

STATEMENT - JOHN MATTHEWS

1. Throughout this trial I have never denied that I served on the Technical Cmtee of M.K. from early in 1962 until March or April 1963. It is also true that from time to time I helped members of various organisations in the Congress Alliance by doing certain work not related to sabotage, by storing various articles and by keeping money in my employer's safe. I also assisted in the construction and testing of radio apparatus. In the main, I would say I was a handy man who did whatever I was asked to do. I certainly did not have anything to do with the policy of any of the organisations that I worked for nor did I hold a Senior position.

2. I would like to explain my possession of the .303 cartridges. A long time ago, about 1936, I purchased a .303 rifle with some ammunition from a cousin of mine who was hard-up. I did not need it and, in fact, I have never fired a shot from it. At the time of purchase I acquired a licence. Subsequently I handed in this rifle when required to do so by the Govt. in 1940, but I forgot to include the cartridges. When I subsequently came across the cartridges I decided that I might as well keep them and I sealed them in a tin which I intended to bury. The Court will see from the newspaper in which I wrapped them that this was as long ago as 1940. I in fact thought that I had buried the cartridges and was most surprised when the police showed me a tin at the Grays shortly after my arrest.

3. I would also like to point out that although I did type Exhibit ~~-----~~^K I certainly did not draft it. I was given the draft letter for typing which I did.

4. I am 51 years of age. I was born and bred in JHB, the oldest of a family of 5. I left school for bread and butter reasons shortly after my 15th birthday. My father died a year later and I had to help my mother for many years in the struggle to bring up the family. I did not marry until I was 28 years of age. I have seven children aged from 11 to 22.

5. The reason for my being in Court can be attributed to my devotion to my large and lovely family and my concern for their future. I believe that their fate is tied up with that of the White population of S.A. and that the economic stability of the Whites will be guaranteed and even improved if a substantial improvement in the earning capacity of the non-whites were brought about. But people can only improve their lot if they can have a direct say in the selection of their Govt - and this I believe is the crux of the problem in S.A. Withholding democratic rights from the masses is equivalent to withholding food. The vote is the staff of life. I believe that the achievement of universal suffrage will not only result in economic progress and racial harmony in this country, but it is the only way in which the survival of the Whites may be ensured.

6. I have tried to play my ^{PART} part in the struggle for racial harmony in this country. After my arrest and detention the police tried to persuade me to become a State witness as they said I was but a small cog in the whole wheel. Although the temptation to be free once more with my devoted family was great, I declined as I could not betray my friends nor the principles which I believe in. I must accept any punishment your Lordship sees fit to impose, ~~but XXXXX~~ morally I cannot see how I am guilty of any crime.

ABEL MTHEMBU

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POINTS IN ISSUE

- (a) The effect on him of 90 day detention;
- (b) Whether accd. No. 5 heard and understood the conversation between Mthembu and accd. No. 4.
- (c) What happened at Rivonia when he took Bruno Mtolo there;
- (d) Whether he was given instructions to meet recruits by accd. No. 4 ;
- (e) Whether Rivonia was the headquarters of the N.H.C.

POINTS OF SIGNIFICANCE WHICH HAVE NOT BEEN DISPUTED

- (a) He was appointed to the Regional Command in Johannesburg, which consisted of himself, accd.No.9 and Jack Hodgson.
- (b) He was told about M.K. by Joe Modise, and was taken to Rivonia where he was interviewed by Slovo in the presence of accd.No. 2 and Modise.
- (c) He was later taken to Rivonia where Jack Hodgson gave him instructions on his duties.
- (d) He was told by Slovo, in presence of accd.No.2, that the Consultative Committee and Chief Luthuli approved of M.K.
- (e) He was taught how to make black powder by Hodgson and told that No. 9 was in charge of groups in the location, and would give him further training on explosives.
- (f) He was introduced by Hodgson to Mlangeni as the 'would be transport officer'. Mlangeni was then using Modise's car.
- (g) He attended a meeting of the R.C. at which certain targets were approved.
- (h) He attended a meeting at which reports were made on the targets attacked. These included 149, 174. Old Synagogue (148), Pylon at Alexandra.

- (i) View of R.C. was that materials were no good, and No. 9 was instructed to make tests. Read in newspaper about arrest of group (184)
- (j) No. 10 told him that the two of them had to check up on man from Natal, as a result of which he and No. 10 interviewed Bruno at Siloro's house. No.10 subsequently confirmed Bruno's reliability with Hodgson.
- (k) He met Bruno at a party at Pfeni, and saw him a few days later, when he was asked by Bruno to be taken to the N.H.C., and he thereupon went to Rivonia to make arrangements.
- (l) He took Bruno to Rivonia in a car driven by Somane. He met No. 2,4,5, and Wilton there. Wilton is known as Bri Bri.
- (m) He saw Bruno on one occasion after this, when he said that he had brought recruits to Johannesburg and needed R10 to get back to Durban. He was subsequently given the R10 by No.4.
- (n) He recruited one man for training and introduced him to accd.No.10.

POINTS IN FAVOUR OF THE DEFENCE CASE

- (a) The M.K. was formed to do things that the A.N.C. could not do.

P. 152. L. 17 - 23

P. 181. L.4 - 23

- (b) M.K. was to engage in violence which would not result in injury to people.

P. 153. L. 31 - P. 154. L.6

P. 181. L. 28 - 30

- (c) The A.N.C. was an organisation which was fighting for the freedom of the African people as a population.
P. 178. L. 30 - P. 178. L.21
- (d) The A.N.C. adopted non-violent means which were all made unlawful.
P. 179. L. 22 - P. 180.L.1
- (e) During this time people were becoming restive all over the country (Sekekuneland etc) and there were sporadic acts of violence all over S.A.
P. 180. L2 - 12
cf: p. 181. L. 16 - 27
- (f) Kathrada did not participate in the discussions he had with Mbeki.
P.193.L.3 - 19
P.198. L.25-28

CRITICISMS OF HIS EVIDENCE

- (a) He was a 90 day detainee. First arrested and detained for more than a month without giving information. Then released. Later rearrested. Made a statement and was still in 90 day detention when he gave evidence. He knew that he would be released if he gave truthful evidence.
P. 149. L. 6 - 7
P. 178. L.1 - 25
P. 181. L.31 - P. 188. L.33
- (b) He describes a meeting of the R.C. at which targets were discussed and a subsequent meeting of the R.C.

at which reports were made on these targets. He lumps together at these meetings items 148, 149, 174 and 183 (if this is the Old Post Office). The first two items were in January 1963. The third item was in March 1963 and the fourth item was in April 1963. He says that the first meetings was February/March/May 1963 (yet it plotted targets which were attacked in January 1963). It seems impossible that all these items could have been discussed at the same meeting, and since he only came back to S.A. in January, it is unlikely that the inclusion of items 148 and 149 is accurate. (this, however, was not challenged).

P. 162. L. 11 - P. 167.L. 17

- (c) His description of the R.C. meeting where No.10 was introduced is so vague as to be almost meaningless. (But it was NOT challenged).

P. 160. L. 28 - P. 161. L. 24.

- (d) He is contradicted by Bruno in certain respects.
- (i) Bruno says that he met Mlangeni at Siloro's house. Told him the purpose of his visit (i.e. to receive special training) and gave Jack Hodgson as a reference. On the next day Mlangeni brought Mthembu to the house - told him he could question Bruno - Mthembu questioned him and said he was satisfied he was not a spy.

Bruno Vol.1. P.119.L.31-P. 120. L2

Mthembu says that Mlangeni told him that the two of them had to satisfy themselves whether Bruno could be trusted. They went together to Siloro's house, where they questioned Bruno who gave Hodgson as a reference. They then left him and it was decided that Mlangeni would go to Hodgson

to make enquiries. Mlangeni later told him Bruno was alright.

Mthembu P.169. L.10 - P. 170. L.25

- (ii) Bruno says that he met Mlangeni at a party in Pfeni . He told him that he had been sent for by the H.C. but that nobody had come to take him there. Mthembu asked why Solomon Mbanjwa had not come. On the next day he took him to Rivonia. This was at the beginning of June.

Bruno Vol.1. P. 143 L.22 - P.144.L.17

Mthembu says he saw Bruno at a party but did not speak to him. A few days later Siloro brought him to his house. He asked to be taken to the H.C. Mthembu said he would have to investigate. Later that week he went to Rivonia. Saw Mbeki who asked if anybody else was with Bruno. He said no. Mbeki said Bruno could come. He was brought down the next day. He did not know who this ' other person' was at that time.

Mthembu P. 171. L. 9 - 30

P.172. L. 29 - P.173. L.3

- (iii) Bruno says that Mthembu introduced him to the people in the room by their assumed names.

Bruno P. 146. L. 1 - P. 147. L.23

Mthembu says that there were no introductions.(?? not clear)

Mthembu P. 172. L.29 - P.173.L3

P.194. L. 14 - 33

- (iv) Mthembu says that there was a discussion at Rivonia over the question of recruits due on the 4th, 11th and 18th May who had not been met.

Mthembu, P. 172. L.29 - P. 173. L.14

P.201. L. 27 - P.203.L.27

Mtolo does not mention such a discussion at Rivonia, though he does refer to talks about security measures to be taken in regard to recruits.

Mtolo P.159. L.9. - P. 160. L.17

AND to a complaint made by him on a later occasion to Mthembu in regard to Mthembu's failure to come to Germiston to meet the recruits who came with Bruno. (This was about 13th June and the recruits were in fact met by another man).

Mtolo P. 176. L.8 - 26

- (v) Mtolo says that he saw Mthembu when he came up with the recruits on the 13th and asked to see the H.C., but Mthembu said they were busy. He then gave Mthembu a message for the H.C.

Mtolo P. 176. L.20 - P. 177. L.12

Mthembu's version of this incident is different.

Mthembu P. 173. L. 28 - P. 174. L.4.

- (e) His evidence on the recruits due on the 4th, 11th and 18th May gives the impression of being fabricated. The evidence seems to have been designed to fit in with Exhibit -----, which refers to recruits due on the 4th, 11th 18th and 25th

June. His failure to do anything about the non-arrival of the recruits makes the story highly suspect. It is also NOT supported by the evidence of Bruno Mtolo, who says that the third group of recruits was sent away in February. (Page 111 of B.M.), and that the fourth group was sent about the time he left for Rivonia (page 138.L. 1 - 3; P.140. L.4 - 20). On this evidence, Mthembu's allegation that Bruno complained about the fact that recruits were not met cannot be true. In any event Bruno would not have known that the recruits were not met, because he was in Durban and the recruits were sent off to Johannesburg at about the time he left for Rivonia.

Mthembu P. 168. L 21 - P. 169. L.9
P. 196. L.5. - P. 197. L.2.
P. 198. L.18 - P. 203. L. 26

- (f) He at one stage said that the first time he met the man from Natal was when he came to Rivonia. He immediately contradicts this when the question was re-phrased by the Prosecutor. The way he answered the question, and the way he subsequently corrected the answer suggests that he was not being honest.

P. 169. L. 10 - 15.

- (g) He claims to have been a member of the R.C. from January until he was arrested (June/July). Yet during the whole this period he attended only five meetings; he participated

in none of the acts of sabotage and though he was the recruiting officer he recruited one person only. (But he was NOT challenged on this).

P. 176. L. 14 - P. 177. L. 4

- (h) He first said he was not told where the H.C. operated from; then said the H.C. was at Rivonia; then denied that he had ever said that he did not know where the H.C. carried on its activities.

P. 159. L. 5 - 16

P. 176. L. 11 - 13

P. 204. L. 4 - P. 207. L. 16

- (i) When he was being cross-examined on the recruits, he mentioned for the first time that No. 10 was the person to whom they had to be taken; gave as the reason that he was the transport officer, and when confronted with the fact that he had said that he did not know the duties of the transport officer, he said that No. 10 had been mentioned by name as the person to whom the recruits were to be taken.

P. 197. L.3 - P. 198. L. 17.

- (j) He was not completely convincing when cross-examined about the language used, and what could have been overheard, on the occasion of his discussions with accd.No.4, when accd.No. 5 was in the room.

P. 189. L. 1 - P. 193. L. 26

On being asked if they had anything to say in mitigation, the accused elected to make statements from the dock:

WILTON MKWAYI: "I am the first accused. I am 41 years old. On the day I was asked if I am guilty or not guilty I said that some things said about me were true. I was going to deny that I took part in the activities of the Umkonto we Sizwe, because I always have been willing to accept full responsibility for what I have done.

I want to tell the Court why it was I turned to sabotage, what I did, and what I did not do even
10 though the witness "D" said that I did it.

My father made me a member of the ANC in 1940 when I was 17 years old. He sent the card to me whilst I was at school. My father himself was a member of the ANC and he thought it only right that his son should also become a member of it. I know the reason why he became a member. The land on which we were living was taken away by the Government and we had to go and make a new home somewhere else.

I did not go very far at school because my
20 father did not have the money. I worked as a labourer for low wages - and I became interested in trade union activities. Whenever I could, I have always worked to earn my living. At the end of 1943 I went to Cape Town to look for work. I was employed in a Dynamite factory where I worked in an office until 1945. I left work to go home because of my mother's death in 1945. I was getting £6 a month. Then I worked in Port Elizabeth - Railways and Harbours, from 1947 to January 1950 as a sorter. Then on the 9th January,
30 1950 I started work at Metal Box Company, Port Elizabeth branch. I worked for this company until

/1952 when ...

there was a strike and I lost my job. I then worked at Tin Plate Stores.

However, because of my trade union activities and my interest in the ANC I became what Whites like to call an agitator. It has been said that we Africans are wrong to turn to violence, that we should adopt non-violent methods in order to remedy our grievances. I would like to tell the Court how for years I tried to achieve our aims by non-violent methods, and what I
10 did before being forced to turn to violence.

I became active in Port Elizabeth in 1947 during the rent campaign and bus boycotts. I campaigned in the 1950 June strike called as a day of protest and mourning for the death of our people in the May day strike in the Transvaal. I took part in organising the Defiance Campaign in 1952 when more than 8,500 volunteers were jailed for breaking some selected unjust laws. It was also in 1952 when I was fined £10 for taking part in a strike at Metal Box Company, Port
20 Elizabeth Branch against low wages. I was a member of the Tin Workers Union, Port Elizabeth Branch then.

It was in 1953, when I became the organising secretary of the Tin Workers Union, Port Elizabeth Branch. The same year I became the organising secretary of the African Textile Workers Industrial Union (South Africa), Port Elizabeth, and Uitenhage Branches. I held this post until 1960.

In 1954 I campaigned against Bantu education which meant a step backwards for African education.
30 Also, I campaigned against Bantu Authority - which divides people according to their tribe - which means

/Africans are ...

Africans are forced to accept apartheid system. We Africans will never rest until the apartheid system is defeated.

It was in 1955, when a Congress of the People was called at Kliptown in Johannesburg - even Government officials were invited, but did not come. Instead they sent more than 1000 police. A Freedom Charter was adopted by the people who attended the Conference, black and white. The Freedom Charter is
10 what I believe in - I am fighting for the principles contained in it. It is clear that as soon as the Government belongs to the people, there will be no pass laws, all people will be equal before the law, there will be no Permit systems, no pass laws, no job reservations and equal opportunity for all.

I also became Volunteer-in-Chief of the ANC for the Eastern Cape in 1953. The Volunteer-in-Chief for the whole country of the ANC was Nelson Mandela. I was not then on a policy-making body of the ANC.
20 I followed its policy. Up to December 1961, it was a policy of non-violence. By this I mean that it was expected of me and others to preach to people to do things in a non-violent way. I preached this until 1961, when it was decided that the ANC would not stand in the way of those who wanted to take part in sabotage.

The preaching of non-violence and the patience which my leaders had, did not help us very much. In 1956, I was arrested, together with my leaders and
30 charged with treason. The treason in the eyes of the Government was that we wanted a say in our own country.

/We had not ...

We had not declared that the White man should be thrown into the sea, which would have been an easy but irresponsible slogan. We had declared that South Africa belongs to all those who lived in it, White, Black, Coloureds and Indians.

We felt that pass laws, Bantu education, influx control and low wages could not be abolished if we did not do away with White supremacy. We believed that we could put an end to White supremacy by peaceful means, but by 1961, it was clear that non-violent ways were closed to my people. Trade unions could no longer function, leaders of the people were banished and restricted and, finally, in April, 1960 our organisation was banned. What would the people have thought of me if I no longer took part in the activities of the ANC. I could not fold my arms and say that there is nothing that I can do about it. I could not abandon the organisation for which I had worked for so long. For the same reasons, I joined Umkonto we Sizwe, soon after it was formed.

Our organisations had not even considered sabotage and violence before they were banned. It is this Government of South Africa which banned the ANC and the PAC in 1960. They also banned the Congress of Democrats and they have continued for years to ban, arrest, and harrass the leading members of our Trade Union Movement and the Indian Congress.

Supporters of the Government never fail to remind us that we should struggle for our aims by non-violent methods, but they close their eyes to the fact that our organisations have been banned. It is

/easy for ...

easy for people sitting in the comfort of their homes to condemn sabotage. It is easy for people to lecture to us that sabotage is senseless and useless, but such people ignore the long history of our non-violent and constitutional struggle.

For example - in 1946, we acted constitutionally and non-violently when the miners on the Rand came out on strike for better wages. It was the Government that acted violently. On that occasion workers were shot
10 by the Government forces and 8 were killed and our leaders arrested.

In 1950 we had a strike on the 1st of May against the rule of the Nationalist Government and against the restrictions placed on our leaders. The strike was peaceful and non-violent. The Government again used its armed strength and 18 were killed.

This was on the Rand. In 1955 over 3,000 delegates from all over South Africa came to the Congress of the People in Kliptown, Johannesburg, where
20 the Freedom Charter was adopted. We even invited the Nationalist Party to listen to grievances and our demands. Instead the Government sent more than 1000 fully armed police to smash this Congress. We adopted the Freedom Charter which set out our demands for a free South Africa for all its people, black and white. The Government's answer was to arrest over 150 of our leaders from all over South Africa and charge them for High Treason. I was one of the persons charged.

During that time also, our people were removed
30 at the point of sten guns and bayonettes from Sophiatown to Meadowlands. Over 2000 armed police were used

/in this ...

in this forced removal. In March 1960 a peaceful gathering of our people at Sharpsville was attacked. They even used Saracens. Over 65 men, women and children were killed by the Government forces. In protest against these killings at Sharpsville, we called a day of mourning strike for March the 28th, 1960. The Government's reply to this was to proclaim a state of emergency and to ban the ANC and PAC.

10 In May, 1961, even though our organisations were banned, we called a strike against the proclaiming of South Africa as a Republic, without the consent of our people. The Government's reply to this was once more to display its armed strength and intimidate our people. The Government closed the doors to peaceful change and forced my people and those who were prepared to help us to go in for sabotage in a controlled manner.

20 The reason why we went in for sabotage is a simply one. We did it in order to highlight our grievances and to persuade the Government and the White minority of this country to come together with us to a National Convention which can work out a constitution for a free South Africa where Black and White can live in peace, harmony and equality. Sabotage is not the beginning of a war, but a letter of invitation to the Government and the White minority of South Africa to come to this Convention. So far we have been met with what some Whites with pride, call "a granite wall".

30 There is one matter which I want to deal with here. To me this matter is not of any great importance, /but since ...

but since it might appear to be of some importance for this Court, I will deal with it. Witness "D" gave the Court his view that I was a Communist, though he did not give any evidence for this. I am not a Communist, but I want to say here, that I have always been prepared to work with anybody, Communists or non-Communists, as long as they are prepared to work for a free South Africa. When I was detained, the Security Police also suggested that I had been used
10 by the Communists against the interest of the African people. I have met Communists both Black and White. We are oppressed not by Communists, but by a white minority Government. As a man from the rural areas, I cannot buy cattle without a permit. These permits were not introduced by the Communists, neither are such oppressive laws as the Group Areas Act, job reservation and the Pass Laws. All these have been the work of the White minority of this country. As for the Communists, in my experience they have worked
20 and fought side by side with the oppressed people of South Africa for a free South Africa.

We, the African people, are prepared to work with any person provided he is prepared to say with us that South Africa belongs to all those who live in it.

When the State of Emergency was declared at the end of March 1960, I went underground. I then left the country and went overseas on Trade Union missions. I visited many European countries and a few African States, explaining the difficulties of
30 African workers and laws against their Trade Unions. I also asked for financial assistance for our Trade

/Unions ...

Unions. But I saw that all these things and explaining about our situation in South Africa did not help us much. The best was to come back to my beloved country to fight side by side with my people and my leaders.

Before coming back to my country, I felt that I should have military training. I had it in China in small arms. I felt that I must have this military training so that I too, could fight for my country, if
 10 necessary. After all, in South Africa, White women and boys and girls of 16 are taught to handle small arms.

It was in 1961, when my leader Nelson Mandela, called a strike against the declaration of South Africa as a Republic, without discussions with the majority of the people of South Africa. He called for a National Convention for all the people of South Africa to draft a suitable Constitution for South Africa. The Government's reply to this challenge
 20 was to jail him for three years with no fine.

I felt it my duty to come back to South Africa and to actively participate in the work that my leaders had started. I came back, convinced that the aims and objects expressed by our leader, Nelson Mandela, were the only just basis for a solution to the problems of our country.

On my return, I went to live with my leaders at Rivonia. I was at Rivonia on the day the Rivonia arrests took place, but I managed to evade arrest.
 30 I escaped but I did not leave the country of my birth. I had returned to do what I could and I was

/not prepared ...

not prepared to leave, even though I knew that I was a wanted man. I also felt that, if I did not carry on the work started by my leaders, I would be betraying my comrades who had been arrested at Rivonia and who had taken the great risks in the cause of my people. Since my escape from Rivonia, I continued to work in the shadow of my leader, Nelson Mandela. I was a fugitive in the land of my birth. I knew I was a wanted man since 1960. This was not my choosing. I had to
10 lead the life of an outlaw because the Government refused to recognise that my people have a right to be treated as equals and human beings.

It is true that I was one of the men who helped to set up the Committee of Umkonto we Sizwe, whose purpose was to gather together and reorganise the work of M.K. I do not want to quarrel with words. It was the highest committee of Umkonto We Sizwe and I do not want to quarrel with witness "D", when he calls it the High Command. When witness "D" says that
20 at the first meeting, the principle of eliminating State witnesses was discussed and accepted, he is not telling the truth. No such decision was arrived at. The position of witnesses was discussed sometime this year, for instance, in regard to Hepple. I personally raised this question on the committee. I raised the question because the Freedom Fighter had called Hepple a traitor. I objected to this because I said that, even though Hepple agreed to be a State witness, in the Rivonia trial, he escaped from South Africa and
30 he did not give evidence against his comrades. The police had said that he had given them certain infor-
/mation, but ...

mation, but I said on the committee, we must not be too ready to believe this. I told them that to call such a person a traitor was too harsh at that stage. This discussion took place after Hepple had left the country. The question of State witnesses was discussed on one or two occasions this year, but they were discussed when witness "D" raised the question and he wanted us to eliminate them. I did not agree to this nor did others on the committee. We agreed
10 that the elimination of State witnesses would be contrary to the policy of M.K. M.K. had placed itself under the political guidance of the National Liberation Movement. It could not make decisions of this nature without referring the matter to the political organisations.

I, for instance, have always regarded myself first and foremost an ANC man. I would not be party to a decision like this without the consent of the ANC. I was very sorry to see witness "D" in the witness-box.
20 He was the militant man. He was the one who told us that we were not militant enough, that we were soft-hearted and that revolutionaries cannot have regard for loss of life. I thought he was wrong then, but not only was he wrong then, but he is now prepared to sell his comrades.

In regard to the question of the arming of M.K.'s units, this was again raised by the witness "D". This again would have involved a change in policy and M.K. could not embark upon it without
30 reference to the organisations that formed the National Liberation Movement. It is true that he

/brought a pistol ...

brought a pistol to the committee. I gave it to Andrew Mashaba for his self-protection.

I carried a pistol myself. The police found me with one in my possession when they arrested me, but I carried it for my personal protection. I have already said that I was leading the life of an outlaw and went about my work at night. This pistol was for my protection against criminals in the township where I lived and worked. At the time of my arrest,
10 I had a fresh bullet wound in my thigh. I had been shot by Tsotsis. If I had had my pistol with me, this might not have happened to me.

The charges that I have been brought against me and my fellow accused, arise from our desire to fight for the liberation of the people of South Africa from the tyranny of racial discrimination. My leaders have time and again explained and exposed the injustice done to my people. I am a Mandela man. I share his hatred of the laws which are destroying the life and
20 soul of my people. I share his hatred for the system of racial discrimination. Our goal is, and has always been, that all people in South Africa should live in harmony and equality and this can only be achieved by the extension of the vote to all the people of South Africa, regardless of their colour or sex. To promise us poverty in Bantustans will not help anybody. As individuals, and as a people, we want a just share in the whole of South Africa.

This is what my people and my own family are
30 fighting for. The police tell me that two of my brothers are already serving long sentences at

/Robben Island ...

Robben Island. I myself, am standing here before Your Lordship, but I could not have done otherwise. I cannot do better than repeat what my leader Nelson Mandela said at his trial.

10 "During my lifetime, I have dedicated my life to this struggle of the African people. I have fought against White domination and I have fought against Black domination. I have cherished the ideal of a democratic and Free society in which all persons live together in harmony and with equal opportunities. It is an ideal which I hope to live for and to see realised. But My Lord, if needs be, it is an ideal for which I am prepared to die."

That is all I want to say."

20

I.D. KITSON (Accused No. 2):

"I have been a Communist for many years. In 1962 I was invited to join M.K. and did so.

I became a member of the Technical Committee. My job was to give technical advice on the matters before the local organisation of M.K. I also used to act as a go-between and received messages from 30 Mtembu, which I passed on. I later attended some meetings of the Logistics Committee.

/After the Rivonia ...

After the Rivonia arrests, but before the Rivonia Trial started, I was instructed to approach witness "D" and ask him if he would serve on an ad hoc committee to keep M.K. going. I made it clear that this committee was to continue some of the activities of M.K. but only in a day to day manner until the Liberation Movement could decide a new policy concerning M.K., in view of the Rivonia arrests. I pointed out that I expected to be detained at any time but that I thought he was unsuspected. In the precarious situation caused by the Rivonia raids, nobody would think badly of him if he wished to withdraw. He had no hesitation in accepting. There was no question of telling him he had been "appointed", he had a free choice.

The first meeting took place in the house of witness "D". He, accused No. 1 and I were present. I explained that in view of the disruption caused by arrests, detention and departures, the representative of the politicians had told me that in view of the shortage of personnel we couldn't go running to them every five minutes, but had to act as independently as possible, within the framework of existing M.K. policy. It was desired that sabotage should be committed to give the impression that M.K. was still alive. At this meeting we discussed the state of M.K. organisation and the possibility of the commission of some act of sabotage.

We did not discuss the elimination of informers at this meeting. We never discussed informers as distinct from State witnesses at any time for the

/policy of the ...

policy of the Liberation Movement towards informers was clear to us. This policy is, that informers would be exposed so that everyone would know their identities. Then their usefulness would be ended for everyone would be on their guard against them. They would face the wrath of the people in the form of social ostracism and universal contempt. However, as we did not detect any informers during the period covered by the charges, we did not invoke this policy.

10 Either at the first meeting or at an early subsequent one, Accused No. 1 suggested we should have a fourth member. We agreed to this and a person called "George" started to attend meetings. His identity was unknown to me and to witness "D", but I learned later that he was Accused No. 3, whose real name is Chiba. It is wrong to say that he attended our first meeting.

20 After a while an abortive sabotage attempt, made to meet the need of showing that M.K. was still active, was reported on by Accused No. 1. Apparently several people had been caught. We discussed the groups, deciding that a group should consist of 5 members. We decided that groups should become self reliant and to provide or make all their own equipment. They were not to depend on us for anything except guidance on policy and technical advice. They were to select their own targets in accordance with policy and decide their own acts. In this way no one would be pushed into anything against their own judgment. They had to be
30 very careful not to be caught. If there were any chances of detention, it would be better to abandon
/the project. ...

the project. If surprised, they had to make every attempt to get away. They were to take every precaution. Witness "D" has interpreted this to mean that they had to arm themselves. This is not so.

After the Rivonia trial had got under way, we became concerned about the number of people who we had heard were going to turn State evidence. A discussion took place. Witness "D" was in favour of killing one or more as an example. My attitude was
10 that there should be no change in the policy laid down. "D's" attitude to the killing of informers reflected the militant attitude he demonstrated throughout, which arose from his advocacy of the Peking line. Insofar as the Sin-Soviet controversy was concerned, I refrained from being drawn into any partisan camp for fear of upsetting the unity of purpose which existed on the committee. I, for my part, was against personal violence against informers.

Accused No. 1 adopted a similar view to me and
20 wanted to consult the ANC leadership. No decision was taken other than to refer the matter to the political organisations and Accused No. 1 at a later meeting, came back with the ANC opinion that their policy on loss of life had not changed.

My contact with the politicians also conveyed to me that there was to be no change in policy.

There was no mention of an Indian informer or report made concerning the fate of one. While I was in detention, however, the police interrogated me
30 concerning the death of an Indian called Gangat. I suppose we were all questioned on this matter - I

/know the other ...

know the other accused were. I think I recall that Chiba one day mentioned in passing, that a person called Gangat, whose name figured in the newspapers was killed in gang warfare. During interrogation the police seemed to accept that we had nothing to do with his death.

After Hepple had left the country an issue of Freedom Fighter appeared in which he was branded as a traitor. I have never read a copy of Freedom Fighter and nor was M.K. involved in any way in determining its editorial policy or participating in its distribution. Some of the other members of our committee, however, apparently had seen copies and Accused No. 1 came to one meeting rather upset because he was of the opinion that the Freedom Fighter was wrong in its attitude to Hepple. He did not regard Hepple as a traitor and said that he was reflecting the general African opinion on this. It was thought that Hepple's name had been put in only to give a multi-racial flavour to a list which otherwise would have been all black. We discussed this. To say that we discussed the elimination of Hepple is incorrect.

It is true that I took part in providing parts for the second radio transmitter. This however, was not really a M.K. function. The fact was that witness "D" was the only person available who was capable of designing and building this kind of equipment. He would have done it no matter which particular organisation of Liberation Movement he may have been a member of, for use by various of the organisations comprising the Movement. It just so happened that he

/was a member of ...

was a member of M.K., so we assisted him.

When Accused No. 1 made the broadcast it was in his capacity as a leading member of the ANC and not in his capacity as a member of M.K.

I do not know Mr. Bizzell and had never heard of him until witness "D" told us that a friend of his had a pistol which had belonged to a person who had left the country and he wanted to get rid of it. We regarded this pistol as a hot potato as nobody
 10 wanted it. After witness "D" said he would obliterate the number, Accused No. 1 agreed to take it. I took no part in this transaction other than being aware of it.

I do not know who the members of the C.C. of the C.P. were, or who constituted the political entity that I made contact with for MK. I never met any committee but only ^{an} individual who was also acting as a go-between. When I joined M.K. I severed all organisational contact with the C.P. It had been tenuous at
 20 the best of times. I did not ask questions as to their political affiliation of the people I met in the course of performing my duties for M.K. I assume that they were all in the Movement and suspected that some might be Communists. I cannot say who were, because I do not know. I certainly did not tell - indeed could not tell - witness "D" who were the members of any illegal political authority. I suppose names were put to him to see his reaction when he was being
 30 interrogated, because this was my experience.

I am a white South African who was born in this country. I went to school with South Africans,

/to University ...

to University with South Africans and fought in the war with South Africans. I feel an affinity with white South Africans.

As I grew up, however, and came to think for myself, it became difficult for me to reconcile the oppression of the non Europeans here with the philosophical outlook of the Western civilisation we whites purport to defend. Clearly the situation was contrary to the Christian tradition in which I had been reared. The only organisation I could find which stood for equality of opportunity regardless of race, was the C.P. Later I came to accept the Marxist standpoint that mankind can only achieve its complete liberation with the achievement of communism. Today communism is a swearword which is directed against a multitude of sins. Different people understand different things by communism. For my part I see communism as a movement against discrimination and oppression.

I found that when I got married, domesticity made bigger demands than devotions to ideals. I also found that I was still a South African at heart and wanted my children to be South Africans when I came back to the land of my birth. I came back with the clear intention of not taking part in any kind of political activity at all, but of devoting myself to my family. This attitude was buttressed by the fact that the Authorities knew about my past for my passport was confiscated on my return. I lived this way for about a year.

Then Sharpeville took place. The Active

/Citizen Force ...

Citizen Force was mobilised. In the Emergency hundreds of innocuous people were arbitrarily detained. In view of my past I could have easily been one of the many. The Government, supported by the majority of the whites had turned a granite face to the Africans and their fellow sufferers and had flouted the mainstream of development along which the world is going. This still is the case.

10 I could run or stand. So I stood. It was natural, in view of my past, to find a home in the S.A.C.P. At least my participation would show that I stood alongside the Africans and their fellows. It showed the world that another white had chosen the side of humanity. In view of the Nationalist opposition to Communism nothing could underline my detestation of apartheid more than being a Communist.

20 With the passage of time the inevitable reaction to the Government's stand took place. Poqo arose. There were spontaneous acts of appalling hate, such as the Paarl Riots. I and my family could just as easily have been the victims of such violence as any other family. I felt that I should join at least in the attempt to direct opposition in a constructive and disciplined manner, so as to try to avert danger to life or outbursts of raciolistic terrorism. I joined M.K. for the same reasons that have been set forth at length by Nelson Mandela in another Court, namely that there was no lawful method of effective opposition which remained open.

30 This is not the first time that political frustration has driven South Africans to break the

/law in order ...

law, in order to achieve the ideals in which they believed.

I would remind the Court that a few weeks ago the State President of the Republic of South Africa unveiled a plaque in a prison cell where he had been kept for participating in armed rebellion in time of war. Even more recently the Minister of Justice has been digging up petrol tins at Kiffiefontein where he was once confined. I do not suppose he was personally involved, but at the time, many acts of sabotage were committed by opponents of the Govern-
 10 ment. In one night alone 22 pylons from the Vereeniging Power Station were blown up. M.K. has never committed acts of sabotage on that scale.

These men, and many like them, were prepared to take the course they did, regardless of personal consequences, and at times when the country was at war, for the sake of their ideals.

Although their actions were against the law,
 20 their ideals were and are still rejected.

After all, our ideal of equal rights for everybody is equally noble - so far, however, the only response has been increased repression. This does not mean that the grievances of the overwhelming masses of South African's, black and White alike, have been met. It only means that my participating in voicing them has ended. I do not see how I could have done otherwise.

STATEMENT by : L. CHIBA. (Acc. 3.)

My Lord, I admit that I was a member of the highest committee of Umkonto We Sizwe since December, 1963. I do not now seek to avoid responsibility for my actions.

The witness "D" has however given incorrect evidence on certain matters, more particularly in regard to the alleged decision to liquidate State witnesses and informers and the arming of our units. I have heard what accused No. 1 and No. 2 have said about these matters and I confirm that their statements set out what actually happened.

I deny completely that I ever suggested that an Indian informer should be killed. I also deny that in fact a certain Indian had been killed and made to appear that it was a gang-war. I have carefully thought about why witness "D" gave this evidence and all I can think of is that at the time of the killing, the Gangat killing, which was extensively talked about, I mentioned it in general conversation. It is possible that as a result of his five months detention witness "D" has become confused and places a different interpretation on this casual remark.

It states in the charge sheet, My Lord, that I had gone to Russia to train as a communist, this is not true. I do not deny that I had gone to Russia but I do deny that I went there to train as a communist. I went to Russia for a holiday and was there only a month.

I am 34 years of age and have only little education. I am a married man and have three children whom I dearly love.

Although aware of the injustices that the non-white people are subjected to I never really took an active interest/...

interest in their political and social affairs; however a turning point came in my life with Sharpville. The grim photographs of death and agony set me thinking of the plight of the non-white people in the land of their birth. It was then that I joined the Congress Movement. I joined in the campaign calling for a National Convention. I joined the protests which called for the release of our leaders. Every attempt to negotiate with the Government for a peaceful solution
10 to the problems facing the country was frustrated. Instead all legal channels of protest were shut. The major political organisations were outlawed. Our leaders were banned, restricted or imprisoned. Violence is not of our choosing but the natural consequence of our being denied lawful means of protest. I therefore gave my wholehearted support to the policy of controlled sabotage. We hoped that it would induce the Government to hold consultations with the non-white people as regards their grievances. We hope too that the
20 Government will realise that as human beings we are entitled to have an equal say in the government of our country.

My Lord, if it is wrong to fight for freedom and a stake in society then I have done wrong, but I cannot see it.

I am an Indian but above all I am a South African. I could not and still do not see any alternative action that I could have taken to achieve the freedom
29 of my people.

STATEMENT by : JOHN MATTHEWS. (ACC.4).

MY Lord throughout this trial I never denied that I served on the technical committee of Umkonto We Sizwe from early in 1962 until March or April, 1963. It is also true that from time to time I helped members of various organisations in the Congress Alliance by doing certain work, not related to sabotage, by storing various articles and keeping money in my employers safe. I also assisted in the construction and testing of radio apparatus. My Lord one can say that I was
10 a handyman who was willing to do work for this cause. I certainly did not have anything to do with the policy of any of the organisations that I worked for nor did I hold a senior position.

I would like to explain my possession of the .303 cartridges. A long time ago, about 1936 I purchased a .303 rifle and 28 cartridges, rounds of ammunition, from a cousin of mine who was hard-up. I did not need it and I did not fire a shot from it. Subsequently I handed this rifle in when required to do
20 so by the Government but I forgot to include the cartridges. When I subsequently came across the cartridges I decided that I might as well keep them and I sealed them in a tin which I intended to bury. The Court has seen from the newspaper wrapping that this happened as long ago as 1940. I had in fact thought that I had buried this tin and was most surprised when the police showed it to me at the Grays shortly after my arrest.

I would also like to point out that although
30 I did type Exhibit "K" I certainly did not draft it, it is beyond my capacity. I was given a draft letter

to/...

to copy from.

I am 51 years of age. I was born and bred in Johannesburg the eldest of five children. I left school for bread and butter reasons, shortly after I turned 15. My father died a year later and I had to help my mother for many years in the struggle to bring up the family. As a result I did not marry until I was 28 years of age. I have seven children aged from 11 to 22.

My being in Court can be attributed to my devotion to my large and lovely family and my concern for their future. I believe that their fate is tied up with that of the white population of South Africa and that the economic stability of the whites will be guaranteed and even improved if a substantial improvement in the earning capacity of the non-whites were brought about. But people can only improve their lot if they can have a direct say in the selection of their Government - and this I believe is the crux of the problem in South Africa. I believe that withholding democratic rights from the masses is equivalent to withholding food and I would say that the vote is the staff of life. I believe that the achievement of universal suffrage will not only result in economic progress and racial harmony in this country but it is the only way in which the survival of the whites may be ensured. I have tried to play my part in the struggle for racial harmony in this country.

Shortly after my arrest and detention the police tried to persuade me to become a State witness, they said I was but a small cog in the whole machine. Although the temptation to be free once more with my devoted family was great I decided that I could not betray my friends nor the principles which I believe in.

STATEMENT by : S.R. MAHARAJ (Acc. No. 5).

My Lord although I have been found guilty I actually had very little to do with sabotage. I acted as a messenger, made my house available for the activities of the members of the Umkonto and bought various items at the behest of other persons. It is true that I did other political work in opposition to the Government but this had nothing to do with sabotage.

When I was arrested a pistol was found in my home. This pistol had nothing to do with Umkonto
10 activities. I live in a rough area, Doornfontein, and I have a pistol for personal protection. Many other people, black and white in Doornfontein also have pistols.

I am 30 years of age and studied at the University of Natal and the London School of Economics. I grew up in a little town in northern Natal where I matriculated at the age of 17. My father is a cripple and even while at school I had to work in a quarry in order to earn money for school fees and books. I entered the University in order to study law. In order to do this I worked
20 during the day earning £10 per month and had to live and study on this minute amount. I first obtained a B.A. degree at the University of Natal and thereafter I began my LL.B degree but after I had completed the first year LL.B the law faculty was closed to non-whites and I was refused a permit to study either at the University of Cape Town or Witwatersrand I therefore was compelled to go to Britain in 1957 to continue my studies and subsequently I read for an LL.B degree at the London School of Economics as a part time student.

30 After Sharpville I felt that I had to return ultimately to South Africa to play my role in the liberation of my people. Even while I contemplated my return

to/...

to South Africa, I witnessed from afar the banning of the organisations of the non-white people. I watched the Government steadily and ceaselessly close the doors to a peaceful transition in my country. I was dismayed by the unyielding attitude of the Government, I was angered by injustice, by the banning of the organisations, the arrests, the banishment of our leaders and the granite wall attitude of the Government.

10 Eventually I returned to South Africa dedicated and determined to assist in the struggle for the liberation of my people. I returned to South Africa where the struggle for our liberation had to be conducted illegally because there were no lawful avenues open in the struggle for our liberation, in this struggle I felt that at last I was doing something.

We in South Africa are fighting for an end to apartheid, for the liberation of the non-white people, and we seek a South Africa where black and white can live in freedom and equality.

20 I, My Lord, am a reasonably well educated person, I am eager to work to earn a living to study in my spare time and be a law abiding citizen, yet in the country of my birth the universities are closed to me, I have no vote, I cannot go where I like or buy property where I like. There is no way of protest open to me other than sabotage. Whatever punishment your Lordship metes out to me cannot convince me that I have acted wrongly. I cannot see how morally it can be wrong to fight for ones freedom and the freedom of ones people.

30 Mr. Kentridge : M'Lord I have no evidence to lead, and, unless my learned friend wishes to say something first, I would like to address your Lordship on the question of sentence.

Mr. Masters : I have nothing to say.

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