

leaf Farm? Sisulu denies it. Why then was a radio aerial erected on the roof there? 'For experimental purposes. The actual broadcast had been done elsewhere to ensure signals were not traced back to Lilliesleaf.' De Wet involves himself again - with his prejudices showing.

De Wet: Some of your clever colleagues like Dennis Goldberg should have told you that they can only trace a broadcast if they know about it beforehand. If .... they can trace the origin of a broadcast within a few minutes, then it doesn't matter where you hold the broadcast - they will catch you red handed.

Sisulu: It was not done at Rivonia. We were staying there, and we would have been exposing it to the police.

De Wet: So you don't mind the people who were working the broadcast... being caught, so long as you are not caught? Is that the position?

Sisulu: No. That's not what I'm trying to say. One does take the risk, but you would not put all your eggs in one basket.

De Wet: Isn't that rather typical of patriots - that they are always prepared to let the rank and file take the risk, and see that they don't put themselves in danger? Isn't that the position? ... Exactly the same thing happens with people who are plotting a rebellion or revolution. They look forward to being the government in due course, and they see to it that they preserve their own skins, not so?

Sisulu: My Lord, we - to the best of our ability - want to preserve everybody.

Such political arguments are largely irrelevant to the case, but they have awakened him from his disinterest. His political opinions begin to show. They are typical of the views of the white minority, though put forward out of curiosity rather than any overt hostility. Sisulu is being challenged by Yutar. Did the movement not simply aim to replace white government by black domination ?

Sisulu: The only solution in South Africa is living together, black and white. There is no other solution.'

De Wet: But doesn't that involve.. control by the non-white element because they have more in numbers? Won't it mean black control?

Sisulu: Control can be exercised by both races together.



De Wet: You would never agree to that would you - you being represented by a white person?

Sisulu: Not to be represented. We don't want to be represented...

Yutar hops again.

'What is the membership of the ANC?'

Sisulu: When it was banned in 1960 it was 120,000.

Yutar: So despite your fifty years trying to persuade the Bantu.. that they were being oppressed, you had a total enrolment of about 120,000 out of 12 million?

Sisulu: Political organisations don't get everybody, yet they represent the aspirations of the people.

De Wet: You think they should have the vote. But how do you know that the ordinary Bantu about town wants the vote?... You only know that you think he ought to have it.

Sisulu: I have not come across meetings where I have heard people saying: No, we don't want the vote. People always support the idea of the vote.

And so it goes on - Sisulu versus Yutar and De Wet, for five days. Against all the norms, Yutar has ordered that he be entirely segregated from us and his lawyers while he is giving evidence. We have enough confidence in Walter to decide not to make an issue of it. We are vindicated. Walter comes through the ordeal magnificently. His stance on the witness stance shifts the balance in the case. Guilt or innocence has been relegated to the background. The foreground has been overtaken by Yutar's attempts to denigrate the movement and us. But he has been discomfited. Walter has been honest, forthright and imperturbable. He is the one who has emerged undented from their encounter which has also shaken De Wet into a new awareness. The judge is beginning to recognise that he is presiding over a case which can affect the whole shape of the country's future as much as our own.

We take the stand one by one. There are no differences on the facts or on our the basic politics. The only differences between us is of personality, and sometimes of membership affiliations. Mbeki has the triple membership of the MK High Command, the ANC National Executive and the Communist Party National Committee. He is soft spoken, courteous and scholarly. His manner is gentle



but his political opinions are rigid and uncompromising. He covers the same ground as Sisulu, makes the same admissions and denials, and seems to awaken the same reactions from De Wet.

Kathrada, who is the youngest of us all, is by contrast the complete activist. There is no serious evidence against him except that he had been living under cover at Lilliesleaf Farm for some time. He admits to recording an appeal to the Indian community intended for broadcasting over the ANC radio. And denies absolutely the evidence of a taxi owner, a prize clown, that he ever hired a van to carry MK recruits to the Botswana border. Kathy is a member of the Communist Party, but not of MK. He has been an opponent of the so-called 'armed struggle on grounds of principle. In the witness box he is sharp witted, combative, alternatively humorous and aggressive. I don't think his manner endears him to De Wet.

Raymond Mhlaba is next. He is a member of the ANC, of MK and the Communist Party. The only state evidence against him is that he was at Lilliesleaf Farm on the day of the raid and had been there occasionally before. And another taxi-driver's tale that he had taken an elaborate ride Port Elizabeth to reconnoitre targets for MK sabotage in December, 1961. The journey may possibly have happened. But even if it did, Mhlaba could not have been there. He was already out of the country and receiving military training abroad, and did not return until long after the event. On the witness stand, Mhlaba admits he had been on a 'mission', but will not say where; the answer could incriminate him of leaving the country without a passport. Yutar cross examines: 'I put it to you that in December 1961 you were either in Port Elizabeth or in Leipzig?' So they know. But they have led the taxi driver's evidence anyway. Yutar offers him an indemnity if he answers the question, but Mhlaba does not trust him and turns it down. It does his cause little good. He is a patently honest man telling a totally honest story, yet somehow he appears shifty on the witness stand, perhaps because he is slow spoken and is using English which is not his first language.

It is my turn. I do not have the same courage in this game of Russian roulette as the others. I do not feel at all calm - the press reports describe me as looking tense and nervous. I am. But whenever I have to speak in public, my nerves settle down once I am under way. Berrange leads me through my political c.v.- from the Anti-Fascist League to the Labour Party and then the Communist



Party; and so to a close association with the ANC and ultimately Umkhonto. He gets me to define and disentangle the many committees, organisations and acronyms that have cropped up in evidence, and to explain the relations between them. For me, this is everyday stuff, easily explained. De Wet is listening intently. I imagine I am making some sort of order for him out of a political scene of which he knows almost nothing.

And so to allegations against me personally. I deny that I have ever been a member of Umkhonto or of the High Command, but admit to having had regular contact with both bodies. I deny ever being on the roof at Lilliesleaf Farm or taking any part in the rigging of a radio aerial. There is nothing else to answer. Mtolo's account of a visit to Durban by an unidentified 'Bunstead or Burstem' is hearsay and inadmissible. Dirker's tale of the temperature of my car engine has been shown to be lies. Counsel will argue later that both items should be ruled out of consideration altogether. My evidence is complete, and it is Yutar's turn to cross-examine.

I do not expect him to turn to these matters of evidence directly. His method is to hop erratically from topic to topic. With the air of a magician producing rabbits from a hat, he springs on me one document after another, without any explanation of where they come from. They are not exhibits which have been formally identified by witnesses. Most of them appear to come from Communist Party sources. I am asked about each of them in turn, and whether I agree with the views expressed in them, or if not why not. There is no suggestion that I have either written them or seen them before, but I am comfortable about them. I am at home in my own game of politics, while Yutar is playing away in a game which does not appear to have any bearing on my case. He tires of that and hops to an equally irrelevant search for names and identities. Who attended that meeting? Who served on that committee? Who wrote that article? If he had been listening to what my co-accused had been telling him he would know he is not going to get any answers. But he has not learnt. I refuse to name any names; he grows increasingly indignant, and starts to lose his cool.

I had told Berrange during my evidence-in-chief that I had been a member of the Communist Party for twenty-five years before it was made illegal. Once again he switches tack. Did I remain a member thereafter? I have been expecting the question and I refuse to answer on the grounds that I might incriminate myself. He asks the judge to instruct me to answer, and De Wet does. He



tells me that if I do not answer I will be guilty of contempt of court and can be sent to prison for eight days, then brought back and asked the question again and again until I do. As he speaks, he remembers that I have been in prison for the best part of a year already, and a thin smile crosses his face. It is the first semblance of a smile we have seen from him, and he adds; 'I don't suppose that will make much difference to you under present circumstances'. I say I suppose not, and there the matter ends. I sense that he is beginning to warm to me for several reasons. I am the first witness who comes from his the same world as his - white and middle class. I am also the only one acculturated by , boarding school and army to the instinctive use of the address 'Sir' for both him and Yutar.

Yutar will not yield gracefully. If he cannot get me to incriminate myself, he can try and get me to incriminate someone else on my side. He produces another document. It is an article from the periodical 'Fighting Talk'. It is years old - 1954! - and must have come out of the police archives. It is not an exhibit in the case. It is titled: 'I think of Bram Fischer'. It gives a short biography of him as prelude to the writer's claim that when he is driven to despair by white South African intolerance and indifference to their black compatriots, thinking of Bram restores his hope. Here is an exemplary Afrikaner who had given his life to principled resistance to racism. The article carries the initials L.B. Yutar asks if I wrote it. I say I did. He appears to go at another tangent. 'Who was the Secretary General of the Communist Party?' I refuse to answer. Bram is sitting at Berrange's side, directly in front of the ~~judge~~ judge's bench. X

'Since you are unable to answer .. perhaps we may conclude that it was the gentleman referred to in the exhibit before you. Please hand it to the judge.'

Fischer is not charged or even accused. This is Yutar's most underhand and despicable act - it cannot be called a smear because it is worse than that. It is a deliberate incitement to incriminate our leading barrister. De Wet cannot be unaware of what is happening, but he reverts <sup>to</sup> his earlier passivity and says nothing. That encourages Yutar to return to his earlier question: Did I remain a member of the Communist Party after 1960 when it was declared illegal? Again I refuse to answer. He offers me a blanket indemnity for any offence disclosed. I ask the judge for a short adjournment to allow me to take legal advice. The lawyers go back to their law books and advise that Yutar, in his X



capacity as Deputy Attorney General for the Province, can offer such an indemnity, but his superiors in the Department of Justice will not be bound by it. Was he aware of this? I do not know, but I refuse the indemnity and refuse again to answer the question.

He switches track again. 'Have you ever accused the state of coaching its witnesses?' I have no idea what this is about. I say that I probably have. 'Have you accused the police in this case of acting improperly?' I say that I probably have. I am beginning to realise what is happening. During the adjournment ~~in~~ <sup>while</sup> Mandela ~~gives~~ <sup>was drafting</sup> his address to the court, I had written a letter to my sister in England. I tried to give her an idea of how the case was going. I had told her of two young witnesses who said they had been at a conference of the underground ANC in Botswana. They agreed the proceedings were all in English. One understood English; the discussion had to be translated into Xhosa for the other. Both remembered two things only from their two day meeting: that Tambo had opened the meeting and Govan Mbeki had made the main speech; and that they told those present to return to their districts and organise guerilla groups. It was inherently unlikely. Botswanan security police had insisted on being present throughout the meeting. And Mbeki has told us that he opened the conference and Tambo made the main speech. They must have been coached. X

I tell her of the witness who swears he drove Mhlaba around Port Elizabeth at a time when we all knew he was abroad. And of another taxi driver with an elaborate tale of an all-day journey with Mbeki and others in which they stopped at various places to deliver and receive mysterious packages. Of the whole day in the car he remembers no conversation except about electric pylons, and no passengers names except Mbeki's. Yutar asks for descriptions of the packages and the witness says he saw transparent plastic tubes filled with white ~~powder~~ <sup>powder</sup>. Yutar is not satisfied. He asks about it again and gets the same answer - transparent tubes and white powder. The witness returns to the stand the next day. He explains that overnight he has remembered that the tubes were actually opaque and the powder black - Yutar explains that the court translator was at fault. And Mbeki is adamant that if any such journey ever took place, it took place without him. X



I tell her of the man who says he drove Mandela to an illegal ANC meeting in Port Elizabeth - he is certain it was Mandela because he looked then just as he looks now in the dock. He too returns the following day, by which time he has just remembered; the Mandela he drove that day had a heavy black beard. He was not clean shaven as he is now. So this was how the case was being put together. I had no doubt that witnesses were being coached, and that nuggets of falsehoods were being planted amongst the facts. I could see no reason for witnesses to lie unless they were receiving something for it - probably promises of release from custody. I had handed the letter in for censorship and posting by the prison in the normal way, and forgotten about it. Now it is returning to me via the prison to the security police to Yutar.

He puffs himself up in righteous indignation. How dare I make such scurrilous accusations against the police and prosecutions? I remind him that Sergeant Card had said he tells his prisoners what he knows, and keeps them in custody until they confirm it.

Yutar: Are you suggesting that the police force them to agree?

L.B: No. They just keep badgering them until they agree.

Yutar: You say that the state coaches its witnesses. That is a reflection on the prosecutor?

L.B: I am afraid so.

He asks for my evidence of it. I tell the judge that I am being questioned about a letter written six months after my arrest, and cannot see any relevance to this questioning. De Wet says only that these are relevant questions and must be answered. I answer them by citing all the incidents I had given my sister.

Yutar: You say directly that the witnesses were coached?

L.B: That is my deduction.

Yutar: Did you ever say that: 'Apart from police witnesses and documents... all the substantial witnesses have been detainees who made statements under pressure.. and subject to threats of either indefinite detention or prosecution? Did you make that statement?

L.B: I did.

Yutar: Is it true or false?

L.B: I think it is probably true

Yutar: That is a condemnation of course not only of the investigating



officer (Dirker) but of the State prosecutor?

L.B: A condemnation of the state which has provided for witnesses statements to be taken from them under duress.

Yutar's indignation carries him away. He is losing sight of the real case he is supposed to be conducting, and concentrating on the slight to his reputation. He fails to ask me a single question about any of the evidence his own witnesses have given against me, or about any denial of them in my own evidence. Without that, my denials must stand and the state witnesses' tales fall away. He sits down still fuming, his cross-examination of me ended.

There is Goldberg still to come. Unlike Mbeki and Sisulu he has not been in the leadership of MK but an activist operating under the guidance of the High Command. He has been deeply involved in technical investigations concerning Operation Mayibuye's logistical requirements, and has left a trail of evidence which is overwhelming. The lawyers do not advise him to take the witness stand, but it is up to him and he choose to do so. They threaten him with fire and brimstone if he tries to joke his way through his testimony as he usually does everywhere else. Put to the test, he makes about as good a job of defending a hopeless cause as anyone could. For once, Yutar leaves the cross-examination to his assistant prosecutor, Mr. Krog, who gets his only speaking part in the whole trial.

That leaves Mlangeni and Motsoaledi, neither of whom have been in the leadership ranks. Both are members of the ANC, and MK operatives involved in the recruitment and transportation of young men for training abroad. Neither of them has been involved in the activities or the decision-making at Lilliesleaf Farm. The lawyers explain to them the pros and cons of taking the witness stand, and both opt instead to make statements from the dock. Both their statements are short and moving. They reveal the motivations of the many men and women who are the backbone of the liberation movement. They explain how they came to dedicate themselves to the struggle for their peoples' liberation, and why - after years of non-violent political work - they turned in frustration towards MK and its use of political force. The last word is from Elias, who traces the gradual destruction of his life's prospects under apartheid



'until there was nothing left for us to do except suffer. When Umkhonto was formed I was asked to join. I did so. There was nothing else I could do. Any African who thought the way I did about my own life and the lives of the people would have done the same. What I did brought me no personal gain. What I did I did for my people, and because I thought it was the only thing left for me. That is all I have to say.'

Before they sit down, both Elias and Andrew turn to the judge to complain that they were beaten up by police after their arrest. De Wet has gone back into his shell of indifference. He asks the prosecutor to look into it, and adjourns the court. Nothing more is ever heard of it.

There is nothing left except the summing up by each side. Again, Yutar's desk is stacked with carefully bound volumes of his summing up, four volumes to a set. Again he presents a set to the judge, several sets to the press, and a single unbound set to the defence. It is expected that the prosecutor's summing up will review the strengths of the state's evidence and the weaknesses of the defence. In this case it should be simple enough. The three main defence witnesses have admitted and amplified the essential facts on which the prosecution rests, and have only contested the state's allegations of motive and intent. A four volume summary seems unnecessarily ponderous, but the world's press is present and listening. This is the prosecution's big moment and it is not to be underplayed.

Yutar starts reading from Volume 1 of his address.

'Although the State has charged the accused of sabotage, this is nevertheless a case of High Treason par excellence. It is a classic case of the intended overthrow of the government by force and violence with military and other assistance of foreign countries.'

He is making a political speech without reference to the evidence. There is no evidence at all of military or any form of assistance from foreign countries. He is not examining the differences between state and defence testimony but repeating the politically slanted attack on the accused and their organisations with which the case had opened. He is once again justifying the allega-



tions in the indictment not by reference to the evidence but by rhetoric and indignation. His summing up of the case is a repeat of his indictment, but heavily larded with infantile sarcasm and abuse.

'The deceit of the accused is amazing. Although they represented scarcely more than 1% of the African population, they took it upon themselves to tell the world that the Africans in South Africa are suppressed, oppressed and depressed. ...

It is a great pity that the rank and file of the Bantu... who are peaceful, law-abiding, faithful and loyal, should have been duped by false promises of free bread, free transport, free medical services and free holidays. They forgot to mention free holidays.

True - we did not mention free bread, free transport or anything else from this flight of fancy. But that is of no account. He is not dealing with evidence but with fantasies of his own.

'It is tragic to think that the accused, who between themselves did not have the courage to commit a single act of sabotage, should nevertheless have incited their followers to acts of sabotage and guerilla warfare, armed insurrection and open rebellion and ultimately civil war... They would then, from the comforts of their hide-outs ... have surveyed the savage scenes of slaughter on both sides of the opposing forces. ... A man like Goldberg would have gone abroad to join the band of brothers which . included that great and glorious guerilla Goldreich, the heroic Harmel and Hodgson, Slovo the soldier, and the wise Wolpe. From a safe distance of six thousand miles or more they would behold the tragic works of their handicraft.'

He is being carried away by his own rambling drivel, and manufacturing fictions out of his own head. .

'The day of mass uprising in connection with the launching of guerilla warfare was to have been 26th May, 1963. '



De Wet, who has kept an impassive silence through this farrago, comes suddenly to life.

Dr. Yutar, you do concede that you failed to prove guerilla warfare was ever decided upon, do you not?

Yutar does not concede. He has been too absorbed in his own performance to take serious note of Bram's opening statement or the evidence of Mbeki and Sisulu that guerilla war had been discussed but had not been decided upon. He has not bothered to cross-examine either witness about it, but has plucked the date of May 63 out of the air. He improvises a response about 'preparations being made'.

De Wet: The defence concedes ... that preparations were being made in case one day they found it necessary to resort to guerilla warfare. I take it that you have no evidence contradicting that, and that you accept it?

Yutar does not accept, but he has no evidence and backs off with an: 'As your lordship pleases,' and returns to the reading. He is now reading his own summary of Mandela's statement from the dock. De Wet stops him in his tracks. Mandela, he says has admitted guilt on all charges, so a summary would merely confuse the matter. Another: 'As your lordship pleases' and he starts to summarise Sisulu's evidence. De Wet stops him again, for the same reason. He reads on, in disarray, his reading becoming more and more polemical and political, while De Wet goes back into his shell. Yutar seems to have lost all touch with reality. He is no longer a state prosecutor. He is St. George slaying the communist dragon single handed, and a prophet - or perhaps a clown.

'For the edification of your worship, I have decided to nominate a shadow cabinet for the provisional revolutionary government.'

De Wet is not the kind of man to take kindly to being 'edified', but he seems to have given up on Yutar and is letting him blow himself out.



'Goldberg who was alleged to have run a camp for spiritual and health purposes. I name Minister of Health but he will have to learn the truth first....

Mbeki Minister of European Affairs - to administer the white population as he claimed the Ministry of Native Affairs did the blacks';

Bernstein who wrote extensively Minister of Information;

Mhlaba Minister of Foreign Affairs by virtue of his travels abroad.

And so on. This infantile stuff raises chuckles amongst his Special Branch sycophants and doubts about his mental stability with everyone else. He omits nobody: Kathrada Minister of Indian Affairs, Motsoaledi of Lands, Mlangeni of Transport, Hodgson of Munitions, and the country's first black barrister, Duma Nokwe, Minister of Justice.

'For the information that Bob Hepple has given to the police I would like to make him Minister of Informers. And Slovo ... I wish I had the pen of a Pope and a Dryden to describe the infamy of this man who - with Goldreich - was one of the worst traitors to infest South African soil.

And finally Sisulu Minister of the Interior, Mandela Minister of Defence and Deputy Prime Minister; and Chief Albert Luthuli as President.

'I have not been able to find portfolios for all the men involved. But if they run true to form, if and when they come to power there will be a lot of internal strife resulting in many casualties, and they will be able to fill the vacancies which will inevitably arise.'

A petty little man taking advantage of his position to dish out petty abuse. Even by the debased standards of prosecutor's in the apartheid era he is plumbing the depths. De Wet's silent toleration of it reveals the levels to which the courts also have fallen.

Yutar is still not finished. He returns again to my letter to my sister, and my reflections on the prosecution.

'I deny, my Lord, that the State ever coached witnesses. I am a servant of the State. But I say now, and I am prepared to say it under oath: I



have not been told what to say. I am an officer of this court, and I know your Lordship would not countenance ...any conduct which fell short of that expected from an officer of this court. I am disgusted and revolted by the allegations which the defence have made about the conduct of the State.'

It calls to mind Bernard Shaw's observation that: 'A nations morals are like its teeth. The worse they are decayed the more it hurts to touch them.' But he is not finished yet.

'At the outset of my argument I said that this case was one of High Treason par excellence. Because of the people who have lost their lives and suffered injury as a result of the activities of the accused, it is apparent that this case is now one of murder and attempted murder as well.... I make bold to say that every particular allegation in the indictment has been proved.'

It is surreal. Two indictments and all the state and defence evidence is behind us. And now - now! - he adds in new allegations of murder and attempted murder. I am no longer able to feel anger. I can only laugh at this Walter Mitty who has cast himself as the avenging angel - and instead is becoming a clown.

Arthur Chaskelson sums up for the defence. He is the complete lawyer - cool, reasoned, logical.

'The state has told your Lordship that this is a trial for murder and attempted murder, though the indictment alleges military training and sabotage. ... There has been a mass of inadmissible evidence which bears no relation to the indictment. The defence will not even deal with these allegations as they have nothing to do with the case.'

There are however two matters of law which go right to the heart of the charge.

'The defence concedes that Umkhonto we Sizwe recruited men for military training and that members of Umkhonto committed acts of sabotage. The defence denies however that they committed all the acts of sabotage with



which they are charged.

'The evidence is that Umkhonto's policy was only to commit acts of sabotage against government and public property which it labelled 'symbols of apartheid.' The evidence further shows, and stands corroborated by State witnesses Mtolo and Mthembu, that the clear policy of Umkhonto was sabotage without the loss of life. If one member of the conspiracy goes out and commits an act falling outside the ambit of the conspiracy, his fellow conspirators are not legally liable..'

So much for Mtolo and the induna. Arthur analyses the evidence concerning every one of the more than 200 acts of sabotage. It is a devastating criticism of the catch-all character of the prosecution. Of the 193 acts charged, there are only twelve in which the involvement of MK or the High Command has been shown. None of those twelve involved any threat to people or life.

Bram Fischer takes over. He tells the court that he has two crucial issues to argue. First: that though guerilla warfare had been considered, there had been no decision to embark on it.

De Wet: I thought I made my attitude clear. I accept no decision or date was fixed upon for guerilla warfare.

Again, one down and one to go. Bram: 'That though certain sections of the ANC co-operated in the formation and work of MK, the two organisations were always separate and independently controlled.' De Wet intercedes again. This too is shown by the evidence and accepted by him. Bram has laboured mightily for days to prepare a meticulous argument. De Wet has accepted both his main points before he has even argued them. It may not make much difference to the verdict, but could be significant when he comes to sentence. And it could radically affect the thousands of men and women outside the court who have been or still are members of the ANC. For them, a clear distinction between membership of the ANC and MK could make the difference between a simple charge of membership of a banned organisation, and co-responsibility for sabotage and armed preparations. That could be the difference between life and death.



Berrange takes up the argument to the effect that the evidence against three of us - Kathrada, Mhlaba and me - does not sustain the charge. In his coldly controlled way, he is still fuming over Yutar's gratuitous sneers at us and his so-called cabinet list

'the relevance of which we have found it difficult to ascertain.' The accused, with the dignity that has characterised them throughout this trial, have instructed us to ignore these remarks. It is however unusual, and not in the best traditions ... for a prosecutor to deliver himself in this manner. ... Dr. Yutar, in addressing the court, has in instances not accurately set out the facts, and in no instance has he tried to evaluate or analyse the evidence of the witnesses.

'The cross-examination of Bernstein covers 153 pages of transcript. This is not remarkable in itself, but what is remarkable is that, in those 153 pages, there is not one word of cross-examination as to the facts deposed to by Bernstein. The only direct evidence against him related to the erection of the radio masts, ... given by a servant at Rivonia who was in police custody under 90-day detention.'

Yutar: 'The witness was not in 90-day detention. He was in protective custody only.'

There is no such thing in South African law as 'protective custody'. During my cross-examination Yutar had himself described this witness as a 90-day detainee. Berrange quotes that piece of the court record, and adds that the whole of that evidence had denied by me and Yutar had not questioned my denial.

'The evidence is a matter of mistaken identity. This is the only piece of evidence against Bernstein. And on this basis he is entitled to his discharge.'

He turns to the case against Kathrada. He had lived for a time at Rivonia, and recorded a speech intended for broadcast over the ANC radio. None of this proves participation in MK or any of activities. Kathrada too is entitled to his discharge. Mhlaba's case is more problematic. Berrange argues it as convincingly as he can, and asks that he too be discharged, but De Wet is clearly sceptical and not very sympathetic.



The prosecution has the last word, but now only on matters of law, not of fact. Yutar disregards the rules. He is in mid-stream of a recital of the evidence against me which he had failed to deal with during my cross examination. De Wet cuts him short to remind him that: 'You are only entitled to reply on questions of law' Yutar changes tack for the last time, to cite a government proclamation issued during the course of the trial, which declares the ANC and MK to be 'presumed' to be one and the same. The presumption had been made retrospective to cover the whole Rivonia period. At the start of the case, Yutar had boldly told the court that he would not rely on that presumption: his case was so strong. Our lawyers had therefore not troubled to take it into account. Now Yutar seizes on the Proclamation, and argues that Kathrada's broadcast for the ANC must be 'presumed' to be participation in MK. He had never mentioned it before.

De Wet finally loses patience, and asks icily whether Yutar expects the whole case to be reopened so that the defence can re-argue its case in the light of this sudden switch. Yutar may be a mean infighter, but he carries no counter punch. He makes a sharp U turn. 'In the light of the court's view' he will abandon the 'presumption'; his case is still so strong that he does not need it. Finis! Our ordeal in court is over. All that remains is verdict and sentence. The court is adjourned for three weeks.

Little happened in that interval. In my daily exercise period out of my cell there was only Dennis to talk to. There were regular visits from Hilda which both relieved and unsettled me. And for the rest, nothing but reading, writing, and thinking.

The day came for us to return to court. I was showering and shaving al fresco in a freezing courtyard, watched by the same silent warder Du Plessis who had been watching me in silence for the whole year. Gossip about my chances of being found not guilty must have reached him. For the only time that year he actually spoke to me as though I was human, and asked what I would do if I was released later that day. I remembered putting the same question in that very yard to the warder Van Heerden who was near the end of his attendance on the hospital gate, and his reply: 'Man, when I get out of here I'm going to find an easy job.' I tell Du Plessis the story. I get to the punch-line and add: 'I'm going to do the same. Get myself an easy job.' He has been watching me doing nothing for months on end. He looks at me solemnly and says: 'I think



you're right.' It is just talk. I know that, whatever the verdict, I am not going to be released. Even a verdict of 'Not guilty' will change nothing. I will be rearrested, either in court or as soon as I set foot outside it, and charged anew.

The nine of us are together again on the journey to court for the first time in three weeks. There are handshakes and greetings but not much talk. We are all tense. We wait silently in the basement beneath the court, with only an occasional exchange of black jokes. We wish each other luck as we mount the stairs for the last time, and take our places in court. We catch glimpses of families, wives and friends in the gallery but can make no greeting. The orderly calls; 'Silence!' De Wet is seated and waiting and the Clerk calls the case: 'The State versus Mandela and Others'. We rise and face the judge who waits a moment for silence before speaking. He is impassive as ever, inscrutable, his voice so sombre that it scarcely carries to the public gallery behind us.

'I have recorded the reasons for the conclusions I have come to. I do not propose to read them out.

Accused number one - Mandela - is found guilty on all four counts.

Accused number two ... on all four counts. Accused number three...

Accused number four... Accused number five - Kathrada - guilty on count two, and not guilty on counts one, three and four. Accused number six - me - not guilty and is discharged. Accused number seven... eight... nine guilty on all counts.

I will deal with the question of sentence tomorrow.'

He gathers his papers and walks out. I feel only relief from the tension but nothing more - only emptiness. For me, it is all so predictable, and devoid of any real meaning. There is pandemonium in court, and people in the gallery are calling out: 'What did he say?' Police officers and warders are shouting against the crowd and trying to force us from the dock and down the stairs to the cell below.



CHAPTER 19. 1964.

For reasons which I no longer understand, it seems vital that I do not go down those stairs again. If I am going to be re-arrested it must be in open court, in full sight of the press and public. I elbow my way through the ring of policemen around the dock - they are uncertain whether to restrain me - and push through to our lawyers in the well of the court. Detective Sergeant Dirker rushes over and starts to drag me away. He says I am under arrest. Vernon Berrange intercepts him: 'After your disgraceful exhibition in the witness box, I take it you will not oppose bail when we apply for it.' Dirker is intimidated, and pulls me away, muttering a reply which I cannot catch. Captain Swanepoel comes across and joins him and together they hurry me past the empty dock and out of the court. My colleagues are already down in the cells below, and I have not even seen them go. Suddenly I feel terribly alone. We have been together, on and off, for so many years, we have sat together, talked together and decided everything together during the whole year of the trial. We have learnt to depend on each for advice, for strength and courage. Now, suddenly, it is all over. They have gone, without our being able to exchange a word or touch, and without any farewells. It will be twenty-seven years before I see them again.

Things are happening too fast. I no longer feel in control of my own fate, but have become a puppet being pushed about by people like Swanepoel and Dirker. I am unable to celebrate my good fortune; I am still shocked and numb as they take me back to the prison to collect my few belongings. Apart from the warders, I see no one I know and talk to no one. I am <sup>/pot</sup> into the back of a car filled with Special Branch men and taken back to Johannesburg. Swanepoel is bragging to the others as though I am not there. If he had his time over says he would be a barrister - big money just for asking questions. The talk just washes over me. In Johannesburg, I am formally handed over to the uniformed police at Marshall Square, my watch is taken away again, and I am locked back into the cell I had been in in 1960. It is big and empty, with beds for six or eight. After the close confines of my Pretoria cell I feel very much alone, exposed and uneasy. X

The uniformed police cannot hide their dislike of the Special Branch who treat them with the <sup>/same</sup> above-the-law arrogance with which they treat the public. After Pretoria, the regime is relaxed, almost human. I am again 'awaiting trial'. X



Food can be ~~br~~ brought in from outside and Hilda can visit. The desk sergeant suggests that she bring the children next time. Patrick is at boarding school in Swaziland, but I have an emotional reunion with the others in the comparative normality of an office. There are no visible minders. We are all rather stiff and uncertain with each other. I am still feel too numb to do the occasion justice. X

I know from the newspapers that all my colleagues in the Pretoria dock have been sentenced to life imprisonment. That means exactly what it says: life, without remission. It is too awful and depressing to contemplate, though there is comfort in the fact that no one has been sentenced to death. I feel as though something inside me has snapped and all my morale and confidence has leaked out. I am obsessed with thoughts of the comrades I know so well who are now out there somewhere, far away and out of reach. I should be rejoicing that I am not on Robben Island with them, but all I feel is desperate sorrow for them, and for their ideals which have all ended in pain. I keep wondering why it is that only I am here with something still to hope for. Why me? What did I do or say? What did I fail to do that I could have done or should have done? Guilty questions gnaw away at me, but there are no answers. Something has been lost - hope? morale? - I don't know what, and with it my inner spark.

I am at Marshall Square for about a week before my application for bail is to be heard at the Magistrate's Court. I have been too deflated to do anything about it, but Hilda has arranged it all. The charge against me is not yet clear. The charge sheet simply cites an offence under the 'Suppression of Communism Act.' It is Saturday morning. At the Magistrate's Court I am left to wait in a large bare cell in the basement. There are some twenty young men ~~sitting~~ sitting on the floor, with others being brought in from time to time. They are all teenagers or in their early twenties - I am literally old enough to be their father. I sit on the floor with my back against the wall, listening to the talk around me. It is about how and why they have been arrested, and how they plan to talk their way out again. They are all here for what they call 'bottles' or 'wheels. These are the favourite petty crimes of white youths on Friday nights in Johannesburg. Selling on a bottle of prohibited brandy to a black is the easiest way of raising a quick pound; and stealing a car for a joyride the easiest way to a night out. Some of them are already old hands with concocted and unlikely alibis ready; others are apprehensive first-timers. They all strike me as juvenile delinquents rather than criminals. X



They are keeping their courage up before they are hauled off to court. All of them, guilty or innocent, claim they have been framed. They establish their places in the petty crime pecking order by talking up their past offences and boasting of time spent in jail. I take no part in the talk. When they finished measuring each other up someone turns to me: 'What're you in for?' At least he didn't call me 'Dad'. I think 'communism' might give the wrong impression, so I say: 'Treason'. It is an instant conversation stopper. Everyone turns to stare. I recalled the time one of my comrades ~~said~~<sup>gave</sup> the 'treason' answer to a prisoner in the Fort in 1956, and the follow-up question: 'Did they catch you at it?' Here the follow-up is to establish ranking. 'How long've you been in?' I ~~replied to me~~<sup>one-upmanship</sup>. 'One year.' They have been talking in days, or at most weeks. They look at me in awe. This is out of their class. For the first time in my life I feel like 'The Man' in American crime novels - the big criminal in a gaggle of punks. They keep a respectful silence. X

The numbers in the cell dwindle as they are called out one by one for their moment in court, until I am the only one and it is my turn. Hilda and Toni are in the court above, together with Vernon Berrange. It is a place for petty offences which attracts no reporters and no spectators. Vernon makes a formal request for bail. The charge, he says, is not, on the face of it, particularly serious. The Prosecutor does not agree. He says he has been instructed by the Special Branch to oppose bail, but does not know their reasons. Vernon will not let that pass. He has had the assurance, so he says, of the Investigating Officer, Detective Sergeant Dirker, that bail would not be opposed - he must be referring to Dirker's mumbled reply to him in the Pretoria court. He demands that Dirker be called to explain, and the court is adjourned while the prosecutor goes in search of him. But Dirker cannot be found. Vernon insists that ~~some~~<sup>the</sup> one from the Special Branch be called instead. We adjourn again until ~~the~~<sup>the</sup> prosecutor returns to report that he can get no reply on the Special Branch telephone. X

No one suggests why, but everyone in court knows that the Transvaal versus Western Province match for rugby's Currie Cup is about to kick off at Ellis Park. It is the sporting contest of the year - the South African equivalent of the F.A.Cup Final and the Oxford-Cambridge Boat Race rolled into one. It is well past the lunch hour. Everyone in court wants to get away, but the police state appears to have ~~been set aside for more~~<sup>adjourned for the</sup> serious business of the afternoon. Vernon presses the magistrate for a decision; the prosecutor feels X



he has <sup>done</sup> enough and gives way; the magistrate thinks for a few moments and sets bail at £1 000. Somehow Hilda has arranged for the cash. Within the hour I am free and on my way home - by courtesy of Berrange and the South African Rugby Union. ✓

In Pretoria, the state has perpetrated the last dirty fraud of the Rivonia trial. Bram Fischer had been given an undertaking his convicted clients would not be moved from Pretoria before he could consult with them and take their instructions on an appeal. The undertaking has been dishonoured. There have been no consultations, but all except Goldberg have been whipped away to Robben Island a thousand miles away. ~~But~~ Goldberg is still held in Pretoria's Central prison reserved for whites. I know that towards the end of the trial the men had discussed the matter of a possible appeal and had decided not to make one whatever the verdict might be. It would send out the wrong message, and undermine the political purpose of their stance of apologising for nothing and retracting nothing. But that was before. Now the lawyers want them to have proper legal advice and to consider their decision in the light of the verdict and sentence. If they have been denied consultation in Pretoria they ~~will~~ <sup>have</sup> ~~insist on having~~ <sup>to have</sup> it on Robben Island. X

Bram is already on his way to Cape Town where he will combine the consultation with a celebration of his daughter Ilse's birthday. He is in a state of exhaustion. The months he has spent in painstaking and meticulous attention to every detail of the case have taken their toll. He has made himself personally responsible for everything, with the single-handed assistance of his wife Molly. His days have been dedicated to the trial; his nights to working in underground with Hilda and others to reconstruct the shattered Communist Party. He has been living in unrelieved tension, driving himself beyond the bounds of reason and good sense. But that is Bram. He never thinks of self. His worst days must have been when the employees from Lilliesleaf Farm were on the witness stand. Any of them might point directly at him as one of the 'conspirators' they had seen there regularly. But he would not stay away though we all urged him to; the cross-examination could have been left to his colleagues. He had endured that week or more in torturing tension, waiting for an accusatory finger to turn his way; and for no reason except his own sense of duty. In the end no one pointed at him. On top of the other stresses of his



life, that had stretched his courage and self discipline to the limit. He has been holding himself <sup>together</sup> until the end of the trial by will-power alone. But he has brought himself close to end of his tether. X

The afternoon passes between press photographers and reporters and learning to know my family again. As news of my release filters out there are phone calls from friends and relations, and a few close friends arrive surreptitiously across the back fence to welcome me home. I am in no mood for celebration, depressed by the thought of the men buried for life on Robben Island. The children are happy and climbing all over me, but I miss Patrick who is away at boarding school and cannot shake off my inertia. I go to bed depressed, only to be woken at first light by my next door neighbour, Ivan Schermbrucker, who is one of our closest friends. We and our children move freely across adjoining fences from his house to ours, but do not usually intrude into each other's bedrooms at dawn. I ask him what is going on? He sits down heavily on the end of my bed, buries his face in his hands and starts to cry.

I have never known him like this. He is usually strong and good humoured, given to explosive bouts of moral rage rather than to tears. He is a deeply human man who conceals a caring heart under a froth of curses and bloodthirsty promises to 'kill the bastards'. We both know from the pattern of the latest arrests that he is in imminent danger himself. People have been urging him to leave while he still can, but Ivan has been refusing to go. He cannot bring himself to ~~leaving~~ leave friends and comrades who are in the same peril as his but cannot leave. He is living on borrowed time, and so is his wife Lesley who has also been involved in much of his political activity. My immediate thought is that Lesley must have been arrested. I put out a hand to steady him until he can talk. And then he blurts out: 'Its Molly! Molly is dead!' X

Molly Fischer is Bram's wife! Dead? So strong and alive yesterday, dead today? It is impossible to take in. She has been a close and much-loved friend of all of us for many years. She has helped us through all our troubles despite many of her own, and has been the strong prop on whom Bram has always leaned in his legal and political work. Selflessly and without any publicity, she has given the last year to Bram's single-minded mission of saving his Rivonia comrades from the gallows. Only those close to them know how crucial Molly's strength and support have been for Bram and all of us in these testing times. And now, suddenly, she is dead on a road through the Free State on the way to Robben



Island. Their car was nearing a bridge when a motor-cycle came towards them on the wrong side of the road. Bram was driving. ~~The car had~~ <sup>he</sup> <sup>HG</sup> swerved to avoid the rider, left the road and careered down the river bank into the water. Bram and his front seat passenger, Liz Lewin, had managed to struggle free. Molly had been trapped in the back. As they struggled to free her, the car had slipped into deep water. Molly had drowned before their eyes. X

It was the last tragic episode of the Rivonia trial. If only... If only the state had honoured its pledges. If only they had kept Mandela and the others in Pretoria for a consultation, Bram and Molly might not have been on the road to Robben Island. Rivonia had laid a curse on all our lives. This is truly nightmare time, and Hilda, Ivan and I are all in tears. If only... If only Bram and Molly had not felt such personal responsibility. If only our trial had not left Bram so strung out and exhausted. There is nothing we can do but weep. Much later we learn from Liz Lewin that Bram's first thought after the disaster is for those ~~who~~ ~~wait~~ on his mission to Robben Island. He has to call someone and explain. He starts dialling our number. Then he turns to Liz and says: 'Oh no! It's Rusty's first day home. I cannot do this to him!'. So he calls Ivan instead. That is so typically Bram. X

Relief at being home and free does not lift my depression. Molly is to be buried in Johannesburg, and Bram has asked that Hilda make the funeral oration. There will be many mourners - the Fischers are a widely loved and respected family - but Hilda and I are both banned from all gatherings. We apply to the Chief Magistrate for permission to attend the funeral. Refused, on advice from the police. Hilda is ready to ignore the ban and speak whatever the consequences. Her speech is already prepared, but everyone advises Bram against it. Her appearance could be an excuse for police intervention, and turn the funeral into a riot. We remain gloomily at home while the funeral takes place, and Hilda's oration is spoken by Vernon Berrange. It is a bleak and depressing end to a bleak and depressing period in our lives, dominated by arrests, imprisonments and deaths and with no promise of improvement.

June 26th, Freedom Day - but not for me. I am back in court. There is still no detail on the charge and I am remanded for another three months. I spend the time at home, hibernating. I have no work, no expectation of work, and nothing to fill the day except signing the police register at Marshall Square between noon and two. I have no desire to do anything. I sit on our front



stoep in the bright mid-winter sunshine, back against the wall, basking motionless like a lizard. No one calls at the house any more. Most of our friends are in prison or in exile. The few who are not stay away from us to avoid the attention of our police 'minder' who is still watching us from the hut across the road. Special Branch men still arrive at the house unexpectedly at odd hours, claiming to be 'just checking' but keeping up the intimidation.

Bit by bit I learn something of the scale of the political debacle after the Rivonia arrests. It is as though a hurricane has swept through the movement ~~we~~ we were part of, leaving a trail of destruction. There is no longer a cohesive movement. It has been ruthlessly broken up, and all our carefully constructed networks are no more. Only fragments ~~of~~ of our organised groups have weathered the onslaught, a skeleton corps of former activists. Some are cautiously restoring secret links and others are keeping their heads down until the storm has passed. The movement which we had believed we were representing in the Pretoria dock is now almost a thing of the past. One can get no sense of the overall picture. One can only guess which of the survivors have stayed and which have gone, which have kept faith and resisted and which have broken and collaborated. I sit and wonder about the self-sacrificial courage of Mandela, Sisulu and the others in the court at Pretoria and of what purpose it had served. Had it encouraged the mass of the movement's followers, and strengthened their will to resist and resist again? Had it restored their confidence in struggle and given them an example of how it can be fought with pride even in the teeth of adversity? I don't know. I don't think we can ever know - but I look back on it with pride.

I learn a little about what Hilda, Bram, Ivan and a handful of others have been doing while I was in prison. They have taken enormous risks to try and reassemble the fragments of the Party after the debacle and revive the organisation. It required courage and ingenuity to revive a few small groups, only to see them torn apart again by the Security police. Though the results have been minimal they are a tribute to the spirit of the Party members, but not much more. There will be a time to resurrect the political dead, but perhaps it is still too soon. I tell myself that I ought to join in the attempt, but I cannot rouse the energy. I justify myself. I am too notorious, too closely watched; I will give anything the kiss of death by joining in. I am no longer part of the activist fraternity but truly on my own. I should be



thinking of things I can do, taking decisions, being dynamic. But I cannot rise to it. I can only bask and wait for my new trial which is only weeks away.

I ought to be preparing for it but I am growing fatalistic. Whatever the details of the case against me, I can see no chance that I will not be convicted. The evidence from Rivonia alone can convict me of communicating with other banned and listed people; of attending a gathering; of taking part in the activities of banned organisations; and possibly of leaving the Johannesburg Magisterial District - no one knows for sure where the boundary is or whether Lilliesleaf is inside or outside. Each offence can carry a ten year sentence. I do not believe in fairies. I know my case is hopeless, and it will send me back to prison for years, perhaps for ever - if I do not get away. But I cannot rouse myself to decide anything or do anything.

Hilda and I discuss our future endlessly, and inconclusively. We are avoiding any decision, perhaps because we do not want to revive all <sup>the</sup> strains and stresses of the year we are still recovering from. Hilda, I know, has long been prepared to leave, but she has never pressed for it while my instincts ~~are~~ <sup>are</sup> all against it. We know that time is running out and the chance of getting away is getting smaller by the day. The people Hilda has been working with in their attempts to recreate a Party apparatus are now being arrested one by one. The police net is moving close to her. ~~As~~ <sup>A</sup> shocked Lesley Schermbrucker comes over the fence to tell us that Ivan has been arrested. Two others from her circle - Peter Beyleveld and Bartholomew Hlapane have also been arrested and are rumoured to be talking and considering giving evidence against the others. We can no longer wait. Hilda has to get away from the house at once.

For reasons of their own, the Security police favour night-time arrest. Hilda spends several nights sleeping away from home, but risks slipping back surreptitiously each morning to see the children off to school. She cannot bear not to see them though every minute she is in the house is an intolerable strain on both our nerves. A few days pass; nothing happens, so Hilda decides she has had enough and comes back to sleep the night at home. Saturday morning. The children have gone off to play with friends, and Hilda is in the kitchen doing household chores. The phone rings and a stranger with a thick *platteland* accent asks for her. He tells her he has a message from a friend in



Cape Town but cannot give it over the phone. Will she be in later if he calls? She says she will. It has to be bogus. At this time of fear and suspicion no one could be daft enough to announce - on our phone! - that he has a message too secret to be spoken of.

Hilda must get away from the house at once, before he arrives. I am under 24-hour house arrest at weekends and dare not leave the house. I am standing tense and nervous at our living room window, watching the road outside, while Hilda potters about in the kitchen, preparing to go but not going, as if she cannot bring herself to it. A Volkswagen 'beetle' pulls up at our gate and two men climb out. I shout at Hilda: 'OUT NOW! Through the Back!' as they walk up the garden path to our front door. I take my time opening the door. They ask for Hilda and I tell them she is out, though I have no idea whether she is or not.

Out where?

She's gone shopping.

Shopping where?

How should I know?

When will she be back?

I have no idea - a couple of hours maybe. They say they are coming in to check. I have been through this before and plant myself in their path and demand to see a search warrant - as I always do. They ignore me - as they always do - and shoulder me aside as though the law does not apply to them. They search the house and garden. Hilda has vanished. They leave without a word. They are probably already wondering how to report to their superiors without mentioning their tip-off telephone call, made simply to save themselves <sup>pa</sup> little trouble. I know they will be back. And next time there will be no advance warning. X

I have no idea where Hilda is, and dare not leave the house to try and find out. I have no choice but to wait for her to make contact - if they have not already stumbled across her in the street. I know we are now at the end of the road. When they come back, if Hilda is home they will take her away. And if she is not, they will probably take me for questioning or as hostage for her. We no longer have any choice. This is the final reality for us both; either we flee the country together or we go to prison separately for a long long time.



I cannot leave the house, so the only person I can talk to is Lesley who can come over the back fence without being seen by our minder. She and Ivan have often expressed their objection to people leaving the country. For them it has been a matter of principle, an act of solidarity with all those others whose circumstance make it impossible for them to leave. They have lived up to their principles even when Ivan's own arrest was becoming certain. I respect their stand but do not join with it. I reject the idea that there any real political purpose is served by gestures or by self sacrifice. Staying or going has never been a moral principle which everyone should be persuaded to follow. I have stayed because it has been necessary to my personal sense of self respect.

Lesley, I think, understands my position and accepts it as I do hers. She is not given to theoretical debate and does not argue with me now. She accepts that we must go and responds calmly and practically. She knows a reliable man who might take us to Botswana border and put us on course for Lobatse. Within two days the arrangements have been made.

I have managed to trace Hilda and can exchange letters with her through go-betweens. I tell her the arrangements. We tell no one except Toni, her husband Ivan, and my brother. Hilda feels unable to leave without seeing our old friends Borch and Vera Burchard for the last time. She visits them surreptitiously but says nothing about leaving. They know the life we have been living, and Borch senses the truth. He had been through something like this himself in Germany in 1931 when information about a Jewish grandparent came to the notice of the Nazis. The next day he calls at my brother's office - they had never met. He produces a roll of banknotes and puts them on Harold's desk, saying only: 'This is for Rusty.' He is not a wealthy man. He lives by dabbling from home in antiques, in which he is an expert. One week they might dine on a Chippendale table and chairs, the next on plain deal and kitchen chairs if his deal has been a success. For him, £300 was an enormous sum. It was a gesture of friendship which I would treasure for the rest of my life.

Lesley has solved one problem. The money solves another - I had not dared to draw the last remnants from my bank account in case it alerted the authorities. We are ready to go, but not before explaining it all to our children, face to face, and promising that we will send for them to join us as soon as we can. It is dangerous for Hilda to break hiding in order to meet them, but the risk has to be taken. We arrange a rendezvous in an under-used picnic



place not far from our home, and I smuggle the children out through neighbouring gardens and into a borrowed car which is unlikely to be followed. We wait under trees until Hilda arrives on foot, wearing high-heeled shoes which I have never known her to wear, and a borrowed garden-party hat suitable for Royal Ascot. It is a minimal disguise, not very effective, but in their excitement at being with her again Keith and Frances do not appear to notice. Patrick is at school in Swaziland. He was on a camping holiday in Rhodesia when I was arrested. I have not seen him for over a year and he will not even know we are leaving until after we are gone. But the younger ones are visibly upset by our news which they probably cannot understand. It is an unhappy meeting but we dare not prolong it in that exposed place. We are all trying to hold back tears as Hilda kisses and hugs them both for the last time, and then walks away alone on wobbly heels, not looking back. We wait till she is out of sight before I take the children home.

Toni and her husband Ivan (the other Ivan) who had married while I was in jail are living with us. Toni has received the news of our leaving with a characteristic bluntness: 'I don't know why you didn't decide to do it long ago.' They have agreed to stay on in the house and take care of the children for the time being. It is supper time. I say my own farewells to them all, and leave them at the table while I black my hair and eyebrows in private in my own inadequate attempt at a disguise. It is already dark. I have packed a small canvas bag with a water bottle and some minimal essentials for Hilda and myself, and slip out of the house and across our back fence without seeing them again. There can be no going back. I have broken my house arrest order and left my home for ever. X

As arranged, Lesley picks me up in her car not far away, drives me to the west gate of the University and leaves me there to skulk in the deep shadow of the trees. Hilda arrives soon after. We skulk together in fear, waiting for our get-away car and its unknown driver to arrive. I have visions of something sleek and fast, but a beat-up American rattle-trap comes up out of the night and pulls in. The driver gestures us to climb in the back - his young son is in the passenger seat beside him. We do not know him and do not exchange names as he takes off. Hilda and I keep our heads well down, frozen in fear of being recognised as we drive through the town where we are both well known. We are on the main road out of the city and making for the West Rand and Bechuanaland. There is considerable traffic on the road. We shrink down in the back



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seat each time a car comes up to pass, hiding our faces. We are very much aware that if we are stopped now for any reason, we are finished. We can find nothing to say to our driver who we discover is named MacClipper. He seems very relaxed about the whole thing, but has nothing to say to us, ~~until~~ <sup>leave</sup> ~~we~~ ~~reach~~ the West Rand towns behind us and ~~we~~ are nearing Mafeking (now Mofokeng) which is the last town before the border. Then he says sourly: 'The police are always stopping cars in this place,' and he pulls the car off the road on to veld. We can see the town lights in the distance, but the track he is following - if there is one - is invisible to us. He seems to be taking a circuit across the bare veld to by-pass the town. We bump and rattle across unmade ground not far from the black 'location'. Our headlights must be visible from miles away. We are all tense, expecting to be followed or intercepted, but there is no sign of anyone taking any interest in us. MacClipper seems very sure of his route past and beyond the black shanty-town and back to the main road beyond.<sup>1</sup> The lights of Mafeking disappear into the distance behind us.

Around midnight, MacClipper finds the landmark he is watching out for and pulls the car off onto the verge. We get out as he tells us: 'We walk from here. I will go with you for the first mile.' We leave his son asleep alone on the front seat, and he starts. We follow close on his heels. The night is pitch dark. There is no moon and nothing to be seen except the silhouettes of trees against the sky. We are apparently on a sandy track which muffles our footsteps. We must be passing close to some huts. We can hear dogs bark in the distance. He puts a warning finger to his lips to warn us to keep silent. The barking dies, the dogs are behind us and there is no sound except the crickets and the night insects. We walk blindly on, until a cock crows somewhere ahead. MacClipper stops and points. 'You hear that?' We nod, and wait in silence. Another cock crows. 'You hear that?' He points again. 'Walk straight between those two and you will come to the border.' We shake hands and murmur our thanks, and then he turns round is gone, back into the darkness. The cocks do not crow again.

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1 We learnt later that MacClipper had mapped his route to Botswana in the course of a career in cross-border smuggling. He was arrested months later, charged with assisting us and others to cross the border illegally, and convicted.



We walk on blindly in the dark, trying to hold in our minds where the cocks had crowed, following the sandy path by its feel beneath our feet - if it was a path. We are in dry, grassless country where apparently nothing grows except the thorn-bushes we blunder into in the dark. Long thorns tear at our legs and clothing. I try to keep a bearing on the stars, but I know too little about the night sky. Each time I look down to try and glimpse the path, my lode-star is lost amongst a million others blazing in the night sky. We walk what we think is a straight course in the right direction, but there is no fence of any sort. We carry on, walking blindly without any certainty. The ground under our feet changes, and we are stumbling over mounds and furrows as if over roughly ploughed ground peppered with invisible holes. I go down into one up to my thighs. I know we have left whatever track there was and have no idea where we are.

We walk for over an hour. Far off on the horizon we can see the glow of reflected light in the sky. We decide it must be a town - perhaps Lobatse? We change course and head in that direction before we come to our senses and realise that a village of the size of Lobatse could not generate that much light. If it isn't Lobatse, it can only be Mafeking. We must be heading back when we are trying to head away. We are well and truly lost in dangerous ground where we in danger of twisting an ankle or breaking a leg through falling into holes. We no longer know which way is forward and which way back, but we walk away from the glow in the sky, tired and depressed. I have brought nothing that is of any help except a small pocket compass. Its dial is not illuminated. We risk striking a match to look at it knowing that the flare will be visible for miles. We turn to walk west, telling ourselves that that way we must reach the border. But we are moving slower and falling into holes and blundering into thorn bushes which scratch and tear. But still no fence. Finally we give up and decide to rest until it grows light.

When dawn comes we are nowhere. As far as the eye can see, nothing but dry dust-land, withered scrub grass and thorn bush. We must still be inside South Africa. We start up again, walking west again until we see some distant huts - black peoples' huts. They should not be hostile. We will have to take a chance. I leave Hilda sitting half hidden in the shade of some bushes, and go on alone. There are a few men moving about between the huts. I know no Sechuana, so I gather up my scraps of Zulu, pidgin and Afrikaans to make some



sort of greeting and explain my problems. I have to improvise or use English for things like 'border fences' and 'guide.' I am not sure that they understand, but one of <sup>them</sup> says he will show me the way. X

We collect Hilda and follow him along a sandy trail on which there are tyre tracks. Police patrols perhaps? I ask whether the police come past this way. They do, but they are 'OK police. No trouble.' I am uncertain about him. He has asked no questions about us, or where we have come from or why we are walking to the border. Could he be leading us to the OK police? We are dead tired and very uneasy, but there is no choice but to go on. We come to a fence - or rather two. They are ordinary barbed wire farm fences running parallel, perhaps ten yards apart, nothing like the steel meshed, razor-wired and electrified barrier I had in my imagination. I am still doubtful whether this really is the border, but he says it is. We thank him, crawl through between the barbed strands, and walk away as fast as we can. The fence is out of sight. We are out of South Africa and away. Or so we hope and trust.



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