

No case to answer

# KANTOR IS SET FREE

STAR  
4/3/64

The Star's Pretoria Bureau

**JAMES KANTOR** walked out of the Pretoria Supreme Court today a free man after the Judge-President, Mr. Justice de Wet, decided there was no case against him. He was one of 10 accused in the Rivonia trial.

The judge said: "I have come to the conclusion that the accused is entitled to a discharge. There is no case for him to meet."

"He is entitled to a verdict of not guilty. I do not propose to state my reasons at this stage."

For Kantor the judge's words spelled the end to a five-month ordeal, sitting in the dock of the criminal court in Pretoria.

After the case against the other accused was adjourned to April 7, they shook his hand as they filed out one by one on their way back to the cells. Then he shook hands with his counsel, Mr. J. F. Coaker, and well-wishers, and hugged his wife and mother.

He told newsmen: "I am going to take it easy for a while. One thing I will say now, though. The report that I was going to flee the country was false. I never had any intention of leaving until this hearing was over."

He was referring to the can-

cellation of his bail of R10,000 on February 15.

Concluding his argument against Kantor's discharge, this morning, Dr. Percy Yutar (prosecuting) said he wished to correct a statement made in evidence that a witness had been advised to repudiate an alleged confession he had made. He had the facts checked and was able to say that the Port Elizabeth advocate concerned had had nothing to do with the incident.

### STORY OF CHEQUES

Dr. Yutar closed his argument by saying that there were 17 cheques drawn on Kantor's firm's trust account, which Kantor had signed, and to which there was suspicion attached.

One of the cheques had the word "cash" written on it in Kantor's handwriting. "He could have asked questions then," said the prosecutor.

Replying, Mr. J. F. Coaker (for Kantor) described the charges that money had passed through

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Kantor's hands for subversive purposes as "guesswork and speculation."

Dr. Yutar had said that some State witnesses had been biased in favour of the accused.

"It is unheard of for the State to attack its own witnesses. I submit that the State has no right to ask the court to accept what suits it and reject what does not," said counsel.

"So far as Kantor's personal liability is concerned, there is no case made out for him to meet."

The Judge-President agreed and discharged Kantor. His reasons would be given when he dealt with the other accused, said the judge.

Mr. J. F. Coaker appeared for Kantor. He was instructed by Jack Cooper and Partners.

**JAMES KANTOR**, one

Rivonia trial, whose bail was on an urgent application admitted to R10,000 bail by Mr. Justice de Wet, the Judge-President, today said that bail had been agreed upon between him and Mr. J. F. Coaker (for Kantor) in the event of an application for Kantor's discharge — which was due to be made at the close of yesterday's proceedings — failing.

Although Mr. Coaker is to reply today to Dr. Yutar's address in opposition to the application for discharge, there was no opposition to the bail application made today before the court adjourned.

The conditions of Kantor's bail are not known at present except that he is confined to the magisterial district of Johannesburg when not attending his trial in Pretoria.

### Case closed

The State case in the Rivonia trial was formally closed yesterday by Dr. Yutar.

Mr. Justice de Wet adjourned the trial until April 7.

In the application for the discharge of Kantor, Mr. Coaker said there were two ways in which he could be proved guilty, either by his own words or by those of Wolpe.

Mr. Coaker submitted that on the State evidence there was no case for Kantor to meet regarding his own actions.

There was no evidence, furthermore, that Kantor had any knowledge of acts of Wolpe in furthering the alleged conspiracy.

Kantor weer u  
op borg van R

JAMES KANTOR, een van die beskuldigdes in die Rivonia-zaak, het vandag die tweede keer op borg van R10,000 vrygelaat.

Uitersaak is gesluit om omtrent 11 uur vanmiddag op grond daarvan dat die Staat nie 'n prima facie-geval teen hom bewys het nie. Dit is vir vandag voorbehoed.

Die State se geval teen ander beskuldigdes is tot 7 April uitersaak onderworpe. Kantoor het sê dat hy nie enige kennis het van die misdadige handelinge van Wolpe.

Die aanklagte teen Kantor is dat hy deur Mr. Coaker se advokaat gesê het dat hy nie enige kennis het van die misdadige handelinge van Wolpe.

### NIE BEGRY

Dr. P. Yutar (proseutor) het gesê dat hy nie enige bewys het dat Kantor enige kennis het van die misdadige handelinge van Wolpe.

Dr. Yutar het gesê dat hy nie enige bewys het dat Kantor enige kennis het van die misdadige handelinge van Wolpe.

Met die teenwoordigheid van die aanklagte om ontslag het die regter baie keer aan dr. Yutar gesê.

In sy teenwoordigheid het Mr. Coaker gesê dat hy eers in Pretoria 'n aansoek om borg van R10,000 teen Kantor gemaak het. Die Staat bewys niks teen Kantor nie. Daar is geen bewys dat Kantor van Wolpe se misdadige handelinge kennis het.

### VAAR WIND

Kantor was baie goed bevind met die goeie nuus. Hy is baie aangeneem dat hy vrygelaat is. Die State se aanklagte teen die ander beskuldigdes is vir vandag uitersaak.

# Kantor released on bail of R10,000

RDM  
4/3/64

PRETORIA REPORTER

**JAMES KANTOR**, one of the accused in the Rivonia trial, whose bail was withdrawn 17 days ago on an urgent application by the State, was re-admitted to R10,000 bail yesterday by Mr. Justice De Wet, the Judge President.

Earlier Dr. P. Yutar, the prosecutor, told the court that bail had been agreed upon between him and Mr. J. F. Coaker (for Kantor), in the event of an application for Kantor's discharge — which was still in progress at the close of yesterday's proceedings—failing.

Although Mr. Coaker is to reply today to Dr. Yutar's address in opposition to the application for a discharge, there was no opposition to the bail application made shortly before the court adjourned.

The conditions of Kantor's bail are the same as before except that he is confined to the magisterial district of Johannesburg when not attending his trial in Pretoria.

## Case closed

The State case in the Rivonia trial was formally closed yesterday by Dr. Yutar.

Mr. Justice De Wet adjourned the trial until April 7.

In his application for the discharge of Kantor, Mr. Coaker said there were two ways in which he could be proved guilty, either by his own acts or by those of Wolpe.

Mr. Coaker submitted that on the State evidence there was no case for Kantor to meet regarding his own actions.

There was no evidence, furthermore, that Kantor had any knowledge of acts of Wolpe in furthering the alleged conspiracy

or any knowledge of the alleged conspiracy.

## The reason

The evidence was that Wolpe had not been doing well at the Bar and that Kantor had taken him into the firm as his brother-in-law.

Evidence of illegal meetings at the offices of Kantor and Partners could well be strong evidence against Wolpe but it was not evidence, in the circumstances, against Kantor.

The purchase of Lillieleaf farm was handled by Wolpe. Evidence was that, in the firm, each member had dealt with his own matters.

Mr. Coaker said the evidence led by the State, on the balance of probabilities, had discharged the onus which rested on Kantor.

Wolpe's conduct did not fall within the ambit of the legislation under which Kantor was charged.

## Not affected

The prohibitive legislation affecting the purchase of Lillieleaf farm had been enacted at such a time that the actual transaction was not affected by it.

In reply, Dr. Yutar said it had never been suggested by the State that Kantor was a saboteur or a party to sabotage.

The State, however, did say that at some stage Kantor had made himself a party to the alleged conspiracy personally, and by his partnership with Wolpe, vicariously.

No campaign could be waged without money and the State alleged that the firm of Kantor and Partners had solicited, accepted and received money and paid it out in furtherance of the conspiracy.

There was evidence that Nelson Mandela had undertaken a tour of Africa and Europe to collect funds with which to pursue his projected campaign of violence.

## Large sums

Large amounts of money were paid into the trust account of Kantor and Partners from the account of an alleged co-conspirator and paid out in separate amounts without instructions.

As Kantor had counter-signed some of the cheques by which this money had been disbursed it could not be said he had had no knowledge of the transactions.

Mr. Justice De Wet said that while the transactions could be deemed to be suspicious, he could not be expected to draw the inference that the monies had been for subversive activity unless fuller proof were forthcoming from the State of the origin and eventual end of these monies.

# Kantor weer uitgelaat op borg van R10,000

Tuisk  
4/3/64

**JAMES KANTOR**, een van die beskuldigdes in die Rivoniasaak, is gister in die Pretoriase Strafhof die tweede keer op borg van R10,000 uitgelaat.

Uitspraak in sy aansoek om ontslag as beskuldigde op grond daarvan dat die Staat nie 'n prima facie-saak teen hom bewys het nie, is tot vandag voorbehou.

Die saak teen die nege ander beskuldigdes is tot 7 April uitgestel onderworpe daaraan dat hulle die hof nie mag verlaat voordat Kantor se aansoek afgehandel is nie.

Die aansoek om borg vir Kantor is deur adv. Coaker gedoen nadat regter-pres. Q. de Wet te kenne gegee het dat hy vandag oor sy aansoek om ontslag sal beslis.

## NIE BESTRY

Dr. P. Yutar (namens die Staat) het gesê dat hy die aansoek om borg nie kan bestry nie, in die lig van die regter se opmerkings met die beredenering van die aansoek om ontslag.

Regter De Wet het geantwoord dat hy nog nie besluit het oor 'n beslissing in Kantor se aansoek om ontslag nie.

Met die beredenering van die aansoek om ontslag het die regter baie vrae aan dr. Yutar gestel.

In sy beredenering het adv. Coaker gesê hy erken 'n prima facie-saak teen Wolpe is deur die Staat bewys, maar nie teen Kantor nie. Daar is geen getuie-nis dat Kantor van Wolpe se optrede of van die bestaan van 'n sameswering geweet het nie.

## BAIE BESIG

Kantor was baie besig en het nie geweet wat by die kantoor aangaan nie. Sels al sou hy die leërs deurgekyk het, sou daar niks geweet het wat sy agterdog gaande gemaak het nie.

Dr. Yutar het gesê Kantor moes geweet het wat aangaan. Hy was die senior vennoot. Volgens uitsprake in verband met 'n prokureur se verpligtinge ten opsigte van sy trustrekening help dit Kantor nie om te sê dat hy nie van die misbruik van die trustrekening geweet het nie.

Dr. Yutar het gesê in die saak is gehandel met getuies wat terughoudend was. Twee getuies uit Kantor se kantoor het namens die Staat getuig en hy het lus gehad om hulle onder kruisverhoor te neem. Hy beskou hulle nie as apostels van die waarheid nie. Hulle het die verdediging se saak aangehelp, het hy gesê.

**Inside -  
Labour and  
Trade Union  
News**

# FORWARD

THE VOICE OF THE PEOPLE

(Registered at the G.P.O. as a Newspaper)

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MARCH, 1964

## RIVONIA TRIAL

The Pretoria trial, which involves three ex-leaders of the banned African National Congress — Nelson Mandela, Walter Sisulu and Govan Mbeki — resumed on January 13 after a recess of three weeks.

On trial are: Nelson Mandela, Walter Sisulu, Dennis Goldberg, Govan Mbeki, Ahmed Kathrada, Lionel Bernstein, Raymond Mahlaba, James Kantor, Elias Matsoaledi and Andrew Mlangeni.

The trial of these 10 men on charges of sabotage and contravening the Suppression of Communism Act and the General Law Amendment Act, is now in its fifth month.

Some of the points to emerge from the trial in the past few weeks are these:

- The defence made it clear that certain of the accused would not deny some of the allegations made against them.

- A State witness admitted giving conflicting evidence at different trials.

- Servants and labourers from the farm at Rivonia were held for seven months. After serving their 90-day term they were detained for a further four months before being called to give evidence.

- State witnesses alleged assault by the police and warders when making their statements.

- A number of secret witnesses were called to give evidence for the State. Their anonymity was protected and their evidence was reported in the Press under the pseudonyms of Mr. X., Mr. Y., etc And

- A detective said that the 90-day law was being used not only for the purpose of ques-

tioning suspects. It had also been used to prevent people from "meddling".

### ADMISSIONS

Defence counsel said Nelson Mandela would admit having met the members of the Natal regional command in Durban.

He would admit having told them that the African National Congress campaign would be divided into two phases.

The accused show little sign of strain. They take a lively interest in the proceedings and when they have the opportunity, laugh and talk among themselves.

Nelson Mandela spends much of the time taking notes and talking quietly to Walter Sisulu beside him.

The first would be sabotage. If this was ineffective — if the Government would not "listen" — guerilla warfare would be considered.

(Continued on page 6)

more

# Rivonia Case

Forward  
March 1964

(Continued from page 1)

## STATE WITNESS ADMITS UNTRUTH

First witness after the trial resumed was Essop Suliman, who had given evidence before the Christmas recess. He was recalled for cross-examination by the defence.

He admitted that he had given evidence which conflicted with the evidence on the same subject in other trials.

Suliman told the court in his evidence in chief of several trips he had made to the Bechuanaland border, to convey young Africans who were travelling to other African states to receive military training.

Suliman admitted that his evidence as to dates of the trips and the names of the people who employed him, given in the first three cases, differed from his evidence in the present case.

In the present case he said that he had made the first trip in June and in another that it had been in August.

In one of the previous cases he had stated that Sisulu had employed him for a trip and in this case he said that Kathrada and not Sisulu had employed him.

In this case he said that Mlangeni and Matsoaledi had employed him for all trips made during 1963, but in a previous case he had said that Sisulu had employed him for a trip in February 1963.

## USE OF 90-DAY LAW

Two detectives, giving evidence at the trial, referred to the 90-day detention law.

Lt. D. J. Swanepoel said that the 90-day detention clause was a "mighty weapon in the hands of the police." He said that it was not meant for ordinary criminals.

He said that the African servant of the Kreels — on whose premises in Mountain View Goldberg, Goldreich, Wolpe and Kathrada are alleged to have lived — had told the police all she knew shortly after her arrest.

She had been detained for the full 90 days, however, be-



During the morning tea break in the Rivonia trial on Thursday, February 13, Special Branch policemen took the names of African spectators and arrested two women. One was the wife of Elias Matsoaledi, an accused in the trial.

An attorney attempted to speak to her before she was taken away but was prevented by the police. When he asked why she was being arrested, he was told "Ninety days."

When the Court resumed, defending Counsel, Mr. A. Fischer, Q.C., reported the incident to the presiding Judge, Mr. Justice de Wet.

The Judge said he did not see that it affected the administration of justice as the incident occurred while the court was not sitting.

cause "we felt that we might get some more information from her."

Det. Sgt. D. J. Card said that between January, 1962 and August 1963 52 people had been arrested in East London in connection with A.N.C. activities.

"I did not use the 90 days for questioning them, I merely used it to keep them in custody to prevent interference from outside," he said in reply to a question from Mr. A. Fischer, Q.C.

## TRAINING CAMP

A State witness described a camp held at Mamre, in the Cape, in December 1962 where Looksmart Ngudle, Dennis Goldberg and Albert Sachs had given instructions and lectured on politics and economics.

Courses given at the camp included judo, physical training, petrol engines, first aid, communications and the duplicating machine.

At night, round the campfire, they sang songs such as "Follow, Follow Luthuli", and "Come, Come, Mandela."

## ON TO JULY

A pamphlet headed: "Listen, White Man", which was distributed during 1963 in the name of the African National Congress was produced in Court.

It reads: "Black, Coloured and Asian are sick to death of White supremacy."

It accuses the Whites of becoming vicious under the threat of Black violence and says that in the civil protection organisations and women's pistol clubs are seen the birth pangs of lynch gangs.

The pamphlet says: "Vorster's threats deter nobody..." A detective sergeant then gave evidence of sabotage in the Eastern Cape.

He gave details of 60 acts of violence, the targets being Government buildings, policemen's houses, telephone wires, factories and railway lines.

The trial is continuing and may go on until July.

Dr. Hilliard Festenstein, arrested with the others at the Rivonia farm on July 11, 1963, has been granted bail of R3,000, pending an appeal after being sentenced to jail for belonging to the banned Communist Party.

Festenstein was sentenced to 12 months under the Suppression of Communism Act, half of it suspended for three years.

He was also sentenced to another three months (to run concurrently) and a R300 fine (or 60 days) for possessing banned literature.

# KANTOR'S FIVE MONTHS SUSPENSE OVER

PRETORIA REPORTER

**JAMES KANTOR**, the Johannesburg attorney, one of the 10 accused in the Rivonia Trial, was arraigned in Pretoria yesterday of the four charges against him.

The independent Mr Justice van der Merwe, he did not intend to make any reasons for discharge. He said at this stage he could not make a final decision on the charges against him.

There was no case for Kantor. The judge on the application for Kantor's discharge was given by Mr. J. E. O'Keefe. Mr. Kantor read his address in reply to Dr. Percy Yutar's charges opposing it on behalf of the State.

### Broad smile

That is re-arrange Kantor's broad smile was Abdy's. He said he was in the court when the other accused followed suit.

Members of the Security Branch congratulated Kantor and as he left the court, they called out to him: "Goodbye, Jimmy".

His judgment was given Kantor's wife, Barbara, smiled broadly and with his mother, Mrs. Ruth Kantor, approached the rail which separates the public gallery from the well of the court where Kantor bowed their heads across the rail.

Kantor said he had no place for his moment, but would spend the next few days taking through his case.

It would take him some time to decide on what he would do. The feeling of fear that "it is all over" was too great for him to do any coherent thinking.

There was one thing he would like to say immediately: "I never had any intention of leaving the country before this case was over."

### Father dead

"I believe that the police asked in your report to going what they did, but they were misinformed. It was never the intention to leave the country."

He said his mother and 12-year-old daughter for Kantor who was deceased in August 1952, in connection with the disappearance of his brother, James, and former partner, Harold Wolpe, was a friend of the late Mr. J. E. O'Keefe, who was a member of the Security Branch. He said he was a member of the Security Branch and was a member of the Security Branch.

The proceedings for bail for Kantor were held on July 12.

Wet granted bail of R1000 under stringent conditions on September 20.

Kantor spent Christmas and New Year with his family, and at the end of January, when his wife gave birth to a daughter, was still on bail.

At his appearance in court the day after the fifth Kantor handed out letters to counsel in the case, as well as to members of the Security Branch.

On February 15 the State made an urgent application for the withdrawal of Kantor's bail in the Rand Supreme Court. No newspapers were allowed to hear the application, but Dr. Yutar, who leads the prosecution, said it was made because of police fears he would leave the country.

### Bail revoked

Bail was withdrawn and Kantor celebrated his 37th birthday on February 26 over three in custody. He shared a small cake with his co-accused.

On Tuesday while an application for his discharge which followed on the formal closing of the State case was still in progress, Kantor was again granted R10,000 bail.

He spent no more than 20 minutes in the dock yesterday before hearing the judge announced him free.

Dr. P. van der Merwe, Deputy Attorney-General, with Mr. J. E. O'Keefe, Mr. J. A. Vos and Mr. J. D. van der Merwe as counsel for the State.

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## Kreel case is adjourned to June 15

Court Reporter

THE case against Leon Michael Kreel, 28, and his wife, Maureen, 27, was yesterday adjourned to June 15. The prosecutor said he did not wish to lead certain evidence before the conclusion of the Rivonia trial in Pretoria.

The couple, who have been appearing before Mr. W. G. Vos, have pleaded not guilty to a charge under the Suppression of Communism Act and harbouring Arthur Goldreich and Harold Wolpe.

The State alleges that they hid the men in their Terrace Road, Mountain View, home after their escape from Marshall Square on August 11 last year. It is also alleged that part of a copy of "The Road to S.A. Freedom" was found on the property.

At the hearing yesterday bail was allowed to stand and the State agreed to relax conditions to reporting to the police once a week and not daily as before.

## TEARS AT KREEL HOME — SERVANT

Court Reporter

AN African servant told the Johannesburg Regional Court yesterday about crying in the Kreel home one afternoon last July.

She was giving evidence before Mr. W. G. Vos at the trial of Leon Michael Kreel, 28, and his wife, 27-year-old Maureen, who are charged under the Suppression of Communism Act and with harbouring Arthur Goldreich and Harold Wolpe.

The State alleges they hid the men in their home in Terrace Road, Mountain View, after their escape from Marshall Square on August 11 last. It is also alleged that part of a copy of "The Road to S.A. Freedom," was found on the property.

They have pleaded not guilty.

### BOTH UPSET

Amy Sobone told the Court yesterday she worked for the Kreels.

One Friday afternoon last July the couple returned home. Both looked upset and Mrs. Kreel was crying.

They went to the cottage in the garden and removed some cartons, and later she saw a fire in the garden.

She was arrested and the police questioned her "on, and on and on." She was arrested last September and released in December. Later she gave evidence in the Rivonia trial.

The hearing continues today.

# KANTOR'S FIVE

## <sup>MONTHS</sup> <sup>IN</sup> SUSPENSE

## OVER

PRETORIA REPORTER

**JAMES KANTOR**, the Johannesburg attorney, one of the 10 accused in the Rivonia Trial, was acquitted in Pretoria yesterday of the four charges against him.

The Judge-President, Mr. Justice De Wet, said he did not intend giving his reasons for discharging Kantor at this stage. To do so would entail covering argument which he expected to have to deal with at a later stage.

There was no case for Kantor to meet.

Judgment on the application for Kantor's discharge was given immediately Mr. J. F. Coaker, for Kantor, concluded his address in reply to Dr. Percy Yutar's address opposing it on behalf of the State.

### Broad smile

First to congratulate Kantor on his acquittal was Andrew Mlangeni, who shook hands with him in the dock as the court rose. The other accused followed suit.

Members of the Security Branch congratulated Kantor and as he left the court, they called out to him: "Goodbye, Jimmy."

As judgment was given Kantor's wife, Barbara, smiled broadly, and with his mother, Mrs. Ruth Kantor, approached the rail which separates the public gallery from the well of the court where Kantor kissed them across the rail.

Kantor said he had no plans for the moment, but would spend the next few days taking things easy.

It would take him some time to decide on what he would do. The feeling of relief that "it is all over" was too great for him to do any coherent thinking.

There was one thing he would like to say unequivocally: "I never had any intention of leaving the country before this case was over."

### Father dead

"I believe that the police acted in good faith in doing what they did, but they were misinformed. It was never my intention to leave the country."

So ended five months and 12 days' suspense for Kantor who was detained on August 21, 1963, in connection with the disappearance of his brother-in-law, and former partner, Harold Wolpe, who is named in the indictment of the Rivonia trial as a co-conspirator.

Kantor's father, Mr. A. Kantor, died shortly after his son's arrest and Wolpe's flight from South Africa.

First applications for bail for Kantor failed, but Mr. Justice De

Wet granted bail of R10,000 under stringent conditions on December 20.

Kantor spent Christmas and New Year with his family, and at the end of January, when his wife gave birth to a daughter, was still on bail.

At his appearance in court the day after the birth, Kantor handed out cigars to counsel in the case, as well as to members of the Security Branch.

On February 15, the State made an urgent application for the withdrawal of Kantor's bail in the Rand Supreme Court. No newspapermen were allowed to hear the application, but Dr. Yutar, who leads the prosecution, said it was made because of police fears he would leave the country.

### Bail revoked

Bail was withdrawn and Kantor celebrated his 37th birthday on February 26 once more in custody. He shared a small cake with his co-accused.

On Tuesday, while an application for his discharge which followed on the formal closing of the State case was still in progress, Kantor was again granted R10,000 bail.

He spent no more than 30 minutes in the dock yesterday before hearing the judge pronounce him free.

Dr. P. Yutar, S.A., Deputy Attorney-General, with him Mr. A. J. Krogh, Mr. T. B. Vorster and Mr. E. Klusman, are appearing for the State.

Mr. J. F. Coaker (instructed by Mr. Jack Cooper and Partners) appeared for Kantor.

Mr. A. Fischer, Q.C., and Mr. V. C. Berrange, with them Mr. G. Bizos and Mr. A. Chaskelson (all instructed by Mr. Joel Joffe) are appearing for all the other accused.

## ACCUSED

THOSE still before the court are Nelson Mandela, Walter Sisulu, Dennis Goldberg, Govan Mbeki, Ahmed Mohamed Kathrada, Lionel Bernstein, Raymond Mhlaba, Elias Motsoaledi and Andrew Mlangeni.

They face two charges of sabotage, involving 192 counts, one of contravening the Suppression of Communism Act and one of contravening the General Law Amendment Act.

The State alleges that they, with 22 others, embarked on a campaign to overthrow the Government by revolution and by assisting an invasion of South Africa by foreign troops.

## Kantor, freed,

## to stay in S.A.

Staff Reporter

**I**N two minutes yesterday, seven nightmarish months of fear and uncertainty ended for James Kantor when he was discharged from the Rivonia trial. Now, a new uncertainty faces him . . . his future.

Since his arrest in August last year Mr. Kantor has had to sell his big Johannesburg legal practice and his luxurious home in Forest Town.

### NEED A REST

"These months have ruined me, completely. I have been left with nothing and must start all over again," he said at his rented home in Orange Grove last night.

"It's too early yet for me to collect my thoughts about the future. Right now I feel I need a rest with my family.

"Will I remain in South Africa? I think so, at least until the baby is older."

Immediately after he was acquitted yesterday, Mr. Kantor, his wife and mother, Mrs. Ruth Kantor, went to the home of friends who toasted his freedom in champagne.

Of his acquittal, he said: "I can't say that I fully expected the decision, because I had trained myself not to hope too much.

"But from the judge's very first words — when he said he was not going to give the reasons for his decision — I knew I was going to be discharged.

"The relief and happiness were tremendous."

SEE PAGE 6

# urs Klop Ons Met 24 Uur

(Deur Ton Vosloo)

**E**K was die afgelope week by die „hek” waardeur politieke vlugteling uit Suid-Afrika ongehinderd uit Betsjoenaland na Noord-Rhodesië kan vlug en waar drie van die grootste ondermyners van ons land minder as 24 uur tevore langs gevlug het, nadat hulle moontlik 'n groot plofstof-diefstal in Betsjoenaland gereël het.

*Hierdie punt heet Kazungula en hier waar Suid-Afrika, Suid- en Noord-Rhodesië en Betsjoenaland se grense ontmoet, het honderde vlugteling al deurgereis na „vryheid”.*

Kazungula, 'n kolletjie op die landkaart aan die oostelike punt van die bekende Caprivi-strook is die enigste vrye gaping wat vlugteling uit Suid-Afrika, oor Betsjoenaland, het. En hulle maak goed gebruik daarvan. Die afgelope week alleen het 86 nie-blankes daarlangs deurgevlug na Noord-Rhodesië.

In hierdie eensame, ongetemde wêreld het ek ook besef hoe moeilik die Suid-Afrikaanse polisie se taak is om vlugteling te stuit. Om op Kazungula te kom het ek na Livingstone in Noord-Rhodesië gevlieg en vandaar per motor al langs die noordelike oewer van die Zambesi gery.

Op hierdie internasionale punt het ek verneem dat drie ondermyners, wat nou in die „vryheids-hoofkwartier” in Dar-es-Salaam skuil hou, pas tevore daarlangs gereis het, nadat hulle op Francistown in Betsjoenaland was.

## Paspoorte

Hierdie drie, Tennyson Makiwane, verteenwoordiger van die A.N.C. in Dar-es-Salaam, ene Ndebele en 'n ander A.N.C.-voorbok Xosa Xola, was in Francistown juis toe 'n groot hoeveelhede plofstowwe by 'n opslagmagasyn gesteel is.

Sou hulle besoek met die inbraak in verband gestaan het, of het hulle net 'n roetine-besoek aan hulle vlugteling-makkers in die kamp buite Francistown gebring?

Teenoor sy naam in die register van die Betsjoenalandse polisiepos op die grens het Makiwane ewe kordaat geskryf: „Been all over. Britain, Europe, America and Russia!”

Blykbaar laat die Britse regering die vlugteling ongestoord deur. Paspoorte word nie gevra nie. Die vlugteling het buitendien nie reisdokumente nie en hulle moet net hulle naam in 'n boek skryf, voordat hulle die Zambesi per pont oorsteek.

## Denkbeeldige Punt

As hulle eers in Noord-Rhodesië (of Zambia soos dit na onafhanklikheid bekend sal staan) is, is hulle veilig, want dr. Kenneth Kaunda gaan Suid-Afrika aktief teen. Hy het reeds die vlugteling-dokter van Rehoboth dr. Kenneth Abrahams, 'n betrekking gegee in sy gesondheidsdepartement.

Hierdie samekoms van die grense op Kazungula is die enigste in al Suid-Afrika se duisende myle van grense waar vlugteling ongestoord kan oorsteek. Dit is die enigste punt waar 'n gebied wat vlugteling van Suid-Afrika aanvaar (Betsjoenaland) skakel met 'n swart Afrika-staat (Noord-Rhodesië). Elders is die Republiek se grense onder direkte Suid-Afrikaanse toesig, of kry Suid-Afrika hulp van bevriende state (Suid-Rhodesië en Angola).

In die praktyk loop die vier grense in die middel van die Zambesi op 'n denkbeeldige punt byeen. Daar is geen konkrete bakke nie. Die grenslyn van Betsjoenaland is dus net 'n denkbeeldige lyn op 'n kaart en dit is 'n vraag of die pont se een helfte nie in Suid-Afrikaanse waters en die ander in Suid-Rhodesiese water vaar nie.

## G'n Patrollies

Suid-Afrikaanse Polisie sou as hierdie stelling korrek is, vlugteling van die pont kan afhaal. Die pont ry ook dikwels, as die stroom sterk is, in die Suid-Afrikaanse waters om dan saam met die stroom af te dryf tot by sy landingsplek aan die oorkant.

As ons polisie tot op die letter hierdie grenslyn vasstel, 'n bakke in die middel van die Zambesi inslaan en 'n draad tot daar span, sal hulle vlugteling aktief kan keer. Maar dit sal seker 'n internasionale insident veroorsaak.

Die Suid-Afrikaanse polisie patroleer in elk geval nie die grenspunt nie. Hulle het 'n nie-blanke sersant op die puntjie van die Caprivi-strook, waar die Choberivier en die Zambesi inmekaar vloei. Hierdie eensame sersant sit 'n goeie halfmyl van die denkbeeldige punt van samekoms.

Die naaste Suid-Afrikaanse polisiepos is op Katima Mulilo, meer as honderd myl daarvan. 'n Deskundige oor Caprivi, maj. L. F. W. Trollope, wat veertien jaar landdros van Caprivi was, het aan ons vertel dat die owerhede in vroeër dae 'n groot boom op die Betsjoenalandse kant van die Zambesi as bakke van die vier grense geneem het.

## Draadheining

Die ontdekkingsreisiger, David Livingstone, het volgens oorlewering in 1855 onder dié boom geslaap, terwyl hy onderweg was om die Victoriavalle te ontdek.

„Na die ontbinding van die Rhodesiese Federasie op 31 Desember verlede jaar het die Suid-Rhodesiese regering 'n draadheining sowat dertig treë weg van die boom gespan. Nou sê politiek-bewuste Betsjoenas dat hulle dertig treë groter grondgebied het en dat hulle grensruimte op die Zambesi gevolglik dertig treë wyd is! Dit is natuurlik onsin, want die vier grense loop nog ineen op 'n mitiese punt in die middel van die rivier,” aldus maj. Trollope.

Nie ver van die plek waar die vier grense inmekaar vloei nie, is die plekkie Kasane waar die mynwerwersorganisasie, W. N. L. A., 'n depot het. Hier is 'n kaal strook in die bosse waar ligte vliegtuie kan land. Voor die ontbinding van die Federasie, toe Noord-Rhodesië ook nog onveilig vir vlugteling was, het vliegtuie met vlugteling daar neergestryk op pad na Tanganjika.

Passasiers is daar gelaat terwyl die vlieënier brandstof gaan inneem het op Livingstone. Hy het dan teruggekeer, sy passasiers opgelaai en oor Noord-Rhodesië gevlieg. Deesdae is daar geen versperrings meer nie.

## Spykerplanke

'n Blanke wat teen hierdie metode gekant was, het in Oktober verlede jaar vierduim-spykers deur planke gehamer en dit op die landingstrook geplaas. Die Betsjoenalandse polisie het die spykers verwyder, maar vlugteling-vliegtuie het dit glo toe nie meer gewaag om daar neer te stryk nie.

Vyf myl van Kasane is 'n hotelletjie op die Chobe-rivier waar heelwat Suid-Afrikaners in die winter kom vertoef vir 'n hengel- en jagvakansie. Die eienaars, kol. en mev. Charles Trevor, sê hulle weier in beginsel dat vlugteling daar oornag.

Hulle vertel dat toe Bob Hepple en sy vrou verlede jaar daar verby gevlug het, hulle in die tronk op Kasane oornag het en hulle self van binne die sel toegesluit het uit vrees dat hulle lastig geval kon word. „Hulle het koeldranke van die hotel bestel, maar die bottels het net so vol teruggekeer — hulle wou dit blykbaar nie drink nie uit vrees dat ons daar verdowingsmiddels of gif ingegooi het!” vertel mev. Trevor.

Mnr. Arthur Cretten, 'n Suid-Afrikaner wat vir die Betsjoenalandse departement van openbare werke 'n nuwe grenspos op die walle van die Zambesi bou, sê die vlugteling is benoud-bang as hulle daar op die grens aankom. „Hulle is tjoepstil, maar so gou as hulle op die pont is en Noord-Rhodesië sien naderkom, is hulle monde al hoe groter!”

**KANTOR  
LEAVES  
BUT NOT  
FOR GOOD**

Small text, possibly a newspaper clipping or a letter, containing several lines of text, including the name 'KANTOR' and a date '15.3.64'. The text is mostly illegible due to fading and the angle of the page.



**... En So Op Kaart**

Die kaart regs dui aan hoe die vier lande, Suid-Afrika, Betsjoeanaland, Suid- en Noord-Rhodesië, inmekaar loop aan die oostelike punt van die Caprivi-strook. Die werklike punt van samekoms is in die middel van die breë stroom waar die Chobe- en Zambesi-rivier inmekaar vloei.

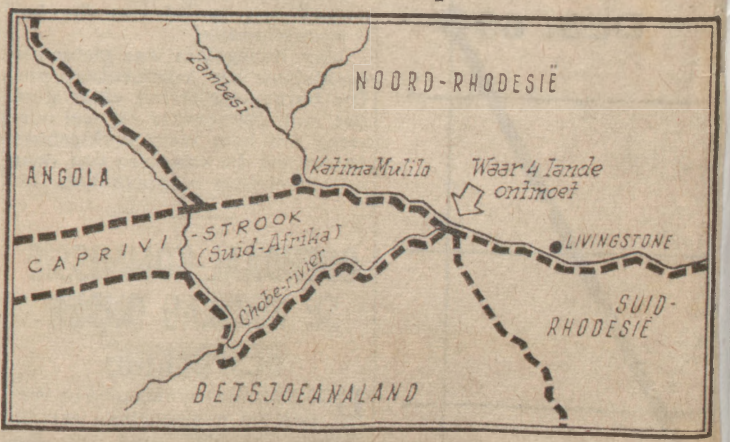
Die foto bo dui aan hoe dit werklik op die punt van samekoms lyk. Die foto is van die Betsjoeanalandse kant geneem. Daarvolgens lê Noord-Rhodesië aan die oorkant en Suid-Afrika strek na links en Suid-Rhodesië na regs.

Die pont is die enigste oorweg oor die rivier wat hier goed 'n halfmyl wyd vloei. Vluchtelinge gaan nou in groot getalle met die pont oor na Noord-Rhodesië en vryheid.

Die kruis dui aan ongeveer waar die denkbeeldige punt van samekoms van die vier grense is. Vroeër is die boom links as bakens gebruik. Die boom is min of meer in lyn met die grenslyn.

Die ontdekkingsreisiger, David Livingstone, het in 1855 onder die boom geslaap, voordat hy die Zambesi oorgesteek het in sy tog waarin hy op die Victoria-waterval afgekom het.

Die pont oor die rivier behoort aan die nabygeleë hotel aan die Chobe-rivier en die eienaars put 'n handige inkomste uit die tol wat hulle hef.





Star  
7/4/64

# Defence asks for Rivonia trial postponement

The Star's Pretoria Bureau

**T**HE ACCUSED in the Rivonia trial made an unexpected appearance in the Supreme Court, Pretoria, today at the request of the Deputy Attorney-General of the Transvaal, Dr. Percy Yutar, who said he wanted it known that it was not the State, but the defence which had sought a postponement.

He said he raised no objection to the application, but he did object to headlines in some Sunday newspapers suggesting that it was the State which had sought the postponement.

"We have at all times been ready," he said.

The nine accused, who made a brief appearance before the Judge-President, Mr. Justice de

Wet, are Nelson Mandela, Walter Sisulu, Dennis Goldberg, Govan Mbeki, Ahmed Mohammed Kathrada, Lionel Bernstein, Raymond Mhlaba, Elias Motsoaledi and Andrew Mlangeni. They were remanded to April 20.

## TIME NEEDED

Mr. G. Bizos, a member of the defence team, made the application for postponement. The team had been having discussions, he said, and found that it needed time for further discussions.

Dr. Yutar mentioned the "ambiguity" of the defence team's reasons for the postponement application, but said he had no objections.

He had wanted the application for postponement to be made in open court, to correct the wrong impression caused by the Press reports.

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## 'FREEDOM' PAMPHLET APPEARS

### Staff Reporter

**A** second issue of a four-page duplicated pamphlet headed "Freedom Fighter" has been distributed by post in Johannesburg.

The first issue of the pamphlet, circulated nearly three weeks ago, published the names of the three men who allegedly gave evidence anonymously at the Rivonia trial.

### CONCERNED

Police at the time said that they were concerned that the lives of the people named might be threatened. They viewed the pamphlet in a "serious light."

The second issue of the pamphlet devotes most of its four pages to attacks on various aspects of Government policy, and announces that the "Spear of the Nation"—the military wing of the underground A.N.C.—still exists.

Under the heading "Vorster, You Lie," the pamphlet says that contrary to the claims of the Minister of Justice, the sabotage group still exists.

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## Mrs. Mandela allowed to attend trial

For the first time since the Rivonia trial began in December, Mrs. Winnie Mandela, wife of Nelson Mandela, one of the nine sabotage trialists, will attend the proceedings when they resume on April 14.

Banned and confined to the magisterial district of Johannesburg, Mrs. Mandela has been given permission to attend the trial by Mr. Vorster, Minister of Justice, after she made a personal appeal to the Minister.

Two earlier applications for permission were turned down.

She must report to the police at Orlando before leaving Johannesburg and when she returns from the trial.

On arrival at the Pretoria Supreme Court she must also report to the court orderly. At the end of the day's hearing she must also report her departure back home in Orlando West.

# How Umkonto was formed

WEARING A BLUE SUIT of smart cut, Nelson Mandela read his statement slowly. He said that he had a B.A. degree, and had practised as an attorney for a number of years with Oliver Tambo.

"I am a convicted prisoner, serving a sentence of five years for leaving the country without a permit, and for inciting people to go on strike at the end of May, 1961," he said.

"I admit immediately that I was one of the persons who helped to form Umkonto, and that I played a prominent role in its affairs until my arrest in August, 1962.

## CHOSEN METHODS

"I will deal with the relationship between the A.N.C. and Umkonto, and with the part which I personally played in the affairs of both organizations. I will deal also with the part played by the Communist Party."

"I will also indicate what Um-

konto set out to achieve, what methods it used, and why these methods were chosen."

Mandela denied that the "struggle in South Africa" was in any way inspired by the Communist Party.

"I did what I did as a leader of my people, because of my experiences in Africa and not because of what any outsider might have said."

He had been motivated to fight for the freedom of his people when as a young boy he listened to the elders of the tribe describing past freedom struggles under leaders such as Dingaan and Moshesh.

He then turned to the question of sabotage.

◆ Turn to Page 3. Column 5,

## The accused

THE nine accused in the Rivonia trial are:

Nelson Rolinhlala Mandela, a Johannesburg attorney;

Walter Max Ulliot Sisulu, of Johannesburg;

Dennis Theodore Goldberg, a civil engineer of Claremont, Cape;

Govan Archibald Mbeki, a Port Elizabeth journalist;

Ahmed Mohammed Kathrada, a Johannesburg Indian;

Lionel Gabriel Bernstein, a Johannesburg architect;

Raymond Mhlaba.

The State alleges these seven were members of the National High Command.

Elias Matsoaledi and Andrew Mlangeni.

The judge is Mr. Justice de Wet; Percy Yutar, Deputy Attorney-General, with him Mr. A. Krog and Mr. F. D. Vorster of the Office of the Senior Public Prosecutor, Johannesburg, appear for the State; Mr. A. Fischer, Q.C., with him Mr. V. Berange, Mr. G. Bizos and Mr. A. Chaskelson (instructed by Joel O. Joffe) appear for the accused.

## Policeman "snaps" Rivonia spectators

The Star's Pretoria Bureau

A Special Branch photographer, armed with a 35mm. camera and a powerful telephoto lens, took pictures of African spectators standing in Church Square, opposite the Palace of Justice, when the Rivonia trial reopened in Pretoria today.

About 30 Africans, mostly women, gathered on the pavement opposite the main entrance to the Palace of Justice shortly before 10 a.m., when the court resumed. Some of the women were dressed in the green and black uniform of the banned African National Congress.

Uniformed and plain-clothes policemen crowded the steps leading to the entrance. A burly uniformed sergeant was standing in the centre of the group, with a photographer in plain-clothes behind him.

The photographer had a 35mm. camera and a telephoto lens about 18in. long resting on the sergeant's left shoulder. He was snapping the faces of the spectators. The Raadsaal and Kruger statue were in the background.

Some of the Africans seemed to realize they were being photographed and turned their backs.

# RIVONIA: MANDALA STORY

Jan  
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*“We had to  
turn to  
violence”*

**N**ELSON MANDELA this morning admitted he had planned violence, and then gave his reasons to a Supreme Court judge.

He was speaking from the dock at the resumption (after six weeks) of the Rivonia trial in Pretoria. He contended that African leaders had been forced to adopt policies of violence because of the actions of the Government.

He surveyed the history and aims of the African National Congress, reading from a thick wad of typed notes. Mandela also gave the reasons why Umkonto we Sizwe (Spear of the Nation) had been formed.

He said this body had nothing to do with the A.N.C.

Proceedings began with a brief statement by the leader of the defence team, Mr. Braam Fischer, Q.C. He said that certain important parts of the State's evidence would be admitted, but other important parts would be challenged.

Four major contentions which the defence would challenge were:

- That Goldberg, Kathrada, Bernstein and Mhlaba were members of the National High Command of Umkonto. Mr. Fischer said they were not members of Umkonto at all.

- That Umkonto was a section of the A.N.C. Mr. Fischer said an attempt was made to keep the organization apart.

- That the A.N.C. was a tool of the Communist Party, and that the aims and objects of the A.N.C. were the aims and objects of the Communist Party.

Mr. Fischer said the A.N.C. had fought for equal rights, and might have accepted the support of the Communist Party.

## Sabotage only

Umkonto was formed to undertake sabotage only when the aim of seeking equal rights for Africans by other means had failed.

- That Umkonto had adopted the military plan known as Operation Mayabuye. Mr. Fischer said that preparations for guerilla plans were made but were not adopted.

## NO OTHER MEANS

“All other means of opposing his principle were closed by legislation,” he said. “We had either to accept inferiority or fight against it by violence. We chose the latter.”

Mandela said the form of violence chosen was not terrorism.

He then dealt with the history of the A.N.C. — formed in 1912 to defend the rights of the African people.” Until 1949 it adhered strictly to a policy of non-violence.

There was then a change in the strictly constitutional means of protest. The A.N.C. launched a defiance campaign based on passive resistance.”

Mandela went on to speak of a treason trial in which he was one of the accused.

“The non-violent policy of the A.N.C. was tested by the court, and the court found that the A.N.C. did not have a policy of violence.”

He then said: “The A.N.C. is not and never has been a Communist organization.”

He mentioned Sharpeville, the

state of emergency which followed it and the fact that the A.N.C. had been declared an unlawful organization then.

“We decided we would not obey the decree. The A.N.C. refused to dissolve and went underground.”

Mandela read out a heading “Why Umkonto was formed,” and went on to speak of the referendum which decided that South Africa should become a Republic.

The Africans, he said, were not entitled to vote, and as a result it was decided that a protest in the form of a stay-at-home strike, a peaceful demonstration, would be held.

The Government answered by mobilizing its forces, sending Saracens into the townships, to intimidate the people. This showed that the Government had intended to rule by force alone. “This was a milestone in the formation of Umkonto.”

Mandela said that he came to the conclusion in June, 1961, that, as violence was inevitable, it would be unrealistic and wrong for African leaders to continue with a policy of non-violence when the Government “met our demands with violence.”

“This decision was not easily made. The decision was made to embark on violent forms of struggle and form Umkonto. I felt morally obliged to do what I did.”

He said the A.N.C. was committed not to undertake violence, but was prepared to depart from its policy to the extent that it would no longer disapprove of properly controlled sabotage.

Sabotage was chosen because it did not involve loss of life. It was hoped by this means to put a heavy drain on the economy of the country by scaring away foreign capital, so forcing the voters to change their allegiance. Sabotage would also draw world attention on South Africa.

“Strict instructions were given that on no account were they to injure or kill people in carrying out their operations.”

In reply to a question from the judge, Mr. Justice de Wet, the Judge-President, Mr. Fischer said the defence would deny that Operation Mayabuye was adopted. (The State had described this plan as the cornerstone of its case. It is alleged to give details of a plan for the armed overthrow of the Government.)

Mr. Fischer said that his case would start with a statement from the dock by Nelson Mandela, who would give an account of the formation of Umkonto.

“I do not deny that I planned sabotage. I did not do this in a spirit of recklessness.”

“I planned it as a result of a calm and sober assessment of the situation, after many years of oppression and tyranny of my people by the Whites.”

Mandela, pausing occasionally to take a sip of water, said Umkonto had been planned for two reasons.

1 “We believed that as a result of government policy, violence by the African people had become inevitable, and that unless a responsible leadership was given to control the feelings of our people, there would be an outbreak of terrorism which would cause bitterness between the various races of the country.

2 “We felt that without sabotage there would be no way open to the African people to succeed in their struggle against the principle of White supremacy.”

more

STAR 20/4/64

# MANDELA:

Continued from Page 2

## PROMISED HELP

Mandela listed the names of about a dozen African prime ministers and other leaders who promised him moral and other support. Amongst the names mentioned were Julius Nyerere, Haile Selassie, Kenneth Kaunda, Milton Obote, Ben Bella and Habib Bourguiba. On a trip to London he visited the late Hugh Gaitskell (the Labour leader) who received him sympathetically.

He admitted that he had made a study of guerilla warfare, "because I wanted to stand with my people and share with them the hazards of warfare."

Mandela strenuously denied that Umkonto was a wing of the A.N.C. or was connected with it—although some people were members of both organizations.

At all times attempts were made to keep the two bodies apart, and violence was never discussed at A.N.C. meetings.

## RIVONIA FARM

Mandela turned to Lilliesleaf Farm, Rivonia.

"This farm was not the headquarters of either the A.N.C. or Umkonto, and no meetings of these bodies took place at the

farm," he said. "I was staying there because I was a man on the run, and the residence made an admirable hide-out.

"Here I could live a more normal life as a fugitive, and do my work in peace."

Mandela produced five cuttings from the "Rand Daily Mail," which he said would prove that Umkonto was not the only organization committing acts of sabotage in South Africa.

He mentioned a number of incidents, ending with Sharpeville, when numbers of Africans had lost their lives at the hands of the police, and in some cases at the hands of civilians.

Because of these incidents, the future of the African did not appear favourable, and an open rebellion would offer the Government limitless opportunities for "action against our people."

## GUERRILLA WARFARE

Guerilla warfare, Mandela said, could prove necessary in time to come, and the Africans wanted to be prepared. "Whites get military training, but not Africans."

Guerillas would only be trained in case they were necessary. "It is our programme to provide the leadership before it comes too late."

Mandela said he was sent to a meeting of the Pan-African Freedom Movement in Addis Ababa in 1961 to seek support in building up a nucleus of men trained in administration.

Whether a change of government was made peacefully or otherwise, the Africans would need these trained leaders. He said he embarked on a tour of African countries to obtain scholarships for matriculated Africans.

## GREAT ALLIES

If there were Communistic activities carried on at Lilliesleaf they had nothing to do with the A.N.C. or Umkonto.

Mandela elaborated on his theme that A.N.C. had no links with Communism, although he admitted that the Communists were great allies.

"The A.N.C. policy has not been expressed by the cry of 'Drive the White man into the sea.' The policy is the concept of freedom for the African people in their own land," he said.

The A.N.C. had never been opposed to a capitalist society, unlike the Communists, and the A.N.C. in fact strove for harmony among the different classes.

Proceeding

Continued from Rivonia - Mandela's story.

"We had to turn to violence"

STAR 20/4/64

# Ready to die for his ideas

As Nelson Mandela finished his statement this afternoon he said to the judge: "I have dedicated my life to end White domination . . . I am prepared to die for this."

Continuing after lunch, Mandela said: "I am not a Communist and have never been a member of the Communist Party."

He then turned to what he described as his own position and his own beliefs. He said he was attracted by a classless society. "I, too, have been influenced by Marxist thought."

Mandela said that some of the documents found at Rivonia had been written by him, but were not his original work.

Mandela then dealt with financial support from abroad. At first A.N.C. funds had always been raised within the country, but when the Umkonto was formed, more money was needed.

He canvassed for funds during

his African trip. He suggested on his return that funds should be sought from Socialist countries and learnt later that this had been done.

"Our fight is against real hardships, not the 'so-called hardships' in the words of the State prosecution."

Mandela described what he called the hardships of Africans throughout the country. Low wages and poverty contributed to this state of affairs.

Bantu education policies and job reservation prevented Africans making economic advancement.

He had dedicated his life to end White domination, and added: "It is an idea I hope to live and see realized. But, my lord, it is also an idea for which I am prepared to die."

Mandela stopped speaking at 3 p.m., having been on his feet for 4½ hours.

## Accused

THE accused in the Rivonia trial are Nelson Mandela, Walter Sisulu, Dennis Goldberg, Govan Mbeki, Ahmed Mohammed Kathrada, Lionel Bernstein, Raymond Mhlaba, Elias Motsoaledi and Andrew Mlangeni.

Goldreich "played big part"

# SISULU DESCRIBES GUERRILLA PLANS

Star  
21/4/64

From a Staff Reporter

WALTER SISULU, former secretary-general of the African National Congress, said at the Rivonia trial in Pretoria today that he supported the policy of sabotage "so that Africans could obtain their ideals."

He told Mr. Justice de Wet that the African National Congress had to change its policy.

"We could not continue to preach non-violence when the situation was becoming desperate," he said.

Sisulu, giving evidence on oath from the witness box, said that Arthur Goldreich was an enthusiastic advocate of guerilla warfare. Goldreich (who has escaped from the country) prepared an overall plan for guerilla warfare known as "Operation Mayibuye," he added.

### CORNER-STONE OF CASE

The State has described this plan as the corner-stone of its

case. "Mayibuye" means "come back," and the document itself describes how guerillas within South Africa would receive overseas support.

Sisulu described how the plan came to be drafted.

"After a conference in Lobatsi early in 1963 Goldreich came back from overseas very enthusiastic about guerilla warfare," he said.

"During March and April newspapers gave publicity to the plans of the Pan-African movement to bring about a revolution. People everywhere were talking about guerilla warfare.

"The A.N.C. took the view that this was a very serious matter, and should be discussed by the National Executive. The executive did not contemplate guerilla warfare, but the people as a whole did.

"I thought the matter should be discussed immediately, and a meeting of the National High Command (of the Umkonto We Sizwe) was called at the end of April.

"I attended and told the meeting that the A.N.C. was of the opinion that this was a very serious matter. I learnt that a plan was being prepared on guerilla warfare.

"Goldreich was not a member of the National High Command, but was allowed to be present at the meeting.

"Early in May another meeting of the National High Command was called at which guerilla warfare was again discussed. Operation Mayibuye plans were then presented by Goldreich.

"He had extensive knowledge on the subject, and had been a commander in the Israeli guerilla forces," Sisulu continued.

The meeting was divided as to

whether the plan should be adopted. Some were of the opinion that the time for guerilla warfare was not ripe, and that sabotage could still be effective.

### POLICY CHANGED

Neither Umkonto nor the A.N.C. adopted the plan, but a logistics committee was set up and some investigations were made. Goldberg helped Goldreich in the investigations.

Sisulu said that he never joined Umkonto, but kept in touch with its leaders.

Giving evidence about events before the issue of guerilla warfare was raised, Sisulu said that the A.N.C. policy changed in so far as the organization no longer preached non-violence. "But that did not make it a violent organization," he added.

He was placed under house arrest. Soon afterwards there was a controversy when it appeared that the A.N.C. and Umkonto were becoming closely linked.

Sisulu said that when he and Duma Nokwe were facing certain charges Govan Mbeki was brought up from Port Elizabeth,

◆ Turn to Page 3. Column 7.

## SISULU EXPLAINS HIS AIMS

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When Mandela had finished his statement, Mr. Fischer called Walter Sisulu, who, unlike Mandela, gave evidence on oath.

Speaking in English, he said he was 52 and his aim was to achieve emancipation for the African people from White domination.

"I have expressed these views in my writings and at meetings," he explained.

He had never been a member of the Communist Party, but had travelled both in Eastern and Western countries.

He admitted he had been influenced by socialist thought, as had most people in African and Colonial countries. He described the hardships, as described by Mandela, as very real.

He joined the African National Congress in 1940 and had personally advocated keeping the Communists out of the African National Congress.

### TREASON TRIALIST

Sisulu said he was also a treason trialist and was imprisoned during the 1960 emergency. After the emergency the A.N.C. could not accept banning, "because it was the mouthpiece of the African people."

Up to 1949 the A.N.C. had always adopted constitutional methods of protest. But after that year the policy was changed to one where the laws of the country would be defied. The defiance campaign was then launched.

(Proceeding)

more page 2

# GATHERED TO DISCUSS "GO DAYS"

◆ Continued from Page One.  
and joined the national secretariat.

When Mbeki was confined to Port Elizabeth by a banning order he went underground, then came to live at Rivonia. Mbeki was also a member of the National High Command, said Sisulu.

He added that Goldberg, Kathrada, Bernstein and Mhlaba were not members of Umkonto.

Sisulu said when he was found guilty of a charge under the Suppression of Communism Act it was decided he should go underground. He moved to Rivonia in June, 1963, after going into hiding in April.

There was considerable unrest in the Western Cape over the proposed removal of Africans from that area.

## DESPERATE POSITION

"They were seething and planning acts of violence. My understanding was that the position was very desperate indeed. I heard they were contemplating marching into town and breaking into shops," said the witness.

"Mbeki was sent down to deal with the situation and later, to appease the Africans, a plan was worked out.

"The plan was for an anti-pass campaign which would culminate in a national strike, and the burning of passes. We had in mind that by June we would be ready for a national strike.

"But this did not materialize. The 90-day clause had mean-

while been introduced, and this and other legislation created very great difficulties. The idea was put into the background. It was to have been the major A.N.C. campaign of 1963."

In June of last year, Sisulu continued, further attention was given to the matter of guerilla warfare.

"The logistics committee, which had been set up, made some very scanty reports. They maintained that on the basis of those reports they could work out problems of equipment and supply within six months."

The National High Command felt that the logistics committee was not giving serious enough attention to the problem. It had, for instance, presented its estimate of six months before other committees had reported.

There was the view, with which he agreed, that mass action might well prove effective without guerilla warfare. The logistics committee was told to go into the question more fully. The plan was not adopted.

## 90-DAY MEETING

Mr. Fischer: What happened on July 11?

Sisulu: A meeting was called for 3 p.m. Mbeki, Bob Hepple, Bernstein and I were going to discuss the 90-day clause. This had agitated our minds a great deal.

"Detainees should not be broken morally as was the intention of the authorities," said the witness. "They must be kept in contact with the outside world to preserve their morale."

Sisulu said he arrived at Rivonia on the afternoon of July 11 and received medical attention in the main house.

## "THEN CAME POLICE"

"I went to the cottage. A few minutes later Bernstein arrived. Then at 3 p.m. the police came. Hepple saw them and closed the door," said Sisulu.

"I jumped through a window and tried to escape, but was caught a few yards from the cottage."

Rivonia, Sisulu said, was never used as the headquarters of the A.N.C. "People lived there and it was a hiding place. The broadcast I made on June 26 was not made from there."

Sisulu said that on July 11 Kathrada was only visiting Rivonia to make arrangements for a broadcast. He had lived there previously. Goldreich was involved in the arrangements.

Hepple was at Rivonia to give legal advice on the 90-day clause and "he was also an expert on propaganda."

## READY TO CONFESS

Mr. Fischer: Do you consider that you should have or could have acted otherwise?

Sisulu: I do not see that I could have done otherwise. If I had not done it others would have done the same thing.

"I would like to make my position very clear. I am prepared to testify in regard to the part I have played and the part which my organization played and some

of the people connected with me. "But I will find it difficult to testify or to answer questions relating to my organization which might lead to prosecutions of my people.

"I would not do anything to reveal the workings of my organization and confidential matters."

## Dr. Yutar's questions

Dr. Yutar then began his cross-examination.

"I am intrigued by your profession that the A.N.C. and Umkonto did not want to kill or injure people in committing acts of sabotage," he commenced.

Sisulu: Yes, that is quite correct.

Dr. Yutar: How did you take precautions to see that people were not killed or injured?—The choice of targets made it very clear.

If a railway line 26ft. long was loosened on a line carrying passenger trains, could loss of life be avoided?—Such an act was not part of the Umkonto plan.

## WHAT WILL HAPPEN

Cross-examined on an A.N.C. pamphlet, Sisulu said it did not contain threats against the White man. It was a statement of what had happened in South Africa and what would happen.

"If a war is started in this country it will be by the White man. It will inevitably be won by the oppressed peoples," he added.

Asked about an attack by A.N.C. members on a pro-Government leader in Port Elizabeth, Sisulu said the organization was not told the attack was by A.N.C. members.

"If an A.N.C. man does something it does not mean he was instructed by the A.N.C.," he added.

On another topic, Sisulu said it was not the policy of the A.N.C. or Umkonto to shoot a witness who was to give evidence for the State in a political case.

A State witness had in fact been shot in the Eastern Cape, Dr. Yutar said, and A.N.C. members had been charged with his murder.

## REFUSED TO TELL

Sisulu refused to tell the Court where a certain meeting had been held.

"If I tell you the house the police will go there and detain the people under 90 days," he added.

He would not tell the name of a person who had drafted a particular pamphlet.

On the subject of the pamphlet, Dr. Yutar asked: "Was the A.N.C. prepared to start with sabotage, then go on to guerilla warfare and finally armed insurrection?"

"Yes," replied Sisulu, "that was envisaged but not planned. Civil war could possibly result."

Tuler 21/4/64

# Mandela vertel van hom en Goldreich

**N**ADAT HY by Rivonia dikwels politieke gesprekke gevoer het met Arthur Goldreich, het hy by Umkhonto We Sizwe (Speerpunt van die Nasie) aanbeveel dat Goldreich as lid gewerf moet word het Nelson Mandela gister in die Rivoniasaak gesê.

Vervolg van bl. 1

Hy het gesê Goldreich was 'n gewone soldaat van die Joodse nasionale beweging in Israel.

Mandela, gewese ondervoor-sitter van die African National Congress, het by die hervatting van die Rivonia-saak in die Pretoriase Strafhof voor regter-president Q. de Wet erken:

Dat hy 'n stigterlid van die Umkhonto was wat „beheerde” sabotasie moes pleeg.

Dat hy in Afrikalande rond-gereis het om geldelike steun vir die nie-blanke se stryd in Suid-Afrika te werf.

Dat hy geriewe gevind het vir Bantoes om buite Suid-Afrika militêre opleiding te ondergaan.

## Militêr opgelei

Dat hy self militêre opleiding ondergaan het.

Dat die African National Congress sabotasie deur Umkhonto gesteun het.

Dat die sabotasiebedrywighede van die Umkhonto beheer is deur die National High Command.

Dat hoewel hy nie self 'n Kommunist is nie, hy die rol verwelkom wat die Kommuniste kan speel om die nie-blanke in Suid-Afrika tot politieke gelykheid te lei.

Dat hy aanbeveel het dat geld vir hul stryd ook by Sosialistiese lande gewerf moet word.

## Na Rivonia

Mandela, wie se toespraak ses-tig foliovelle beslaan het en 3½ uur geduur het, het uit die beskuldigdebank gepraat. Hy het

nie die eed afgelê nie en kan nie deur die Staat gekruisvra word nie.

Mandela het gesê toe hy ondergronds gegaan het, is hy deur Goldreich, wat hy in 1958 ontmoet het, genooi om hom by Rivonia te vestig. Hy is deur Michael Harmel, 'n beweerde mede-samesweerder, daarheen geneem.

As iemand wat ondergronds op-getree het, het dit hom geleentheid gegee om in vrede te werk. Hy het geweet Kommunistiese aktiwiteite het daar aangegaan, maar dit was geen rede waarom hy die plek nie kon gebruik nie.

Hy en Goldreich het dikwels by mekaar besoek afgelê en politieke gesprekke gevoer. Later het hy by Umkhonto aanbeveel dat Goldreich as lid gewerf moet word. Goldreich was 'n soldaat in die Palmach, die militêre vleuel van die Haganah, die politieke owerheid van die Joodse nasionale beweging.

Vervolg op bl. 3, kol. 1.

Mandela het ontken dat die politieke doelstellings van die A.N.C. en die Kommunisteparty dieselfde is. Die belangrikste dokument van die A.N.C. is die Freedom Charter. Dit is nie 'n blouboek vir 'n sosialistiese staat nie. Dit vra herverdeling, maar nie nasionalisering van die grond nie.

Dit maak voorsiening vir die nasionalisering van die myne, banke en monopolistiese nywerhede „want groot monopolieë word besit deur een ras alleen en sonder sodanige nasionalisering sal rasse-oorheersing voortduur ten spyte van die verspreiding van politieke mag.

„Dit is waar dat daar dikwels noue samewerking tussen die A.N.C. en die Kommunisteparty was. Maar samewerking is net die bewys van 'n gemeenskaplike doel — in dié geval die verwydering van blanke oorheersing — en nie die bewys van 'n volkome eenheid van belange nie.”

Kort na Umkhonto gestig is, is hy ingelig dat die Kommunisteparty Umkhonto sou steun. Dit is gesoen. Later was die steun openlik.

## Leiding

Later is besluit om voorsiening te maak vir die moontlikheid van guerrilla-oorlog. 'n Kern moes opgelei word om leiding te gee as guerrilla-oorlog uitbreek.

## Samewerking

Hy glo dat Kommuniste altyd 'n aktiewe rol gespeel het in die stryd van koloniale lande vir hul vryheid. Die patroon van same-werking tussen Kommuniste en nie-Kommuniste is herhaal in die nasionale bevrydingsbeweging van Suid-Afrika. Bantoe-Kommuniste het lede geword van die

A.N.C. en sommige het in die nasionale, provinsiale en plaaslike komitees gedien.

Hy is nie 'n Kommunist nie en was nooit lid daarvan nie, maar is onder die Wet op die Onderdrukking van Kommunistiese skuldig bevind, het hy gesê.

Mandela het gesê polities voel hy aangetrokke tot 'n klaslose gemeenskap. Dit spruit deels uit sy bestudering van Marxistiese leesstof en deels uit sy bewondering vir die organisasie van die vroeë Bantoegeenskappe in Suid-Afrika. Die grond het aan die stam behoort, daar was geen rykes en armes nie en geen uit-buiting nie.

Hy het gesê insover die Kommunisteparty die verwydering van rassediskriminasie en die verkryging van demokratiese regte voorstaan, verwelkom hy die party se hulp.

Die dokumente oor Kommuniste in sy handskrif wat by die hof ingedien is, was 'n vereenvoudiging van lesings wat 'n kollega van hom opgestel het, het hy gesê. Die man wou hom dikwels omhaal om 'n Kommunist te word, maar hy het geweier. Eendag het hy die lesings gesien wat die vriend opgestel het en gesê dit is te ingewikkeld. Op versoek van die kollega het hy dit toe in eenvoudiger taal oorgeskryf.

## Sabotasie

Hy het gesê Umkhonto is gestig omdat die leiers geglo het dat die Regeringsbeleid geweld deur die Bantoes onvermydelik gemaak het. Hulle het gevoel sonder sabotasie sal daar geen weg oop wees vir die Bantoes om 'n suksesvolle stryd teen blanke oorheersing te voer nie.

„Alle wettige maniere om ons teenstand teen blanke oorheersing uit te druk, is deur wetgewing verbied.”

Umkhonto is in November 1961 gestig. Hulle het gevoel beplande vernietiging van kraginstallasies en peutery met die spoor- en telefoonverbinding sal buitelandse beleggers afskrik. Op die lange duur sou dit die kiesers noep om hul posisie in heroerweging te neem, het hy gesê.

Hy is deur die A.N.C. na die Addis Abeba-konferensie van 1962 gestuur. Hy moes steun werf en ook reëlings tref vir die opleiding van militêre werwlinge. Die eerste groep het in Tanganjika aangekom toe hy op pad terug na Suid-Afrika was. Hy het self militêre opleiding ondergaan.

Hoewel die A.N.C. en Umkhonto apart gehou is, het persone soms ampte in albei beklee.

Nadat Mandela klaar was, het Walter Sisulu onder eed begin getuig.

Die saak duur voort.

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