

MANDELA'S DEFENCE AT REGIONAL COURT (No. 62)

I am charged with inciting people to commit an offence by way of protest against the law, a law in which neither I nor any of my people had any say in preparing. The law against which the protest was directed is the law which established a Republic in the Union of South Africa. I am also charged with leaving the country without a passport. This Court has found that I am guilty of incitement to commit an offence in opposition to this law, as well as of leaving the country. But in weighing up the decision as to the sentence which is to be imposed for such an offence, the Court must take into account the question of responsibility, whether it is I who is responsible or whether, in fact, a large measure of the responsibility did not lie on the shoulders of the Government which promulgated that law, knowing that my people as a whole, who constitute the majority of the population of this country were opposed to that law, and knowing further that every legal means of demonstrating that opposition had been closed to them by prior legislation, and by Government administrative action.

The starting point in the case against me is the holding of the Conference in Pietermaritzburg on March 25th and 26th, last year, known as the All-In African Conference, which was called by a committee which had been established by leading people and spokesmen of the whole African population, to consider the situation which was being created by the promulgation of the Republic in this country, without consultation with us, and without our consent. That Conference unanimously rejected the decision of the Government, acting only in the name of and with the agreement of the white minority of this country, to establish a Republic.

It is common knowledge that the Conference decided that in place of the unilateral proclamation of a Republic by the white minority of South Africans only, it would demand, in the name of the African people, the calling of a truly national convention representative

of all South Africans, irrespective of their colour, black and white, to sit amicably around a table, to debate a new constitution for South Africa which was in essence what the Government was doing by the proclamation of a Republic. And furthermore, to press on behalf of the African people, that such new constitution should differ from the constitution of the proposed South African Republic by guaranteeing democratic rights on a basis of full equality to all South Africans of adult age. The conference had assembled, knowing full well that for a long period the present Nationalist Party Government of the Union of South Africa had refused to deal with, to discuss with, or to take into consideration the views of the overwhelming majority of the South African population on this question. And, therefore, it was not enough for this Conference just to proclaim its aim, but it was also necessary for the Conference to find a means of stating that aim strongly and powerfully, despite the Government's unwillingness to listen.

Accordingly it was decided that should the Government fail to summon such a National Convention before May 31st 1961, all sections of the population would be called on to stage a general strike for a period of three days, both to mark our protest against the establishment of a Republic, based completely on white domination over a non-white majority, and also, in a last attempt to persuade the Government to heed our legitimate claims, and thus to avoid a period of increasing bitterness and hostility and discord in South Africa.

At that Conference an Action Council was elected and I became its Secretary. It was my duty, as Secretary of that committee, to establish the machinery necessary for publicising the decision of this Conference and for directing the campaign of propaganda, publicity and organisation which would flow from it. The Court is aware of the fact that I am an Attorney by profession and no doubt the question will be asked why I, as an Attorney who is bound, as part of my code of behaviour to observe

the laws of the country and to respect its customs and traditions, should willingly lend myself to a campaign whose ultimate aim was to bring about a strike against the proclaimed policy of the Government of this country.

In order that the Court shall understand the frame of mind which leads me to action such as this, it is necessary for me to explain the background to my own political development and to try to make this court aware of the factors that influenced me in deciding to act as I did.

Many years ago, when I was a boy brought up in my village in the Transkei, I listened to the elders of the tribe telling stories about the good old days, before the arrival of the white man. Then our people lived peacefully, under the democratic rule of their Kings and their amapokati, and moved freely and confidently up and down the country without let or hindrance. Then the country was ours, in our own name and right. We occupied the land, the forests, the rivers; we extracted the mineral wealth beneath the soil and all the riches of this beautiful country. We set up and operated our own Government, we controlled our own armies, and we organised our own trade and commerce. The elders would tell tales of the wars fought by our ancestors in defence of the fatherland, as well as the acts of valour performed by generals and soldiers during those epic days. The names of Dingaan and Bambata, among the Zulus; of Hintsa, Makana and Mdlambe of the AmaXosa; of Squngati and Dalasile among the AbaTembu; of Sekhukhuni and others in the North, were mentioned as the pride and glory of the entire African nation.

I hoped and vowed then, that among the treasures that life might offer me, would be the opportunity to serve my people and make my own humble contribution to their freedom struggles.

When I reached adult stature, I became a member of the African National Congress. That was in 1944, and I have followed its policy, supported it and believed in its aims and outlook for eighteen years.

Its policy was one which appealed to my deepest inner convictions. It fought for the unity of all Africans, overriding tribal differences amongst them. It sought the acquisition of political power for Africans in the land of their birth. The African National Congress further believed that all people, irrespective of national groups to which they may belong, and irrespective of the colour of their skins, all people whose home is South Africa and who believe in the principles of democracy and of equality of men, should be treated as Africans, that all South Africans are entitled to live a free life on the basis of fullest equality of rights and opportunities in every field, of full democratic rights, with a direct say in the affairs of the Government.

These principles have been embodied in the Freedom Charter, which no-one in this country will dare challenge for its place as the most democratic programme of political principles ever unciated by any political party or organisation in this country. It was for me a matter of joy and pride to be a member of an organisation which has proclaimed so democratic a policy and which campaigned for it militantly and fearlessly.

The principles enumerated in the Charter have not been those of the African people alone, for whom the African National Congress has always been the spokesman. Those principles have been adopted as well by the Indian people and the South African Indian Congress; by a section of the Coloured people, through the South African Coloured People's Congress, and also by a foresighted, forward-looking section of the European population, whose organisation was in days gone by, the South African Congress of Democrats. All these organisations, like the African National Congress, supported completely the demand for one man one vote.

Right at the beginning of my career as an Attorney I encountered difficulties imposed on me because of the colour of my skin, and further difficulty surrounding me because of my membership and support of the African National Congress. I discovered, for example, that unlike a

White Attorney, I could not occupy business premises in the city, unless I first obtained ministerial consent in terms of the Urban Areas Act. I applied for that consent, but it was never granted. Although I subsequently obtained a permit, for a limited period, in terms of the Group Areas Act, that soon expired and the Authorities refused to renew it. They insisted that my partner, Oliver Tambo, and I should leave the city and practice in an African location at the back of beyond, miles away from the Courts, miles away from where clients could reach us during normal working hours. This was tantamount to asking us to abandon our legal practice, to give up the legal service of our people, for which we had spent many years training. No Attorney worth his salt will agree easily to do so. For some years, therefore, we continued to occupy premises in the city, illegally. The threat of prosecution and of ejection hung menacingly over us throughout that period. It was an act of defiance of the law. We were aware that it was, but nevertheless that act had been forced on us against our wishes, and we could do no other than choose between compliance with the law and compliance with our conscience.

In the Courts where we practised we were treated courteously by many officials, but we were very often discriminated against by some and treated with resentment and hostility by others. We were constantly aware that no matter how well, how correctly, how adequately we pursued our careers of law, we could not become a prosecutor, or a magistrate or judge. We became aware of the fact that as Attorneys we often dealt with officials whose competence and attainments were no higher than ours, but whose superior position was maintained and protected by a white skin.

I regarded it as a duty which I owed, not just to my people, but also to my profession, to the practice of law and of justice to all mankind, to cry out against this discrimination which is essentially

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unjust and opposed to the whole basis of the attitude towards justice, which is part of the tradition of legal training in this country. I believed that in taking up a stand against this injustice I was upholding the dignity of what should be an honourable profession.

Nine years ago the Transvaal Law Society applied to the Supreme Court to have my name struck off the roll because of the part I had played in a campaign initiated by the African National Congress, a campaign for the defiance of unjust laws. During that campaign more than 3,000 of the most advanced and farseeing of my own people deliberately courted arrest and imprisonment by breaking specified laws, which we regarded then, as we still do now, as unjust and repressive. In the opinion of the Law Society, my activity in connection with that campaign did not conform to the standard of conduct expected from members of our honourable profession, but on this occasion the Supreme Court held that I had been within my rights as an Attorney, that there was nothing dishonourable in an Attorney identifying himself with his people in their struggle for political rights, even if his activities should infringe upon the laws of the country; the Supreme Court rejected the application of the Law Society. It would not be expected that with such a verdict in my favour I should discontinue my political activities. But your Worship may well wonder why it is that I should find it necessary to persist with such conduct, which has not only brought me the difficulties to which I have referred, but which has resulted in my spending some four years on a charge before the Courts of high treason, for which I was subsequently acquitted, and of many months in jail on no charge at all, merely on the basis of the Government's dislike of my views and of my activities during the emergency period of 1960.

Your Worship, I would say that the whole life of any thinking African in this country drives him continuously to a conflict between his conscience on the one hand and the law on the other. This is not a conflict

peculiar to this country. The conflict arises for men of conscience, for men who think and who feel deeply in every country. Recently in Britain, a peer of the realm, Earl Russell, probably the most respected philosopher of the Western world, was sentenced, convicted for precisely the type of activities for which I stand before you today, for following his conscience in defiance of the law, as a protest against the nuclear weapons policy being followed by his own Government. For him, his duty to the public, his belief in the morality of the essential rightness of the cause for which he stood rose superior to his high respect for the law. He could do no other than to oppose the law and to suffer the consequence for it. Nor can I. Nor can many Africans in this country. The law as it is applied, the law as it has been developed over a long period of history, and especially the law as it is written and designed by the Nationalist Government is a law which, in our view, is immoral, unjust and intolerable. Our consciences dictate that we must protest against it, that we must oppose it and that we must attempt to alter it.

Always we have been conscious of our obligations as citizens to avoid breaches of the law, where such breaches can be avoided; to prevent clash between the Authorities and our people, where such clash can be prevented, but nevertheless, we have been driven to speak up for what we believe is right, and work for it and to try and bring about changes which will satisfy our human conscience.

Throughout its fifty years of existence the African National Congress, for instance, has done everything possible to bring its demands to the attention of successive South African Governments. It has sought at all times peaceful solutions for the country's ills and problems. The history of the A.N.C. is filled with instances where deputations were sent to South African Governments either on specific issues or on the general political demands of our people. I do not wish to burden your Worship by

enunciating the occasions when such deputations were sent; all that I wish to indicate at this stage is that, in addition to the efforts made by former presidents of the A.N.C. when Mr. Strijdom became Prime Minister of this country, my leader, Chief A. J. Luthuli, then President of our organisation, made yet another effort to persuade the Government to consider and heed our point of view. In his letter to the Prime Minister at the time, Chief Luthuli exhaustively reviewed the country's political relations and its dangers, and expressed the view that a meeting between the Government and African leaders had become necessary and urgent.

This statesmanlike and correct behaviour on the part of the leader of the majority of the South African population did not find an appropriate answer from the leader of the South African Government. The standards of behaviour of the South African Government towards my people and its aspirations have not always been what they should have been, and are not always the standards which are to be expected in serious high-level dealings between civilised people. Chief Luthuli's letter was not even favoured with the courtesy of an acknowledgement from the Prime Minister's office.

This experience was repeated after the Pietermaritzburg Conference, when I, as Secretary of the Action Council, elected at that Conference, addressed a letter to the Prime Minister, Dr. Verwoerd, informing him of the resolution which had been taken and calling on him to initiate steps for the convening of such a National Convention as we suggested before the date specified in the resolution. In any civilised country one would be outraged by the failure of the head of Government even to acknowledge receipt of, or to consider such a reasonable request put to him by a broadly representative collection of important personalities and leaders of the most important community of the country. Once again Government standards in dealing with my people fall below what the

civilised world would expect. No reply, no response whatsoever, was received to our letter, no indication was even given that it had received any consideration whatsoever. Here we, the African people, and especially we of the National Action Council, who had been entrusted with a tremendous responsibility of safeguarding the interests of the African people, we were faced with this conflict between the law and our conscience. In the face of the complete failure of the Government to heed, to consider, or even to respond to our seriously proposed objections and proposals for solution to our objections to the forthcoming Republic, what were we to do? Were we to allow the law, which states that you shall not commit an offence by way of protest, to take its course and thus betray our conscience and our belief? were we to uphold our conscience and our beliefs, to strive for what we believe is right, not just for us, but for all the people who live in this country, both the present generation and for generations to come, and transgress against the law? This is the dilemma which faced us and in such a dilemma, men of honesty, men of purpose and men of public morality and of conscience can have only one answer. They must follow the dictates of their conscience irrespective of the consequences which might overtake them for it. We of the Action Council, and I particularly as Secretary, followed the way of conscience.

If I had my time over I should do the same again, so would any man who dares to call himself a man. We went ahead with our campaign as instructed by the Conference and in accordance with its decisions.

The issue that sharply divided White South Africa during the Referendum for a Republic did not interest us. It formed no part in our campaign. Continued association with the British Monarchy on the one hand, or the establishment of a Boer Republic on the other --- this was the crucial issue in so far as the white population was concerned and as it was put to them in the Referendum.

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We are neither monarchists nor admirers of a Voortrekker type of Republic. We believe that we were inspired by aspirations more worthy than either of the groups who took part in the campaign on these issues. We were inspired by the idea of bringing into being a democratic republic where all South Africans will enjoy human rights without the slightest discrimination where African and non-African will be able to live together in peace, sharing a common nationality and a common loyalty to this country, which is our homeland. For these reasons we were opposed to the type of Republic proposed by the Nationalist Party Government, just as we had been opposed previously to the constitutional basis of the Union of South Africa as a part of the British Empire. We were not prepared to accept, (and at a time when constitutional changes were being made, these constitutional changes should not affect the real basis of a South African constitution) white supremacy and white domination, the very basis which has brought South Africa and its Constitution to contempt and to disrepute throughout the world.

I wish now to deal with the campaign itself, with the character of the campaign and with the course of events which followed our decision. From the beginning our campaign was a campaign designed to call on people as a last extreme, if all else failed; if all discussions failed to materialise; if the Government showed no sign of taking any steps to attempt either to treat with us or to meet our demands peacefully, to strike, that is to stay away from work, and to bring economic pressure to bear. There was never any intention that our demonstration at that stage, go any further than that. In all our statements, both those which are before the Court and those which are not before the Court, we made it clear that the strike would be a peaceful protest, in which people were asked to remain in their homes. It was our intention that the demonstration should go through peacefully and peaceably, without clash and conflict, as such demonstrations do in every civilised country.

Nevertheless, around that campaign and our preparations for that campaign was created the atmosphere for civil war and revolution. I would say deliberately created. Deliberately created, not by us your Worship, but by the Government which set out, from the beginning of this campaign, not to treat with us, not to heed us, not to talk to us, but rather to present us as wild, dangerous revolutionaries, intent on disorder and riot, incapable of being dealt with in any way save by the mustering of overwhelming force against us and the implementation of every possible forcible means, legal or illegal, to suppress us. The Government behaved in a way no civilised Government should dare behave when faced with a peaceful, disciplined, sensible and democratic view of its own population. It ordered the mobilisation of its armed forces to attempt to cow and terrorise our peaceful protest. It arrested people known to be active in African politics, and in support of African demands for democratic rights, passed a special law enabling them to hold without trial for twelve days instead of the 48 hours which had been legitimate before, and held them; the majority of them never to be charged before the Courts, but to be released after the date for the strike had passed. If there was a danger during this period that violence would result from the situation in the country, then that possibility was of the Government's making. They set the scene for violence by relying exclusively on violence with which to answer our people and their demands. The countermeasure which they took clearly reflected growing uneasiness on their part, which grew out of the knowledge that their policy did not enjoy the support of the majority of the people, while ours did. It was clear that the Government was attempting to combat the intensity of our campaign by a reign of terror. At the time the newspapers suggested that the strike was a failure and it was said that we did not enjoy the support of the people. I deny that. I deny it and I shall continue to deny it as long as this Government is not prepared to put to the test the question of the opinion of the African

people by consulting them in a democratic way. In any event the evidence in this case has shown that it was a substantial success. Our campaign was intensive and met with tremendous and overwhelming response from the population. In the end, if a strike did not materialise on the scale on which it had been hoped it would, it is not because the people were not willing, but because the overwhelming strength, violence and force of the Government's attack against our campaign had for the time being achieved its aim of forcing us into submission against our wishes and against our conscience.

I wish again to return to the question why people like me, knowing all this, knowing in advance that this Government is incapable of progressive or democratic moves so far as our people are concerned, that this Government is incapable of reacting towards us in any way other than by the use of overwhelming brute force, why I and people like me nevertheless decide to go ahead to do what we must. We have been conditioned to our attitude by history which is not of our making. We have been conditioned by the history of White Government in this country to accept the fact that Africans, when they make their demands strongly and powerfully enough for those demands to have some chance of success, will be met by force and terror on the part of the Government. This is not something we have taught the African people. This is something the African people have learned from their own bitter experience. We learned it from each successive Government. We learned it from the Government of General Smuts at the time of two massacres of our people; the 1921 massacre in Bulhoek when more than 100 men, women and children were killed, and from the 1924 massacre, the Bondelswart massacre in South West Africa in which some 200 Africans were killed. We have continued to learn it from each successive Government.

Government violence can do only one thing and that is

to breed counterviolence. We have warned repeatedly that the
Government, by resorting continually to violence will breed in this country
counterviolence amongst the people, till ultimately, if there is no dawning
of sanity on the part of the Government, the dispute between the
Government and my people will finish up by being settled in violence and
by force. Already there are indications in this country that people, my
 people, Africans, are turning to deliberate acts of violence and of force
 against the Government, in order to persuade the Government, in the only
 language which this Government shows by its own behaviour, that it
 understands.

Elsewhere in the world, a Court would say to me, "You
 should have made representation to the Government". This Court, I am
 confident, will not say so. Representations have been made by people who
 have gone before me, time and time again. Representations were made in
 this case by me; I do not want to repeat the experience of those representations.
 The Court cannot expect a respect for the processes of representation and
 negotiation to grow amongst the African people, when the Government
 shows every day, by its conduct, that it despises them. Nor will the Court,
 I believe, say that under the circumstances, my people are condemned for-
 ever to say nothing and to do nothing. If the Court says that, or believes it,
 I think it is mistaken and deceiving itself. Men are not capable of doing
 nothing, of not reacting to injustice, of not protesting against oppression,
 of not striving for the good society and the good life in the ways they see it.
 Nor will they do so in this country.

Perhaps the Court will say that despite our human rights
 to protest, to object, to make ourselves heard, we should stay within the
 letter of the law. I would say, Sir, that it is the Government, its
 administration of the law, which brings the law into such contempt and dis-
 repute that one is no longer concerned in this country to stay within the letter
 of the law.

I will illustrate this from my own experience. The Government has used the process of law to handicap me in my personal life, my career and my political work in a way which is calculated, in my opinion, to bring a contempt for the law. In December 1952, I was issued with an Order by the Government, not as the result of a trial before a Court and a conviction, but as a result of prejudice, or perhaps chamber procedure behind closed doors in the halls of the Government. In terms of that order I was confined to the magisterial district of Johannesburg for six months, and at the same time, I was prohibited from attending gatherings for a similar period. That order expired in June 1953, and three months thereafter, again without any hearing, without any attempt to hear my side of the case, without facing me with charges, or explanations, both bans were renewed for a further period of two years. To these bans a third one was added; I was ordered by the Minister of Justice to resign altogether from the African National Congress and never again to become a member or to participate in its activities. Towards the end of 1955 I found myself free and able to move around once again, but not for long. In February 1956, the bans were again renewed, administratively, again without hearing, this time for five years. Again, by order of the Government, in the name of the law, I found myself restricted and isolated from my fellowmen, from people who think like me and believe like me. I found myself trailed by officers of the Security Branch of the police force wherever I went. In short, I found myself treated as a criminal, an unconvicted criminal; I was not allowed to pick my company, to frequent the company of men, to participate in their political activities, to join their organisations. I was not free from constant surveillance by the police any more than a convict in one of our jails is free from surveillance. I was made, by the law, a criminal, not because of what I had done, but of what I stood for, because of what I thought, because of my conscience. Can it be any wonder to anybody that such conditions

make man an outlaw of society? Can it be wondered that such a man, having been outlawed by the Government should, be prepared to lead the life of an outlaw, as I have led for some months according to the evidence before this Court?

It has not been easy for me during the past period to separate myself from my wife and children, to say goodbye to the good old days when, at the end of a strenuous day at the office, I could look forward to joining my family at the dinner-table, and instead to take up the life of a man hunted continuously by the police, living separated from those who are closest to me, in my own country, facing continually the hazards of detection and arrest. This has been a life infinitely more difficult than serving a prison sentence. No man in his right senses would voluntarily choose such a life in preference to the one of normal family social life which exists in every civilised community.

But there comes a time, as it came in my life, when a man is denied the right to live a normal life, when he can only live the life of an outlaw because the Government has so decreed to use the law to impose a state of outlawry upon him. I was driven to this situation, and I do not regret having taken the decisions that I did take. Other people will be driven in the same way in this country, by this same force of police persecution and of administrative action by the Government, to follow my course, of that I am certain. The decision that I should continue to carry out the decisions of the Pietermaritzburg Conference, despite police persecution all the time, was not my decision alone. It was a decision reached by me in consultation with those who were entrusted with the leadership of the campaign and its fulfilment. It was clear to us then, in the early periods of the campaign, when the Government was busy whipping up an atmosphere of hysteria of the prelude to violence, that the views of the African people would not be heard, would not find expression, unless attempts were made

deliberately by those of us entrusted with the task of carrying through the strike call, to keep away from the illegal, unlawful attacks of the Special Branch, the unlawful detention of people for twelve days without trial, and unlawful and illegal intervention by the police and the Government forces in legitimate political activity of the population. I was, at the time of the Pietermaritzburg Conference, free from bars for a short time, and a time which I had no reason to expect would prolong itself for very long. Had I remained in my normal surroundings, carrying on my normal life, I would again have been forced by Government action to a position of an outlaw. That I was not prepared to do while the commands of the Pietermaritzburg Conference to me remained unfulfilled. New situations require new tactics. The situation which was not of our making, which followed the Pietermaritzburg Conference, required the tactics which I adopted, I believe, correctly.

A great deal has been written since the Pietermaritzburg Conference, and even more since my arrest, much of which is flattering to my pride and dear to my heart, but much of which is mistaken and incorrect. It has been suggested that the advances, the articulateness of our people, the successes which they are achieving here and the recognition which they are winning both here and abroad are in some way the result of my work. I must place on record my belief that I have been only one in a large army of people, to all of whom the credit for any success of achievement is due. Advance and progress is not the result of my work alone, but of the collective work of my colleagues and myself, both here and abroad, I have been fortunate throughout my political life to work together with colleagues whose abilities and contributions to the cause of my people's freedom have been greater and better than my own, people who have been loved and respected by the African population generally as a result of the dedicated way in which they have fought for peace and freedom and justice in this country. It distressed me to read reports that my arrest had been instigated by some of my colleagues for some sinister purposes of their own.

Nothing could be further from the truth. I dismiss these suggestions as the sensational inventions of unscrupulous journalists. People who stoop to such unscrupulous manoeuvres as the betrayal of their own comrades have no place in the good fight which I have fought for the freedom of the African people which my colleagues continue to fight without me today. Not just I alone, but all of us are willing to pay the penalties which we may have to pay, which I may have to pay for having followed my conscience in pursuit of what I believe is right. Many people in this country have paid the price before me and many will pay the price after me..

I do not believe your Worship, that this Court, in inflicting penalties on me for the crimes for which I am convicted should be moved by the belief that penalties will deter men from the course that they believe is right. History shows that penalties do not deter men when their conscience is aroused, nor will they deter my people or the colleagues with whom I have worked before.

I am prepared to pay the penalty even though I know how bitter and desperate is the situation of an African in the prisons of this country. I have been in these prisons and I know how gross is the discrimination, even behind the prison walls against Africans, how much worse is the condition of treatment meted out to African prisoners than that accorded to whites. Nevertheless, these considerations do not sway me from the path that I have taken nor will they sway others like me. For to men, freedom in their own land is the pinnacle of their ambitions, from which nothing can turn men of conviction aside. More powerful than my fear of the dreadful conditions to which I may be subjected in prison is my hatred for the dreadful conditions to which my people are subjected outside prison throughout this country.

I hate the practice of race discrimination, and in doing so, in my hatred, I am sustained by the fact that the overwhelming majority of mankind hates it equally. I hate the systematic inculcation

of children with colour prejudice and I am sustained in that hatred by the fact that the overwhelming majority of mankind, here and abroad, is with me in that. I hate the racial arrogance which decrees that the good things in life shall be retained at the exclusive right of a minority of the population, and which reduces the majority of the population to a position of subservience and inferiority, and maintains them as voteless chattels to work where they are told, and behave as they are told by the ruling minority, and I am sustained in that hatred by the fact that the overwhelming majority of mankind both in this country and abroad is with me.

Nothing that this Court can do to me will change in any way that hatred in me which can only be removed by the removal of the injustice and inhumanity which I have sought to remove from the political, social and economic life of this country.

Whatever sentence your Worship sees fit to impose on me for the crimes for which I have been convicted before this Court, may it rest assured that when my sentence has been completed I shall still be moved, as men always are moved by their consciences; I shall still be moved by my dislike of the race discrimination against my people when I come out from serving my sentence, to take up again, as best I can, the struggle for the removal of these injustices until they are finally abolished once and for all.

"The structure and organisation of early African societies in this country fascinated me very much and greatly influenced the evolution of my political outlook. The land, then the main means of production, belonged to the whole tribe and there was no individual ownership whatsoever. There were no classes, no rich or poor and exploitation of man by man. All men were free and equal and this was the foundation of government. Recognition of this general principle found expression in the constitution of the council, variously called imbizo, or pitsoor kgotla which governs the affairs of the tribe. The council was so completely democratic that all members of the tribe could participate in its deliberations. Chief and subject, warrior and medicine man, all took part and endeavoured to influence its decisions. It was so weighty and influential a body that no step of importance could ever be taken by the tribe without reference to it.

There was much in such a society that was primitive and insecure and it certainly could never measure up to the demands of the present epoch. But in such a society are contained the seeds of revolutionary democracy in which none will be held in slavery or servitude, and in which poverty, want and insecurity shall be no more. This is the inspiration which, even today, inspires me and my colleagues in our political struggles.

I now wish to deal with the Second Count:

When my colleagues and I received the invitation to attend the Conference of the re-African Freedom Movement for East and Central Africa, it was decided that I should leave the country and join our delegation to Addis Ababa, the capital of Ethiopia, where the Conference would be held. It was part of my mandate to tour Africa and make direct contact with African leaders on the Continent.

I did not apply for a passport because I knew very well that it would not be granted to me. After all, the Nationalist Party Government, throughout the 14 years of its oppressive rule, had refused

permission to leave the country to many African scholars, educationalists, artists, sportsmen and clerics, and I wished to waste none of my time by applying for a passport.

The tour of the Continent made a foreful impression on me. For the first time in my life I was a free man; free from white oppression, from the idiocy of apartheid and racial arrogance, from police molestation, from humiliation and indignity. Wherever I went I was treated like a human being. I met Rashidi Kawawa, Prime Minister of Tanganyika, and Julius Nyerere; I was received by Emperor Haile Selassie, by General Abboud, President of the Sudan, by Habib Bourguiba, President of Tunisia, and by Modibo Keita of the Republic of Mali.

I met Leopold Sanghor, President of Senegal, President Sekou Toure and Toureman of Guinea and Liberia respectively.

I met Ben Bella, the Prime Minister of Algeria, and Col. Boumedienne, the Commander in Chief of the Algerian Army of National Liberation. I saw the cream and flower of the Algerian Youth who had fought French imperialism and whose valour had brought freedom and happiness to their country.

In London I was received by Hugh Gaitskill, Leader of the Labour Party, and by Jo Grimond, leader of the Liberal Party and other prominent Englishmen.

I met Prime Minister Okeale of Uganda, distinguished African nationalists like Kenneth Kaunda, Oginga Odinga, Joshua Nkomo and many others. In all these countries we were showered with hospitality and assured of solid support for our cause.

In its efforts to keep the African people in a position of perpetual subordination South Africa must and will fail. South Africa is out of step with the rest of the civilised world as is shown by the resolution accepted by the General Assembly of the U.N.D. which decided to impose

diplomatic and economic sanctions, In the African states I saw black and white mingling peacefully and happily in hotels, cinemas, trading in the same areas, using the same public transport and living in the same residential areas.

I had to return home to report to my colleagues and to share my impressions and experiences with them.

I have done my duty to my people and to South Africa. I have no doubt that posterity will pronounce that I was innocent and that the criminals who should have been brought before this Court are the members of the Verwoerd Government.

NRM. laucleke

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