AMBROSE REEVES

#### Civilian Defence

by Adam Roberts, Jerome Frank, Arne Naen and Gene Sharp (Housmans, 2/6).

I think I can claim that since 1945 when the first atom-bomb exploded over Hiroshima that by all ways and means open to me I have argued that the use of nuclear energy for military purposes was a revolutionary event of unprecedented magnitude in human affairs.

Why? Simply because nuclear violence even before the development of the H-bomb was so great that it had become meaningless to use it in the operation of power politics.

But for reasons which I find difficult to assess except on the basis that our rulers are a lot of morons (which obviously they are not) only a limited number of people seem capable of drawing the inevitable conclusions from the fact that violence has (in nuclear form) outgrown its value as an element in power politics.

The best explanation I can find of this failure to glimpse the obvious is that when something has been manifestly true since the beginning of written history and before, it is expecting too much of most people to ask them to believe that scientific developments (i.e. the exploitation of nuclear energy) which have taken place in a time period of two decades have made nonsense of an old age truth.

The difficulty of making the mental re-adjustment is increased by the fact that non-nuclear violence (leaving aside all moral considerations which of course one should not do especially in these pages) is still an effective weapon for use in power politics.

The four authors who contribute to the booklet *Civilian Defence* (Peace News Pamphlet, 2/6) have all broken through the thought barrier in defence

thinking and realise perfectly well the futility of violence in nuclear form and they are concerned to make the case " that an alternative means of defence does exist—defence by the civilian population, based on the technique of non-violent action ".

Surprisingly enough—though as he is a very intelligent chap—perhaps one should not be surprised, Mr. Alistair Buchan, the Director of the Institute of Strategic Studies, contributes a foreword in which in slightly apologetic terms he admits that as " the classic direct strategies for preserving the integrity of nation . . . lose their reality with the development of weapons which can destroy civilizations . . . we should pay increasing attention to the indirect strategies for preserving our societies from domination ".

This exceedingly valuable booklet contains four essays viz, A Case for Civilian Defence (Adam Roberts); Psychological Problems and Foreign Policy (Arne Naen); Deterrence and Liberation by Civilian Defence (Gene Sharp, who also contributes some appendices giving 81 case histories of Civil resistance).

Taken as a whole the essays prove conclusively that this whole question urgently demands a great deal of study and research and personally I have found it disappointing that the Institute of Strategic Studies has not devoted at least as much time and effort to this subject as it has and does to means of defence which are non-sensical in the nuclear age.

The Institute would perform a great public service if it at once took up this subject in a big way. In 1958 I pleaded for a large scale investigation into Defence Problems in the Nuclear Age, but the vast defence organisations in the Pentagon and the new Ministry of Defence in Whitehall are still mentally in the pre-nuclear age when power in power politics was directly related to the extent of national violence capacity.

Although it is outside the scope of this excellent booklet I have a strong suspicion that nuclear weapons are on the way out and will be superseded (unless Mankind sees sense) by bacteriological and nerve gas weapons. Even the enlightened authors who contribute to this booklet assume that an enemy occupation is one of the chief menaces from which a nation may have to defend itself. I am sure this is still true in many parts of the world but I doubt whether a Russian " occupation " of Britain or a Chinese " occupation " of S. Vietnam or India makes any sense at all.

STEPHEN KING-HALL

#### No New Morality

by Douglas Rhymes (Constable, 12/6)

The questioning of rigid systems of morality, particularly in the sexual sphere, is becoming a prominent feature of religion in the 1960's. Following the existentialist trail so courageously blazed by H. A. Williams in *Soundings*, we have had the Quaker Report, Dr. Robinson, numerous editorial comments in *Prism*, and now Canon Rhymes.

Canon Rhymes allies himself with H. A. Williams as against Dr. Sherwin Bailey in blaming St. Paul for the Church's rigid outlook on sexual morals. St. Paul had been, on his own admission, a Pharisee of the Pharisees and, despite his conversion to Christianity, he remained subconsciously a Pharisee always.

Canon Rhymes might have supported this contention powerfully by appealing to the forensic doctrine of Justification contained in the Epistle to the Romans.

He prefers, however, to confine himself to St. Paul's insistence on the two laws—the law of the Flesh and the law of the Spirit with which it is at war. This unhealthy dualism has moulded Christian thinking on sex ever since.

Our Lord, in contrast, "does not call people to a law but to a relationship, a relationship to Himself, Who is Love, that they may know themselves and enter into that same relationship with others. . . . He deals with people in their situations and helps them to find their deepest welfare in that particular situation".

It is to these dominical standards of morality that Canon Rhymes seeks to lead us back. Hence his title, "No New Morality".

His next section contrasts love with lust and shows, by quoting actual examples, how our conscious rectitude can mask darker subconscious motives. Canon Rhymes has done his psychiatric homework well. He makes his points clearly and tellingly.

The second half of the book deals with the practical implications of this thesis, particularly for young people. He is, of course, right in insisting that few teenagers are irresponsible hedonists. His strictures on the malign influence of advertising and the affluent society are no doubt justified. But none of this is very new. Nor are his suggestions for discussion groups and lectures to help young people towards self-awareness and responsibility. These can already be found in many progressive parishes and schools.

His comments on sexual relationships outside marriage are a little inconsistent. He seems to fight shy of the conclusions to which his argument must inevitably lead him, preferring the rather vague statement ". . . it is possible to conceive of situations where . . . self-giving outside marriage might have to be judged in the light of all the circumstances rather than be met with outright condemnation".

Canon Rhymes concludes with a plea for greater flexibility over divorce. Here again, many will sympathise. But he says little that has not already been said by Dr. Sherwin Bailey and Canon Milford. There is a brief appendix on homosexuality.

This is not the revolutionary and shocking book that its detractors have led us to expect. But it is a generous, responsible and, for the most part, well-argued work which will help many people and should be widely read.

ANTHONY BENDER

#### The Rise of the South African Reich

by *Brian Bunting* (Penguin African Library, 4/6)

Brian Bunting's book is not just another book about South Africa. Many books have been written about life under apartheid but few, if any, have been written about the history and sources of Nationalist power. Brian Bunting has seen the Nationalist Party in action at very close range. He was Member of Parliament as African representative in the Western Cape until he was expelled under the Suppression of Communism Act. For many years he was editor of the left-wing weeklies *Guardian*, *Advance* and *New Age*, all of which were banned by the government. He has been banned from attending gatherings, detained during the state of emergency in 1960, and placed under house arrest. The remarkable thing about his book is its objectivity and clarity.

*The Rise of the South African Reich* is an engrossing, if sometimes disturbing, account of the rise and development of Nationalist Afrikanerdom from the ashes of defeat in the Boer War to the harsh triumph of "granite wall" apartheid. The road along which Afrikaner nationalism has come to reach its cherished republic has been a hard one—in a sense a great trek which has led it away from the twentieth century.

The Afrikaners' traditional response to challenges has always been retreat into isolation. For they have always seen themselves and their way of life threatened. But it has been futile to retreat behind the granite walls of apartheid and to holler that apartheid is a domestic affair. What is happening in South Africa is very much the concern of the world. Apartheid is an affront to people everywhere and there is a growing demand for change.

Brian Bunting shows clearly that nothing was left to chance in the development of Nationalist Afrikanerdom. Occasionally there were clashes between leaders, opportunism, but these did not deflect it from its goal—a republic along the lines of the old Boer Republic of the Transvaal and the Orange Free State, based on Afrikaner domination. Brian Bunting shows too, how the Nationalist Party came to be permeated by Nazi ideologies of race and blood—ideas similar to the Afrikaners' own.

During the Second World War leaders of the Nationalist Party based their hopes on a German victory and they vied with one another for German favour. "The whole future of Afrikanerdom", said Schoeman, "is dependent on a German victory". The Nationalist Party did much to weaken South Africa's war effort and the allied *Ossewa Brandwag* engaged in sabotage. As Brian Bunting neatly puts it, "There was more than one claimant to the role of Quisling in South Africa". Vorster, now Minister of Justice, was interned and Dr. Verwoerd, then editor of the Nationalist Party newspaper *Die Transvaler*, was found in a court of law to have falsified news in support of Nazi propaganda.

Some people may quarrel with the title of the book and may point out that South Africa is by no means what Hitler's Germany was. True, there are no concentration camps nor gas chambers. But the mentality which created these exists. One has only to look at the laws of the country to realise that South Africa is now a full-fledged police state which betrays a contempt for the non-whites comparable to the Nazi attitude to the Jews.

Since coming into power in 1948, the Nationalist Party has so deeply entrenched itself that it cannot be prised out by parliamentary means. The Parliamentary Opposition has fragmented and, in any case, never offered an alternative policy to apartheid. The real opposition has come from the Africans and just how fierce this opposition has been is shown by the extremes to which the Nationalists have been prepared to go in order to crush it. The Government has banned the African political parties, banished and banned African leaders, and now opponents of the regime have been sentenced to death for sabotage and others are on trial for their lives. The Nationalist Party has created a climate in which opposition to their policies is tantamount to treason.

For many years the African leadership has followed a policy of non-violent opposition. Now, in face of Nationalist intransigence and brutality, violence is being used to meet violence. This violence is as yet chiefly directed against government property and institutions.

Should disaster overtake South Africa, the blame will rest squarely on the shoulders of the Nationalist Government. But responsibility will also fall on those countries who, while in a position to exert pressure on South Africa, have refrained out of selfish interest, from doing so. The South African Government is preparing for civil war. Just how serious the position is Brain Bunting's book clearly shows.

ALFRED HUTCHINSON

### The True and Living God

by Trevor Huddleston, C.R. (Fontana, 2/6)

Bishop Trevor Huddleston of Masasi has collected together his mission talks to the University of Oxford, given during Hilary Term, 1963, and published them in a small paperback at 2/6.

The opening talk was on 'The World' in which Bishop Huddleston emphasizes his belief in the emptiness, the unreality, the 'absurdity' (to use a phrase of Jean-Paul Sartre) of life as lived by modern Western man. The purpose of his mission to Oxford was to answer this 'absurdity' with the Truth and the Life of the Christian faith, not as considered in the abstract of Theology or Philosophy but, characteristically of Huddleston, in the appeal to *experience*. He warns his listeners that he must take risks in presenting the faith to them because the situation is desperate. He says: "... I am much comforted by the fact that that is precisely what Jesus Christ told his closest friends to do. 'If you want to follow me you had better forget all about security: whether the security of home life ('unless you hate your father and mother and brothers and sisters, don't come after me') or the security of a job ('look at the flowers ... the birds ... nature: and stop worrying about where your next meal will come from ... I offer you a gallows, a total loss, failure ...'). The element of risk in the Christian religion is not something that passes away as one grows older, for it lies at the heart of the faith itself. A religion whose symbol is the cross is a religion which warns men off if they are timid of life—at least it ought to! and ... Christianity has become ... part of the Establishment and there is no room for a cross there! "

The second address answers the question: 'What is Man?' and in it the writer gives the answer of the Communist: Man is the victim of economic forces which mould his life; the secular Humanist answers that man will never grow up until he can forget the irrational fears, the guilt, the grief, and the cruelty which are called 'religion'. The Freudian answers "that without self-awareness, without analysis, without that re-integration of the whole personality which is dependent on these things, man is incapable of being man: he is a kind of living lie, unconscious of his unconscious, which is *reality*". As the Bishop observes in all this there is a contradiction: there is that which takes away from man all significance: and there is that which gives him the only significance there is.

He has some refreshing things to say on the problem of Christian disunity, where he quotes from the works of Giovanni Miegge, an Italian Waldensian, "as things *now* stand Christ is not yet *fully* present in his Church: or rather he is both present *and* expected, and that presence which he now accords is only the promise of that fullness of his presence which belongs to the future".

The last address is 'The Hard Core', a title taken from *The Towers of Tredizond* where Aunt Dot is quoting from St. Clement of Alexandria, after her niece's fiancé has been killed in a car smash. The full quotation is a good subject for meditation: "We may not be taken up and transported to our journey's end, but must travel thither on foot, traversing the whole distance of the narrow way. One mustn't lose sight of the *hard core* which is, do this do that . . . understand the world you live in and be on terms with it, don't dramatise and dream of escape".

JOHN SALTER

#### Equality: The First Tawney Memorial Lecture

by Stanley Evans (Christian Socialist Movement, 1/6)

This is not likely to be recorded by historians as an age of prophecy. At a time when the Left has undergone mass conversion to social engineering, when, as Richard Acland put it, the Standard of Living is more highly regarded than the Way of Life, the late R. H. Tawney seems an oddly anachronistic figure although he died barely two years ago. Yet, as Canon Evans points out in the first of the new Tawney Memorial Lectures sponsored by the Christian Socialist Movement, Tawney was a prophet who, as much as a radical of his generation anticipated and inspired some of the most celebrated diagnoses of modern social sickness. To those who know their Tawney, Galbraith's *Affluent Society* is the former's *Acquisitive Society* writ large.

For Tawney the fundamental characteristic of a just and moral society was equality which, as Canon Evans indicates, not an inherent condition of society but a concept of human relationships operative at all levels of society, a deliberate way of regarding one's fellows. Far from inhibiting creative energies, equality liberates them.

Canon Evans's illustrations of his thesis are briskly contemporary. For example: "It is important to state . . . that chattel slavery, the most extreme form of inequality known to man, still exists in the world. To give but one example, it is generally estimated that ten per cent of the population of Arabia are slaves and it is in such countries as Aden held under British 'protection' that this evil institution is most tenacious of life". Even as I am typing this review the wireless announces fresh exploits of the 'protectors' against the people of Yemen.

Despite the Welfare State our Society, including the Labour Party Establishment, is still governed by the philosophy that "private gain is the individual goal, public service the collective result". This is not only bad theology but bad economics, the sort of economic heresy which threatens to sabotage the whole welfare edifice. And yet this fundamental flaw in the fabric of welfare capitalism is something which no Labour Election Manifesto has yet had the courage to face—and repair. Many of today's fashionable radicals would claim Tawney as a spiritual ancestor. Canon Evans's brilliant distillation of Tawney's social doctrine will, I hope, persuade them of their need to read him afresh in order that they may judge our pink-stamps-and-purple-hearts society with a more critical eye. "He (Tawney) did not care if clever economists proved that capitalism could work", writes Lena Jeger in a biographical introduction to this pamphlet. "For him what mattered was only that it was wrong, an evil that good men should destroy".

IAN HENDERSON

### Is It Nothing To You? The Tragedy of the Homeless

(Christian Action, 1/-)

The following is a review of our latest pamphlet by Monica Furlong which is reprinted here by kind permission of the *Daily Mail*. It is obtainable from Christian Action Office, price 1/- (postage 3d.).

Christian Action have just brought out a sensible, sober pamphlet on homelessness in Britain.

They point out that in London 900 families are literally homeless, and the number will continue to rise.

Homelessness . . . does not mean putting up with a place you have longed to get out of for years because it is overcrowded, dirty and unhealthy.

It does not mean having no separate home of your own, sharing the living-room, the stove, the lavatory with another family . . . Such families are envied by the homeless.

Homeless means literally that, when night falls, husband, wife and children have no front door to enter.

For most of us such a fate is almost too frightful to think about, yet we must think and do more than think about it.

Christian Action have started a national appeal for the homeless with a first target of £100,000.

Money will be passed on to housing societies engaged on building houses, or, as in Notting Hill, to a responsible project, run by volunteers, in which houses are bought, converted into decent flats and let at rents which the needy can afford.

A drop in the ocean, when the solution must eventually lie with intelligent authority?

As Christian Action remark: "If you come upon the scene of a motor accident you are not deterred from helping the injured by the thought that doing so will not solve the basic problems of road safety".

### The Homosexual Condition: A Study of Fifty Cases in Men

by Dr. Ernest White (Peter Smith Limited, 2/-)

It is a little difficult to find much justification for this booklet. Parts of it would make a brief but thoughtful pamphlet on the Christian approach to the problem of homosexuality but, in the main, the study of fifty cases lacks both detail and originality. Dr. White uses psycho-analytical terms but never once refers to the classic works on inversion which psycho-analysts have been producing from the time of Freud's early researches.

Dr. White's closing paragraphs on the present state of English law in relation to homosexuality are admirable in sentiment but far too bland and optimistic in tone, in view of the urgency of legislative reform. This, for me, was driven home with some force the other night when I witnessed the nauseating sight of two uniformed constables "casing" a men's lavatory. Public opinion may change in a liberal direction, how many more sick and unhappy men are to be tormented and humiliated with legal approbation before this twentieth century Sport of Salem is discontinued?

I.H.



### BOOKS RECEIVED

(Mention here does not necessarily imply subsequent review)

*God, Sex and War* by *D. W. MacKinnon, H. E. Root, H. W. Montefiore and J. Burnaby* (Collins, 3/6).

*God's Frozen People* by *Mark Gibbs and T. Ralph Morton* (Collins, Fontana books, 3/6).

*Moral Equivalent of War* by *William James* (Housmans, 1/-).

*Sir Alec Douglas Home, Modern Conservative* by *Emrys Hughes* (Housmans, 5/-).

*New Testament, New English Bible* (Penguin, 5/-).

*God and Suffering* by *O. Fielding Clarke* (Peter Smith, 6/-).

*The Caring Church* by *George Appleton, Chad Varah, Olive Parker, Lloyd Morrell, Donald Lynch, John Hughes, Michael Hare Duke, Meredith Davies, Arthur Smith*. Edited by *Peter Smith* (Peter Smith, 5/-).

*An Honest Way to God* by *A. Graham Ikin*, (Peter Smith, 6/-).

*Praying for Daylight* by *Sebastian Bullough, O.P., J. W. C. Wand, C. E. Raven, John Huxtable*. Edited by *J. C. Niel-Smith* (Peter Smith, 5/-).

### CHRISTIAN ACTION

*Christian Action is a fellowship of Christians and of all who respect the life and teaching of Jesus, whose common aim is to serve God as citizens by translating their faith into action in public as well as in private life.*

2 Amen Court, London, E.C.4.

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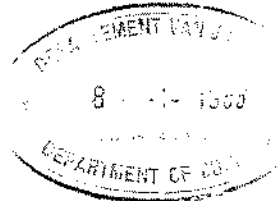
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KAAPSTAD.

DEPARTMENT OF JUSTICE  
 PROCESSEERD  
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 DEURGETUUR GEBENT VERVOLG  
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 DEPARTMENT OF JUSTICE

DIE SEKRETARIS/MINISTER

MINISTER VAN JUSTISIE EN  
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 8 -1- 1968  
 MINISTER OF JUSTICE AND  
 OF PRISONS



DEFENCE AND AID FUND.

1. Die Minister verlang verslag oor die volgende berig wat deur bemiddeling van die S.A.U.K., Pretoria vanuit Londen ontvang is:-

"The International Defence and Aid Fund is now apparently giving legal and other aid to persons charged under the Terrorism Act in South African courts.

The president of the International Defence and Aid Fund, Cannon John Collins, made it quite clear in London last night that his organisation was in full sympathy with terrorists operating in Southern Africa. Cannon Collins spoke at a left wing rally in London and said people were fully justified to support these terrorist activities.

The Defence and Aid Fund was recently banned in South Africa. Informed circles in London believe that the International Defence and Aid Fund has now developed new means of channeling funds to South Africa to be used to aid persons appearing under charges of terrorism." (22.11.1967).

2. Kompol berig soos volg:-

"Hierdie kantoor is reeds bewus van die feit dat domheer Collins se Christian Action en Interna-

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tional Defence and Aid, London, geruime tyd maar veral sedert die in ban doening van die "South African Defence and Aid Fund" doenig is om langs verskeie omweë geld na verdagte organisasies en persone in Suid-Afrika te versprei, om aangewend te word vir hofkoste, opvoeding en onderhoud van persone en/of hulle afhanklikes wat weens ondermynende bedrywighede op een of ander wyse met die gereg in botsing kom of gekom het.

Daar is onomstootlike aanduidings dat domheer Collins se organisasies in Londen inderwaarheid die funksies en bedrywighede van die verbanne "South African Defence and Aid Fund" in Suid-Afrika voortsit. Dit is dan ook hierdie kantoor se voorneme om binne afsienbare tyd en net sodra genoegsame stawende inligting bekom is, n gemotiveerde aansoek aan u voor te lê vir die in ban doening van "International Defence and Aid Fund" as synde in wese dieselfde organisasie as "South African Defence and Aid Fund".

Hoewel die verdediging in die huidige terroriserverhoor aan die hof te kenne gegee het dat fondse vir die verdediging van n welgestelde industrialis in Londen afkomstig is, blyk dit dat Collins en sy trawante die geld insamel en deur verskeie kanale dit aan die opdraggewende prokureur, Carlson, beskikbaar stel.

Beoogde optrede teen Carlson word, afwagtende die beëindiging van die huidige verhoor, agterweë gehou.

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Wetgewing is ook reeds aangevra om die kanalisering van fondse uit die buiteland na verdagte persone en/of organisasies aan bande te lê." ( [REDACTED] ).

3. Koppel se voorstelle dat wetgewing daargestel word om sekere fondse wat vanuit die buiteland ontvang word, te beheer, geniet nog aandag.

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J. Sadi  
3.1.68 5/1

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*Lauckie*

*[Signature]*  
10/1/68

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GEHEIM.

KAAPSTAD.

DIE SEKRETARIS/MINISTER: -12-1967

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DEPARTMENT OF JUSTICE  
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DEPARTMENT OF JUSTICE  
\* -9- 1966 \*  
MINISTER OF JUSTICE

DEPARTMENT OF JUSTICE  
\* 20 -1- 1967 \*  
KAAPSTAD  
DEPARTMENT OF JUSTICE

PRETORIA  
DEPARTMENT OF JUSTICE

LYS VAN PERSONE WAT AMPEDRAERS, BEAMPTES, LEDE OF AKTIEWE ONDERSTEUNERS WAS VAN "THE DEFENCE AND AID FUND"

*Handwritten notes:*  
12/1/67  
12/1/67  
12/1/67

1. Die Minister het gelas dat die Beredderaar van die bates van die Defence and Aid Fund 'n lys van ampedraers, beamptes, lede of aktiewe ondersteuners van die organisasie opstel. (12.8.1966).
2. Artikel 4(10) van die Wet op die Onderdrukking van Kommunisme lees soos volg:

"Indien die Minister hom gelas om sulks te doen, stel die beredderaar 'n lys op van persone wat ampedraers, beamptes, lede of aktiewe ondersteuners is of te eniger tyd voor of na die inwerkingtreding van hierdie Wet was van die organisasie wat tot 'n onwettige organisasie verklaar is: Met dien verstande dat iemand se naam nie in so 'n lys of in enige kategorie in so 'n lys genoem, opgeneem word nie, tensy hom 'n redelike geleentheid gegee is om aan te toon dat sy naam nie daarin behoort opgeneem te word nie."

3. Uit die notules van die organisasie se komitee- en sub-komiteevergaderings blyk dit dat die persone wie se name op die lyste "A" en "B" hieronder verskyn van tyd tot tyd as komiteelede opgetree het. Hierdie naamlyste is in alle waarskynlikheid nie volledig nie.

*Handwritten:* (26.8.1966).  
ASR  
18/1/67  
1/12/67

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4.1. Advokaat Molteno het bedank as komiteelid toe hy bewus geraak het van die Russiese ondersteuning wat die organisasie ontvang. (17.12.1965). Aangesien komitee- en sub-komiteeledede oënskynlik steeds verander het is die moontlikheid dat sommige van hulle, net soos Adv. Molteno, hulle verband met die organisasie verbreek het sodra hulle bewus geword het van sy ondermynende bedrywighede.

*Do ook  
W. Molteno  
Barendse  
L. Molteno  
R. Molteno*

4.2. Die vraag ontstaan nou of dit geregtig is dat die Beredderaar diesulkes ook kennis gee dat hy van voorneme is om hulle te "lys". Alvorens 'n persoon egter "gelys" word, kry hy die geleentheid om redes aan te voer waarom hy nie "gelys" moet word nie. Dit staan so 'n persoon dan vry om sy redes aan te voer. Dit sal ook nie nodig wees dat dit rugbaar word dat hy sodanige kennis gekry het nie tensy hyself die feit openbaar maak. 'n Blote kennisgewing kan hom dus geen skade, sonder sy eie toedoen, berokken nie.

5. Dit word gevolglik voorgestel dat die Minister goedkeur dat kennisgewings van die Beredderaar se voorneme om hulle name in te sluit in die lys wat hy opstel aan alle persone wat ampsdraers, beamptes, lede of aktiewe ondersteuners van die organisasie is of was, gerig word.

*[Handwritten signature]*

6. Die Defence and Aid Fund verskil van ander organisasies wat ingevolge die Wet op die Onderdrukking van Kommunisme as onwettig verklaar is, (b.v. die Kommunistiese Party en die Congress of Democrats), in die opsig dat al sy ondersteuners sekerlik nie van die ondermynende deel van die organisasie se bedrywighede bewus was nie. Dit sal egter onprakties wees om die mense vooraf te probeer sif. Die beste sou wees om die onus op almal van hulle te plaas om te verduidelik waarom

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hulle name nie by die lys ingesluit moet word nie. By  
oorweging van sodanige verduidelikings kan die Beredderaar  
ooreenkomstig die gees van artikel 8(2) van die Wet  
optree. Daardie sub-artikel magtig die skraping van  
iemand se naam as hy onder andere bewys dat hy nóg geweet  
het nóg redelikerwys verwag kon geword het om te weet dat  
die doel of enige van die doeleindes van die organisasie  
van so 'n aard was of dat die organisasie hom met ~~was~~  
sodanige bedrywighede besig gehou het as wat hom daaraan  
kon blootstel om tot onwettige organisasie verklaar te  
word. Indien die Beredderaar hierdie maatstawwe toepas  
behoort 'n billike resultaat verkry te word. Paragraaf

5 hierbo word dus gesteun, maar slegs  
met betrekking tot gwaalde woorde. 10.2.66  
dus nie noodwendig bewys is dat  
die betrokke name hulle van die organisasie ge-  
distansieer het sodra hulle bewys geraak het  
dat hy "verdag" is. Daar lyk nie sin doosin  
dat 'n Advokaat Mottino met 'n "lysingsprosedure" te  
betas tevrede deur getuies in 'n hetsit is dat  
hy nie gelyk behandel te word nie. 10.2.66

PARAGRAAF 5 ~~GOEDGEKEUR~~ / NIE GOEDGEKEUR NIE. 10.2.66

Die Kruis is altyd op die - wets - stukke. 10.2.66

MINISTER

Te sien ook:

- 1. H/RL :- Sesien - sien voorop.
- 2. A/S(R) :- 15.12.67
- 3. O/S(R) :- 15/12/67
- 4. H/RL :- 15/12/67
- 5. Bêre.

A  
14.12.67

DECLASSIFIED

GEHEIM.

DECLASSIFIED

KAAPSTAD.

DIE SEKRETARIS

Aangehegte lyste (A) en (B) bevat die name van die persone wat op een of ander stadium gedien het op die verskeie komitees van die Defence and Aid Fund. Lys (A) toon die name van die persone van wie die voorletters en adresse reeds bekend is. Lys (B) toon die name van persone van wie voorletters en/of adresse nog onbekend is en waarvan besonderhede nou ingewin word.

Persone genoem op lyste (A) en (B) het gedien op of Komitees of sub-Komitees. Die lyste is saamgestel uit die name soos dit voorkom in die notule van Komitee-vergaderings en is moontlik nie volledig nie. Verdere ondersoek word ingestel.

Dit is opmerklik hoe dikwels Komitee- en sub-Komitee lede gewissel het sonder dat bedankings en nuwe aanstellings in die notule behandel word. 'n Naam verdwyn net en 'n nuwe naam verskyn op die Komitee of sub-Komitee.

*Ans  
20/8/66*

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K A A P S T A D.

Mev. Mary B. STOY - Royal Observatory, KAAPSTAD.  
Mev. Sally SHAPIRO - Victoriaweg 32, Clifton.  
Mev. D. COLLINS - LONDON.  
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Mnr. Joost DE BLANK - HONG KONG.  
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Mev. Diana C. COLLINS - LONDON.

Mev. Barbara D. WILKS - Coring, Rhodes Drive, Con-  
stantia, KAAPSTAD. X  
(Bedank as gevolg van Russiese skenking).

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Mev. C. de CRESPIGNY - ENGELAND.

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10. " J. Molife
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12. " Lang
13. " Bayer
14. " Pitje
15. " Geffin
16. " Ngcobo
17. " Aronsohn
18. " Lorrimer
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2. Mnr. Ismail Mur
3. Mnr. J.N. Singh
4. Dr. Padyachee
5. Mnr. Martin Manthner

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2. Mevr. Paula Arderne
3. Mnr. Tucker
4. Mevr. Tucker

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"WILLOWMERE",  
OFF ROSCOMMON ROAD,  
HEATHFIELD, C.P.

17th December, 1965.

Miss S. Urdang,  
Secretary,  
S.A. Defence & Aid Fund,  
314 C.T.C. Building,  
CAPE TOWN.

Dear Miss Urdang,

Although other calls on my time have always prevented my taking a very active part in the work of the S.A. Defence & Aid Fund - save, sometimes, when still in private practice at the Bar, in my professional capacity - no one appreciates more than I do its work in providing for the defence of accused persons, who would otherwise lack defence, and hence actively assisting in the administration of justice.

That very appreciation on my part makes me regret that the reported donation by the U.S.S.R. to the London "Defence and Aid International" for the S.A. Defence and Aid Fund makes it impossible for me to have even such indirect connection with the administration of moneys from such a source as membership of the Cape Town Management Committee entails.

I realise of course that the London organisation is entirely separate from that in South Africa, but it does, from time to time, send funds for our work here, most of the same emanating from unimpeachable sources. I understand now that it is impossible for an assurance to be given to the S.A. Fund that no part of such assistance in the future will include the Soviet donation, which was, indeed, specifically earmarked for South Africa.

According to uncontradicted press reports this donation was given for purposes quite unconnected with the work of the S.A. Defence and Aid Fund as I have known it. Either, therefore, it was given under a grave misapprehension as to the nature of the Services that Fund provides, or it was given in the hope of inducing the Fund to engage in activities that are not only alien to its objects but which the Soviet authorities must

regard...

regard as at least consistent with their own. In either event, I cannot be a party to the appropriation (or, as I see it, ~~the~~ appropriation) of these funds.

I would make it clear that in giving my reasons for resigning from the Management Committee, which I hereby do, I imply no criticism of anyone else who sees this matter in a different light. Issues of this kind must be decided by each individual for himself in the light of his own personal and professional (if any) viewpoint.

I should just add, however, an expression of my further conviction that receipt of a donation from such a source and for such purposes as the Soviet Government express is calculated to damage gravely the work of the S.A. Defence & Aid Fund, if only by lending colour to the hysterical and false allegations made against it by such persons as the South African Prime Minister and Foreign Minister, and certain noisy Dutch immigrants, when the perfectly bona fide promise of a donation by the Netherlands Government was made. Indeed, there already seems to be evidence of Netherlands hesitation about implementing that promise since the Soviet "propaganda gift" was made.

I need hardly say that my assistance (if required) by any professional advice, etc, is always available to the Fund for any particular ad hoc purpose that I know to fall within its true objects.

what  
is it?

Furthermore, if I could obtain the assurance that the London "Defence and Aid International" has returned the Soviet donation with an explanation that the South African Defence and Aid Fund does not exist for the purposes for which it was given, I should naturally consider applying to re-join the Management Committee. This does not appear to me to be a very unusual suggestion. One based on a simple assertion of the truth can hardly be such.

Yours faithfully,



x (Donald Molteno)

# Collins bepleit *Die Vaderland* geweld teen 20/10/67 blankes in SA

'N HERNIEUDE tirade van haart en dreigemente teen Suid-Afrika deur kanunnik John Collins van Londen het gister saamgeval met verskerpte veldtogte vir „daadwerklike” optrede teen die Republiek in sowel die V.V. as die Organisasie van Afrika-eenheid (O.A.E.)

● Kanunnik Collins het in die V.V. se spesiale komitee oor apartheid gesê dit is „ondenkbaar dat die teenstanders van apartheid binne die Republiek die ondergang van die Regering sonder een of ander vorm van hulp van buite kan vernag.”

● Die V.V.-komitee van elf lande het gevra dat die Veiligheidsraad onmiddellike aandag aan die rassetoestand in Suid-Afrika moet gee.

● Na aanleiding van minnervors-ter se waarskuwing dat Zambie hard geslaan sal word as hy Suid-Afrika sou probeer aanval, het die O.A.E. in Addis Ababa „volle steun” aan pres. Kaunda toegesê teen „dreigemente van Suid-Afrika.”

## WERELDOORLOG

Kanunnik Collins, president van die Internasionale Verdedigings- en Hulpfonds, het gesê die „eerste fase van ’n gewelddadige stryd” word in Suid-Afrika aanskou en dat dit tot ’n wêreldoorlog kan lei, berig SAPA-R.-A.P. „Die vraag is nie langer of

daar ’n gewelddadige stryd in Suid-Afrika sal wees nie,” het hy gesê. „Dit is eenvoudig ’n vraag wat ons verantwoordelikheid in hierdie nuwe toestand is. Slegs druk van buite sal die begeerde resultate ha.”

Met verwysing na Suid-Afrika se uitbreidende handel, in weerwil van oproepe om ekonomiese sanksies, het hy gesê dat Brittanje, Amerika, Frankryk en Wes-Duitsland „van die ergste oortreders” is wat volhard met handel en beleggings in Suid-Afrika.

Suid-Afrika se handel met sommige Asiatiese lande en met sommige ander onafhanklike state van Afrika is ook aan toeneem, het hy bygevoeg.

In die V.V.-komitee se verslag van 66 bladsye word ook aanbeveel dat die Sekretaris-generaal van die V.V., U Thant, dringende aandag moet gee aan die liggaam se inligtingsbedrywighede oor apartheid. (Suid-Afrika het reeds beswaar gemaak teen die gebruik van die V.V. se inligtingsdienste vir propaganda teen ’n hidsland se huishoudelike beleid).

DECLASSIFIEER

GEHEIM.

2/2/13

DIE SEKRETARIS/MINISTER.

DEFENCE AND AID FUND.

1. Soos versoek deur die Minister gaan afekrifte van ondervermelde stukke hiermee:-

(a) Feiteverslag met bylae. (Verslag).

(b) Persverklaring (Afrikaans en Engels) wat ten tyde van die onwettigverklaring van die Defence and Aid Fund uitgereik is. (Persverklaring)

2. Die Beredderaar het die verslag wat hy in verband met sy administrasie van die "Fund" opgestel het nou voltooi. Dit is n lywige stuk en beslaan 113 bladsye. Die Departement is tans besig om dit op te som en die volledige verslag sowel as n opsomming daarvan sal eersdaags aan die Minister voorgelê word.

9014/9/67

*Bose*  
901579/67

DECLASSIFIED



REPUBLIEK VAN SUID-AFRIKA.  
REPUBLIC OF SOUTH AFRICA.

1/333/30  
2/2/13 F.A. 36.  
D. B. ...  
53/6  
136/4/1

DEPARTEMENT VAN BUNTELANDSE SAKKE,  
DEPARTMENT OF FOREIGN AFFAIRS,  
PRETORIA.

THE SECRETARY FOR JUSTICE.

THE COMMISSIONER OF THE SOUTH AFRICAN POLICE.

THE COMMISSIONER OF PRISONS.

Letter by Information Counsellor,  
London, on South African Prison  
Conditions.

A copy of a letter by the Information  
Counsellor, London, on the subject of South African  
prisons, which was carried in the 24th July, 1967,  
edition of "Southern Africa" is enclosed in case it  
has not come to your notice.

To see please  
H/R  
18/9/67

*Steward*  
SECRETARY FOR FOREIGN AFFAIRS.

# A FRANK LOOK AT THE CONSPIRATORS' JUNGLE THAT BREEDS THE LIES ABOUT THE JAILS

"A FRANK and objective letter to the editor" in the "Sunday Times" on July 16, Mr. D. G. van der Spuy, Information Counsellor at the South African Embassy, decisively demolished the reliability of the main informants and organisations on whose evidence recent news reports alleging widespread abuses in South African prisons have been largely based.

Although Mr. Van Der Spuy's remarks were directed primarily to set the record straight in the case of a grotesque story about prison life in the Republic that the "Sunday Times" carried on July 2, his letter marshals facts of interest to a much wider audience. So we invited him to use as much space in "Southern Africa" as he needed to put his case in full. What follows is the uncut text of his letter to the "Sunday Times." Our decision is in no way a criticism of that paper, to which Mr. Van Der Spuy is more than grateful for the generous space it allowed him. It is a reflection of the importance we give the subject as a journal specialising in the South African sub-continent and a necessarily inevitably more densely attentive of what happens there than might be most readers of a paper (even the "Sunday Times") that covers the whole world week by week.

IT IS NOT DIFFICULT to quote complaints of ill-treatment by former prisoners—with the strong implication that allegations in the plural based on facts—but while it is not difficult to do so it is thoughtful, if not actually reckless. The 36-line front and inner page story on alleged conditions in South African prisons in your last issue (July 2) was not worthy of the high reputation your newspaper enjoys.

The instances you quote from the "long, complex and often horrifying" documents are precisely those allegations which have been made by the same individuals and organisations—noting in concert—to newspapers, parliamentary subcommittees and so on in Britain, the United States and other countries for the past year.

After a spate of such allegations in the form of letters and articles in your own paper last year my Government released, with the agreement of the International Committee of the Red Cross, the report of that body's delegate, Dr. G. Hoffmann, on his visits to a number of South African prisons. Your diplomatic correspondent's report on this release occupied some 160 inches on an inside page. One must therefore question the newsworthiness and soundness of the current story, which you have treated so prominently.

Nicholas Carroll, your diplomatic correspondent, concluded his article on the Hoffmann report (November 27, 1966) with these words: "Although the full report by Dr. Hoffmann supports many of Mr. Brutus's allegations (for instance regarding homosexual assaults and the functioning of political prisoners by criminal gangs within the prisons), on the whole, the South African prison service emerges better than might have been expected from stories by the 'prisoners.' The report comments especially on 'the cleanliness of the various prisons,' faint praise, perhaps, but at least showing that there might be a positive side to the whole question."

## Did it Discredit Report?

Now, however, there is great play on the allegation that conditions were miraculously improved for Dr. Hoffmann's visit. ("In several important fields the Defence and Aid report presents testimony to correct any false impression that Hoffmann may have received on his visit, for which, it is alleged, the prisons were specially prepared.") Must the same be said for Red Cross visits in the past to Africa and to other countries? Must it be said, too, for the much longer visit (just concluded) of Mrs. G. Senn, another Red Cross delegate, to South African prisons? Of this visit, the Inter-

national Committee of the Red Cross said in May that "the South African Government has accorded all facilities to its delegate, who is being allowed to meet prisoners and detainees alone in various prisons and camps." Mr. Senn spent four days at Robben Island and altogether spent several weeks visiting prisons. And for those of Mr. Bernard Newman (the British author), Mr. Nelson Mustoe, O.C., Mrs. Helen Suzman (Parliamentary leader of the South African Progressive Party) and Mr. Michael Mitchell (shadow Minister of Justice in the South African Parliament)?

Apart from the fact that such allegations of deceit are unworthy (and impossible to prove either way) it would have been difficult, to say the least, to have changed the facades of conditions at all prisons throughout the country for an indefinite time: for all these visitors were given carte blanche to visit whichever prisons they chose and at whatever times they chose. Extra blankets were issued prior to Dr. Hoffmann's visit. This we concede. Prisoners are normally supplied with extra blankets during May, or at the first signs of cold weather. As is the case in all civilised countries, extra blankets and also warm clothing, for that matter, are issued to prisoners at the beginning of winter.

## Is it Credible?

This is the sort of game one cannot win: if the reports are bad they are deemed accurate; if they are good, or even mixed, then, it is alleged, the ground was prepared in advance of the visit. One wonders why, in this context, Canon Collins bothered to suggest an investigation by one of your own journalists ("If Mr. Mustoe is serious in questioning Mr. Dennis Brutus's assertions about South African prison conditions, perhaps he could use his influence with the South African Government to obtain permission for an independent reporter from the 'Sunday Times' to conduct an investigation"). (Sunday Times, Letters, November 20, 1966).

I doubt that the British Government would give carte blanche for an investigation of U.K. prisons by a journalist from a South African newspaper but, apart from that, the suggestion is futile. Would a newspaper reporter make a more objective investigator than experts in prison conditions from the Red Cross? And even allowing that he were permitted to go, that he went and that he came back with a favourable story, which you published, would this satisfy Canon Collins? On past evidence this is not likely. Or would he say, as Defence and Aid are saying now, that the ground was specially prepared for the Sunday Times journalist?

If the complainants whose allegations made up the dossier on which your reporter based his story this week are telling the truth, they must know that they cannot expect either redress or an investigation if they choose to adopt these unofficial channels for their complaints. Let them submit their affidavits to the Minister of Justice, who is on record as saying: "Assaults on prisoners are regarded in an extremely serious light by the prison authorities. The policy is that every alleged assault is thoroughly investigated and all the relative documents are referred for the decision of the courts, and if there is found to be any substance in the complaints, criminal or disciplinary action is taken against the member concerned." Here I should also add the Minister's insistence—completely at variance with the allegations in the Defence and Aid dossier—that "the regulations framed under the 1959 Prisons Act are based upon the International Standard Minimum Rules approved in 1955 and conform to accepted international standards."

When the allegations about prison conditions were first made, there were calls for a judicial enquiry. Instead the State Attorney decided to

charge the men responsible. Their cases have and are being dealt with in accordance with the highest judicial standards.

Your reporter may feel displeased that Mr. Benjamin Pogrand ("who also represents a newspaper") has been charged. But although he and you do not necessarily feel inhibited by the sub judice rule in far-off South Africa, cannot comment on this case as it is now before the court.

## Background of Informants

What I would like to do, though, for the benefit of your readers, is to tell you something about the two informants referred to most frequently in your article this week: the International Defence and Aid Fund and Mr. Dennis Brutus.

The International Defence and Aid Fund (Christian Action) has been proscribed in South Africa—broadly, because it collects funds ostensibly to defend and aid people in South Africa (where there are, incidentally, comprehensive systems of State and voluntary legal aid available) and then spends an unknown proportion of those funds (donated in good faith by thousands of members of the public) for the purpose of supporting the underground resistance movement in South Africa.

Here is Canon Collins, chairman, speaking in the U.S.: "In such a situation (in South Africa) it seems probable that only external pressures and the threat or execution of internal revolution will bring about the desired result. . . . And of much importance, in my opinion, the fact that the contribution of Defence and Aid in this respect (legal aid for accused persons and relief for families and dependents) fosters the morale of the internal resistance." (Canon Collins to the U.N. Special Committee on Apartheid, official report, New York, June 29, 1965).

And this year Mr. Brutus went to America too, where he said: "We [the Campaign for the Release of Political Prisoners in South Africa] work in close association with bodies such as the Anti-Apartheid Movement; the Campaign has been approved by both the African National Congress and the Pan-Africanist Congress in South Africa and by the Organisation for African Unity." (Mr. Dennis Brutus to the sub-committee on Africa of the Committee on Foreign Affairs, U.S. House of Representatives, March, 1967).

The African National Congress and Pan-Africanist Congress are both banned in terms of the South African Suppression of Communism Act. Court hearings have shown them to be responsible for acts of sabotage, arson and other forms of violence in South Africa in recent years.

I would ask you and your readers to believe that the purposes of these organisations are humanitarian and others like them are not humanitarian but subversive. And I know that you would not permit your newspaper to be associated with a campaign for the violent overthrow of a friendly (and frequently malign) country.

Yours faithfully,

D. G. van der Spuy  
Information Counsellor

## HOFFMANN REPORT:

Embassy Has No Copies Left

Mr. Van Der Spuy regrets disappointing many of those who responded to the offer to supply copies of the report which he made in his letter in the "Sunday Times". The demand was far greater than the number of copies the Embassy had in stock. The Embassy Library copy of the report is available for study. The Librarian extends a welcome to anyone wishing to call.

DECLASSIFIED  
MINISTER  
18-9-1967  
MINISTER

GEHEIM.

2/2/13

DIE SEKRETERIS/MINISRE

DEFENCE AND AID FUND.

1. Soos versoek deur die Minister gaan afskrifte van ondervermelde stukke hiermee:-

- (a) Feiteverslag met bylae. (Verslag).
- (b) Persverklaring (Afrikaans en Engels) wat ten tyde van die onwettigverklaring van die Defence and Aid Fund uitgereik is. (Persverklaring).

2. Die Beredderaar het die verslag wat hy in verband met sy administrasie van die "Fund" opgestel het nou voltooi. Dit is n lywige stuk en beslaan 113 bladsye. Die Departement is tans besig om dit op te som en die volledige verslag sowel as n opsomming daarvan sal eersdaags aan die Minister voorgelê word.

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17/68*

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20/11/67*

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DECLASSIFIED





16

VERSLAG VAN KOMITEE DEUR DIE MINISTER VAN JUSTISIE  
KRAGTENS ARTIKEL SEWENTIEN VAN DIE WET OP DIE  
ONDERDRUKING VAN KOMMUNISME, 1950 (WET NO. 44 VAN  
1950), AANGESTEL.

1. Dit het Sy Edele die Minister van Justisie behaag om kragtens artikel sewentien van die Wet op die Onderdrukking van Kommunisme, 1950 (Wet No. 44 van 1950), die ondergenoemde komitee saam te stel om n feiteverslag aan hom ten opsigte van die organisasie bekend as The Defence and Aid Fund voor te lê:

- (a) Mnr. D.P. Wilcocks - Voorsitter.
- (b) Mnr. G.M.J. Swart - Lid.
- (c) Mnr. J.A. van Dam - Lid.

2. Die Minister se opdrag aan die komitee is om feite in te samel wat betrekking het op The Defence and Aid Fund en daardie feite saam te vat en aan hom vir corwaging voor te lê.

3. Spesifieke feitebevindings:

Die volgende feite word deur die komitee bevind. (n Volledige uiteensetting van die feite word in die bylaag hiervan vervat):

- A. Die Suid-Afrikaanse Defence and Aid Fund is slegs n plaaslike komitee van die Defence and Aid Fund of Christian Action met hoofkantoor te Engeland.  
(Par. VIII, Bylaag).
- B. Die Defence and Aid Fund is deur die Britse organisasie, Christian Action, in 1956 in die lewe geroep.  
(Par. VI, Bylaag).
- C. Christian Action is geaffilieer met The Movement for Colonial Freedom, n Britse organisasie wat ten nouste saamwerk met twee ander organisasies, t.w. die Africa Bureau en die Anti-Apartheid Movement.  
(Par. II, III en V, Bylaag).

- D. The Movement for Colonial Freedom en die Anti-Apartheid Movement geniet albei die steun van die Britse Kommunistiese Party.  
(Par. IV, Bylaag).
- E. Die Defence and Aid Fund geniet die steun van die Kommunistiese Party. (Par. VI en IX, Bylaag).
- F. Die Defence and Aid Fund is 'n aktiewe ondersteuner van die sg. vryheidsbeweging in Suid-Afrika.  
(Par. X(a), Bylaag).
- G. Die Defence and Aid Fund beoog 'n politieke, sosiale en ekonomiese verandering in Suid-Afrika.  
(Par. X(b), Bylaag).
- H. Die politieke, sosiale en ekonomiese verandering moet deur middel van geweld teweeg gebring word.  
(Par. X(c), Bylaag).

*D. P. Wilcocks*  
.....  
VOORSITTER.

*G. M. J. Swart*  
.....  
LID.

*J. A. van Dam*  
.....  
LID.

DATUM. 16 Februarie 1966

## BYLAAG

### I. Inleiding

'n Onderzoek na die ontstaan, oogmerke en aktiwiteite van die Suid-Afrikaanse organisasie, bekend as The Defence and Aid Fund, kan alleenlik geskied aan die hand van 'n ontleding van die Britse organisasie bekend as Christian Action. Alvorens daar tot sodanige ontleding oorgegaan word, is 'n kort oorsig oor drie ander Britse organisasies, die Movement for Colonial Freedom (M.C.F.), die Anti-Apartheid Movement (A.A.M.) en die Africa Bureau noodsaaklik.

### II. The Movement for Colonial Freedom.

Die organisasie is op 12 Maart 1954 in die lewe geroep. In sy eerste beleidsverklaring is o.a. soos volg verklaar:

"Most of the Colonial Peoples have lost confidence in Britain. Millions of them are denied political rights and are left in poverty and disease. They are landless, ill-housed, ill-clothed. Their children go hungry; they are denied education. They are sacrificed to the interests of white settlers and foreign investors."

Dan word verder verklaar dat die M.C.F. "must create a psychological revolution throughout the colonies."

Die volgende persone is o.a. lede van die Nasionale Uitvoerende Komitee:

- (a) Fenner Brockway - Voorsitter.
- (b) Julius Silverman - Ondervoorsitter. Hy is 'n lid van die Uitvoerende Komitee van die Society for Cultural Relations with the U.S.S.R.

/...

(c) Johnny James. Hy was vroeër lid van die Britse Kommunistiese Party. Tans is hy 'n aktiewe lid van die Committee for the Defeat of Revisionism, 'n organisasie "adopting the Peking line."

(d) Jack Woddis. Hy is 'n voormalige voorsitter van die Britse Kommunistiese Party en dié Party se deskundige op die gebied van Afrika aangeleenthede.

Christian Action het gedurende 1954 met die M.C.F. geaffilieer. Op sy beurt is die M.C.F. weer geaffilieer met die World Council for Colonial Liberation en die International Council for Social and Economic Co-operation.

### III. The Anti-Apartheid Movement.

Dié organisasie is in 1960 met die volgende oogmerke gestig:

- (a) to inform the people of Britain and elsewhere about apartheid and what it means to the people of South Africa;
- (b) to campaign for international action to help bring the system of apartheid to an end;
- (c) to co-operate with and support South African organizations campaigning against apartheid."

Die A.A.M. werk in noue samewerking met die M.C.F. en Christian Action. Gedurende 1963 het die A.A.M. 'n hulp-organisasie, die World Campaign for the Release of South African Political Prisoners, in die lewe geroep. Laasgenoemde organisasie geniet die steun van die nuusblad The African Communist. Die fondse wat deur dié liggaam ingesamel word, gaan na die Defence and Aid Fund van

Christian Action. Die volgende persone is o.a. tydens die stigting van die hulporganisasie tot komiteelede verkies:

- (a) Roselynde Ainslie, 'n lid van die Britse Kommunistiese Party.
- (b) Leon Levy, 'n voormalige president van die South African Congress of Trade Unions (S.A.C.T.U.). Dié organisasie is geaffilieer met die World Federation of Trade Unions (W.F.T.U.), 'n internasionale kommunistiese frontorganisasie.
- (c) Sonia Bunting, 'n Suid-Afrikaner wat ingevolge die bepaling van die Wet op die Onderdrukking van Kommunisme, 1950 as lid van die Kommunistiese Party van Suid-Afrika gelys is.

IV. Die M.C.F. en A.A.M. geniet albei die steun van die Britse Kommunistiese Party.

In 'n artikel in die nuusblad The African Communist, Vol. 2, No. 4 July-September, 1963 verklaar John Gollan, algemene sekretaris van die Britse Kommunistiese Party soos volg:

"Our Party which ever since its birth has consistently fought against the oppression of the African peoples, and which at its recent 28th Congress adopted a special Emergency Resolution in solidarity with the struggle of the people of South Africa will do everything possible to arouse the people of Britain to redouble their efforts in support of the call for 'No British arms for South Africa'. We will give full support to the efforts of the Anti-Apartheid organization, The Movement for Colonial Freedom, and all other bodies campaigning for this aim and against colonialism and racial discrimination."

/...

V. Die Africa Bureau.

Hierdie organisasie is gedurende Maart 1952 gestig. Twee van die stigterslede was eerw. Michael Scoot en Colin Legum. Eerw. Michael Scott is die Direkteur van die organisasie. Hy was 'n lid van die Kommunistiese Party. Tydens sy verblyf in Suid-Afrika was hy in verbinding met die plaaslike Kommunistiese Party. Hy was verantwoordelik vir die verfilming van die rolprent "Civilization on Trial", waarvan die inkomste ter stywing van die fondse van die Defence and Aid Fund van Christian Action aangewend is.

Colin Legum is 'n korrespondent van die nuusblad Observer en beywer hom vir die omverwerping van die bestaande Suid-Afrikaanse regering deur geweld, indien nodig. Hy en sy vrou, Margaret Roberts, was die gesamentlike skrywers van "South Africa: Crisis for the West." Die tema van die boek is dat die V.V.O. sanksies teen Suid-Afrika moet toepas. Hulle is ten gunste van 'n groot-skaalse vlootblokkade.

"The African Bureau has played an active part in organizing opposition to the Republic of South Africa, the Federation of Rhodesia and Nyasaland, and the Portugese African territories, and more recently Rhodesia, and to this end works in co-operation with the Anti-Apartheid Movement and other organizations concerned with Southern Africa." (The Puppeteers: Harold Scrof & Ian Greig, bls. 68).

VI. Christian Action.

Christian Action, met eerw. L. John Collins as president, is in 1946 te Oxford, Engeland, in die lewe geroep. Die organisasie beskik oor 'n amptelike nuus-organisaan getiteld "Christian Action". Volgens die

publikasie is die organisasie "A fellowship of Christians and of all who respect the life and teaching of Jesus, whose common aim is to serve God as citizens by translating their faith into action in public as well as in private life."

Christian Action is derhalwe met 'n lofwaardige doel gestig. In werklikheid, egter, "the Communists have for a long time recognized that emotional 'do-gooder' organizations have soft underbellies which can easily be penetrated. Many such organizations travel long distances before it dawns upon them that they are unconsciously being used as fellow-travellers. Thus, Christian Action, which strived to bring a Christian way of life into the world of practical affairs, acquired a 'left of centre' reputation by 1953, and this, on the admission of Cannon Collins himself." (The Puppeteers, bls. 30).

Christian Action het in Desember 1956 'n fonds met die naam Defence and Aid Fund in die lewe geroep. Hierdie fonds moes voorsien in die verdedigingskoste van die 156 beskuldigdes in die Hoogverraadsaak. Die doelstellings van die fonds word soos volg omskryf:

"DEFENCE AND AID FUND

A FUND TO SAFEGUARD FREEDOM AND HUMAN DIGNITY IN SOUTHERN AFRICA.

To aid, defend and rehabilitate the victims of unjust legislation, oppressive and arbitrary procedures

To support their families and dependants.

To assist in the development of a non-racial society based on a democratic way of life.

To keep the conscience of the world alive to the issues at stake."

/...

Die Defence and Aid Fund is tans 'n goedgekeurde agentskap van die V.V.O. In 'n brief gedateer 6 November 1964 het domheer Collins soos volg aan David Craighead, voorsitter van die Defence and Aid Fund te Johannesburg, geskryf: "We are very pleased to tell you that the Defence and Aid Fund (International) has been accepted as an approved agency of the United Nations ... Three agencies have been chosen, namely, Defence and Aid Fund (International), Amnesty International and the Joint Committee for the High Commission Territories ... The fact that we have United Nations approval as a recognised agency for relief gives us a tremendous potential income which we must make a reality and we are eager to have the National Committee established as soon as possible in South Africa. We are sure that it will lift a great burden from existing Defence and Aid Committees..."

Solly Sachs is die "fund-raising secretary" van die Defence and Aid Fund van Christian Action. Hy is ingevolge die bepalings van die Wet op die Onderdrukking van Kommunisme, 1950, as lid van die Kommunistiese Party van Suid-Afrika gelys.

VII. The Defence and Aid Fund van Suid-Afrika.

Tegelyk met die totstandkoming van die Defence and Aid Fund van Christian Action, is daar 'n organisasie met die naam Treason Trial Defence Fund in Suid-Afrika gestig. Laasgenoemde organisasie is as welsynsorganisasie geregistreer met die volgende oogmerke:

"This organisation has been found generally to meet the needs of persons who had or might be charged of the crime of High Treason or such other crimes as this organisation shall consider to be within its scope by raising funds by collecting donations of money or goods and dealing with or distributing them for the purpose of -



- (a) Making grants or loans to such persons or their dependants for their subsistence or household expenses.
- (b) Paying all or part of the rent payable by such persons or their dependants.
- (c) Offering bail on behalf of such persons.
- (d) Providing legal assistance and advice to such persons or their dependants."

Ten einde egter die kring van werksaamhede van die Treason Trial Defence Fund uit te brei, is die aktiwiteite daarvan deur die Defence and Aid Fund oorgeneem "The work done by the Treason Trial Defence Fund showed just how much could be achieved despite the heavy odds against those who opposed the South African Government. But it dealt with only one aspect of the many that called for action in South Africa. It soon became clear that there was a great deal more to do, and, even while the Treason Trial continued, the title of the Fund was changed to the Defence and Aid Fund. Its aims and its terms of reference were expanded to cover a wider range of activity and to enable it to help South Africans in many situations which confronted them, and in which they needed help." (Report of the Defence and Aid Fund of Christian Action: December 1956 - June 1963, bls. 16).

Volgens 'n berig in die Rand Daily Mail van 3 Maart 1962 is die Defence and Aid Fund in Suid-Afrika tydens die Noodtoestand van 1960 in die lewe geroep.

Volgens die konstitusie van die Suid-Afrikaanse Defence and Aid Fund is die doelstellings van die organisasie soos volg:

- "(a) To uphold, defend and protect by all lawful means Human Rights and Civil Liberties especially the right to hold and express opinions.

- (b) To grant relief and assistance to compensate men and women (and their dependants) who suffer as a result of the loss of any of the said rights and liberties whether by process of law or otherwise.
- (c) To collect money to pay for the rendering of legal advice and assistance to persons in need thereof as a result of the loss of any of the said civil rights and/or liberties whether by process of law or otherwise.

3. Area of operation.

The Defence and Aid Fund shall operate within the Republic of South Africa and South West Africa."

Takke van die fonds bestaan in Johannesburg, Kaapstad, Port Elizabeth, Oos-Londen en Durban.

Die Defence and Aid Fund van Christian Action "works in close co-operation with the Defence and Aid Fund in South Africa which counts among its sponsors Chief Albert Luthuli, the Archbishop of Cape Town, the well known writer Alan Paton, the former Parliamentary Leader of the Labour Party Mr. Alex Hepple."

VIII. Die Defence and Aid Fund van Suid-Afrika is slegs 'n tak van die Defence and Aid Fund van Christian Action.

Alhoewel die konstitusie van die Suid-Afrikaanse Defence and Aid Fund die indruk skep dat dit 'n selfstandige organisasie is, is dit slegs 'n plaaslike komitee van die Defence and Aid Fund van Christian Action en word dit deur laasgenoemde organisasie beheer. Die volgende feite dien ter staving van hierdie stelling:-

- (a) In die tydskrif "Christian Action - Summer 1964" het eerw. Joost de Blank 'n oorsig gegee van die

/...

Defence and Aid Fund se bedrywighede in Suid-Afrika en o.a. soos volg verklaar: "So the work goes on, and so South Africa still needs your help. It would be impossible to pay too high a tribute to the local Committee in South Africa ..." (Bls. 17).

- (b) "The Defence and Aid Fund in London would in future act as a central co-ordinating committee, and all funds, in whatever country they were raised, would be channelled through it." (The Puppeteers, bls. 30).
- (c) Op 26 November 1964 het domheer Collins soos volg aan die Defence and Aid Fund in Suid-Afrika geskryf: "We would appreciate it if you would write to all countries suggesting to them that in future all monies that they raise should be sent through the London Defence and Aid office as in turn this money is sent to you for distribution to all centres in South Africa."

Volgens 'n "Report of the Defence and Aid Fund of Christian Action: December 1956 - June 1963" is 'n bedrag van £251,323.13.3 reeds ten bate van politieke oortreders in Suid-Afrika ingesamel.

Op 19 Augustus 1964 het die volgende berig in die Australiese dagblad "Courier-Mail" verskyn: "The Australian Fund is affiliated with the British Defence and Aid Fund which, since it was established in 1956, has raised over £300,000 for legal aid and assistance for dependants of prisoners. This Fund works in co-operation with the Defence and Aid Fund within South Africa which is sponsored by such men as Albert Luthuli and Alan Paton. A branch of the Fund recently formed in Norway has contributed over £1000 in the last few months."

IX. Die Defence and Aid Fund geniet die steun van die Kommunistiese Party.

- (a) Soos reeds in paragraaf VI aangetoon is die moederliggaam, Defence and Aid Fund van Christian Action, 'n organisasie wat die steun van die Kommunistiese Party geniet.
- (b) Bartholomew Mory Hlapane, 'n Bantoelid van die Suid-Afrikaanse Kommunistiese Party, het op 1 Oktober 1964 in 'n beëdigde verklaring soos volg verklaar:
- "The Defence and Aid Fund which was at this junction already in existence, was extensively used for the purposes of the South African Communist Party. In turn cash advances towards the fund were made by the S.A. Communist Party. Who the persons were that served on this fund's committee, I do not know, except that Rica Hodgson who was in fact a member of the Communist Party was serving on this fund's committee".

X. Die ware oogmerke en bedrywighede van die Defence and Aid Fund.

- (a) Die Defence and Aid Fund vereenselwig hom met die sogenaamde vryheidsbeweging in Suid-Afrika, soos blyk uit die volgende feite:
- (1) Met verwysing na die hulp wat aan die Hoogverraadbeskuldigdes verleen is, word verklaar:
- "Perhaps more important than any of these is the fact that the Fund made it clear to the accused that they did not stand alone in their beliefs". (Report of the Defence and Aid Fund of Christian Action, bls. 15).

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- (2) Op 19 April 1963 het eerw. Collins, voorsitter van Christian Action, 'n brief aan Walter Sisulu geskryf waarin hy o.a. sê: "I am indeed only too aware of the terrible situation which grows worse and worse in your Country. I have Solly Sachs working with me now on the Defence and Aid Fund and he keeps me well informed of everything that is happening, as far as we can discover this end. On my behalf he is now managing the appeal for the Defence and Aid Fund and I am glad to say there is, once again, a growing response. We shall certainly do everything we can to go on helping until the liberation movement succeeds in it's purpose".

Hierdie brief is tydens die Rivonia verhoor as bewysstuk ingehandig.

- (3) Violet Weinberg, 'n lid van die Kommunistiese Party van Suid-Afrika, het gedurende Augustus 1964 die beheer van die fondse van die Defence and Aid Fund in Suid-Afrika oorgeneem. Sedertdien is slegs 'n geringe gedeelte van die fondse vir die welsyn van afhanklikes van politieke gevangenes aangewend. Die grootste gedeelte van die gelde word tans gebruik vir die politieke bedrywighede van die onwettigverklaarde African National Congress en Kommunistiese Party. Salarisse van amparaers van laasgenoemde Party. o.a. Bram Fischer, is ook uit die fonds betaal.

- (4) Die Australiese Defence and Aid Fund het op 12 November 1964 'n vergadering te Sydney gehou. Die voorsitter, mnr. Edward St. John, Q.C., het die vergadering toegesprek en verklaar dat 'n vreedsame oplossing vir Suid-Afrika se probleme nie meer moontlik is nie. Die enigste uitweg is om

die ondermynende elemente in die Republiek te steun en om hulle metodes te help bevorder deur die insameling van fondse. Die feit dat hierdie ondermynende elemente deur die kommuniste beïnvloed word, doen geen afbreuk aan die komitee se steun nie

- (5) In reeds genoemde verslag van die Defence and Aid Fund van Christian Action word verklaar: "We conclude with a recent message received by Canon Collins from Mr. Nelson Mandela among the accused in the Rivonia trial.

'A few years ago you launched a massive campaign in Britain to mobilise assistance for South African freedom lovers who were facing a charge of treason. In the course of that Treason Trial campaign, Christian Action emerged as one of our strongest and most reliable allies in the struggle for a democratic South Africa; a South Africa free from the evils of racial discrimination and oppression. Your stand in connection with the present trial is in conformity with belief in democratic values with which Christian Action is associated .....'" (Els. 28).

- (6) Die volgende berig het op 4 November 1965 in die nuusblad Eastern Province Herald verskyn :

"The Soviet Government has decided to contribute R7,140 to the British-based Defence and Aid Fund for 'th victims of apartheid in the Republic of South Africa', it was disclosed here.

Dr. Nikolai T. Fedoranko, the Chief Soviet delegate, announced the decision in a letter to U Thant, the Secretary-General.

In taking this decision, he said, 'the Soviet Government has been guided by its fundamental position with regard to support for the national liberation movements of peoples struggling against colonialism and racism in all their forms and manifestations and to the provision to them of moral, political and material assistance in that

that just struggle."

- (b) Die Defence and Aid Fund beoog n sosiale, ekonomiese en politieke verandering in Suid-Afrika. Op 7 Junie 1965 het die V.V.O. se "Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa" sy 62ste sitting gehou. Domheer Collins, voorsitter van die Defence and Aid International Fund, het die komitee soos volg toegesprek: "By its concern about human rights in South Africa and other parts of Southern Africa, the United Nations Organisation has given encouragement and hope both to the victims of racialist policies in that unhappy part of the world, and also to organizations such as the one I now represent in their efforts to relieve the oppressed and to bring about changes of policy . . . . I believe it would be wrong to suppose that the work done by the Defence and Aid Fund is no more than a palliative. I think that, as well as bringing aid to the persecuted victims of unjust legislation and oppressive and arbitrary procedures, and relief to their families and dependants - and that thoroughly worthwhile job we have done now for many years, and will continue to do until the non-whites in South Africa are politically, socially and economically free men and women - the Defence and Aid Fund has played, and continues to play, a vital role in bringing about those political changes so desired by all the people of goodwill."
- (c) Die politieke, sosiale en ekonomiese veranderinge in Suid-Afrika moet deur middel van geweld bewerkstellig word. In dieselfde toespraak waarna hierbo in paragraaf (b) verwys is, het domheer Collins verklaar.

/...

"..... there is little if any likelihood of effecting the necessary political changes by normal, democratic, internal political processes. In such a situation it seems probable that only external pressures and the threat or execution of internal revolution will bring about the desired result. .... And of much importance, in my opinion, is the fact that the contribution of Defence and Aid in this respect fosters the morale of the internal resistance; for, if the necessary political changes are to be brought about with the minimum of violence - and no sane person could wish otherwise - it is the resistance movement inside South Africa, the front line of the struggle for freedom, which alone can give to South Africa the ability to become a non-racial society based upon a free and democratic way of life. I am encouraged in this opinion by the constant emphasis placed by the non-white South African political organizations upon the importance of the Defence and Aid Fund in their struggle."



PEERSVERKLARING NAMENS DIE MINISTER  
VAN JUSTISIE.

In n proklamasie wat vandag in die Staatskoerant verskyn, verklaar die Staatspresident die "Defence and Aid Fund" tot n onwettige organisasie ingevolge die Wet op die Onderdrukking van Kommunisme (Wet No. 44 van 1950).

Die "Defence and Aid Fund" is in 1956 in Brittanje gestig deur "Christian Action", n liggaam wat ten nouste saamwerk met die "Movement for Colonial Freedom", die "Africa Bureau" en die "Anti-Apartheid Movement". Oor die jare is die saamgevoerde bedrywighede van al hierdie liggame gekenmerk deur geswore en heftige vyandigheid teenoor Suid-Afrika.

Die Britse "Defence and Aid Fund" van "Christian Action" maak deel uit van n netwerk van ekstremistiese en intiem-ineengestremde organisasies in Brittanje wat berug is vanweë die vuur waarmee hulle Suid-Afrika beveg. Hierdie organisasies word ondersteun deur die Kommunistiese Party en het in sommige gevalle ampsdraers wat vooraanstaande Kommuniste is. Die "Defence and Aid Fund" in Suid-Afrika word deur die Kommuniste ondersteun en het sy fondse beskikbaar gestel aan die "African National Congress" en die Kommunistiese Party - twee ondermynende liggame wat kragtens wet in Suid-Afrika verbode organisasies is.

Bekende Kommuniste soos Vella Pillay, Rosalynde Ainslee, Abdul Minty, Ronald Segal, Raymond Kunene en Tony O'Dowd dien op die bestuur van die "Anti-Apartheid Movement" wat verbind is met "Christian Action" en die steun geniet van die Britse Kommunistiese Party.

Die Voorsitter van "Christian Action" is Domheer Collins. Hy het op 19 April 1963 n brief aan Walter Sisulu gerig wat as bewysstuk tydens die Rivonia-verhoor van 1964 gedien het. (Sisulu is een van die persone wat veroordeel is op aanklagte van sabotasie en sameswering om die Regering deur middel van

geweld en rewolusie omver te werp). In hierdie brief het Domheer Collins, Sisulu meegedeel dat mnr. Solly Sachs, 'n gelyste Suid-Afrikaanse Kommunist, in beheer was van insameling van fondse ten behoeve van "Christian Action" se "Defence and Aid Fund". Domheer Collins het geskryf:

"Hy behartig nou namens my die oproep om fondse vir die 'Defence and Aid Fund' en ek is bly om te kan sê dat daar weereens 'n toenemende reaksie is. Ons sal sekerlik alles in ons vermoë doen om te bly help totdat die bevrydingsbeweging in sy doel geslaag het."

Die "Defence and Aid Fund" in Suid-Afrika is gestig om die werkzaamhede van die "Treason Trial Defence Fund" oor te neem en uit te bou. Laasgenoemde Fonds is oorspronklik in die lewegeroep om die regskoste te dra van 'n groep persone wat op aanklagte van hoogverraad verskyn het. Dié Fonds is omtrent op dieselfde tydstip gestig toe "Christian Action" met die "Defence and Aid Fund" in Brittanje begin het.

Die "Defence and Aid Fund" in Suid-Afrika het as doelstelling om onderstand en hulp te verleen aan persone wat sou ly as gevolg van vermeende verlies van menseregte of burgerlike vryhede, of dit by wyse van regsprosesse of andersins geskied. Die Fonds het takke in Johannesburg, Kaapstad, Port Elizabeth, Oos-Londen en Durban. Gewese Hoofman Albert Luthuli en mnr. Alan Paton is onder die beskermers.

Die grondwet van die Suid-Afrikaanse organisasie probeer die indruk wek dat dit 'n onafhanklike liggaan is; nogtans is daar afdoende getuienis om te bewys dat dit niks meer is as 'n tak van die "Defence and Aid Fund" van "Christian Action" nie. Aan die Suid-Afrikaanse tak is byvoorbeeld opdrag gegee om te reël dat alle fondse wat oorsê ingesamel word deur die Londense kantoor gekanaliseer moet word. Volgens 'n "Defence and Aid"-

verslag vir die jare 1956-63 is n bedrag van R502,647 vir  
aanwending in Suid-Afrika ingesamel.

In die uitgawe van die publikasie "Christian Action"  
wat in die somer van 1964 verskyn het, lewer Aartsbiskop Joost  
de Blank n oorsig van die bedrywighede van die "Defence and Aid  
Fund" in Suid-Afrika en merk op: "Dit is onmoontlik om te hoë  
lof toe te swaai aan die plaaslike komitee in Suid-Afrika."

Die "Defence and Aid Fund" in Suid-Afrika is verbind  
met die Kommunistiese Party.

In n beëdigde verklaring wat hy op 1 Oktober 1964  
afgelê het, het n lid van die Kommunistiese Party verklaar:  
Die 'Defence and Aid Fund' wat in hierdie stadium reeds bestaan  
het, is op uitgebreide skaal vir die doeleindes van die Suid-  
Afrikaanse Kommunistiese Party gebruik. Op sy beurt het die  
Suid-Afrikaanse Kommunistiese Party kontantvoorskotte aan die  
Fonds oorgemaak. Ek weet nie wie die persone was wat op die  
Fonds se komitee gedien het nie, afgesien daarvan dat Rica  
Hodgson wat inderdaad n lid van die Kommunistiese Party was, op  
die komitee van hierdie Fonds was."

n Persoon wat uit eie erkenning lid van die Suid-  
Afrikaanse Kommunistiese Party is, het in Augustus 1964 beheer  
oor die fondse van die "Defence and Aid Fund" in Suid-Afrika  
oorgeneem. Sedertdien is net n klein deeltjie van hierdie  
fondse werklik ten behoewe van afhanklikes van gevangenes  
aangewend. Die grootste porsie is vir die politieke bedrywighede  
van die verbode "African National Congress" en die  
Kommunistiese Party gebruik. Salarisse van amptenare van die  
Kommunistiese Party is ook uit hierdie fondse gedek.

Die "Defence and Aid Fund" strewende daarna om sosiale,  
ekonomiese en politieke verandering in die Republiek van Suid-  
Afrika te bewerkstellig, selfs ten koste van die gebruik van  
geweld as middel om dié doel te bereik.

In 'n toespraak voor die Verenigde Volke se Spesiale Komitee oor die beleid van Apartheid op 7 Junie 1965 het Domheer Collins, Voorsitter van die "Defence and Aid Fund" die Verenigde Volke geprys omrede van die aanmoediging wat dit verskaf aan die "slagoffers van rassistiese beleide" en aan organisasies soos die "Defence and Aid Fund" in hul pogings om "verligting aan onderdrukte te gee en om veranderinge in beleid te weeg te bring". (V.V.-dokument A/AC 115/L 132 van 9 Junie 1965).

"Ek glo dat dit verkeerd sal wees om te veronderstel dat die werk wat die 'Defence and Aid Fund' doen niks meer as noodhulp is nie," het hy gesê. "Ek dink dat, by die hulp wat dit verleen aan die vervolgte slagoffers van onregverdige wetgewing en onderdrukkende en arbitrêre praktyke en die onderstand aan hul gesinne en afhanklikes - en daardie deegliklonende werk wat ons nou al jarelank doen en sal aanhou doen totdat die nie-blankes in Suid-Afrika politiek, sosiaal en ekonomies vrye manne en vroue is - die 'Defence and Aid Fund' 'n lewensbelangrike rol vervul het, en bly vervul, om daardie politieke veranderinge te weeg te bring wat alle goedwillige mense begeer."

In dieselfde toespraak het Domheer Collins verklaar dat daar min, indien enige, waarskynlikheid is dat die politieke veranderinge wat nodig is, bewerkstellig kan word deur normale en demokratiese huishoudelike prosesse.

"In so 'n toestand," het hy gesê, "lyk dit moontlik dat die verlangde resultaat alleen teweeggebring sal word deur druk van buite en die dreigement om 'n binnelandse rewolusie op tou te sit. Na my mening is dit 'n feit van groot belang dat die bydrae van 'Defence and Aid' in hierdie opsig die moraal van die binnelandse weerstand bevorder."

Domheer Collins het ten slotte verklaar dat hy in hierdie sienswyse gesterk word deur die nadruk wat nie-blanke politieke organisasies in Suid-Afrika steeds plaas op die belangrikheid van die "Defence and Aid Fund" in hul stryd.

Voetnota.

Ingevolge artikel 17 van die Wet op die Onderdrukking van Kommunisme kan die Staatspresident slegs n organisasie onwettig verklaar nadat die Minister van Justisie n feiteverslag in verband met so n organisasie oorweeg het. Die verslag moet opgestel word deur n komitee van drie persone wat deur die Minister aangestel is. Een van die komiteelede moet n landdros wees met minstens die rang van senior landdros.

Uitgereik deur:

Departement van Inligting,  
Privaatsak 152,  
PRETORIA.

18 Maart 1966.