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26 November 1984

Dear Comrades

Enclosed please find        copies of "The People's Charter in the Eighties" and        copies of "Repression in a time of reform."

The former should lay a good basis for discussion of the Freedom Charter.

The latter is available at R2,00 (an amount which Head Office wishes and in fact needs to receive). It gives a good account of the events in the Transvaal and should equip our activists with a fuller understanding of current events.

Both should be distributed selectively and are intended for group usage rather than for individual consumption.

I trust that you will find them useful.

Yours in struggle,

TREVOR MANUEL  
ACTING GENERAL SECRETARY

The National Office will appreciate it if all applications could reach it on or before February 20, 1985.

I am looking forward to a prompt and positive response from you.

Yours in the struggle,

POPO MOLEFE  
GENERAL SECRETARY



Box "AH 8"

THE FREEDOM CHARTER –  
THE PEOPLE'S CHARTER IN  
THE NINETEEN-EIGHTIES

*The Twenty-Sixth  
T B Davie Memorial Lecture  
Delivered in the University of Cape Town  
on September 26, 1984*

by  
RAYMOND SUTTNER



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THE T. B. DAVIE  
MEMORIAL LECTURES

**T**HOMAS BENJAMIN DAVIE was vice-chancellor of the University of Cape Town from 1948 to the time of his death in December 1955. He will long be remembered, not only for his wise guidance of the University's affairs during a crucial period of its development, but also as a fearless defender of the principles of academic freedom from the time when the first suggestions of university apartheid were being made by supporters of the government of the day. Although robbed of his leadership at a critical time, the University continued to follow his example, and resisted the implementation of university apartheid by all legitimate means. In spite of the opposition of this University, of other universities and colleges and of many individuals and bodies connected with education, an act with the title of the Extension of University Education Act was passed in 1959. This Act established separate colleges for non-white students and prevented them from registering at the existing universities. Thus the freedom of these universities to accept students on the basis of academic merit alone was taken away.

The students of the University of Cape Town established the T. B. Davie Memorial Lecture to commemorate the work and example of a distinguished vice-chancellor. This annual lecture, as is fitting, is delivered on a theme related to academic freedom: to keep before the University a reminder of the seriousness of its loss, to keep alive its faith that the lost freedom will one day be restored, and to keep its members vigilant lest further inroads into its remaining freedoms should be made.



Raymond Suttner has held positions in African studies and law, in the Universities of Cape Town, Natal and the Witwatersrand. At present, he is a senior lecturer in law in the University of the Witwatersrand. He has published articles in scholarly journals on African customary law, jurisprudence and international law.

After five months pre-trial detention, in November 1975 Mr Suttner was sentenced to seven-and-a-half years imprisonment under the Suppression of Communism Act, for carrying out underground work for the ANC. He was released in May 1983.

## THE FREEDOM CHARTER — THE PEOPLE'S CHARTER IN THE NINETEEN-EIGHTIES

*Raymond Suttner*

IT is an honour to have been invited to speak on this important occasion, especially to follow after Mrs Helen Joseph, one of the heroines of the struggle for a free South Africa, to deliver a lecture that has also been given by Professor Z.K. Matthews, a man who had a great deal to do with the subject matter which I intend to address.

This lecture was established as an annual event to mark the University of Cape Town's continued opposition to apartheid education. While the commemorative plaque dedicating the University records this, it notes that 'academic freedom ... is best assured in a free society which recognises fundamental human rights.'

It is to this aspect of the dedication that my lecture is devoted, to the conditions necessary for a free and democratic South Africa: conditions which best assure academic freedom. It is appropriate, in examining this problem, that we consider what I will argue is the leading human rights document produced in South Africa, the most democratic expression of the aspirations of the majority of South Africans, that is, the Freedom Charter.

It is significant, I think, that it has only recently become possible to conduct serious, open discussion of the Freedom Charter. When I was a student and lecturer at this University from 1963 to 1969 the Charter hardly surfaced in discussions.

Shortly after its formulation, at the Congress of the People in June 1955, the state sought to suppress the Charter and its message. First a treason charge was framed against one hundred and fifty-six leading democrats, based fundamentally on the Charter itself being a treasonable document. Then lead-



ers and organisations were banned and driven underground or into exile. The period after the outlawing of the ANC signalled a phase of intensified repression of democratic activities. To the extent that the Charter was around, it existed in quasi-legality. Some who propagated the document found themselves harassed or banned, while others did in fact issue it under the auspices of illegal organisations.

This was also the period immediately after the so-called Extension of University Education Act, when blacks were almost totally excluded from this and other established universities. They were then consigned to separate ethnic colleges. Because state repression was primarily directed at black political activities, this was a period when (mainly white) liberal and university political activities achieved considerable prominence, more or less in isolation from blacks, but also, in a sense as surrogates for black opposition.

I mention the political conditions of the sixties, when I myself was very active in liberal student politics, because it is significant that when we looked for inspiration as to the type of society that we wanted we would look outside South Africa. We would look to the American Bill of Rights or to the Universal Declaration of Human Rights. Being cut off from the indigenous Communist tradition, our political bearings were not really African. We did not realize that there was a tradition of African human rights document, which already enjoyed widespread support.

The repression of the sixties had succeeded in causing a rupture in the tradition of nonracial, democratic resistance to apartheid. This rupture threw white liberals, especially students, into the frontline of public anti-apartheid opposition. This artificial prominence (that they obtained, or had thrust upon them), was in turn one of the factors that evoked the rise of the black consciousness movement.

I do not pretend to do full justice to the important contribution of the black consciousness movement in the late sixties and early seventies. It must be recognized that the black

consciousness movement recovered an aspect of the previous Congress tradition. It reasserted the need for self-determination and the national liberation of blacks. It stressed black unity and leadership in this struggle. Unfortunately it was a one-sided, partial recovery of the tradition. Blackness tended to be asserted in a romantic manner, to the exclusion of the other components of the tradition. Alliance with white democrats, far from being considered politically necessary or important, was regarded as a dilution of what was now viewed as the struggle of blacks alone. In addition, the oppression of blacks was treated primarily on the psychological, cultural and ideological levels. This in turn was linked to a traditional emphasis on consciousness raising amongst intellectuals, rather than mass activity.

Partly in reaction to black consciousness and partly in response to wider intellectual trends, the early seventies saw the reorientation of significant sectors of white students and academics towards the labour movement. This was manifested through wages commissions and trade union activities. It was the period of the 1973 Durban strikes.

The turning of the white intelligentsia towards the labour movement was also related to or coincided with the rise of a new body of scholarly writing on South Africa, influenced by materialist concepts.<sup>1</sup> While making important contributions towards understanding class, this work unfortunately tended and still tends to downgrade the significance of racial or national oppression in South Africa.

It is only after 1976 that we have seen the public re-emergence of the nonracial, democratic tradition of the fifties. This is a tradition that seeks to draw all people, irrespective of class, colour or sex, into democratic organisations. It mobilises all people who suffer under or reject apartheid and are willing to strive to end it.

The 1976 rising involved thousands of young people and rekindled the anger of many older people. The rise of mass democratic organisations in the late seventies and early eight-



ics has harnessed these activists into constructive channels. In the course of their activities, these people and their organisations have sought a programme, a vision of the future South Africa. They have found or rediscovered it in the Freedom Charter.

There is something symbolic in the revival of the Charter. But it is more than that. It has not been retrieved as an archival piece, out of a sentimental veneration for the nineteen-fifties. The Charter has been revived because it remains relevant. In order to justify this statement I want to discuss what type of document it is, and what supporters and opponents consider it to be. But before doing that I want to recall its origins.

#### THE CONGRESS OF THE PEOPLE CAMPAIGN

The Congress of the People, which adopted the Freedom Charter, was the culmination of a long process of resistance to white conquest and domination. It was also a response to the immediate period of struggle which crucially influenced the mode of organisation of the Congress of the People. Ultimately, the struggles of the time also conditioned the type of demands which found their way into the Charter.

This period was marked by the development of working-class organisation, which found expression in significant events such as the 1946 miners' strike. It also saw the establishment of the South African Congress of Trade Unions (SACTU). Finally, the ANC and Indian Congresses developed into mass movements after 1952.<sup>2</sup>

In mid-nineteen fifty-three, the idea for the Congress of the People emerged out of a discussion in Alice, in the Eastern Cape.<sup>3</sup> It was intended as a new national convention or the first truly national convention in the sense that the one of 1908-9 had represented whites only.<sup>4</sup> In proposing that a Freedom Charter be drafted, Professor Z.K. Matthews as-

serted the right of the people to decide their own affairs:

'We are not prepared to take a back seat when the affairs of our country are discussed. We are determined to be free.'

Foreshadowing the preamble to the Charter, he said that South Africa belonged to all its inhabitants, who should take part in shaping its destiny. With regard to the Congress of the People, he added:

'We want a gathering to which ordinary people will come, sent there by the people. Their task will be to draw up a blueprint for the free South Africa of the future.'<sup>5</sup>

The suggestion to organise the Congress was adopted by the ANC and welcomed by its allies, the South African Indian Congress. South African Coloured People's Organisation and the South African Congress of Democrats.

When we assess the extent to which the Congress of the People campaign achieved its aims of reaching ordinary people and embracing their aspirations in the Charter, it is important not to isolate any single aspect of the process.

The Congress of the People was not a single event but a series of campaigns held in huge rallies, small houses, flats, street or factory meetings, gatherings in kraals or on farms. No doubt the degree of success attained was uneven, yet South Africa has never had any similar process of democratic discussion and participation. In the time available and on the basis of the limited amount of research that I have been able to undertake into this vast experience, I will try to justify this claim.

In March nineteen fifty-four a National Action Council was established to carry out the campaign.<sup>6</sup> Its job was to gather the people's demands from branches of the various organisations and from communities where there were no branches, and finally, to convene a mass assembly.

The National Action Council called for Freedom Volunteers to serve as 'shock brigades' to give impetus to the



campaign and by the end of nineteen fifty-four claimed that ten thousand had enlisted.<sup>7</sup> A pamphlet entitled 'what it means to be a Volunteer'<sup>8</sup> explains their tasks and helps one understand why the ultimate form of the Charter embraces on the one hand general statements of aspirations, and on the other, very specific demands and responses to particular grievances.

The pamphlet urges volunteers to mobilise the people against apartheid and to campaign against specific laws or repressive activities, such as the Bantu Education Act and Western Areas Removals Scheme.

They are then instructed to take the message of the Congress of the People to 'every corner of our country' and to gather demands for the Freedom Charter. 'Volunteers must visit every town, village, farm, factory, mine, and reserve in South Africa. This is directly linked with the first task because the Congress of the People must not become an abstract campaign, but must at all stages and in every issue be related to the actual conditions of the people.'

But how were they to operate? In a circular to all Volunteers, early in 1955, we read:

#### 'WHAT MUST A FREEDOM VOLUNTEER DO?

A volunteer is an organiser and a leader of the people. Now, in the next two months - but starting right away now without delay, he must organise people to formulate their demands. We must call people together, explain to them the Freedom Charter, encourage them to speak out, listen to their demands, and record their demands and send them into the Congress of the People Committee. For some volunteers a start can be made in their own factories or their own place of work - where lunch-hour discussion with his work mates can be arranged. For all volunteers, a meeting of neighbours in a house, perhaps only of one street or block, can be called

together. From these small beginnings we must branch off, going from street to street, from block to block, organising meetings, explaining, listening, recording. For the next few months, volunteers must work like missionaries, without resting. It should be our aim to meet with one group of people or another every night, systematically covering our whole town or locality so that no citizen of South Africa is left out of the discussions on the Freedom Charter.

'This is a big task - a tremendous task. But a good volunteer does not work alone! He works in the first place with the other volunteers in the neighbourhood, planning together with them all that is to be done. But even when a volunteer starts to work alone, with no others to assist him, his task is - at every meeting - to call on those who are inspired by the ideals of the Freedom Charter to take their own initiative - to call their own meetings - in their own places of work and to become also organisers and leaders for the Freedom Charter.

'Let us not overlook the countryside. Volunteers from the towns who have relations and families in the countryside must try to get to the rural areas on the week-ends, and hold discussions on the Charter. They must urge, at every meeting in the towns, that all the people write or visit their friends in the rural areas and in the villages, to tell them about the Freedom Charter, and to urge them to make their demands without delay. Everyone who has made his own demand must now organise others to do the same! Let the Freedom Charter spread like wild fire among the people!'

The document then advises on how a meeting should be conducted, and stresses:

'The volunteers should carefully write down the demands and grievances that are voiced. They should guide the discussion so that people do not only say what they suffer from but also what changes must be made to set things right. They must encourage people to talk of small things, and not to speak generally of "unjust laws" or "oppression" They must ask - What laws are unjust,



and what should be done about them; what is oppression, and how it can be abolished.<sup>9</sup>

But the campaign did not rely on individual volunteers alone. Committees were established at various levels - of province, town, suburb, factory or street. Regional meetings were held in every province.<sup>10</sup> In the Western Cape, (and I will focus mainly on their campaign), three hundred people representing twenty-seven organisations attended a meeting in August 1954 to discuss a regional plan of action. All three hundred delegates enlisted as volunteers and people started to put forward their demands for inclusion in the Charter - the abolition of the colour bars, freedom of movement, women's rights, adequate housing, food, and work and education for all.<sup>11</sup>

The next phase of the campaign was the establishment of area committees. In the Western Cape, the Worcester United Action Council took the initiative and called all the local organisations together. Area committees were to ensure that decisions were implemented and that volunteers adhered to their code of discipline.<sup>12</sup> The Committee had to see that political work was undertaken in the area on a weekly basis, that political literature was regularly distributed and that the discipline, political understanding and leadership skills of volunteers was strengthened.<sup>13</sup>

These Area Committees held public meetings where people were called upon to sign up as volunteers. In September 1954, the Joint Action Committee (Western Cape) [JAC(WC)] launched a six-week campaign of local conferences to set up area committees and enrol volunteers. Lunch-hour meetings of factories elected Congress of the People factory committees. Area meetings were held in Cape Town, Wynberg, Nyanga, Athlone, Kensington, Paarl, Blouville, Stellenbosch, Elsie's River. In October, the JAC (WC) organised a central mass meeting on the Parade in Cape Town.<sup>14</sup>

The conduct of the campaign was hampered by constant police harassment and banning of organisers.<sup>15</sup> Nevertheless, in the months of 1955 leading up to the Congress, activity was stepped up. In March 1955, the JAC organised a mass rally of two thousand people on the Parade. Here, people voiced their demands for inclusion in the Charter.<sup>16</sup> March and April had been designated as the months for sending in demands.<sup>17</sup> One report stated that 'for months now the demands have been flooding in to C.O.P. headquarters, on sheets torn from school exercise books, on little dog-eared scraps of paper, on slips torn from C.O.P. leaflets.'<sup>18</sup> They came from the big cities, the small towns, from country districts, from big and small meetings held in areas never before reached by any organisation, some in English, others in Afrikaans, Sotho, Xhosa or Zulu.<sup>19</sup>

Here are some of the demands:

'I would make a law protecting the public from being assaulted by the Police even when they are not resisting arrest.'<sup>20</sup>

'I would like the main policy with three main names: Colour-bar, Racial segregation or Apartheid, under which all oppressing laws of the South African Government fall to be abolished.'

'In the rural areas I would like the so called rehabilitation system to be abolished.'

'I would like every individual to buy and sell his cattle or sheep everywhere he likes....'

'I would like the Bantu education act reconsidered and put aside for it is a dangerous poison to the brains of our fellow citizens the Africans.'

'The removal of African families from their homes by the government and the way they are uprooted should not be done.'

'There must be equal rights for all in this country.'

'The workers unions must be helpful to everybody and



work for the benefit of us all in this country.<sup>21</sup>

'Every man and woman is free to buy land provided he or she has enough Capital to run the land which he or she has bought. Hoping this will meet to your favourable and reliable consideration.'<sup>22</sup>

The demands had been collected in a number of different ways. SACTU, formed a few months before the Congress of the People, welcomed the campaign and played a key role in collecting the demands of workers in factories, through affiliated trade unions and also in the townships. Many of their demands found expression in the Charter.<sup>23</sup>

Women, under the leadership of the Federation of South African Women (FEDSAW), met to discuss their demands early in 1955. A draft document prepared by the leadership was discussed, clause by clause. The amended demands went to the Congress of the People head office and many were incorporated into the Charter.<sup>24</sup>

Other organisations, such as Youth organisations, branches of the ANC from all over the cities and countryside, branches of the South African Coloured People's Organisation and many others, sent in their demands.<sup>25</sup> Similarly, many individuals took the initiative.

In the election of delegates for the Congress, it was sought to have as many people and organisations represented as possible. Meetings to elect delegates were, consequently, very widely advertised. Attempts were made to ensure that both rural and urban centres were adequately represented. Each area had to raise funds to contribute to the cost of transporting its delegates. Where any area was unable to send delegates, they were advised to elect people who lived near to the place where the Congress was to be held, as their representatives.<sup>26</sup>

These delegates came from every walk of life, from every village and city. The western Cape delegation consisted of a textile worker, pensioner, trade unionists, housewives, a typist, university students, a metric pupil, teachers. They

came from Elsies River, Athlone, Langa, Kraaifontein, Sea Point, Claremont, Mowbray and Wellington. Some of the organisations represented were the ANC, South African Coloured People's Organisation, Cape African Polish Workers Union and the Women's Anti-Pass Committee.<sup>27</sup>

These Cape delegates received a send-off at a torchlight rally. Fifty were, however, held in Beaufort West where the police were in no hurry to release them, and they missed the Congress of the People.<sup>28</sup>

Despite such harassment in many areas of the country, two thousand eight hundred and eighty-four delegates of all races, men and women, from all sorts of background, did attend.<sup>29</sup> 'On that day thousands of South Africans made their way to Kliptown by car, by bus, on bicycle, on foot and on horseback. They were delegates carrying their areas' views on the nature of the South Africa of their dreams. They were coming from all areas of the country and some of them were setting their foot for the first time in the urban areas.'<sup>30</sup>

They came from Natal, Sekhukhuleni, Zululand, Transkei, Ciskei, Durban, Cape Town, Port Elizabeth, East London, from every town in the Transvaal, from the farm and trust lands, from the mines and the factories. They arrived carrying banners bearing such slogans as 'Freedom in our Lifetime', 'Equal Rights for All', 'End Bantu Education!', 'Down with Removal of Western Areas!', 'Down with Unjust Laws!', 'We want Better Houses!', 'Equal Pay for Equal Work!', 'Let Our Leaders Speak of Freedom!', 'We want our Leaders!' (many of whom were prevented from attending because of restriction orders).

Each delegate was given a draft copy of the Freedom Charter in which the Johannesburg Head Office had sought to embrace and reconcile all the demands. The Charter was introduced by leaders of the various organisations. Then delegates discussed the Charter section by section, after which it was approved.

Although the Congress of the People ended on 26th June,



the campaign was by no means over. On returning home, delegates reported back to packed mass meetings and set about popularising the Charter.<sup>31</sup> Again regions were divided into area committees. In the Western Cape, this drive was conducted by volunteers who, in the space of two months organised meetings in Kensington, Windermere, Elsies River, Koelenhof, Strand, Hermanus, Blouville, Simonstown, Paarl, Kayamundi, Langa, Nyanga, Athlone, Worcester, Eerste River.

In addition to this work, committees were set up to bring the relevant sections of the Charter home to different groups. A committee investigated how the clause 'The doors of learning and culture shall be opened' could be taken to students in schools and universities. Another told the legal profession of the clause 'All shall be equal before the law' and discussed how this affected lawyers, and how they could work for it to become a reality in South Africa.<sup>32</sup>

Summing up the impact of the campaign, Chief Albert Luthuli said:

'Nothing in the history of the liberatory movement in South Africa quite caught the popular imagination as this did, not even the Defiance Campaign. Even remote rural areas were aware of the significance of what was going on.'<sup>33</sup>

#### THE REVIVAL OF THE CHARTER

While it is good that this part of our history has now been retrieved, it also carries a danger. We have seen the re-emergence of the Charter in more or less the same way as we have the reassertion of Nelson Mandela as the most popular leader in South Africa. There has been something symbolic in both of these events. When either has been attacked the response has tended to be emotional and defensive. When alternative programmes have been proposed, there have

simply been dismissed. Many of its supporters appear to expect all people to accept it as an act of faith.

Now I do believe that the Charter is the document for liberation in South Africa, the programme that is accepted by most South Africans as providing the basis for freedom from oppression and exploitation. But I think that we need to engage in a more constructive discussion around the Charter, to understand why it deserves support, what problems people have with the document and what problems there are in the document.

I want to suggest that most of these difficulties and questions derive from a problem of characterisation. People are not sure what type of document the Charter is.

While some people on the 'ultra-left' dismiss it as bourgeois or petit-bourgeois, some supporters of the Freedom Charter respond by calling it a socialist document. Because they feel obliged to defend it on these terms they also sometimes wrongly conclude that aspects of the Freedom Charter do not express a serious intent. They do not believe, for example, that it is really intended to implement the provisions which guarantee the right to trade, manufacture and farm. Some of these 'defenders' of the Charter feel that there is a hidden agenda, that these middle classes will simply be wiped out.

I do not agree with either the 'ultra-left' attacks on the Charter nor the type of defences that I have quoted. I want to argue that the Freedom Charter is not a socialist or a bourgeois or petit-bourgeois document. It is an anti-capitalist and anti-imperialist programme. But it is in the first place a people's document. It is the response of a people denied their right of self-determination, a people struggling for national liberation.



### THE FREEDOM CHARTER - A PEOPLE'S CHARTER

One of the reasons why the Charter has such power in South Africa is that it is a popular document, that it was created through a democratic process and that it continues to be a people's programme. Having said that I realize that this is one of the reasons why some members of this audience view it with reservation.

For some people the inadequacy of the Freedom Charter is precisely that it is a people's document. The concept of the people, to some critics, is vacuous, for it is said to lack class content and without classes, they ask, where is class contradiction and struggle? (By the struggle between classes, whose interests are incompatible or contradictory is meant, under capitalism, a struggle between those who own the means of production such as land, mines and factories, and those who are forced to sell their labour-power as a commodity in order to exist).

What is wrong with this view is that in its quest for purity - pure class struggle - it is blind to the existence or downgrades the significance of contradictions that are not purely between classes. One does not need to look at South Africa to realize that the very phenomenon of imperialism, which has been called 'the highest stage of capitalism', represents a contradiction where a whole people, irrespective of class, suffers under the yoke of a foreign power. The fact that it is not a contradiction purely between classes does not mean that it is any less a contradiction.

Equally, in South Africa, we do not only have contradictions between classes. The black people of South Africa have been denied their right of self-determination. All blacks, but especially Africans, endure national oppression. All blacks, irrespective of class, are victims of this oppression. It is not only black workers, but all blacks who are disenfranchised and endure disabilities in almost every aspect of their lives.

One of the peculiarities of the South African state is that

written into its structure is this systematic national oppression of all blacks. It is one of the factors that facilitates capitalist exploitation in South Africa. National oppression and capitalist exploitation are inextricably interlinked in South Africa.

The demand for the nationalization of key monopolies and the transfer of land to those who work it were found necessary, not so much because of socialist motivations on the part of those who made and supported the Charter, though many may have been socialists. These demands derive from the historical basis of the South African state, where nearly all the country's land and other assets have been seized from the blacks and are still held by a small minority of the white population. It was felt that there could be no overall improvement in conditions without such changes.<sup>34</sup>

The struggle for the Charter is therefore an anti-capitalist programme, because any programme to end racial oppression in South Africa has to be anti-capitalist. This is because racism in South Africa cannot be eradicated without attacking the key power-centres of capitalism, with which it is so closely interlocked.

So when people describe the Charter as a bourgeois document they are abstracting specific demands from the South African context. What may be a bourgeois demand elsewhere, goes beyond that in the context of a national democratic struggle.

To demand that 'The People Shall Govern' is in this context, a revolutionary call. It is revolutionary because it cannot be accommodated in the existing South African state. The right to vote may have been a civil rights question for blacks in the United States of America, in the sixties, for they then sought absorption into a common society. In South Africa, in contrast, the demand to vote in an undivided South Africa, is part of a national liberation struggle. It is part of a struggle for sovereignty, for the people have never governed South Africa.



The Charter is also anti-imperialist. In the first place its attack on the monopolies is primarily an attack on the control of the South African economy by international capital. Equally, in the present context, the clause demanding the right to work is an attack on foreign-controlled industries, for international investment is primarily concentrated in capital intensive industries, which, especially in the current recession, have thrown many people out of work.

But the Charter is also anti-imperialist in a more fundamental sense. For it is only when The People do Govern that they can create the conditions to control their own country, make it fully independent and sovereign, and ensure that they break the stranglehold of international imperialism.

If I am correct in describing the Charter as a people's document, as a programme of a people struggling for self-determination, then we are considering a document that seeks to win the support of all those who oppose apartheid, all classes and strata who have an interest in its destruction.<sup>35</sup>

But this leads to certain controversial questions. Who are the people? Some writers suggest that the Charter implies that there is not one people but four nations, or four nations in the process of creation. Alternatively, some critics question whether it is correct to regard the people as including black and white, as the Charter suggests. I discuss these questions and also the allied issue of whether those who consider themselves liberals, can and should be encouraged to support the Charter.

Some people feel that a document that appeals simultaneously to marxist, liberal, Christian and all others opposing apartheid, cannot meet the specific needs of any particular group or class. Although the Charter is not the document of any one class or stratum, I will nevertheless examine the manner in which it deals with the interests of the working-class, petit-bourgeoisie and women. I will then discuss the Charter's contribution to the achievement of peace and conclude by examining its place in present-day South Africa.

### THE CHARTER AND THE 'FOUR NATION THEORY'

One of the key clauses of the Charter is headed '*All National Groups Shall Have Equal Rights!*'. It is crucial, yet it is also controversial. Some people have argued that this clause envisages the creation of four nations - Whites, Africans, 'Coloureds' and Indians, or that it works on the basis that there are already four nations in South Africa.

Now it is unfortunate that the Charter uses the word 'national' in two different ways. In this clause it appears to be referring to distinct population groups, Africans, Coloureds, Indians and Whites. But in the sentence 'The National wealth of our country, the heritage of all South Africans, shall be restored to the people', the word 'national' refers to all South Africans.

I believe that Lionel Forman once advocated a multinational theory.<sup>36</sup> But neither this nor the so-called four nation theory has ever been adopted as a policy within the Congress movement or in our own time by the contemporary democratic movement. This theory survives not in the Charter itself or amongst its supporters but mainly in polemical writings against it and the democratic movement as a whole.<sup>37</sup>

But what this clause of the Charter deals with (read together with the clause headed '*The Doors of Learning and Culture Shall be opened!*'), is of considerable significance. It calls for equality in the courts, bodies of state and schools and equal language rights and the right of 'all people to 'develop their own folk culture' and customs'.

While most people accept equality in bodies of state, courts and schools, the demand for language rights and the right to develop culture and customs is embarrassing to many. They feel that we are here adopting some of the worst elements of Verwoerdian cultural policy, the artificial or romantic preservation of tribal or pseudo-tribal cultures.

Such a view is quite wrong and purely revisionist. At present



there are two 'official' languages in South Africa, that is, the mother tongues of some fifteen per cent of the population are the official languages for all.

This state of affairs is characteristic of colonial-type conditions. In such situations an imperial power arrives and declares its law to be the law of the land and its language(s) official. One of the conditions for national liberation is equality in this sphere as in all others.

This is not to suggest that all elements of African Culture or that of any other section of our population are necessarily progressive and worthy of preservation and encouragement. Just as some aspects of working class culture are reactionary, a democratic policy would not encourage racist, sexist and chauvinistic aspects of any culture. It would encourage those developments that are compatible with the overall democratic, unifying and egalitarian content of the Charter.

In order to protect these rights, according to the Charter, all apartheid laws and practices are to be abolished. The expression of apartheid ideas, anticipating developments in international law, are made a punishable crime.<sup>38</sup>

The clause calling for all national groups to have equal rights must be understood in the first place, by considering what exists in contemporary South Africa. Insofar as apartheid denies people equal rights, it seeks to maintain this situation not only through coercion, but also through ideological domination, through trying to persuade the oppressed people to see themselves in a particular way, in a manner that facilitates their oppression. Through declaring black cultures to be worthless or through reviving them in an artificial, static manner, it is sought to breed self-contempt in blacks, to immobilise them in the face of the apparently superior white culture. To achieve national liberation requires the development of a democratic African culture. This would not be an exclusivist, racist culture, but would rather be the precondition for the development of all other cultures.

### TO WHOM DOES SOUTH AFRICA BELONG?

Against the attempts of apartheid to rob people of their citizenship in the land of their birth, to separate black from white and to divide blacks amongst themselves, the Charter declares 'that South Africa belongs to all who live in it, black and white ...'

What this means is that those who support the Charter seek no revenge against whites, that they seek a democratic South Africa where all can realize their aspirations.

Yet it is this very clause that evokes continued opposition from the supporters of black consciousness, who echo the opposition of the Africanists of the 50s. 'To whom does Afrika belong? ...' it has been asked. 'Do stolen goods belong to a thief and not to their owner?'<sup>39</sup> 'It is an historical fallacy to say South Africa belongs to everybody: both oppressor and oppressed, robber and robbed. Azania is not a prostitute that belongs to everybody all the time...'<sup>40</sup>

I do not dispute that the indigenous Khoisan and African people were violently dispossessed of their land over the two and a half centuries prior to Union, and that the Union of South Africa was founded amongst other things on this robbery.

Yet what is wrong is to imply that the stolen land was appropriated by all whites. This is part of a wider tendency in some black consciousness thinking, to suggest that all whites are exploiters, and all blacks members of the working class. One does not therefore cooperate politically with any white, for that would be an alliance with one's slave master.

In regard to land, the truth is that the overall majority of landholdings in South Africa are controlled by a small group of monopolists. The small white farmers are themselves being squeezed off the land and there is an ever increasing consolidation amongst the few big landholders.

It is, therefore, historically incorrect to suggest that the land grabbed from blacks, was robbed by and is held by all



whites. Equally, while it is true that it is primarily the labour-power of blacks that has built South Africa, whites have also made a contribution. Present-day South Africa has been created by the common labour of all its people. The cities, factories, mines and agriculture have resulted from the energies of all South Africans. Though the wealth that is at present in the hands of a small minority of the whites, would be shared by the people, the Charter holds that all those who love South Africa, who consider it their home, who have contributed to building it and are prepared to continue to develop the country as a democratic, nonracial state, are part of South Africa.

### THE CHARTER AND LIBERALS

There is a tendency amongst some sections of the democratic movement to treat liberals as inevitably hostile to national liberation and the Freedom Charter, and to associate liberalism in South Africa with the rise of laissez faire capitalism. There are in fact a number of strands that went to make up and still make up South African liberalism. But I think that the liberals of the fifties and sixties arose in the first place as a non-racial movement against apartheid, for a democratic South Africa, with universal suffrage.

It is true that many members of the Liberal Party were hostile to the Congress movement and especially the Congress of Democrats. But I think that many of these historic animosities have receded. Some liberals have started to work with their erstwhile antagonists within the contemporary democratic movement. Others feel that the decision of the Liberal Party not to join in the Congress of the people was 'regretted by many liberals'. The Freedom Charter, says one former Liberal Party member, 'was a fine document, expressing basic democratic principles.'<sup>41</sup>

My view is that there is no reason why other democrats should not welcome liberals into the ranks of those who

support the Freedom Charter. In fact they should encourage it, for there is no reason why liberals should not support the Charter and it is crucial that those who detest apartheid should harness as wide a range of forces as possible behind a common anti-apartheid programme.

Anyone who supports national liberation, the self-determination of the people of South Africa, should find no difficulty in supporting the Charter. Anyone who is a South African patriot, who loves his or her country and feels that it belongs to all, should support this document. With regard to the struggle for socialism, there is no reason why liberals in South Africa should necessarily oppose socialism.<sup>42</sup> There is no reason why the Christian and egalitarian values that have motivated South African liberals should not encompass a development towards socialism, should the implementation of the Charter take that form.<sup>43</sup>

### THE FREEDOM CHARTER AND THE WORKING CLASS

Although the Charter is not a programme of the working-class alone, it nevertheless primarily reflects its interests. Some clauses of the Charter are socialist in orientation and are addressed much more profoundly to working-class interests than would be the case with any bourgeois document.<sup>44</sup>

This worker-orientation is attributable to the development of the labour struggle, especially in the 1940s and 1950s, and the part played by SACTU in collecting workers' demands. Two SACTU members, Ben Turok and Billy Nair introduced and spoke to the clause of the Charter which reads '*The People Shall Share in the Country's Wealth*', a clause which clearly corresponds to workers' interests.<sup>45</sup>

Many other aspects of the Charter are profoundly working-class in orientation. The clause '*There Shall Be Work and Security*' deals with such matters as the 'right and duty of all to



work'. It also asserts the right to form trade unions, the abolition of child labour, compound labour, the tot system and contract labour.

The clause entitled '*There Shall Be Houses, Security and Comfort*' declares the right to decent housing and that slums should be demolished and unused housing space made available to the people. Rent and prices will be lowered. Instead of the present situation, where 'surplus' food is destroyed, the Charter declares that no one would be allowed to go hungry.

Some people, however, argued (I believe correctly) that the workers' interests lie primarily in the achievement of workers' control and socialism, but these critics say that neither is expressly mentioned. While this is true, the clause on the country's wealth was introduced at the Congress of the People in a way that seemed to envisage that industries as a whole would be under the control of the people; that is the people's government. Under this general control, individual production units would be under the control of workers' committees. Nevertheless, how this clause will be interpreted and whether or not the charter itself will ultimately receive a socialist interpretation, will depend on whether working-class leadership is achieved and the extent to which the interests of other classes are transformed in the course of national liberation. Of considerable significance will be the extent to which the petit-bourgeoisie, intellectuals, workers on the land, unemployed and other strata start to see their interests best fulfilled in an advance to socialism. This is not something that is achieved by words alone. It will depend on political struggle.

There is an analogy in the development and changing interpretation of the principle of self-determination in the United Nations. At the time of its creation in 1945 the United Nations Charter declared that respect for the principle of self-determination was of fundamental importance.<sup>46</sup> Yet it simultaneously recognised colonialism.<sup>47</sup> Indeed some of the leading United Nations members, France and the United Kingdom

were, of course, in possession of large empires.

The treatment of self-determination in the United Nations Charter had been a product of compromise between states, at a time when the west was dominant in United Nations, when there were few Socialist states in the United Nations and few independent African and Asian states.

Following successful national liberation struggles, the number of African and Asian states in the United Nations has continuously increased, thus strengthening the diplomatic power of these states, who often work in alliance with the Socialist states. In consequence, by 1960, a qualitatively different international relationship of forces had developed. Even colonial powers came to recognise that colonialism was doomed (at least formally) and were compelled to recognise the principle of self-determination. Their conception of their own interests changed and consequently a new international consensus, considerably more radical than that of 1945, emerged. This was manifested, dramatically, in the 1960 Declaration, passed without dissent, declaring that colonialism was illegal.<sup>48</sup> Equally, in regard to apartheid, the international consensus has been dramatically modified. At the time of its inception, South Africa was a respected member of the United Nations.<sup>49</sup> But apartheid is now treated as illegal and/or criminal, according to international law.<sup>50</sup>

By analogy, if the democratic organisations struggling for realisation of the Charter, develop a working-class leadership and they convince themselves and other classes that there is a place for all under socialism, then it is likely that the democratic gains will deepen in socialism. It will be a deepening of both the national and the democratic character of the struggle. Socialism is a democracy for the majority of the people, the working people, and instead of democratic rights being mainly formal, the actual basis for realising rights are guaranteed. Under socialism, the national character of the state is also deepened to the extent that, culture, all the assets of a particular state are now truly national assets, in that they



are enjoyed by all. In a socialist state, 'the arts' are not the preserve of a wealthy elite. Equally, the culture of the people, in our case, that primarily of the African masses, would be regarded as belonging to all of us. Whites would see themselves as Africans and not Europeans.

What I am saying, then, is that it is false to counterpose national liberation and socialism, for they are part of a single process. Realising the Freedom Charter is part of the struggle to achieve socialism.

### THE FREEDOM CHARTER AND THE PETIT-BOURGEOISIE

I want to say something about traders, small farmers and petty manufacturers. Their rights are guaranteed in the Charter. This is not some tactical concession or an attempt to pull wool over their eyes. The rights of these middle elements, as with other groups, derive in the first place from the fact that our struggle is national. While the Charter is a document that primarily reflects working-class interests, it is nevertheless also a popular document, a programme for the liberation of all oppressed.

These middle elements are themselves in the thrall of the big monopolies who are squeezing them. They, too, are engaged in struggle against monopoly capital. The Charter tries to cater for the aspirations of these people. The clause relating to the nationalisation of monopoly industry, banks and other financial institutions speaks not only to the interests of the workers, but is also aimed at the small farmer, trader and all who are dominated by the monopolies.<sup>51</sup>

It is important that people should realise that with national liberation these classes and strata need not fear for their future. They would be allowed to pursue their occupations, subject to popular control.

Furthermore, I believe that it would not necessarily be

incompatible with; it might in fact be in the interests of socialism, to allow such strata and middle classes to continue to operate, subject to working-class control. If a future socialist state were to take over the small enterprises in the townships, on the street corners, the barbershops, the small traders, the handicraft stalls and similar activities, it would undertake a huge burden. In order to manage these small enterprises it would have to establish a massive bureaucracy. Such activity might best be left in private hands, subject to state control. There are some types of work, such as those of barbers, that are performed most efficiently on an independent basis. To nationalise them, as some states with a socialist orientation have discovered, may produce more problems than benefits.<sup>52</sup>

The commitment to protect the rights of the petit-bourgeoisie is therefore not a tactic or a ruse: it is a commitment that flows from the nature of the South African struggle and the continued protection of such rights, subject to controls, may be in the interests of both national liberation and socialism.

### THE FREEDOM CHARTER AND WOMEN

The Charter, in its treatment of women, as with many other aspects of South African reality, does not set out to be exhaustive. The Federation of South African Women had developed a more elaborate Women's Charter a year before the Congress of the People, and, as we have seen, they formulated specific demands, many of which were incorporated in the Freedom Charter. There is not a total treatment of the problems of women in the Freedom Charter, for women, like workers, students and other classes and strata are dealt with as part of the wider question of national liberation.

Despite the Freedom Charter being a document which seeks to embrace all the facets of South African reality and to



integrate the demands of all classes and strata into one whole, some demands which relate specifically to women are raised.

The Charter stresses the general aim of male/female equality in the preamble, in regard to democratic rights and in regard to payment for work. In addition, more specific demands are made in order to realise these wider goals, for example, 'maternity leave with full pay for all working mothers, the provision of creches' and 'free medical care ... with special care for mothers and young children.'

#### THE FREEDOM CHARTER AND THE STRUGGLE TO ACHIEVE PEACE IN SOUTH AFRICA

I have argued throughout this lecture that the Charter is a popular document, that it seeks to answer the needs of a wide range of people who suffer under and/or oppose apartheid. The satisfaction of these aspirations is, in addition, a condition for the achievement of peace in South Africa.

That is why the Charter, in its preamble, mentions that 'no government can justly claim authority unless it is based on the will of all the people' and 'that our people have been robbed of their birthright to land, liberty and peace by a form of government founded on injustice and inequality.'<sup>53</sup>

The preamble goes on to say

'that only a democratic state, based on the will of all the people can secure to all their birthright [that is, among other things to peace] without distinction of colour, race, sex or belief.'

To struggle for the achievement of the Freedom Charter is therefore a struggle for peace.

Apartheid was established by the violent dispossession and conquest of the indigenous Khoi, San and African peoples. In the case of the San, they were totally exterminated. The Union of South Africa could only be established after the Boers and British had defeated the longstanding military resistance of the various African peoples.

Through the Act of Union, the British handed over power to South African whites. Blacks were excluded from power and have ever since had to endure ever intensified racist oppression and class exploitation. Apartheid means institutionalised, permanent violence against South African blacks. It is manifested in a variety of forms, only some of which can be referred to. pass laws and resettlement mean tearing down plastic shelters and exposing people to the Cape winters and/or sending them to lives of misery, disease and death in the bantustans - acts which might qualify as genocide under the United Nations Genocide convention.<sup>54</sup>

The daily violence of apartheid breaks up homes, throws thousands of ordinary people into gaol and exposes them to countless other indignities, injuries and humiliations.

Police intervention and violence is now an integral part of the Bantu education and other black schooling systems. Nor are Universities left alone. At the time of writing, the University of the Transkei students have been beaten up and evicted from their campuses by security police. As early as 1972 police baton charged students on the steps of this hall. During the recent 'Coloured' and Indian election boycotts, riot police invaded university campuses.

But apartheid does not only mean violence against the people of South Africa. It also means violence and instability in the whole region. From the early days of the United Nations it was argued that gross violations of human rights, such as the policy of apartheid, could threaten international peace. That has become a reality. South Africa has attacked, raided, coerced, threatened or destabilised all the states in the southern African region in numerous ways, and members of the SADF have been involved in violence against a regime as far afield as the Seychelles.

The threat to the peace is said to arise from the alleged presence of ANC bases in neighbouring states and that is why the South African government coerces or seeks to coerce its



neighbours into so-called non-aggression pacts. It has been rightly said that peace cannot be achieved through such 'deals'. Peace must be made, in the first place, with the people of South Africa. That is only possible when the real source of aggression, the apartheid system, has been eradicated. Only then will there be 'peace and friendship'. In such circumstances, as the Charter says:

'South Africa shall be a fully independent state, which respects the rights and sovereignty of all nations;'

Then

'South Africa shall strive to maintain world peace and the settlement of all international disputes by negotiation - not war;

That is, in a situation where:

'peace and friendship amongst all our people shall be secured by upholding the equal rights, opportunities and status of all

### THE CHARTER IN SOUTH AFRICA TODAY

I want to conclude by considering what place the Charter should have in contemporary democratic struggles. I have argued that it has been revived, initially, as a symbol, indicating continuity of a nonracial democratic tradition of resistance to apartheid.

I have suggested, nevertheless, that however valuable the Charter is, or precisely because it is so important, it needs to be discussed. If we want to convince others to support it we cannot demand that they do so as an act of faith. I have tried to explain why and how this type of document was adopted and why, despite requiring elaboration in some respects, it still remains relevant, why it still speaks to the genuine aspirations of all democratic South Africans. I mentioned that, immediately after the Congress of the People, a campaign was undertaken to popularise the Charter. I think that, in

dealing with the Charter now, we can learn from what one person said at that time:

'We will not win support for the Freedom Charter by peddling it like backache powders. We will only win support for the Charter by entering into the daily agitation and education and campaigning which are the life-blood of the Congresses. Support for it is won in the course of Congress work on the issues of the day'.<sup>55</sup>

What this means for us now, for those who support the Freedom Charter, is that we must integrate the Charter into our daily struggles, whether in education, labour, communities or whatever aspect of South African reality concerns us most.

When we make our songs and poetry, we are starting to realise the cultural demands of the Charter. When teachers in this University explode racist mythology and explain the proud history of the people of South Africa, we are ourselves 'opening the doors of learning'.

When the Indian and 'Coloured' people resoundingly reject the new Constitution, when Africans refuse to vote in Black Local Authorities elections and when they continue to deny that their political future lies in the bantustans, they make what the Charter calls 'bodies of minority rule, advisory boards' virtually unworkable and we consequently move closer to the day when 'The People Shall Govern.'

When workers struggle for democratic unions and for decent wages and when they resist dismissals, they are speaking to the Charter demand that 'There Shall Be Work and Security!'

When people struggle against high rent, GSE, eviction of so-called squatters, they are demanding that there 'Be Houses, Security and Comfort!' It is not only through demands against the state or capital that we start to advance the struggle for the Charter. In our own organisations and institutions, we can take more serious steps to build the democratic values and relationships necessary for a free South Africa.



The way that we address the problems and injustices of the present, the way that we organise ourselves, all such factors contribute to the shape of the future South Africa.

That is why it is correct that we resist racist repression with democratic nonracial unity. It is also necessary, I would argue, to stress the African character and leadership of this struggle. This is so because the majority of South Africans are African. It is an anomaly that contemporary South Africa is in fact a 'European' country in Africa. Part of the process of liberating South Africa, is to assert its African majority character.

Some people falsely counterpose the question of African leadership to non racialism. The struggle for nonracialism is in fact crucially linked to the development of African leadership, the recognition of the majority character of our society. That does not mean that other people cannot help to build this society or even participate in creating the emerging, unifying national culture that will be basically African in character. On the contrary, I would argue that we all, black and white, have a contribution to make in developing and identifying ourselves increasingly with African leadership and with the future African character of our state.

This is also linked to the question of working-class leadership, because more Africans are workers than any other class and most working-class people in South Africa are African. While encouraging African leadership does not in itself encourage working-class leadership, the two are linked. The African people are the most oppressed section of our population, irrespective of class position. Obviously, peasants, semi-peasants, workers and unemployed are more oppressed than petit-bourgeois elements. But all are forced to carry passes and subjected to more serious disabilities than any other groups in South Africa, and are also culturally oppressed.

So in the leadership of our struggle, just as working-class people do not automatically rise to leadership positions, similarly African people do not automatically rise because cultur-

al oppression has meant differentials in skills and resources of all kinds. It is our duty, in this context, to encourage and develop African and working-class leadership.

On another level, there is also the still neglected question of male-female relations, where much more needs to be done to ensure equality in democratic organisations.

In institutions such as Universities, I also think that there is a great deal more that is necessary before we can claim that black students share equally in University facilities.

These are the most crucial challenges that political organisations, community bodies, trade unions and educational institutions now have to confront.

Although I have spoken of 'starting to realise the demands of the Charter', until the People *do* Govern, we cannot finally realise any of these demands. Even then we will have to struggle to defend and deepen these gains.

Perhaps some people feel that I have been talking today on some utopian topic. I do not agree. I am talking about the conditions necessary for academic freedom to be realised in South Africa. The people of South Africa have repeatedly shown that they will accept nothing less than their right to full equality in the whole of South Africa. It may take very long to achieve this goal, though I think that some very substantial steps along this road have been taken in the last eight years. It may still take long, many more people may have to suffer or die before South Africa is free. One thing is certain. No matter how many democrats are gaoled or killed, ultimately the patriotic struggle, the struggle to make South Africa belong to its people will be won. No matter how long it takes, I am confident that we will rid the world of this international crime of apartheid and that there will be Peace and Friendship in a democratic South Africa.



## NOTES

1. See also Eddie Webster, *Competing Paradigms - Towards a Critical Sociology in Southern Africa*, Presidential Address, 15th Annual Congress of the Association for Sociology in Southern Africa. (unpub) at 3.
2. In one sense the adoption of the Charter represented a continuation of earlier resistance. But in another sense, it marked the start of a new phase in the South African struggle. For the first time in the history of South African resistance, the people were being called on to formulate and articulate their vision of an alternative society. The people would no longer seek to modify the existing order or to be assimilated into a society whose basis they fundamentally rejected. While the process by which the masses had come to this decision had been developing over decades, the Congress of the People represented the crucial historical moment where a completely new order, based on the will of the people, was put on the agenda.  
This decision has considerable relevance today. From the moment of the adoption of the Charter, all political solutions 'from above' were ruled out. That is why, even if a 'fourth chamber' were today offered to Africans under the present Constitution, it would still be rejected. From the time of the adoption of the Charter, the people have been unwilling to accept any solutions that fall short of its demands and are not of their own creation.
3. Thomas Karis & Gwendolen M Carter (eds) *From Protest to Challenge. A Documentary History of African Politics in South Africa, 1882-1964*, vol 3. Hoover Institution Press, Stanford University, Stanford, California, 1977, at 56.
4. Karis and Carter at 57, Z.K. Matthews, *Freedom for My People*. David Philip, Cape Town, 1983 at 173.
5. See also Karis and Carter at 162.
6. Karis and Carter at 19.
7. Karis and Carter at 21.
8. 'Speaking Together', Congress of the People Bulletin No. 2, End of August 1954. (C60 Fedsaw collection, Cullen Library, University of the Witwatersrand.)
9. *To all Volunteers*. Letter dated 25th January, 1955, headed: Congress of the People. (C61, Fedsaw collection)
10. Letter headed 'Congress of the People Conference', n.d. (C78, Fedsaw Collection)
11. Jenny Schreiner, *The Congress of the People Campaign and the Freedom Charter* (unpub) at 1-2. See also note 8 above at 3.
12. Volunteers signed the following pledge: 'Believing that I must fight until apartheid is defeated and that the voice of all who love freedom must be heard at the great Congress of the People, I, the undersigned, Freedom Volunteer, do hereby solemnly pledge and bind myself to serve my country and my people to the best of my ability, and in accordance with the policy and programme of my organisation.' (Schreiner at 1)
13. Schreiner at 2. Schreiner's account conflicts with Lodge's assertion that 'the formation of local committees, never really got off the ground...' (Tom Lodge, *Black Politics in South Africa since 1945*, Ravan Press, Johannesburg 1983, at 70)
14. Schreiner at 2
15. Schreiner at 6, Lodge at 70, Karis and Carter at 58
16. Schreiner at 2

17. *ibid*
18. quoted Karis and Carter at 59
19. Schreiner at 2
20. From Roodepoort. Quoted in 'Mobilise and Organise', Bulletin of the Transvaal Provincial Committee of the Congress of the People, March 1st, 1955, no 2, (doc A 74 Fedsaw Collection)
21. H 32 (F), Karis, Carter Microfilm, reel 5B, housed in University of the Witwatersrand, Cullen Library, demand dated 5.03.55.
22. H 32 (P) Karis, Carter Microfilm, Reel 5B, undated.
23. Billy Nair, interview with SASPU National May/June 1984 and interview with Raymond Suttner July 1984.
24. Schreiner at 3
25. See Schreiner at 2-4
26. See Karis and Carter at 59
27. Schreiner at 4
28. Schreiner at 5
29. There were 2 186 African delegates, 320 Indians, 230 'Coloureds' and 112 whites. 721 of the delegates were women. Karis and Carter at 204. Document 10. Police record of the Congress of the People, Kliptown, Johannesburg, June 25-26, 1955.
30. Steve Tshwete, *The Congress of the People - Kliptown, 1955*, speech to Mrs July Festival, Durban 1984. (unpub)
31. Schreiner at 5
32. Schreiner at 6
33. Albert Luthuli, *Let My People Go. An Autobiography*, Collins, Glasgow, 1963, at 142. See also Matthews at 181-2
34. See also Janet Robertson, *Liberalism in South Africa, 1948-1963*, Oxford University Press, London, 1971, at 174, Luthuli at 154.
35. Lodge writes at 72-3: 'Despite the attempts that were made during the Congress to emphasise its revolutionary content...its authors seem to have taken care to respond to a broad range of interests...' My argument is that the Freedom Charter is revolutionary, precisely because it does respond to such a broad range of interests, all of which would benefit from the destruction of apartheid.
36. Suttner interview with Billy Nair
37. e.g. No Sizwe, *One Azania, One Nation*, Zed Press, London, 1979
38. Regarding the illegality and/or criminality of apartheid, see for example the *Yearbook of the International Law Commission*, 1976, vol 2, part 2, Report of the Commission to the General Assembly on the work of its 28th Session, Chapter 3 of Draft Articles on State Responsibility, Article 10 (2) (a) at 95 where it declares that an international crime may result from, *inter alia*, 'a serious breach on a widespread scale of an international obligation of essential importance for safeguarding the human being, such as those prohibiting slavery, genocide and apartheid.' See also at 105.
39. Quoted by Gail M Gerhardt, *Black Power in South Africa, The Evolution of an Ideology*, University of California press, Berkeley, Los Angeles, 1978, at 147.
40. City Press, 20.05.84, quoting Jackie Hlophe, Azasazi national organiser.
41. Hilda Kuper 'Commitment: the Liberal as Scholar in South Africa' in Willie L van den Berghe (ed) *The Liberal Dilemma in South Africa*, Croom Helm, London, 1979 at 34
42. See the debate in *Work in Progress* (1984) nos 20, 31, between Cedric de Beer and Daryl Glaser. De Beer writes in no. 31, at 5: 'It is quite possible to hold



liberal political beliefs without having a specific commitment to capitalist economic relations....'

43. This discussion has sought merely to demonstrate the dynamic nature of the Charter and its capacity to transform the perceptions of individual liberals. This leaves aside the question of the relationship between the democratic movement and organised liberalism.
44. Billy Nair, Saspu National interview.
45. See Karis and Carter 194-6
46. See e.g. Articles 1(2), 55, 56 of the United Nations Charter.
47. See e.g. Articles 73-77 which reflect this ambiguity.
48. Declaration on the Granting of Independence to Colonial Countries and Peoples. Resolution 1514 (XX), 14 December 1960, passed without dissent.
49. See e.g. James Barber, *South Africa's Foreign Policy, 1945-1970*. Oxford University Press. London 1973. at 7
50. See above note 38
51. Suttner interview with Billy Nair
52. *Ibid*
53. My emphasis
54. See Convention on the Prevention and Punishment of the Crime of Genocide. 1948. Article 11 defines genocide as 'any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:  
.... (b) causing serious bodily or mental harm to members of the group  
(c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;....'
55. Schreiner at 7.

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