

"A gripping insider's view . . . Riveting and sometimes painfully honest."

San Francisco Chronicle



"The memoir is as rich, compelling, thoughtful, and informative as any written or likely to be written by a contemporary politician on the world stage."

— *Book Page*



"An epic tale . . . as riveting as that glorious day in 1990 when Mandela walked sedately out of jail to liberty and leadership."

— *Cleveland Plain Dealer*

LONG WALK TO FREEDOM

The Autobiography of

**NELSON
MANDELA**



Little, Brown and Company

New York Boston

Part Seven

RIVONIA

AFTER CROSSING THE BORDER, I breathed in deeply. The air of one's home always smells sweet after one has been away. It was a clear winter night and somehow even the stars looked more welcoming here than from elsewhere on the continent. Though I was leaving a world where I experienced freedom for the first time and returning to one where I was a fugitive, I was profoundly relieved to be back in the land of my birth and destiny.

Between Bechuanaland and the northwestern Transvaal, dozens of unmarked roads traverse the border, and Cecil knew just which ones to take. During the drive, he filled me in on many of the events I had missed. We drove all night, slipping across the border just after midnight and reaching Liliesleaf Farm at dawn. I was still wearing my beat-up khaki training uniform.

Once at the farm, I did not have time for rest and reflection because the following night we held a secret meeting for me to brief the Working Committee on my trip. Walter, Moses Kotane, Govan Mbeki, Dan Tloome, J. B. Marks, and Duma Nokwe all arrived at the farm, a rare reunion. I first gave a general overview of my travels, itemizing the money we had received and the offers of training. At the same time, I reported in detail the reservations I had encountered about the ANC's cooperation with whites, Indians, particularly Communists. Still ringing in my ears was my final meeting with the Zambian leaders who told me that while they knew the ANC was stronger and more popular than the PAC, they understood the PAC's pure African nationalism but were bewildered by the ANC's nonracialism and Communist ties. I informed them that Oliver and I believed the ANC had to appear more independent to reassure our new allies on the continent, for they were the ones who would be financing and training Umkhonto we Sizwe. I proposed reshaping the Congress Alliance so that the ANC would clearly be seen as the leader, especially on issues directly affecting Africans.

This was a serious proposition, and the entire leadership had to be consulted. The Working Committee urged me to go down to Durban and brief the chief. All agreed except Govan Mbeki, who

was not then living at Liliesleaf Farm but was present as part of the High Command of MK. He urged me to send someone else. It was simply too risky, he said, and the organization should not jeopardize my safety, especially as I was newly returned and ready to push ahead with MK. This wise advice was overruled by everyone, including myself.

I left the next night from Rivonia in the company of Cecil, again posing as his chauffeur. I had planned a series of secret meetings in Durban, the first of which was with Monty Naicker and Ismail Meer to brief them about my trip and to discuss the new proposal. Monty and Ismail were extremely close to the chief, and the chief trusted their views. I wanted to be able to tell Luthuli I had spoken to his friends and convey their reaction. Ismail and Monty, however, were disturbed by my belief that the ANC needed to take the lead among the Congress Alliance and make statements on its own concerning affairs that affected Africans. They were against anything that unraveled the alliance.

I was taken to Groutville, where the chief lived, and we met in the house of an Indian lady in town. I explained the situation to the chief at some length, and he listened without speaking. When I was done, he said he did not like the idea of foreign politicians dictating policy to the ANC. He said we had evolved the policy of nonracialism for good reasons and he did not think that we should alter our policy because it did not suit a few foreign leaders.

I told the chief that these foreign politicians were not dictating our policy, but merely saying that they did not understand it. My plan, I told him, was simply to effect essentially cosmetic changes in order to make the ANC more intelligible — and more palatable — to our allies. I saw this as a defensive maneuver, for if African states decided to support the PAC, a small and weak organization could suddenly become a large and potent one.

The chief did not make decisions on the spur of the moment. I could see he wanted to think about what I had said and talk to some of his friends about it. I said farewell, and he advised me to be careful. I still had a number of clandestine meetings in the city and townships that evening. My last meeting that evening was with the MK Regional Command in Durban.

The Durban Command was led by a sabotage expert named

Bruno Mtolo, whom I had never met before, but would meet again under dramatically different circumstances. I briefed them on my trip to Africa, about the support we had received and the offers of training. I explained that for the moment MK was limited to sabotage, but that if sabotage did not have the desired effect we would probably move on to guerrilla warfare.

Later that same evening, at the home of the photojournalist G. R. Naidoo, where I was staying, I was joined by Ismail and Fatima Meer, Monty Naicker, and J. N. Singh for what was a combination welcome-home party and going-away party, for I was leaving the next day for Johannesburg. It was a pleasant evening and my first night of relaxation in a long while. I slept well and I met Cecil on Sunday afternoon — the fifth of August — for the long drive back to Johannesburg in his trusty Austin.

I wore my chauffeur's white dust-coat and sat next to Cecil as he drove. We often took turns spelling each other behind the wheel. It was a clear, cool day and I reveled in the beauty of the Natal countryside; even in winter, Natal remains green. Now that I was returning to Johannesburg I would have some time to see Winnie and the children. I had often wished that Winnie could share with me the wonders of Africa, but the best I could do was to tell her what I had seen and done.

Once we left the industrial precincts of Durban, we moved through hills that offered majestic views of the surrounding valleys and the blue-black waters of the Indian Ocean. Durban is the principal port for the country's main industrial area, and the highway that leads to Johannesburg runs parallel to the railway line for a great distance. I went from contemplating the natural beauty to ruminating on the fact that the railway line, being so close to the highway, offered a convenient place for sabotage. I made a note of this in the small notebook I always carried with me.

Cecil and I were engrossed in discussions of sabotage plans as we passed through Howick, twenty miles northwest of Pietermaritzburg. At Cedara, a small town just past Howick, I noticed a Ford V-8 filled with white men shoot past us on the right. I instinctively turned round to look behind and I saw two more cars filled with white men. Suddenly, in front of us, the Ford was signaling us to stop. I knew in that instant that my life on the run was over; my seventeen months of "freedom" were about to end.

As Cecil slowed down he turned to me and said, "Who are these men?" I did not answer because we both knew full well who they were. They had chosen their hiding-spot well; to the left of us was a steep wooded bank they could have forced us into had we tried to elude them. I was in the left-hand passenger seat, and for a moment I thought about jumping out and making an escape into the woods, but I would have been shot in a matter of seconds.

When our car stopped, a tall slender man with a stern expression on his face came directly over to the window on the passenger side. He was unshaven and it appeared that he had not slept in quite a while. I immediately assumed he had been waiting for us for several days. In a calm voice, he introduced himself as Sergeant Vorster of the Pietermaritzburg police and produced an arrest warrant. He asked me to identify myself. I told him my name was David Motsamayi. He nodded, and then, in a very proper way, he asked me a few questions about where I had been and where I was going. I parried these questions without giving him much information. He seemed a bit irritated and then, he said, "Ag, you're Nelson Mandela, and this is Cecil Williams, and you are under arrest!"

He informed us that a police major from the other car would accompany us back to Pietermaritzburg. The police were not yet so vigilant in those days, and Sergeant Vorster did not bother searching me. I had my loaded revolver with me, and again, I thought of escape, but I would have been greatly outnumbered. I secretly put the revolver — and my notebook — in the upholstery between my seat and Cecil's. For some reason, the police never found the gun or the small notebook, which was fortunate, for many more people would have been arrested if they had.

At the police station I was led into Sergeant Vorster's office, where I saw a number of officers, one of whom was Warrant Officer Truter, who had testified in the Treason Trial. Truter had made a favorable impression on the accused because he had accurately explained the policy of the ANC, and had not exaggerated or lied. We greeted each other in a friendly way.

I had still not admitted to anything other than the name David Motsamayi, and Truter said to me, "Nelson, why do you keep up this farce? You know I know who you are. We all know who you are." I told him simply that I had given a name and that is the name

I was standing by. I asked for a lawyer and was curtly refused. I then declined to make a statement.

Cecil and I were locked in separate cells. I now had time to ruminate on my situation. I had always known that arrest was a possibility, but even freedom fighters practice denial, and in my cell that night I realized I was not prepared for the reality of capture and confinement. I was upset and agitated. Someone had tipped off the police about my whereabouts; they had known I was in Durban and that I would be returning to Johannesburg. For weeks before my return the police believed that I was already back in the country. In June, newspaper headlines blared "RETURN OF THE BLACK PIMPERNEL" while I was still in Addis Ababa. Perhaps that had been a bluff?

The authorities had been harassing Winnie in the belief that she would know whether or not I was back. I knew that they had followed her and searched the house on a number of occasions. I guessed they had figured I would visit Chief Luthuli directly upon my return, and they were correct. But I also suspected they had information that I was in Durban at that time. The movement had been infiltrated with informers, and even well-intentioned people were generally not as tight-lipped as they should have been. I had also been lax. Too many people had known I was in Durban. I had even had a party the night before I left, and I chastised myself for letting down my guard. My mind ricocheted among the possibilities. Was it an informer in Durban? Someone from Johannesburg? Someone from the movement? Or even a friend or member of the family? But such speculation about unknowns is futile, and with the combination of mental and physical exhaustion, I soon fell deeply asleep. At least on this night — August 5, 1962 — I did not have to worry about whether the police would find me. They already had.

In the morning, I felt restored and I braced myself for the new ordeal that lay ahead of me. I would not, under any circumstances, seem despairing or even disappointed to my captors. At 8:30 I appeared before the local magistrate and was formally remanded to Johannesburg. It was low-key, and the magistrate seemed no more concerned than if he were handling a traffic summons. The police had not taken elaborate precautions for the trip back to Johannes-

burg or for my security, and I merely sat in the backseat of a sedan, unhandcuffed, with two officers riding in front. My arrest had been discovered by my friends; Fatima Meer brought some food to the jail for me and I shared it with the two officers in the car. We even stopped at Volksrust, a town along the way, and they allowed me to take a brief walk to stretch my legs. I did not contemplate escape when people were kind to me; I did not want to take advantage of the trust they placed in me.

But as we approached Johannesburg, the atmosphere changed. I heard an announcement over the police radio of my capture and the order to fold up the roadblocks to and from Natal. At sunset, on the outskirts of Johannesburg, we were met by a sizable police escort. I was abruptly handcuffed, taken from the car, and placed in a sealed police van with small opaque windows reinforced with wire netting. The motorcade then took a circuitous and unfamiliar route to Marshall Square as if they were concerned we might be ambushed.

I was locked in a cell by myself. In the quiet of the cell I was planning my strategy for the next day, when I heard a cough from a nearby cell. I did not realize a prisoner was close by, but more than that, there was something about this cough, something that struck me as curiously familiar. I sat up in sudden recognition and called out, "Walter?"

"Nelson, is that you?" he said, and we laughed with an indescribable mixture of relief, surprise, disappointment, and happiness. Walter, I learned, had been arrested shortly after my own arrest. We did not think that the arrests were unrelated. While this was not the most auspicious place for a meeting of the National Working Committee, it was certainly convenient and the night sped by as I gave him a full account of my arrest, as well as my meetings in Durban.

The next day I appeared in court before a senior magistrate for formal remand. Harold Wolpe and Joe Slovo had come to court after hearing of my arrest, and we conferred in the basement. I had appeared before this magistrate on numerous occasions in my professional capacity and we had grown to respect one another. A number of attorneys were also present, some of whom I knew quite well. It is curious how one can be easily flattered in certain situations by

otherwise insignificant incidents. I am by no means immune to flattery in normal circumstances, but there I was, a fugitive, number one on the state's Most Wanted list, a handcuffed outlaw who had been underground for more than a year, and yet the judge, the other attorneys, and the spectators all greeted me with deference and professional courtesy. They knew me as Nelson Mandela attorney-at-law, not Nelson Mandela outlaw. It lifted my spirits immensely.

During the proceedings, the magistrate was diffident and uneasy, and would not look at me directly. The other attorneys also seemed embarrassed, and at that moment, I had something of a revelation. These men were not only uncomfortable because I was a colleague brought low, but because I was an ordinary man being punished for his beliefs. In a way I had never quite comprehended before, I realized the role I could play in court and the possibilities before me as a defendant. I was the symbol of justice in the court of the oppressor, the representative of the great ideals of freedom, fairness, and democracy in a society that dishonored those virtues. I realized then and there that I could carry on the fight even within the fortress of the enemy.

When I was asked the name of my counsel, I announced that I would represent myself, with Joe Slovo as legal adviser. By representing myself I would enhance the symbolism of my role. I would use my trial as a showcase for the ANC's moral opposition to racism. I would not attempt to defend myself so much as put the state itself on trial. That day, I answered only the questions as to my name and choice of counsel. I listened silently to the charges: inciting African workers to strike and leaving the country without valid travel documents. In apartheid South Africa, the penalties for these "crimes" could be as much as ten years in prison. Yet the charges were something of a relief: the state clearly did not have enough evidence to link me with Umkhonto we Sizwe or I would have been charged with the far more serious crimes of treason or sabotage.

Only as I was leaving the courtroom, did I see Winnie in the spectators' gallery. She looked distressed and gloomy; she was undoubtedly considering the difficult months and years ahead, of life on her own, raising two small children, in an often hard and forbidding city. It is one thing to be told of possible hardships ahead, it is entirely another to actually have to confront them. All I could

do, as I descended the steps to the basement, was to give her a wide smile, as if to show her that I was not worried and that she should not be either. I cannot imagine that it helped very much.

From the court, I was taken to the Johannesburg Fort. When I emerged from the courthouse to enter the sealed van, there was a crowd of hundreds of people cheering and shouting "*Amandla!*" followed by "*Ngawethu,*" a popular ANC call-and-response meaning "Power!" and "The power is ours!" People yelled and sang and pounded their fists on the sides of the van as the vehicle crawled out of the courthouse exit. My capture and case had made headlines in every paper: "POLICE SWOOP ENDS TWO YEARS ON THE RUN" was one; "NELSON MANDELA UNDER ARREST" was another. The so-called Black Pimpernel was no longer at large.

A few days later Winnie was granted permission to visit me. She had gotten dressed up and now, at least on the face of it, appeared less glum than before. She brought me a new pair of expensive pajamas and a lovely silk gown more appropriate to a salon than a prison. I did not have the heart to tell her it was wholly inappropriate for me to wear such things in jail. I knew, however, that the parcel was a way of expressing her love and a pledge of solidarity. I thanked her, and although we did not have much time we quickly discussed family matters, especially how she would support herself and the children. I mentioned the names of friends who would help her and also clients of mine who still owed me money. I told her to tell the children the truth of my capture, and how I would be away for a long time. I said we were not the first family in this situation, and that those who underwent such hardships came out the stronger. I assured her of the strength of our cause, the loyalty of our friends, and how it would be her love and devotion that would see me through whatever transpired. The officer supervising the visit turned a blind eye, and we embraced and clung to each other with all the strength and pent-up emotion inside each of us, as if this were to be the final parting. In a way, it was, for we were to be separated for much longer than either of us could then have imagined. The warrant officer allowed me to accompany Winnie part of the way to the main gate where I was able to watch her, alone and proud, disappear around the corner.

50

AT THE FORT I was being supervised by Colonel Minnaar, a courtly Afrikaner considered something of a liberal by his more *verkrampste* (hard-line) colleagues. He explained that he was placing me in the prison hospital because it was the most comfortable area and I would be able to have a chair and table on which I could prepare my case. While the hospital was indeed comfortable — I was able to sleep in a proper bed, something I had never done before in prison — the real reason for his generosity was that the hospital was the safest place to keep me. To reach it one had to pass through two impregnable walls, each with armed guards; and once inside, four massive gates had to be unlocked before one even reached the area where I was kept. There was speculation in the press that the movement was going to attempt to rescue me, and the authorities were doing their utmost to prevent it.

There had also been wild speculations, in the press and within the ANC, that I had been betrayed by someone in the movement. I knew that some people blamed G. R. Naidoo, my Durban host, a suggestion I believe was unfounded. The press trumpeted the notion that I had been betrayed by white and Indian Communists who were unsettled by my suggestions that the ANC must become more Africanist-oriented. But I believed these stories were planted by the government to divide the Congress movement, and I regarded it as malicious mischief. I later discussed the matter not only with Walter, Duma, Joe Slovo, and Ahmed Kathrada, but with Winnie, and I was gratified to see that they shared my feelings. Winnie had been invited to open the annual conference of the Transvaal Indian Youth Congress, and at my instigation she repudiated these rumors in no uncertain terms. The newspapers were filled with stories of her beauty and eloquence. "We shall not waste time looking for evidence as to who betrayed Mandela," she told the audience. "Such propaganda is calculated to keep us fighting one another instead of uniting to combat Nationalist oppression."

The most oft-cited story was that an American consular official with connections to the CIA had tipped off the authorities. This

story has never been confirmed and I have never seen any reliable evidence as to the truth of it. Although the CIA has been responsible for many contemptible activities in its support of American imperialism, I cannot lay my capture at their door. In truth, I had been imprudent about maintaining the secrecy of my movements. In retrospect, I realized that the authorities could have had a myriad of ways of locating me on my trip to Durban. It was a wonder in fact that I wasn't captured sooner.

I spent only a few days in the Fort's hospital before being transferred to Pretoria. There had been no restrictions on visits in Johannesburg, and I had had a continuous stream of people coming to see me. Visitors keep one's spirits up in prison, and the absence of them can be disheartening. In transferring me to Pretoria, the authorities wanted to get me away from my home turf to a place where I would have fewer friends dropping by.

I was handcuffed and taken to Pretoria in an old van in the company of another prisoner. The inside of the van was filthy and we sat on a greasy spare tire, which slid from side to side as the van rumbled its way to Pretoria. The choice of companion was curious: his name was Nkadimeng and he was a member of one of Soweto's fiercest gangs. Normally, officials would not permit a political prisoner to share the same vehicle with a common-law criminal, but I suspect they were hoping I would be intimidated by Nkadimeng, who I assumed was a police informer. I was dirty and annoyed by the time I reached prison, and my irritation was aggravated by the fact that I was put in a single cell with this fellow. I demanded and eventually received separate space so that I could prepare my case.

I was now permitted visitors only twice a week. Despite the distance, Winnie came regularly and always brought clean clothes and delicious food. This was another way of showing her support, and every time I put on a fresh shirt I felt her love and devotion. I was aware of how difficult it must have been to get to Pretoria in the middle of the day in the middle of the week with two small children at home. I was visited by many others who brought food, including the ever-faithful Mrs. Pillay who supplied me with a spicy lunch every day.

Because of the generosity of my visitors I had an embarrassment of riches and wanted to share my food with the other prisoners on

my floor. This was strictly forbidden. In order to circumvent the restrictions, I offered food to the warders, who might then relent. With this in mind I presented a shiny red apple to an African warder who looked at it and stonily rebuffed me with the phrase "*Angiyi-funi*" (I don't want it). African warders tend to be either much more sympathetic than white warders, or even more severe, as though to outdo their masters. But, a short while later, the black warder saw a white warder take the apple he had rejected, and changed his mind. Soon I was supplying all my fellow prisoners with food.

Through the prison grapevine, I learned that Walter had been brought to Pretoria as well, and although we were isolated from each other we did manage to communicate. Walter had applied for bail — a decision I fully supported. Bail has long been a sensitive issue within the ANC. There are those who believed we should always reject bail, as it could be interpreted that we were fainthearted rebels who accepted the racist strictures of the legal system. I did not think this view should be universally applied and believed we should examine the issue on a case-by-case basis. Ever since Walter had become secretary-general of the ANC, I had felt that every effort should be made to bail him out of prison. He was simply too vital to the organization to allow him to languish in jail. In his case, bail was a practical not a theoretical issue. It was different in my own case. I had been underground; Walter had not. I had become a public symbol of rebellion and struggle; Walter operated behind the scenes. He agreed that no application for bail should be made in my case. For one thing, it would not have been granted and I did not want to do anything that might suggest that I was not prepared for the consequences of the underground life I had chosen.

Not long after Walter and I reached this decision I was again transferred back to the hospital at the Fort. A hearing had been set for October. Little can be said in favor of prison, but enforced isolation is conducive to study. I had begun correspondence studies for my LL.B., a bachelor of laws degree allowing one to practice as an advocate. One of the first things I had done after arriving at Pretoria Local was to send a letter to the authorities notifying them of my intention to study and requesting permission to purchase a copy of the Law of Torts, part of my syllabus.

A few days later, Colonel Aucamp, commanding officer of Pretoria Local and one of the more notorious of prison officials,

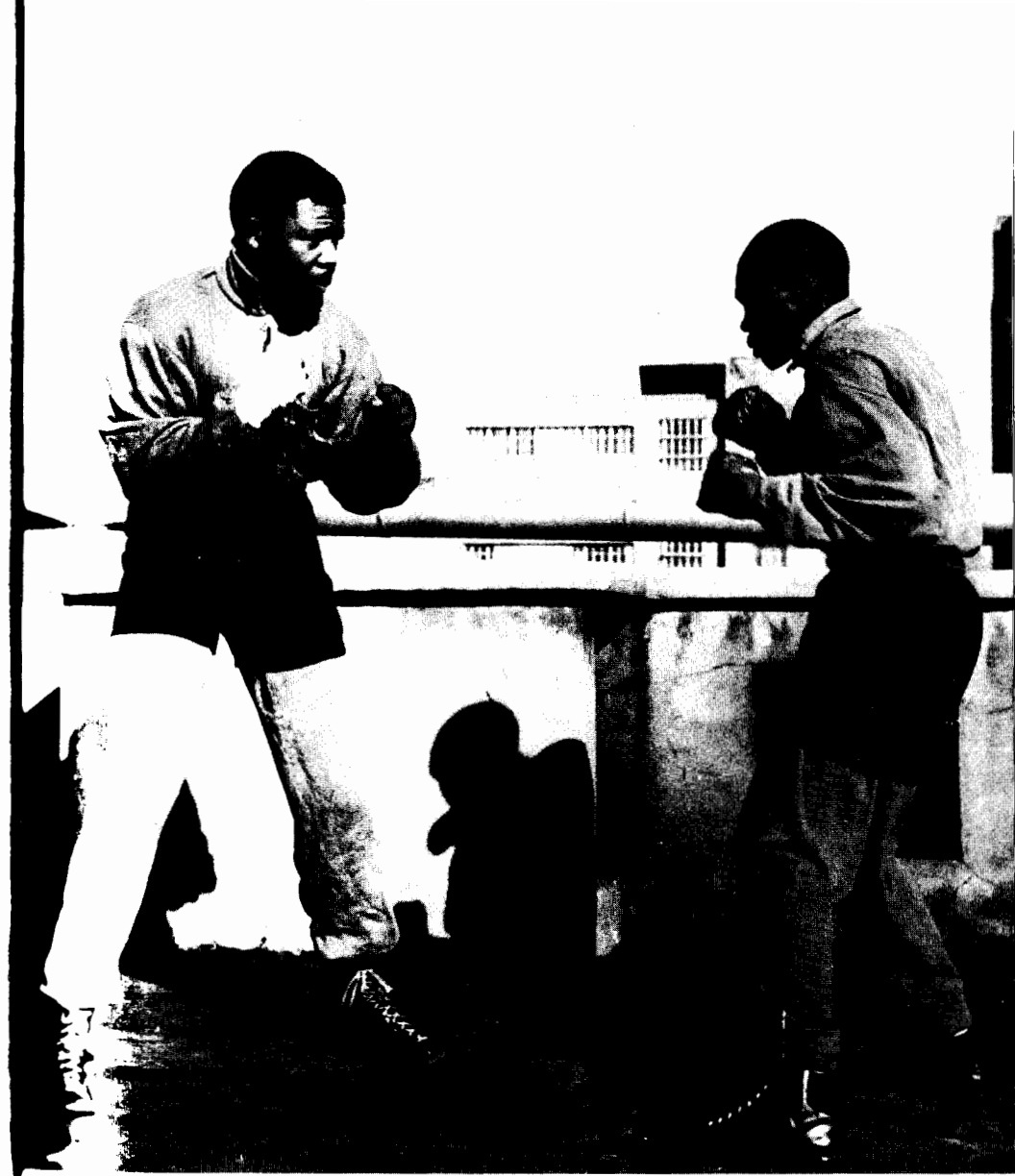
marched into my cell and in a gloating manner said, "Mandela, we have got you now!" Then he said, "Why do you want a book about torches, man, unless you plan to use it for your damn sabotage?" I had no idea what he was talking about, until he produced my letter requesting a book about what he called "the Law of Torches." I smiled at this and he became angry that I was not taking him seriously. The Afrikaans word for "torch" is *toorts*, very similar to tort, and I explained to him that in English *tort* was a branch of law not a burning stick of wood that could be used to set off a bomb. He went away in a huff.

One day I was in the prison courtyard at the Fort doing my daily exercises, which consisted of jogging, running in place, push-ups, and sit-ups, when I was approached by a tall, handsome Indian fellow named Moosa Dinath whom I had known slightly as a prosperous, even flamboyant businessman. He was serving a two-year sentence for fraud. On the outside we would have remained acquaintances, but prison is an incubator of friendship. Dinath would often accompany me on my jogs around the courtyard. One day he asked whether I had any objection if he obtained permission from the commanding officer to be near me in the prison hospital. I told him that I would welcome it, but I thought to myself that the authorities would never permit it. I was wrong.

It was exceedingly odd that a convicted prisoner like Dinath was permitted to stay together with a political prisoner awaiting trial. But I said nothing, as I was glad to have company. Dinath was wealthy and had a private payroll for the prison authorities. In return for his money, he received many privileges: he wore clothes meant for white prisoners, ate their diet, and did no jail work at all.

One night, to my astonishment, I observed Colonel Minnaar, who was the head of prison, and a well-known Afrikaner advocate come to fetch him. Dinath then left prison for the night and did not come back again until the morning. If I had not seen it with my own eyes I would not have believed it.

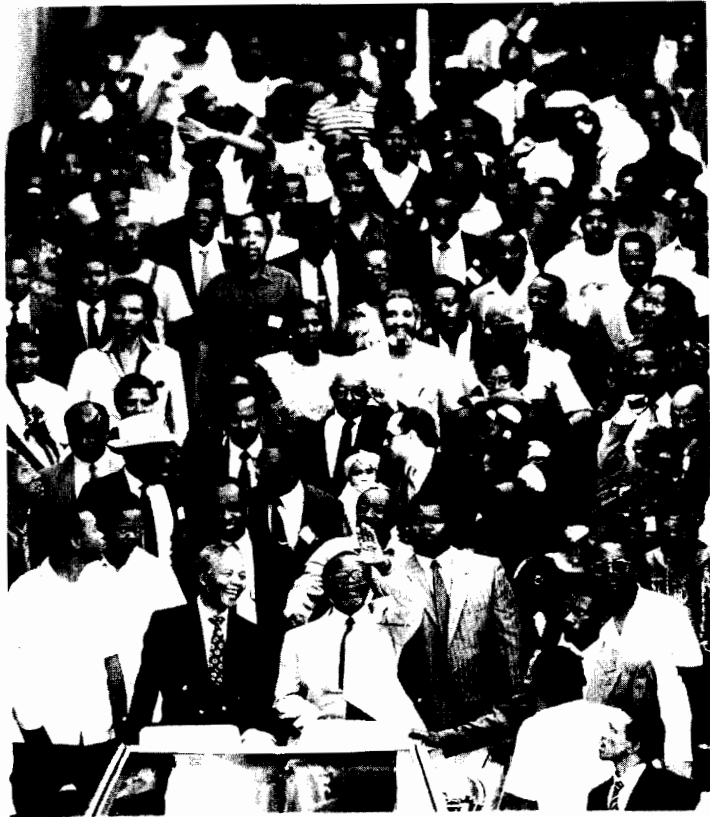
Dinath regaled me with tales of financial shenanigans and corruption among cabinet ministers, which I found fascinating. It confirmed to me how apartheid was a poison that bred moral decay in all areas. I scrupulously avoided discussing with him any matters of a political or sensitive nature on the grounds that he might also have



Sparring with Jerry Moloi. (Bob Gosani/Bailey's African History Archives)



Above, left:
A private exchange
between old
comrades. (*Peter
Magubane*)



Above:
In December of 1991
Oliver Tambo
returned home to
South Africa after
more than thirty
years in exile.
(*Associated Press*)

Left:
Oliver's welcome
home rally in
Johannesburg.
(*Associated Press*)

been an informer. He once asked me to tell him about my African trip and I simply glossed over it. In the end, Dinath pulled enough strings to speed up his release and left after serving only four months of his two-year sentence.

Escape serves a double purpose: it liberates a freedom fighter from jail so that he can continue to fight, but offers a tremendous psychological boost to the struggle and a great publicity blow against the enemy. As a prisoner, I always contemplated escape, and during my various trips to and from the commanding officer's office, I carefully surveyed the walls, the movements of the guards, the types of keys and locks used in the doors. I made a detailed sketch of the prison grounds with particular emphasis on the exact location of the prison hospital and the gates leading out of it. This map was smuggled out to the movement with instructions to destroy it immediately after it was perused.

There were two plans, one hatched by Moosa Dinath, which I ignored; the second was conceived by the ANC and communicated to me by Joe Slovo. It involved bribes, copies of keys, and even a false beard that was to be sewn into the shoulder pad of one of my jackets brought to me in prison. The idea was that I would don the beard after I had made my escape. I carefully considered the escape plan and concluded that it was premature, and the likelihood of its failure was unacceptably high. Such a failure would be fatal to the organization. During a meeting with Joe, I passed him a note communicating my views. I wrote that MK was not ready for such an operation; even an elite and trained force would probably not be able to accomplish such a mission. I suggested that such a gambit be postponed until I was a convicted prisoner and the authorities were less cautious. At the end, I wrote, "Please destroy this after you have finished reading it." Joe and the others took my advice about not attempting the escape, but he decided the note should be saved as a historical document, and it later turned up at a very unfortunate time.

51

THE INITIAL HEARING was set for Monday, October 15, 1962. The organization had set up a Free Mandela Committee and launched a lively campaign with the slogan "Free Mandela." Protests were held throughout the country and the slogan began to appear scrawled on the sides of buildings. The government retaliated by banning all gatherings relating to my imprisonment, but this restriction was ignored by the liberation movement.

In preparation for Monday's hearing, the Free Mandela Committee had organized a mass demonstration at the courthouse. The plan was to have people line both sides of the road along the route my van would take. From press reports, conversations with visitors, and even the remarks of prison guards, I learned that a large and vociferous turnout was expected.

On Saturday, while I was preparing myself for the Monday hearing, I was ordered to pack my things immediately: the hearing had been shifted to Pretoria. The authorities had made no announcement, and had I not managed to get word out through a sympathetic jailer, no one would have known that I had left Johannesburg.

But the movement reacted quickly, and by the time my case began on Monday morning, the Old Synagogue was packed with supporters. The synagogue was like a second home to me after four years of the Treason Trial. My legal adviser, Joe Slovo, could not be present as he was confined to Johannesburg by bans and I was ably assisted instead by Bob Hepple.

I entered the court that Monday morning wearing a traditional Xhosa leopard-skin kaross instead of a suit and tie. The crowd of supporters rose as one and with raised, clenched fists shouted "*Amandla!*" and "*Ngawethu!*" The kaross electrified the spectators, many of whom were friends and family, some of whom had come all the way from the Transkei. Winnie also wore a traditional beaded headdress and an ankle-length Xhosa skirt.

I had chosen traditional dress to emphasize the symbolism that I was a black African walking into a white man's court. I was literally

carrying on my back the history, culture, and heritage of my people. That day, I felt myself to be the embodiment of African nationalism, the inheritor of Africa's difficult but noble past and her uncertain future. The kaross was also a sign of contempt for the niceties of white justice. I well knew the authorities would feel threatened by my kaross as so many whites feel threatened by the true culture of Africa.

When the crowd had quieted down and the case was called, I formally greeted the prosecutor, Mr. Bosch, whom I had known from my attorney days, and the magistrate, Mr. Van Heerden, who was also familiar to me. I then immediately applied for a two-week remand on the grounds that I had been transferred to Pretoria without being given the opportunity of notifying my attorneys. I was granted a week's postponement.

When I was on my way back to my cell, a very nervous white warder said that the commanding officer, Colonel Jacobs, had ordered me to hand over the kaross. I said, "You can tell him that he is not going to have it." This warder was a weak fellow, and he started trembling. He practically begged me for it and said he would be fired if he did not bring it back. I felt sorry for him and I said, "Look, here, just tell your commanding officer that it is Mandela speaking, not you." A short while later Colonel Jacobs himself appeared and ordered me to turn over what he referred to as my "blanket." I told him that he had no jurisdiction over the attire I chose to wear in court and if he tried to confiscate my kaross I would take the matter all the way to the Supreme Court. The colonel never again tried to take my "blanket," but the authorities would permit me to wear it only in court, not on my way to or from court for fear it would "incite" other prisoners.

When the case resumed a week later I was given permission to address the court before I was asked to plead. "I hope to be able to indicate," I explained, "that this case is a trial of the aspirations of the African people, and because of that I thought it proper to conduct my own defense." I wanted to make it clear to the bench, the gallery, and the press that I intended to put the state on trial. I then made application for the recusal of the magistrate on the grounds that I did not consider myself morally bound to obey laws made by a Parliament in which I had no representation. Nor was it possible to receive a fair trial from a white judge:

Why is it that in this courtroom I am facing a white magistrate, confronted by a white prosecutor, escorted by white orderlies? Can anybody honestly and seriously suggest that in this type of atmosphere the scales of justice are evenly balanced? Why is it that no African in the history of this country has ever had the honor of being tried by his own kith and kin, by his own flesh and blood? I will tell Your Worship why: the real purpose of this rigid color bar is to ensure that the justice dispensed by the courts should conform to the policy of the country, however much that policy might be in conflict with the norms of justice accepted in judiciaries throughout the civilized world. . . . Your Worship, I hate racial discrimination most intensely and in all its manifestations. I have fought it all my life. I fight it now, and I will do so until the end of my days. I detest most intensely the set-up that surrounds me here. It makes me feel that I am a black man in a white man's court. This should not be.

During the trial the prosecutor called more than one hundred witnesses from all over the country, including the Transkei and South West Africa. They were policemen, journalists, township superintendents, printers. Most of them gave technical evidence to show that I left the country illegally and that I had incited African workers to strike during the three-day stay-at-home in May 1961. It was indisputable — and in fact I did not dispute — that I was technically guilty of both charges.

The prosecutor had called Mr. Barnard, the private secretary to the prime minister, to testify to the letter I had sent the prime minister demanding that he call a national convention and informing him that if he did not, we would organize a three-day strike. In my cross-examination of Mr. Barnard I first read the court the letter I sent requesting that the prime minister call a national convention for all South Africans to write a new nonracial constitution.

NM: Did you place this letter before your prime minister?

WITNESS: Yes.

NM: Now was any reply given to this letter by the prime minister?

WITNESS: He did not reply to the writer.

NM: He did not reply to the letter. Now, will you agree that this letter raises matters of vital concern to the vast majority of the citizens of this country?

WITNESS: I do not agree.

NM: You don't agree? You don't agree that the question of human rights, of civil liberties, is a matter of vital importance to the African people?

WITNESS: Yes, that is so, indeed.

NM: Are these things mentioned here?

WITNESS: Yes, I think so.

NM: . . . You have already agreed that this letter raises questions like the rights of freedom, civil liberties, and so on?

WITNESS: Yes, the letter raises it.

NM: Now, you know of course that Africans don't enjoy the rights demanded in this letter? They are denied these rights of government.

WITNESS: Some rights.

NM: No African is a member of Parliament?

WITNESS: That is right.

NM: No African can be a member of the provincial council, of the municipal councils.

WITNESS: Yes.

NM: Africans have no vote in this country?

WITNESS: They have got no vote as far as Parliament is concerned.

NM: Yes, that is what I am talking about, I am talking about Parliament and other government bodies of the country, the provincial councils, the municipal councils. They have no vote?

WITNESS: That is right.

NM: Would you agree with me that in any civilized country in the world it would be scandalous for a prime minister to fail to reply to a letter raising vital issues affecting the majority of the citizens of that country. Would you agree with that?

WITNESS: I don't agree with that.

NM: You don't agree that it would be irregular for a prime minister to ignore a letter raising vital issues affecting the vast majority of the citizens of that country?

WITNESS: This letter has not been ignored by the prime minister.

NM: Just answer the question. Do you regard it proper for a prime minister not to respond to pleas made in regard to vital issues by the vast majority of the citizens of the country? You say that is wrong?

WITNESS: The prime minister did respond to the letter.

NM: Mr. Barnard, I don't want to be rude to you. Will you confine yourself to answering my questions. The question I am putting to you is, do you agree that it is most improper on the part of a prime minister not to reply to a communication raising vital issues affecting the vast majority of the country?

Mr. Barnard and I never did agree. In the end, he simply said that the tone of the letter was aggressive and discourteous and for that reason the prime minister did not answer it.

* * *

Throughout the proceedings the prosecutor and the magistrate repeatedly inquired about the number of witnesses I intended to call. I would always reply, "I plan to call as many witnesses as the state, if not more." When the state finally concluded its case, there was a stillness in the courtroom in anticipation of the beginning of my defense. I rose and instead of calling my first witness, I declared quite matter-of-factly that I was not calling any witnesses at all, at which point I abruptly closed my case. There was a murmur in the courtroom and the prosecutor could not help exclaiming, "Lord!"

I had misled the court from the beginning because I knew the charge was accurate and the state's case was solid, and I saw no point in attempting to call witnesses and defend myself. Through my cross-examination and attempts to force the judge to recuse himself, I had made the statements I wanted about the unfairness of the court. I saw no advantage in calling witnesses to try to disprove something that was incontrovertible.

The magistrate was taken by surprise by my action and asked me with some incredulity, "Have you anything more to say?"

"Your Worship, I submit that I am guilty of no crime."

"Is that all you have to say?"

"Your Worship, with respect, if I had something more to say I would have said it."

The prosecutor then shuffled through his papers attempting to get ready for an address he did not expect to have to make. He briefly addressed the court and asked the magistrate to find me guilty on both counts. The court was then adjourned until the following day, when I would have a chance to address the court in what is known as the plea in mitigation before the magistrate gave his sentence.

The following morning, before court was called into session, I was in an office off the courtroom talking with Bob Hepple, who had been advising me on the case, and we were praising the fact that the day before, the General Assembly of the U.N. had voted in favor of sanctions against South Africa for the first time. Bob also told me that acts of sabotage in Port Elizabeth and Durban had occurred, both celebrating the U.N. vote and protesting my trial. We were in

the midst of this discussion when the prosecutor, Mr. Bosch, entered the room and then asked Bob to excuse himself.

"Mandela," he said, after Bob had left, "I did not want to come to court today. For the first time in my career, I despise what I am doing. It hurts me that I should be asking the court to send you to prison." He then reached out and shook my hand, and expressed the hope that everything would turn out well for me. I thanked him for his sentiments, and assured him that I would never forget what he had said.

The authorities were on alert that day. The crowd inside the courtroom seemed even larger than on the first day of the case. All one hundred fifty "non-European" seats were filled. Winnie was present, in Xhosa dress, as well as a number of my relatives from the Transkei. Hundreds of demonstrators stood a block from the courthouse, and there seemed to be as many policemen as spectators.

When I walked in the courtroom, I raised my right fist and called out "*Amandla!*" which was met by a mighty "*Ngawethu!*" The magistrate pounded his gavel and cried for order. When the court was quiet, he summed up the charges, after which I had my opportunity to speak. My plea in mitigation lasted over an hour. It was not a judicial appeal at all but a political testament. I wanted to explain to the court how and why I had become the man I was, why I had done what I had done, and why, if given the chance, I would do it again.

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 *amapakati* [literally "insiders," but meaning those closest in rank to the king], and moved freely and confidently up and down the country without let or hindrance. The country was our own, in 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 arms and we organized our trade and commerce. The elders would tell tales of the wars fought by our ancestors in defense of the Fatherland, as well as the acts of valor by generals and soldiers during these epic days. . . .

The structure and organization 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 no 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 "Pitso" or "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 endeavored to influence its decisions. It was so weighty and influential a body that no step of any 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 history which, even today, inspires me and my colleagues in our political struggle.

I told the court how I had joined the African National Congress and how its policy of democracy and nonracialism reflected my own deepest convictions. I explained how as a lawyer I was often forced to choose between compliance with the law and accommodating my conscience.

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 [Bertrand] Russell, probably the most respected philosopher of the Western world, was sentenced and 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 pursued by his own government. He could do no other than to oppose the law and to suffer the consequences 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 views, 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. . . . Men, I think, are not capable of doing nothing, of saying 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.

I recounted in detail the numerous times the government had used the law to hamper my life, career, and political work, through bannings, restrictions, and trials.

I was made, by the law, a criminal, not because of what I had done, but because 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 a 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 good-bye to the good old days when, at the end of a strenuous day at an office I could look forward to joining my family at the dinnertable, 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 of 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 civilized 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 very same force of police persecution and of administrative action by the government, to follow my course, of that I am certain.

I enumerated the many times that we had brought our grievances before the government and the equal number of times that we were ignored or shunted aside. I described our stay-away of 1961 as a last resort after the government showed no signs of taking any steps to either talk with us or meet our demands. It was the government that provoked violence by employing violence to meet our nonviolent demands. I explained that because of the government's actions we had taken a more militant stance. I said that I had been privileged

throughout my political life to fight alongside colleagues whose abilities and contributions were far greater than my own. Many others had paid the price of their beliefs before me, and many more would do so after me.

Before sentencing, I informed the court that whatever sentence the state imposed, it would do nothing to change my devotion to the struggle.

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 wall, against Africans. . . . 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 might be subjected in prison is my hatred for the dreadful conditions to which my people are subjected outside prison throughout this country. . . .

Whatever sentence Your Worship sees fit to impose upon me for the crime for which I have been convicted before this court, may it rest assured that when my sentence has been completed I will still be moved, as men are always moved, by their conscience; I will 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 those injustices until they are finally abolished once and for all. . . .

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 that should have been brought before this court are the members of the government.

When I had finished, the magistrate ordered a ten-minute recess to consider the sentence. I turned and looked out at the crowd before exiting the courtroom. I had no illusions about the sentence I would receive. Exactly ten minutes later, in a courtroom heavy with tension, the magistrate pronounced sentence: three years for

inciting people to strike and two years for leaving the country without a passport; five years in all, with no possibility of parole. It was a stern sentence and there was wailing among the spectators. As the court rose, I turned to the gallery and again made a clenched fist, shouting "*Amandla!*" three times. Then, on its own, the crowd began to sing our beautiful anthem, "*Nkosi Sikelel' iAfrika.*" People sang and danced and the women ululated as I was led away. The uproar among the gallery made me forget for a moment that I would be going to prison to serve what was then the stiffest sentence yet imposed in South Africa for a political offense.

Downstairs, I was permitted a brief good-bye to Winnie, and on this occasion she was not at all grim: she was in high spirits and shed no tears. She seemed confident, as much a comrade as a wife. She was determined to brace me. As I was driven away in the police van I could still hear the people outside singing "*Nkosi Sikelel' iAfrika.*"

52

PRISON NOT ONLY robs you of your freedom, it attempts to take away your identity. Everyone wears the same uniform, eats the same food, follows the same schedule. It is by definition a purely authoritarian state that tolerates no independence or individuality. As a freedom fighter and as a man, one must fight against the prison's attempt to rob one of these qualities.

From the courthouse, I was taken directly to Pretoria Local, the gloomy red-brick monstrosity that I knew so well. But I was now a convicted prisoner, not an awaiting-trial prisoner, and was treated without even that little deference that is afforded to the latter. I was stripped of my clothes and Colonel Jacobs was finally able to confiscate my kaross. I was issued the standard prison uniform for Africans: a pair of short trousers, a rough khaki shirt, a canvas jacket, socks, sandals, and a cloth cap. Only Africans are given short trousers, for only African men are deemed "boys" by the authorities.

I informed the authorities that I would under no circumstances wear shorts and told them I was prepared to go to court to protest. Later, when I was brought dinner, stiff cold porridge with a half teaspoonful of sugar, I refused to eat it. Colonel Jacobs pondered