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Edited by
Elizabeth M. Williams

BLACK BRITAIN AND NELSON MANDELA

"Pulling the Branch of a Tree"

BLOOMSBURY

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Dedicated to A. A. Williams

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Contributors

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Professor William Henry teaches Criminology and Sociology in the School of Human and Social Sciences, and UWL Lead for Equality, Diversity and Inclusion (EDI). Among other courses, he is the course leader for the MA 'Global Black Studies, Decolonisation and Social Justice' at the University of West London. He is the British Reggae Deejay, *Lezlee Lyrix*, and a writer, poet and community activist, as well as a renowned public speaker who has lectured around the world. He has featured in numerous documentaries, current affairs television and radio programmes, for over thirty years.

Nadia Joseph has long been involved in South African politics, personally and professionally. The daughter of veterans of the liberation struggle, she herself worked for the Anti-Apartheid Movement in London and remains an active campaigner around issues of social justice. She has written on politics and on cinema. She worked on the publication of her father's memoir *Slumboy From The Golden City* (Merlin, 2018). In 2021, she conducted an oral history interview with her mother, Adelaide Joseph, who was active in the women's section of the Transvaal Indian Congress in the 1950s and worked alongside Winnie Mandela in the Federation of South African Women. This was published by the Oral History Association of South Africa as part of a collection entitled *Tell Your Mother's Story*. Nadia works part-time at New Beacon Books, the UK's first and oldest bookshop and publisher to specialize in books by and about people from Africa, the Caribbean and Asia as well as the diasporas who comprise

contemporary Black British society. Her particular focus is educational outreach work in local schools and across London. Nadia's role as Research and Content Lead for The Liliesleaf Trust UK is to deliver a major pilot-programme of engagement in the heritage of the Movement Against Apartheid (MAA) as part of a National Lottery Heritage funded project. Nadia also works on a freelance basis as an educator through the initiative Education Through Culture, as well as a writer, editor and in the trade union movement.

Professor Simangaliso Raymond Kumalo is a theologian and historian. Kumalo is based at the University of Kwa-Zulu Natal and holds multiple academic positions. These include: Director of the Centre for Constructive Theology, SRPC, University of KwaZulu-Natal; Academic Leader (HOD) Theology and Ethics Cluster, School of Religion, Philosophy and Classics, 2020; Associate Professor, Public Theology and History, School of Religion, Philosophy and Classics, University of KwaZulu-Natal, 2015; President of Seth Mokitimi Methodist Seminary January 2016–March 2018, Secondment position; Fellow of Wesley House College, University of Cambridge; Director of the Ujamaa Centre for Biblical and Theological Community Development and Research, University of KwaZulu-Natal, Pietermaritzburg, South Africa from January 2012–present; Academic Leader, Religion, Theology and Applied Ethics School of Religion, Philosophy and Classics, University of KwaZulu-Natal.

Dr Sireita Mullings is a visual sociologist and artist who completed a BA in Art, Design and Education at the University of the West Indies (Mona) and Edna Manley College of Visual and Performing Arts, where she majored in photography and graphic design in Jamaica. She later returned to the UK to study an MSc in Multimedia at the University of Westminster. It was during this period she began working as a community arts practitioner locally and internationally. Sireita draws upon the arts as a tool that renders the subjective realities which characterize the often-misunderstood positions of young people. She completed her PhD at Goldsmiths University of London. Here she carried out an ethnographic study, which interrogates how postcolonial legacies of marginalization are rendered in the visual works of multi-ethnic young people living in Lambeth. Theoretically her work draws upon postcolonial studies, race and representation and she uses participatory and visual research methods pivoted on themes of digital creativity, youth, class, gender, social enterprise, social exclusion, inclusion, belonging, migration, education, safety and danger. Mullings is a lecturer in Applied Social Studies and Sociology at the University of Bedfordshire.

Professor Sifiso Mxolisi Ndlovu teaches History at the University of South Africa and is Executive Director at the South African Democracy Education Trust. He is the editor-in-chief of the multi-volume series 'Road to Democracy in South Africa'. He has published articles on sport in *Soccer and Society* and *International Area Studies Review* journals.

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Dr James Noel was born and raised in Southeast London, visiting the USA as a teenager for a student exchange programme which placed him in Modesto. He returned to Modesto to attend community college, where he got a start in college-level basketball. After earning his associate's degree, he took a scholarship to play basketball and study English at Master's College, a liberal arts school in Southern California. After graduating, Noel played professionally for a few years in the British Basketball League. When a car accident injury ended his basketball career, he moved back to London and enrolled in a doctoral program at Goldsmiths University to secure his PhD. Drawn back to the states where he worked for publishing houses like Penguin and Walker, he eventually started teaching English at Modesto Junior College and Diablo Valley College before settling into his full-time position at Los Medanos College. Recently he has been appointed Dean, English, and Equity Pedagogy at Diablo Valley College, California, USA.

Rev. Dr. Sharon Prentis was appointed as Deputy Director of the Racial Justice Unit in January 2023, an important area of work for the Church of England. Sharon concluded her role as the Dean of Ministry at St Mellitus College in the East Midlands and Mission Enabler and Dean of Black, Asian and Minority Ethnic Affairs in the Diocese of Birmingham and is a uniquely gifted leader, theologian, missioner, and pastor with experience of many parts of the church.

Dr Elizabeth Williams successfully embodies interlocking professional and academic roles. An academic librarian and historian, a seasoned lecturer, co-editor of a peer-review journal *Black Histories* (Taylor and Francis) which has an editorial board that stretches across the globe. Researcher and publisher on British History, Black Britain, Africa and the Black Diaspora. Having worked in higher education for over twenty years, she taught History at University of Northampton, City Literary Institute (London) and Goldsmiths University of London. She was awarded a PhD in History from the School of History, Classics and Archaeology, Birkbeck, University of London. She has written the only book to date on Black British anti-apartheid activism, *The Politics of Race in Britain and South Africa: Black British Solidarity and the Anti-Apartheid Struggle* (I.B. Tauris, 2017). Associate Director of Library Academic Support at the University of Edinburgh. Williams leads a team of library professionals providing academic learning, teaching and research support to the staff and students of the University. She has extensive international networks.

Dr Christopher-Roy Zembe is Lecturer in History at De Montfort University. His research interests include colonial and post-colonial histories and the African diaspora. His published work consists of: a book entitled *Zimbabwean Communities in Britain Imperial and Post-Colonial Identities and Legacies*; a chapter entitled 'Quest for a Cohesive Diaspora African Community: Reliving Historic Experiences by Black Zimbabweans in Britain' in a book on 'New Perspectives on Black British History'; and an article in the *Journal of Migration History* entitled 'Migrating with Colonial and Post-Colonial Memories: Dynamics of Racial Interactions within Zimbabwe's Minority Communities in Britain'.

Timeline

The following chronological timeline is not an exhaustive record of UK–South African history. However, it provides a synchronous and contextual framework of select events against which the following chapters can be understood.

Note: South African dates are italicized. British dates in standard print.

1807 The Slave Trade Act was passed, making slavery within the British Empire (including the Cape, South Africa) illegal.

1832 John Stewart becomes the UK's first mixed-race MP.

1833 The Slavery Abolition Act is passed. This abolished slavery completely throughout the British Empire and expanded the Slave Trade Act, making the purchase and ownership of slaves illegal.

1835 John Kent serves as the UK's first Black police officer.

1851 The Great Exhibition is held in London's Hyde Park, where goods from Africa, India and the West Indies were displayed and where Indian jewels were incorporated into the Crown Jewels.

1867 *Diamonds discovered at Kimberley.*

1876 *Solomon Tshekisho Plaatje, a founding member of the South African Native National Congress (SANNC), which became the African National Congress (ANC), born in Doornfontein Orange Free State.*

1877 *Britain annexes the Transvaal.*

1879 *British defeat the Zulus in Natal.*

1880–81 *Boers rebel against the British, sparking the first Anglo-Boer War. Conflict ends with a negotiated peace. Transvaal is restored as a republic.*

1883 Christian Frederick Cole becomes England's first Black barrister.

1884 *Gold is discovered in the Transvaal, triggering the gold rush.*

1895 Emma Clarke becomes Britain's first Black female footballer, debuting for the British Ladies' team in Crouch End, London.

1886 Arthur Wharton becomes England's first Black professional footballer.

1897 Trinidadian Lawyer Henry Sylvester Williams formed the African Association, in response to the European partition of Africa that followed the 1884–85 Congress of Berlin. He wanted to encourage unity of Africans and people of African descent, particularly across the British Empire. The following year the Association called for a pan-African conference.

1899 *British troops gather on the Transvaal border and ignore an ultimatum to disperse. The second Anglo-Boer War begins.*

1900 The First Pan-African Conference held 23–25 July 1900, organized mainly by Henry Sylvester Williams, took place in Westminster Town Hall (now Caxton Hall) attended by thirty-seven delegates and about ten other participants and observers from Africa, the West Indies, the US and the UK. W. E. B. Du Bois played a leading role. He called on European leaders to fight against racism and to grant colonies in Africa and the West Indies self-government, while asserting political and other rights for African Americans.

1902 *Treaty of Vereeniging ends the second Anglo-Boer War. The Transvaal and Orange Free State are made self-governing colonies of the British Empire.*

1904 Allan Minns, Britain's first Black mayor elected in Norfolk.

1907 James Peters is the first Black man to play Rugby Union.

1910 *Formation of Union of South Africa by former British colonies of the Cape and Natal, and the Boer republics of Transvaal and Orange Free State.*

1912 *Native National Congress founded, later renamed the African National Congress (ANC).*

1913 *The Native Land Act introduced to prevent Africans in South Africa, except those living in Cape Province, from buying land outside reserves. Africans were restricted to thirteen per cent of the land mass of the country.*

1913 The first Black mayor in London is elected. John Archer, a politician, he became the Mayor of Battersea.

1914 *The National Party founded by Afrikaner intellectuals in South Africa.*

1914 First World War breaks out and Black soldiers were recorded in all branches of the British armed forces, including Walter Tull, who was one of the most celebrated Black soldiers of the war.

During the First World War the Afrikaner-led government of Louis Botha was on the side of the Allies and fought with its armies despite Boer resistance.

1916 *Publication of Sol Plaatje's Native Life in South Africa chronicling the African dispossession from the land of their birth under the Native Land Act.*

1918 *Secret Broederbond (brotherhood) established to advance the Afrikaner cause.*

1919 *South West Africa (Namibia) comes under South African administration.*

1919 Race riots break out across Britain, with Black soldiers and Black-owned businesses mostly targeted.

1925 West African Students Union (WASU) founded in London an association of students from across the region studying in the UK.

1931 The League of Coloured Peoples (LCP) founded by physician Harold Moody in London, a civil-rights organization to campaign for racial equality.

1934 *The Union of South Africa parliament enacts the Status of the Union Act, which declares the country to be 'a sovereign independent state'. The move followed on from Britain's passing of the Statute of Westminster in 1931, which removed the last vestiges of British legal authority over South Africa.*

1932–36 Una Marson, poet, playwright, editor, activist and broadcaster, the first Black woman to work for the BBC, resides in London.

1939 Outbreak of Second World War, around 10,000 Caribbean men and women joined the armed forces. South Africa joined the war on 6 September, on the side of Britain and the Allies declaring war on Nazi Germany.

1939 Evelyn Dove is the first Black singer to appear on BBC radio.

1945 West African Rhythm Brothers are the UK's first Black Band.

1945 The 5th Pan-African Congress was held in Manchester. The Congress took a stand on colonialism and the racism of the time, setting in motion the building of networks among the notable delegates for African independence struggles to occur across Africa.

1947 The SS *Ormonde*, December, the SS *Almanzora* carrying Caribbean migrants who were British Citizens.

1948 The MV *Empire Windrush* arrived at Tilbury Docks carrying Caribbean migrants-British Citizens (other ships would later arrive such as the SS *Orbita*, SS *Reina del Pacifico*, the SS *Sorento* and SS *Georgic*, SS *Auriga*, SS *Castle Verde* carrying Caribbean passengers).

1948 *Policy of apartheid (separateness) adopted when National Party (NP) takes power.*

1950 *The South African population classified by race. Group Areas Act passed to segregate blacks and whites. Communist Party banned. ANC responds with campaign of civil disobedience, led by Nelson Mandela.*

1950 Winifred Atwell is the first Black musician to have a UK number 1 and is also believed to be the first Black musician to sell 1 million records in Britain.

1951 *The death of West Indian seaman Milton King (Barbadian) in Cape Town at the hands of the police was the catalyst for Caribbean residents in the UK and the West Indies to protest at the treatment of Blacks in South Africa.*

1952 *The Defiance Campaign against unjust laws in South Africa.*

1954 Billy Boston is the first Black rugby league player to represent Britain.

1955 Communist and Feminist Claudia Jones arrives in Britain after deportation from the USA. She later established the Notting Hill Carnival to demonstrate the cultural heritage of Caribbean migrants after the riots. Jones campaigned against racism in education, employment and housing.

1955 *The Congress of the People in Kliptown in South Africa, a gathering of 3,000 people where the Freedom Charter was officially adopted.*

1956 *The Women's March in South Africa. 20,000 women protesting the introduction of the pass laws for Black women in 1952 occupied the Union Buildings, the seat of the all-White South African government, and presented a petition to the Prime Minister J. G. Strijdom, under the cry, 'You have touched a woman, you have struck a rock, you have dislodged a boulder, you will be crushed!'.*

1956 *The Freedom Charter statement of the principles of the South African Congress Alliance, a multiracial group of protest groups against Apartheid.*

It starts with the stirring quote: 'The People Shall Govern!'.

1958 Notting Hill Riots.

1958 Claudia Jones founded and edited the *West Indian Gazette* and *Afro-Asian Caribbean News*.

1959 In response to Chief Albert Luthuli's call to boycott South African goods in protest of the regime's racist laws, the formation of the Boycott Movement in Holborn Hall, London. Physician Dr David Pitt (b. Grenada) provided an office for the nascent movement at his premises at 200 Gower Street.

1960 The official launch of the Boycott Movement, which was renamed the Anti-Apartheid Movement.

1960s International pressure against government begins; South Africa excluded from Olympic Games.

1960 *Seventy black demonstrators killed at Sharpeville. ANC banned.*

1961	*South Africa declared a republic, leaves the Commonwealth. Mandela heads ANC's new military wing, Umkhonto we Sizwe 'spear of the nation' launched a sabotage campaign.*
1962	Nelson R. Mandela visits London, meets with politicians, journalists, anti-apartheid activists.
1962	Commonwealth Immigrants Act is passed with the aim of reducing immigration from the former British Empire.
1964	Dr Martin Luther King Jr visited London on his way to Norway where he was to accept the Nobel Peace Prize. While in the city, he preached at St Paul's Cathedral.
1964	*ANC leader Nelson Mandela sentenced to life imprisonment.*
1965	Malcolm X visited Smethwick, Birmingham, giving international spotlight to the issues of race in the area.
1965	The Race Relations Act in the United Kingdom Passed.
1966	*Prime Minister Hendrik Verwoerd assassinated.*
1966	Notting Hill Carnival is launched to showcase Caribbean culture and foster appreciation in the wider society.
1967	A branch of the Black Panther Party was formed in the UK.
1967	Margaret Busby becomes the UK's youngest and first Black female publisher.
1968	Enoch Powell makes his 'Rivers of Blood' speech denouncing Commonwealth immigration into the UK. There are riots and uprising across the UK.
1968	A new Race Relations Act receives Royal Assent making it illegal to refuse housing, public services and employment on the grounds of ethnicity.
1968	Barbara Blake-Hannah becomes the first Black female journalist to appear on TV when she is named as a camera reporter for Thames TV.
1968	Sislin Fay Allen is Britain's first Black police officer.

1969 The death of David Oluwale, British Nigerian drowned in River Aire in Leeds, Yorkshire at the hands of the police. It resulted in the prosecution of members of the British police for the death of a Black person.

1969 A debate between anti-apartheid activist Bishop Trevor Huddleston and Enoch Powell Conservative MP broadcast on British television.

1969 Sir Learie Constantine becomes the UK's first Black peer.

1970s *In South Africa more than three million people are forcibly resettled in Black 'homelands'.*

1971 The Trial of the Mangrove Nine ended in the acquittal of the main charges of incitement to riot.

1971 The Immigration Act of 1971 passed, stripping Commonwealth citizens' rights to remain in the UK and restricting immigration.

1972 Clive Sullivan is the first Black man to captain any national British sporting team.

1973 Trevor McDonald becomes the first Black news reporter.

1973 *Sol Plaatje's Mafeking Diary first published, exploding the myth of the 'white man's war' and centering the African involvement and perspective of the 1899-1902 Anglo-Boer War.*

1975 David Pitt becomes a life peer, Lord Pitt of Hampstead and, later, chair of the British Medical Association.

1976 Race Relations Act strengthens laws against discrimination and establishes the Commission for Racial Equality.

1976 *More than 600 killed in clashes between Black protesters and security forces during uprising that starts in Soweto, with African school children shot.*

1978 Viv Anderson becomes the first Black British footballer to play for England in an international tournament.

1978 Margaret Thatcher, leader of the Conservative opposition to the Labour Government, makes reference during a TV interview

to White voters feeling rather 'swamped' by immigrants. It controversially echoed the Powell speech.

1979 Margaret Thatcher becomes prime minister of Great Britain. Her position ended with her resignation in 1990.

1980 Riots in St Paul's, Bristol, a catalyst for a series of riots across Britain.

1981 The Brixton Riots are spurred following the St Paul's riots.

1981 Moira Stuart becomes the first Black female news presenter on national British TV.

1981 The start of *Operation Swamp*: the police aimed to crack down on street crime, involving stopping and searching more than 1,000 residents in six days. Black residents, who were already disillusioned by economic hardship, felt that this law unfairly targeted them.

1981 The New Cross Fire: thirteen Black teenagers perished in a house fire suspected to be racially motivated, following a series of attacks on Black homes in the borough. A survivor of the fire died two years later by suicide.

1981 The Scarman Report into the race riots published.

1982 *The Voice* is founded, becoming the first British national Black weekly newspaper.

1983 *The United Democratic Front (UDF) formed in South Africa, an anti-apartheid body that included many anti-apartheid organizations.*

1984 Tessa Sanderson becomes the first Black British woman to win an Olympic Gold Medal.

1984–89 *Townships across South Africa revolt; State of Emergency declared.*

1985 Riots in Tottenham are sparked by the death of Cynthia Jarrett during a police raid.

1985 Wilfred Wood becomes the first Black Bishop in the Church of England.

1987 UK elects four Black members of parliament: Dianne Abbott, Bernie Grant, Paul Boateng and Keith Vaz.

1987 Black History Month celebrated in the UK for the first time.

1989 *F. W. de Klerk replaces P. W. Botha as president, meets Mandela. Public facilities desegregated. Many ANC activists freed.*

1990 *ANC unbanned, Mandela released after 27 years in prison. Namibia becomes independent.*

1991 Bill Morris becomes the first Black leader of a British trade union.

1991 *Start of multi-party talks in South Africa. De Klerk repeals remaining apartheid laws, international sanctions lifted. Major fighting between ANC and Zulu Inkatha movement.*

1993 *Agreement on interim constitution among parties in South Africa.*

1993 The racially motivated murder of Stephen Lawrence reverberates across British public life.

1993 Paul Ince becomes the first Black captain of the senior men's England football team.

1994 April *ANC wins first non-racial elections. Mandela becomes president, Government of National Unity formed, Commonwealth membership restored, remaining sanctions lifted. South Africa takes seat in UN General Assembly after 20-year absence.*

1996 *Truth and Reconciliation Commission chaired by Archbishop Desmond Tutu begins hearings on human rights crimes committed by former government and liberation movements during apartheid era.*

1996 *Parliament adopts new constitution. National Party withdraws from coalition, saying it is being ignored.*

1996 Nelson Mandela visits Britain for his first State visit. He paraded down The Mall in the royal carriage with the Queen, dined at Buckingham Palace, and spoke from the balcony of South Africa House in Trafalgar Square, the site of so many anti-apartheid demonstrations over the years.

1997 The MacPherson Report is published. It investigated police investigative competency during the conduct of the Stephen Lawrence case. Professional incompetence, institutional racism and failure of leadership were judged to be factors that marred the investigation. Seventy recommendations were proposed to show no-tolerance for racism in British society.

1998 *Truth and Reconciliation Commission report brands apartheid a crime against humanity and finds the ANC accountable for human rights abuses.*

1999 *ANC wins general elections, Thabo Mbeki takes over as president.*

2000 Amendment made to the Race Relations Act comes into force, requiring the police and other public authorities to take action to promote race equality.

2000 *ANC prevails in local elections. Recently formed Democratic Alliance captures nearly a quarter of the votes. The Inkatha Freedom Party wins nine per cent.*

2001 *Thirty-nine multi-national pharmaceutical companies halt a legal battle to stop South Africa importing generic AIDS drugs. The decision is hailed as a victory for the world's poorest countries in their efforts to import cheaper drugs to combat the virus.*

2001 An official panel considers allegations of corruption surrounding a 1999 arms deal involving British, French, German, Italian, Swedish and South African firms. In November, the panel clears the government of unlawful conduct.

2001 *Durban hosts UN race conference.*

2001 *High Court rules that pregnant women must be given AIDS drugs to help prevent transmission of the virus to their babies.*

2002 *Court acquits Dr Wouter Basson – dubbed 'Dr Death' – who ran apartheid-era germ warfare programme. Basson had faced charges of murder and conspiracy. ANC condemns verdict.*

2002 *Constitutional court orders government to provide key anti-AIDS drug at all public hospitals. Government had argued drug was too costly.*

2002 *Bomb explosions in Soweto and a blast near Pretoria are thought to be the work of right-wing extremists. Separately, police charge seventeen right-wingers with plotting against the state.*

2002 Paul Boateng is appointed Chief Secretary to the Treasury becoming the first Black Cabinet Minister, he later becomes High Commissioner to South Africa (2005–9).

2003 Baroness Valerie Amos becomes the first Black female Cabinet Minister.

2003 *Walter Sisulu, a key figure in the anti-apartheid struggle, dies aged 91. Thousands gather to pay their last respects.*

2003 *Government approves major programme to treat and tackle HIV/AIDS. It envisages network of drug-distribution centres and preventative programmes. Cabinet had previously refused to provide anti-AIDS medicine via public health system.*

2004 Jason Robinson becomes the first Black captain of the England Rugby Union Team.

2004 *Ruling ANC wins landslide election victory, gaining nearly seventy per cent of votes. Thabo Mbeki begins a second term as president. Inkatha Freedom Party leader Mangosuthu Buthelezi is dropped from the cabinet.*

2005 *Investigators exhume the first bodies in a Truth and Reconciliation Commission investigation into the fates of hundreds of people who disappeared in the apartheid era.*

2005 *Geographical names committee recommends that the culture minister should approve a name change for the capital from Pretoria to Tshwane.*

2005 *President Mbeki sacks his deputy, Jacob Zuma, in the aftermath of a corruption case.*

2005	*Around 100,000 gold miners strike over pay, bringing the industry to a standstill.*
2005	John Sentamu becomes the first Black Archbishop of York.
2006	Frank Bowling becomes the first Black artist to be elected to the Royal Academy of Arts.
2006	*Former deputy president Jacob Zuma is acquitted of rape charges by the High Court in Johannesburg. He is reinstated as deputy leader of the governing African National Congress.*
2012	*Police open fire on workers at a platinum mine in Marikana, killing at least thirty-four people, and leaving at least seventy-eight injured and arresting more than 200 others. Prosecutors drop murder charges in September against 270 miners after a public outcry, and the government sets up a judicial commission of inquiry in October.*
2011	*The ANC suspends its controversial and influential youth leader, Julius Malema, for five years for bringing the party into disrepute.*
	National Assembly overwhelmingly approves information bill accused by critics of posing a threat to freedom of speech. The ANC says it is needed to safeguard national security.
2012	*Member of White extremist group found guilty of plotting to kill Mandela and trying to overthrow government.*
2013	Malorie Blackman becomes the UK's Children's Laureate.
2013	Britain pays compensation to those it had tortured during the Mau Mau's uprising in Kenya.
2013	*Nelson Rolihlahla Mandela dies, aged 95.*
2015	Britain's bill for the compensation paid to slave owners after abolishing slavery is finally paid off.
2016	The first Black Lives Matter protest takes place in the UK.

Foreword

Nelson Mandela was no ordinary human being. His life and legacy attest to this. To many citizens of the globe, he was an icon of peace and a moral barometer who sacrificed twenty-seven years of his life behind bars for the cause of the freedom of his people, and went on to construct a democratic and multi-racial society from the ashes of the horrors of the apartheid system that had debased the humanity of the people of colour in South Africa. His resilience, selflessness and courage reverberated with the oppressed peoples across the globe, including Black people in Britain. His hope became their hope; his struggle for justice and for a non-racial society became their struggle; and his triumph over an evil system became theirs too. To the oppressed, Mandela represented the ultimate triumph of the human spirit.

It is little wonder that since his release from prison in 1990 there has been a scholarly, journalistic and artistic stampede, as writers and artists tried to understand him from the lenses of their own disciplines and standpoints. Historians, peace scholars and activists, lawyers and legal scholars, sociologists, psychologists, Africanists, political scientists, economists and theologians, among many others, have attempted to theorize him from their own disciplines. He might easily pass as the most theorized human being of our era.

Black Britian and Nelson Mandela: 'Pulling the Branch of a Tree' brings fresh perspectives on the multifaceted life and legacy of this towering figure, demonstrating how he inspired and impacted Black British popular culture, history, politics, faith, migration, the practice of law, social justice and more. Through this book Elizabeth Williams has given us essays that are not a regurgitation of what we have read and heard elsewhere but shed new light and open up new frontiers in examining Mandela's life and legacy.

From the way Mandela's inspirational role in the anti-apartheid struggle is captured in the lyrics of reggae music, through suggestions that he may have disagreed with the removal of statues during the Rhodes Must Fall campaign, the views of Mandela as a nationalist who went from being a radical decolonial socialist nationalist to a highly compromised neo-liberal who pandered to White capital at the expense of his long-suffering Black people, this book raises the bar

in scholarly analysis of Madiba's legacy. It is a must-read for anyone interested in fresh perspectives on this multi-faceted giant.

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Pietermaritzburg
2024

Introduction – Black Britain and the Life of Nelson Rolihlahla Mandela: What More is There to Say?

Elizabeth M. Williams

I can see it now so vividly, 11 February 1990 as a young college student, who happened to be at the parental home that weekend watching the televised event on a Sunday morning with the family. The household was excitedly anticipating the release of Nelson Mandela from Victor Verster Prison after twenty-seven years as a political prisoner. It made for captivating TV although the hours of waiting seemed to drag on and the BBC journalists struggled to find more descriptive hyperbole to explain what was going on. Why the delay? Black households no doubt made jokes about the classic BPT-Black people's timing. I did not know quite what to expect. We were used to only seeing pictures of Mandela as a young man and in my young mind though I knew he would be much older than the black and white image I saw, I still could not visualize a much older Mandela. Convicted at forty-four years now to be released at seventy-two years it seemed ancient to a youngster who had not turned twenty-one as yet.

Moreover, with a patchy understanding of his significance and why he was in prison for so long I wondered if I would ever get to South Africa, where I desperately wanted to visit, and learn what all the historical drama was about. I also wanted to know why the White man essentially not only stole the land but refused to return it or share its wealth in an equitable way. What was so intoxicating about the blood-soaked land of South Africa? It would be a further ten to fifteen years before I would see for myself, smell the land, meet the people and see the astounding beauty of the land, juxtaposed to learning about the cruelty and tragedies. There would follow a deeper comprehension of the challenges and complexities that the Black South African experienced from the moment the Europeans set foot at the tip of the African Continent.[1]

However, on that Sunday like any Black household in the UK, Mandela's release was indeed a big event. Words could not fully capture what it meant to Black and Brown householders, because here was a man vilified by the White world for insisting on the dignity and humanity of a significant section of the majority population who also made-up part of the global majority. Mandela and his allies exposed the racial lies, cruelty and hypocrisy of White supremacy as evidenced in South Africa under the oppressive system of apartheid. He was in his own words 'prepared to die' to hold fast to and uphold the right of the African to have a full say in the moral fabric and direction of the country. The right of the African to share in the distribution of the wealth of the land, the governance of its peoples and all other democratic principles which shaped and steered twentieth century modern societies going forward.[2]

Upon his release, arguably even before, Mandela had reached icon status among his supporters and as his reputation grew in the popular imagination. Some argue this was as much an orchestrated myth making for the purposes of the struggle as it was a testament to the power of his life story.[3] His trajectory was a remarkable turnaround when not so long ago the then British prime minister, Margaret Thatcher and members of her Conservative Party, had referenced his name and that of his liberation organization, the African National Congress, with the descriptor 'terrorist', or 'terrorist organization', as Conservative MPs and right-wing commentators called for his death.[4] Years later you could not find a politician willing to admit their earlier condemnation of Mandela.[5] From his release everyone would be falling over themselves to press his flesh and be pictured alongside him, fawning, none more shamelessly than the very individuals who were quick to denounce him and the ANC as being, in their view, no different from terrorist organizations such as the IRA or PLO and others.

Black Britons however, had a counter-narrative when it came to Mandela and the South African liberation struggle whether led by the African National Congress or the Pan-African Congress. Black Britain was all too familiar with the pejorative manner in which the British State and its established orders dealt with Black figures who refused to fall in line with White hegemonic power. In general, Black communities came off worse whether it was treatment through the criminal justice system, the education system, employment, media coverage and more. The lack of racially diverse figures in powerful positions or in significant numbers in key sectors of the society did not help matters. Twentieth century anti-Black racism in Britain has been well documented and Black Heroes – and She-roes – who chose to go against the grain or fit into the expected subservient

compliant roles were soon vilified and alienated.[6] The spectrum of manifest racism of late twentieth century Britain was multifaceted; whether the police, judiciary, the military, institutions of civil society including the press, in policy making, particularly immigration legislation to personalized attacks in the street.[7] From the perspective of Black and Brown communities across the UK this bore uncomfortable affinity with the struggles of Black South Africans. Black British youth were also criminalized, violently attacked by the police and racist thugs, Blacks were also being detained and dying in custody in British jails, and Black children faced discrimination in schools, therefore many looked to the liberation struggle in South Africa with solidarity through the prism of their lived experience of racism.[8]

Mandela transitioned from persona non-grata to everyone's favourite smiling grandfatherly-type figure accepted in all the great corridors of power, his every word listened to (except when he strayed out of his lane and commented on Northern Irish politics); it undoubtedly had an impact in raising his profile and his reputation in British public life. Black communities drew their own conclusions about his life and legacy.

Since that release date and after his tenure in public life, first as President, then as global jet-setting philanthropist, and wise-Elder, then as a recluse withdrawing from public life, observers within Black communities began to assess his legacy particularly after his death at the grand age of ninety-five in 2013. Among the tributes flooding the public domain, one did not hear many Black British voices articulating publicly and at length the significance of his legacy to their communities, or for their struggles across a century (and longer) against British racism that ran parallel to the racist segregationist then apartheid state of South Africa.[9] There were minimal attempts in academic circles to make clear the links of solidarity between Black communities in Britain and Africans in Southern Africa, although Black politicians such as Bernie Grant MP were present in South Africa on the day of Mandela's release. As I attended a myriad of conferences, symposiums, seminars, various events on South African history, anti-apartheid history and Britain's networks with South Africa, I was often the lone Black 'home grown' female post-graduate student and scholar in the room.

In fact, as I sought to draw comparison between the racialized struggles in South Africa and Britain, and to examine the connecting cords of solidarity that I instinctively knew existed (before I came across the evidence), I was told there were none, no ties that bound. This was blown out of the water by my research and later book.[10] Furthermore, I knew a time would come when I would come across the narratives of Black Britons that had much to say about Nelson Mandela

his life, legacy, and impact upon their own journeys of intellectual growth, lived experience and professions in their communities and beyond. This is what this collection of authors and the following chapters represent. One now has the long view. As we reach the thirtieth anniversary of South Africa's transition to parliamentary democracy, here I present scholars working and researching within the British, South African and North American context. All connected by the lived experience of racism in one way or another. Maturing as adults during the life-time of Mandela and impacted by the many lessons of his life. They are a collection of academics from various disciplines, clergy, journalists, educators, political theorists, musicians, who have studied, lived and worked in the UK, know the society well and the positioning of Black communities within it. These contributing authors have experienced the impact of Nelson Mandela in their fields of endeavour and have drawn lessons from his life to inform their academic and professional practice. One or two have met him, one writer knew him as friend to the family, stripped of the mythology that surrounded his post-prison existence. The chapters guide the reader through the trajectory of how the authors have made sense of the Mandela legacy from their own unique stance. The attraction of his legacy is that of universality for the public and arguably the private domain in terms of character development in the face of the challenges that life throws at us all. Not that Mandela was a saint, a fact he often reminded those that sought to deify him. These perspectives broaden our view of the legacy pulling a polyglot mix of authors into one frame, reflective of the many interpretive layers possible and allowing us to see application in the contemporary world.

Nelson Mandela's life was the embodiment of a Black life that mattered. Undoubtedly Mandela the younger firebrand would have fully approved of the twenty-first century young campaigner's insistence that *Rhodes Must Fall* on campus (although the older Mandela made peace with the Rhodes legacy and harnessed it for his own educational vision) in Cape Town, and in Oxford, as well as other symbols of nationalistic hubris, marked with racist actions directed to subjugating Black and Brown populations.[11] Moreover, the imperial and colonial activities undertaken centuries in the past still reverberate to reinforce inequities throughout British society.[12] Further, the same politicians that have condemned the Black Lives Matter campaign and accuse it as woke and inauthentic or deny that racism still persists within contemporary Britain[13] (despite what the stats show), are surely in the mould of those critics during the twentieth century that would have condemned Mandela and the African National Congress in its opposition to the White minority government. His detractors for much of his

adulthood belittled his fundamental insistence that his Black life and that of his African countrymen mattered. Moreover, a decade after his death, figures in political life are still in deep denial that institutional racism continues to be the stumbling block for far too many.[14]

The authors in this book provide fresh insight into Mandela's life's work and his impactful legacy. Particularly in the wake of recent discussions of Black Lives mattering and centralizing of the Black voice and perspective, it is time to hear this selection of voices articulate how Nelson Rolihlahla Mandela's attributes and legacy impacted and continues to affect aspects of Black community life, the wider society and beyond. This perspective is often not foregrounded as part of the narrative of Mandela's impact on British society, which includes Black communities. To have two notable South African academics of Mandela's life, liberation history and theological expertise endorsing this contribution, further reinforces the fact that there is an increasing acknowledgement that there are bonds of solidarity and commonality of themes still to be explored when it comes to Britain and South Africa. Mandela's life was a lightening-rod who inspired many whose stories of political awakening and fight for social justice are still to be told. When in Britain Mandela was courted by Westminster parliamentarians, members of the Monarchy, civic leaders, even pop-stars. Nevertheless, Mandela went out of his way to visit areas where Black residents resided. He also lent his name to domestic anti-racist fights for justice – most notably lending his exalted reputational voice to Stephen Lawrence's parents as they campaigned for justice surrounding their son's untimely death at the hands of White racists.

Mandela publicly acknowledged that during the anti-apartheid solidarity campaign it was Black community support who were the natural allies and bedrock of support for the South African liberation struggle. They were in fact fighting contemporaneous battles with the British police determined to criminalize Black youth, who were in turn demonized by the press and stopped and searched disproportionately in comparison to their White counterparts. In some cases, some were continually quizzed for IDs just as Black South Africans who had to show passes. There were deaths in detention reminiscent of the Steve Biko case in South Africa and so many others.[15] Therefore empathetic and visceral understanding from Black communities was there for the liberation of Mandela and his fellow Africans from the brutal apartheid state. These authors provide a corrective to the gap in knowledge that exists where the Black British perspective has been muted or de-centred.

In light of the Windrush Scandal[16] and slow and complicated channels for reparation, it is clear that acknowledgement of the value of Black lives continues

to be a complicated matter for the British State to handle. The refusal to embrace substantive incorporation of African and Caribbean histories into the wider canon taught at primary, secondary and tertiary level, which is an unvarnished integral part of British history, into the education system will continue to produce a generation of intellectual primitives who upon gaining positions in the upper echelons of government departments and other sectors of public life will repeat the uninformed and callous actions of those in the past.

Using Mandela's life and legacy as a touchstone the authors present a unique and incisive tapestry of thought and perspective on their society.

William Henry's take on Mandela's symbolism within the musical genre of reggae in driving forward African liberation centres Mandela's vital contribution to the artistic expression of reggae musicians. They are often seen as the voice and prophets of their generation. Furthermore, he provides a depth of understanding of the long history of African liberation, its pan-African and global Black solidarity dimension. The Jerry Dammers hit 'Free Nelson Mandela' for all its popularity could not and probably did not set out to convey this longstanding historical context. Through Henry's perspective the reader is guided behind lyrics and melody to the substantive messaging of Black liberation and humanitarian fight for social justice. Nadia Joseph's personal take on Mandela's association with her parents adds a deeply personal insider view of the sacrifice that Mandela and activists like her parents had to make in terms of family and friendship networks. There are other accounts of Mandela as a fleeting persona in people's lives, however in Joseph's deeply emotional reflection Mandela seems to linger long enough for the reader to get a sense of the unflinching dedication to the cause that he, his wife Winnie Nomzamo Madikizela-Mandela and others undertook at the expense of the private and familial in their lives. The self-sacrifice and the resounding consequential legacy of those actions among successive generations. In Joseph's case it was the impact of growing up in the UK but all too aware of the pull of South Africa that her parents were so devoted to and for which so many bled. Psychologically it could not but be impactful in a myriad of ways: was the struggle worth it? How does one make sense of it all, between the duality of the private and public? The reader is taken through this revelatory journey by the author.

Sharon Prentis' account is a similarly personal perspective from a clergywoman with roots in the Black church and within the established church of the state – the Church of England. She holds a truly unique position and still far too rare as a Black British Woman with rank in the Church. Prentis reflects on Mandela's presence and impact in the northern part of England, historically the recipient of

wealth forged in the plantation fields of the Caribbean and the rest of the empire, then latterly attracting former colonial and British subjects from the Caribbean and Asia. Members of these communities were throughout the twentieth century protagonists in the local and national anti-racist struggles and fight for equality and social justice. In centring Mandela's implicit faith and relating it to the practice of faith and social action of the racialized Black communities in parts of Yorkshire, Prentis demonstrates how Mandela's activism was driven by the spiritual and philosophical tenets of his faith, enabling members of the Black community to innately comprehend and realize their own social justice activities. Prentis makes it clear that Mandela did not have to declare his faith from the roof tops, as expression of Christian faith was interwoven all along as he grappled with his choices and the consequences. What does that teach those whose faith informs their approach to social and political challenges in multi-faith and diverse societies? Prentis elucidates.

Law scholars Thelela Ngcetane-Vika and Gregory Alake examine from distinct angles Mandela's practice and jurisprudence utilizing English Law, and the way in which the Truth and Reconciliation Committee's (TRC) operation under his Government demonstrated an approach towards administering justice for both victim and perpetrator in the aftermath of apartheid. Alake has something to say about the rationale of the TRC model to effectively apply a moral justice at the expense of a more punitive approach. Ngcetane-Vika allows the reader to re-visit Mandela's trial and reconsider his navigation and mastery of English law to demonstrate the senseless cruelty, flaws and hypocrisy of the apartheid system. In studying law, setting up a law practice, acting as his own defence and eventually fully qualifying despite the length of time it took, Ngcetane-Vika explores the way in which an indefatigable Mandela defiantly used the tools of the master to conquer from a moral sense and the mark this left. This of course raises questions as to what lessons can be learnt today by Black lawyers who continue to face discrimination in their professional practice.[17]

Sireta Mullings takes us on a fascinating journey into The Gambia and its youth culture of migration and related artistry. Mullings' perspective on the significance of being an 'Elder' and lessons from Mandela's philosophy that can be applied to the life choices and journeys of Gambian youth, walks the reader through a counter-narrative of the migrant culture that has embedded in contemporary Gambia. Furthermore, Mullings provides a fascinating insight into the way in which some Gambian youths are moving to disengage from the myth of the Western nirvana and re-claim their African futures on the continent which in reality remains rich in possibilities despite the challenges and for which

Mandela and his generation were prepared to die for (and many did). Mandela is a mythical historical figure to the African youth of the twenty-first century as well as those beyond the continent's shores. Nevertheless the lessons of his life impacts and permeates the imaginations of those born long after his death. For those in South Africa this is understandable given the 'Mandela industry' that exists; what is striking is that his legacy is continent-wide, and Mullings chapter skilfully illustrates how Gambian youth with the challenging realities of their contemporary lives can draw lessons from Mandela's life to survive and thrive. It informs both the case study and broadens the pan-African understanding and perspective of the Mandela legacy.

Remaining on the African continent Christopher Roy Zembe's comparison between Mandela's and Robert Mugabe's legacy shines a light on the hypocrisy of Western leaders as well as the complicated relationship both African titans had with one another. As a Zimbabwean now based in the UK, having lived through the popularity of both men and witnessing the divergence of their reputational trajectories, Zembe the historian and political analyst, is well placed to reflect on the competing legacies of both as well as delving into the perspectives of their support base. Zembe walks the reader through the twists and turns of the geopolitics of the region shaped as much by the actions of Mandela and Mugabe as it was by other continental players and external protagonists.

James Noel brings us right up to date with a look at the Black Lives Matter movement and related activities to topple symbolic markers of White power and entrenched privilege. Noel examines the 'peace' Mandela apparently made with the Rhodes legacy, literally attaching his name to Rhodes for the Mandela Rhodes Foundation and the Mandela Rhodes Scholarship.[18] In so-doing Mandela foregrounds his passion to create educational opportunity for African youth and demonstrates how open-minded reparative action in the wake of a racially tinged complex legacy can move forward and work for the good of a diverse constituency of interest. Noel explores how Mandela's observation that 'as long as poverty, injustice, and gross inequality persist in our world, none of us can truly rest' continues to play out in the Black Lives Matter and other campaigns to remove the symbols of imperial hegemony in Britain.

It is timely for the voices of these authors to re-frame aspects of the narrative concerning Mandela's relationship with Britain and the British people. The following chapters expose the reader to contemporary intellectual thought which examine the multi-layered value of Mandela's legacy and its significance in public life and the lives of many who drew inspiration from his long and tortuous walk

to freedom. His legacy continues to have relevancy for the challenges faced by individuals and groups outside the societal status quo.

In the aftermath of the North American Black Lives Matter campaign, Black communities across the world continue to process and re-evaluate the longer term significance to their lived experiences. As we move through the twenty-first century, there are the persistent challenges as well as the new; the stubborn human mind-set and practices that translates into actions that favour particular cohorts over others, the infrastructures of public life that retain in-built and systemic bias, the emergence of new technologies, claiming to be unbiased but have been caught replicating and importing the inequalities of the non-virtual into the virtual world. Mandela, were he alive, would be proactive and challenging to entrenched and emergent abuse of weaponized power in South Africa as well as anywhere else. He is not alive but has left many lessons that can be pulled from his earthly walk by the skilled observer. I am grateful to the authors for taking time out to engage with the Man and his legacy in such a thoughtful way. They further nudge the reader along the pathway to understand the complex societies in which we live, and enrich the growing area of Mandela scholarship.

Notes

1 B. Bush, *Imperialism, Race, and Resistance: African and Britain 1919–1945* (Routledge, 1999); R. Hyam and P. Henshaw, *The Lion and the Springbok: Britain and South Africa Since the Boer War* (Cambridge University Press, 2003); T. Simpson, *History of South Africa: 1902 to the Present* (C. Hurst & Co Publishers, 2022); L. Thompson, *A History of South Africa* (Yale University Press, 2014); T. Simpson, *Umkhonto We Sizwe: The ANC's Armed Struggle* (Penguin Random House, 2016).

2 T. Lodge, *Mandela: A Critical Life* (Oxford University Press, 2007); N. Mandela, *The Long Walk To Freedom: The Autobiography of Nelson Mandela* (London: Abacus, 1995); S. Ndlovu, *The Road to Democracy* SADET Series Volume 1–6 (UNISA, 2010–2014).

3 G. Klein, *Strategies of Struggle: The Nelson Mandela Campaign*, published online by Cambridge University Press. https://www.cambridge.org/core/books/abs/popular-politics-and-resistance-movements-in-south-africa/strategies-of-struggle-the-nelson-mandela-campaign/54AEAC33A0B9F694DE6D31715CCA034F. See also a chapter in W. Beinart and M. C. Dawson (Eds), *Popular Politics and Resistance Movement in South Africa* (Wits University Press, 2010).

4 'Hang Mandela' posters were produced by the Federation of Conservative Students in the 1980s: https://descrier.co.uk/politics/cameron-involved-hang-mandela-posters-1980s/.
5 J. Borger, 'The Conservative Party's Uncomfortable Relationship with Nelson Mandela', https://www.theguardian.com/politics/2013/dec/06/conservative-party-uncomfortable-nelson-mandela. Theresa May gives car-crash interview while talking about Mandela [video] (thesouthafrican.com): https://www.youtube.com/watch?v=eijw6WVxQPg.
6 For example, Marcus Garvey deported from the UK, Claudia Jones deported, treatment of Roy Sawh, the Mangrove Nine trial during the 1970s. See also K. Aspden, *The Hounding of David Oluwale* (Oberon Books, 2009); P. Bunce and P. Field, *Renegade: The Life and Times of Darcus Howe* (Bloomsbury Caravel, 2021); D. Howe, *From Bobby to Babylon* (Bookmarks Publications, 2020).
7 S. Hall, C. Critcher et al., *Policing the Crisis: Mugging and the State and Law and Order* – 35th Anniversary Edition (Red Globe Press, 2013).
8 See E. M. Williams, *The Politics of Race in Britain and South Africa* (Bloomsbury, 2017).
9 See timeline at start of the book. B. Magubane, *The Making of a Racist State: British Imperialism and the Union of South Africa 1875–1910* (Africa World Press, 1996); Akala, *Natives: Race and Class in the Ruins of Empire* (Two Roads, 2018); H. Adi, *African and Caribbean People in Britain: A History* (Penguin, 2023); H. Adi, *Many Struggles: New Histories of African and Caribbean People in Britain* (Pluto Press, 2023); C. Hall et al., *At Home with the Empire: Metropolitan Culture and the Imperial World* (CUP, 2006); D. Olusoga, *Black and British: A Forgotten History* (Picador, 2021).
10 E. Williams, *The Politics of Race and Class in Britain and South Africa: Black Solidarity and the Anti-Apartheid Struggle* (I.B. Tauris, 2017).
11 There now exists the Mandela Rhodes Foundation: https://www.mandelarhodes.org. Eventually a plaque was placed outside Oriel College in Oxford. See *Cecil Rhodes Statue: Explanatory Plaque Placed at Oxford College 12 October 2021*, BBC News web page: https://www.bbc.co.uk/news/uk-england-oxfordshire-58885181; A. Mohdin, 'How the Fall of Edward Colston's Statue Revolutionised The Way British History is Told', https://www.theguardian.com/news/2023/may/05/how-the-fall-of-edward-colstons-statue-revolutionised-the-way-british-history-is-told.
12 T. Harding, *White Debt: The Demerara Uprising and Britain's Legacy of Slavery* (Weidenfeld and Nicolson, 2022); K. Koram, *Uncommon Wealth; Britain and the Aftermath of Empire* (John Murray, 2022).
13 Ironically Black and Asian Conservatives such as Kwesi Kwarteng MP, Kemi Badendoch MP, Priti Patel MP and others have joined the criticism of the Black

Lives Matter campaign or removal of statues that symbolize Britain's imperial activities across the globe.

14 See Boris Johnson Government's *Commission on Race and Ethnic Disparities Report 2021* led by Tony Sewell et al.: https://www.gov.uk/government/publications/the-report-of-the-commission-on-race-and-ethnic-disparities.

15 E. M. Williams, *The Politics of Race in Britain and South Africa: Black British Solidarity and the Anti-Apartheid Struggle* (I.B. Tauris, 2017).

16 A. Gentleman, *The Windrush Betrayal* (Guardian Faber Publishing, 2019). For insight into the experience of living in Britain post the arrival of SS *Windrush* and other vessels as told by members of the community, see C. Grant, *Homecoming*: *Voices of the* Windrush *Generation* (Jonathan Cape, 2019); D. Matthews, *Voices of the Windrush Generation: The Real Story Told By the People Themselves* (Blink Publishing, 2020); C. Brinkhurst-Cuff, *Mother Country: Real Stories of the* Windrush *Children* (Headline, 2018).

17 D. Lammy, 'Lammy review: final report An independent review into the treatment of, and outcomes for Black, Asian and Minority Ethnic individuals in the criminal justice system', https://www.gov.uk/government/publications/lammy-review-final-report; A. Wilson, *In Black and White: A Young Barrister's Story of Race and Class in a Broken Justice System* (Endeavour, 2020); E. Braidwood and A. Walawalkar, 'Black Lawyers on Working in the UK's Criminal Justice System', https://eachother.org.uk/black-lawyers-working-in-the-uks-criminal-justice-system.

18 Gov.UK, '20 years since the Mandela Rhodes Foundation was Launched: Celebrating Today's Outstanding African Leaders, 20 Years Since the Mandela Rhodes Foundation was Launched', https://www.gov.uk/government/news/20-years-since-the-mandela-rhodes-foundation-was-launched.

Part One

Mandela From Up Close

1

Mandela: Man and Myth in the Struggle Against Apartheid

Nadia Joseph

As a daughter of South African political exiles (my father Paul Joseph was a co-accused in the Treason Trial with Mandela in 1956) my perceptions of Nelson Mandela began to form when I was a young child.

On the living wall of our family home in London was and remains a framed photograph of Mandela. It was later to become one of the most famous photos of him but as far back as the 1960s the image was part of our domestic setting. It was in this context that my perceptions of Mandela developed. He was at once familiar and unknown. This black and white picture was taken in 1962 by Leon Levson whilst Mandela was on the run. It is a close-up in which Mandela is wearing a striped collared jersey, his skin looks young and cheeks are full. His hair is short and parted and he has a moustache and beard. He is turned slightly to his right, his expression seems pensive and his eyes do not meet the viewer's gaze. Beneath the image are his handwritten words dated and signed:

> 'Those who cherish freedom and who have banished fear from their hearts will win'. 25/10/62 Nel.

As a child, I used to look up at the image and think Mandela must be a wise and brave man but feel lonely locked up in a prison in the middle of the sea. It was a complex relationship because we referred to him as uncle but, unlike my sisters who were born in South Africa, I did not know him personally.

I was the only one born in London. I knew from an early age that my parents were close comrades and friends with Nelson and Winnie. The seriousness of the political struggle was planted deep in our souls and I understood it was the reason my parents became political refugees in the UK.

My mother was the first to leave South Africa in 1965 when she took my disabled brother to a residential hospital in what was then the German Democratic Republic. This had been made possible through the international solidarity movement. She did not know at the time that she would not be able to return home.

Meanwhile in Johannesburg, the state continued to repeatedly put my father under house arrest, issue him with banning orders, imprison and torture him including periods in solitary confinement.

The political leadership felt it was unsafe for him to remain in the country as these methods were putting increasing pressure on activists to turn state witness. On one occasion, my father's head was shoved through an open window of a police station as a threat unless he gave them information. He later found out that whilst he was being held in detention, his comrade Babla Salojee had reportedly 'fallen by accident' to his death from the 6th floor of the Gray's Building. In fact the Apartheid state's sinister method of defenestration had been employed.

Given these circumstances and instructions from his leaders, my father had to flee South Africa. Prior to this, he arranged for my sisters to be smuggled out of the country to London where they met my mother. His escape involved crossing the borders to the frontline states alone and on foot for much of the journey. For several months my mother was not sure that he was even alive. He eventually joined her and my sisters in London in the autumn of 1965. Through the support of the then Labour MP Dick Taverne and Amnesty International they were granted political asylum.

South Africa was that far away place that my parents were not allowed to return to. It became my mythical home and Mandela was the leader in that powerful legend. I was born in 1966 at St Mary's Hospital in Paddington but as a child I would say it was in Johannesburg knowing full well that it wasn't. Beneath my apparent playfulness was a desire to be part of that history that my siblings and parents shared in the 'mother country'.

Mandela's photo kept him close whilst forever reminding us of the distance between us.

I understood his inscription as a message to fight against apartheid and spread the word of its evils. The fact that it was written by hand and signed Nel made it feel familiar as though he was speaking directly to my family.

As an adult, I came to view his expression in that photograph on the living room wall as being not simply pensive but quietly resolute. I reconsidered his words and their function. Was Mandela talking to himself as much as to his comrades and fellow South Africans? Despite his undoubted relief at

not facing the death penalty and his unquestionable courage and resilience throughout his imprisonment, he surely had to try to banish fear from his own heart every day in order to survive.

Although my mother had come from a Christian background, there were no religious pictures adorning the walls of our home. Whilst we were brought up to respect all religions, political activism was the focus of my parents' lives and inevitably much of ours as children. Mandela's image was not yet reproduced (as it later would be) on a scale equivalent to religious icons that serve to reassure and comfort the powerless whilst they wait for the promised land. It was rather a call to arms to the political movement as a collective to fight for freedom in our lifetime. That promised land was not other worldly but firmly rooted in South Africa.

In 1959 the Anti-Apartheid Movement in London began as a boycott movement against the apartheid regime. By the time I was a young child in the early 1970s, it had grown. It was based in small premises in Charlotte Street off London's Tottenham Court Road. I would, on occasion, accompany my father to these offices to collect campaigning resources. Over time, it grew branches across the country through collaboration with the Labour Party, some Liberal Party MPs, trade unions and churches. Student unions would also play a significant role in building its membership.

It was as a child of political activists that I gained my knowledge of Mandela and in turn became an activist myself in the Anti-Apartheid Movement in London at an early age and later as a young adult in the ANC. The duality of the personal and the political and the fight for liberation in a country I had not visited and that my parents were banned from returning to, was complex. Mandela was deeply symbolic for us as a family and as activists in the liberation struggle. He existed in the real and the imaginary. He was both man and myth.

At the time of my birth, our family was living in a cramped ground floor flat in Powis Square, Notting Hill. Upon arrival, several South African exiles gravitated to this area where they made their homes. I was still a baby when my parents forged friendships with local Labour and Communist Party members who worked with them in building the Anti-Apartheid Movement.

The liberation struggle in South Africa was always the focus of their work but they also engaged in other campaigns. One of the first community-led forms of action they participated in was to make the privately owned central garden in Powis Square accessible to local residents. It was not an easy victory and involved clashes with police but eventually we children had a safe space in which to play.

International causes were also a priority such as the Anti-Vietnam War protests and supporting the Campaign for Nuclear Disarmament.

Unbeknownst to my parents at the time, several of their White British anti-apartheid friends were directly involved in the freedom struggle in South Africa. Decades later their own stories were told in the book *London Recruits*.[1]

The situation in South Africa was one of rupture and loss. During peaceful protests against the pass laws in Sharpeville 1960, sixty-nine people were shot dead. This was followed by the State of Emergency when thousands of activists including my father were arrested.

Thanks in large part to a dedicated and effective legal defence team led by Bram Fischer and Joel Joffe, Mandela and his co-accused in the Rivonia Trial were saved from the gallows but sentenced to life imprisonment. I believe their lives were also spared because the apartheid regime knew that if they executed Mandela he would become a political martyr and leave them vulnerable to potentially uncontainable political unrest.

By 1965 South Africa's disenfranchised were left politically orphaned. The leaders were either dead, imprisoned or in exile and the political movement was left adrift and despondent. Mandela, Walter Sisulu and the likes of J. B. Marks (President of the Transvaal ANC and Chairman of the African Mineworkers Union), were in their forties but many activists including my father were in their early thirties or even younger. My father was recruited into the ranks of Umkhonto We Sizwe (MK) from its inception but by the mid-1960s many of them were thousands of miles from home.

Those South African political exiles helped shape the Anti-Apartheid Movement in London and the ANC in exile in order to keep the fight for liberation alive. To understand how this happened it is important to explore how the political struggle developed in South Africa before the tumultuous events of the early 1960s.

The ANC had made huge strides from its birth in 1912. Initially its focus was understandably nationalistic as it sought to gain political rights for the disenfranchised Black South Africans. They were the majority and yet were being exploited and dominated on racial grounds by the White Afrikaner minority.

Other racial groups in South Africa's bizarre system of racial classification also began to organize politically as they too suffered inequalities based on race. The Indian community, which my father was part of, was inspired by the passive resistance advocated by Gandhi. The majority of Indians in South Africa were brought in as indentured labourers to work in the sugar cane fields and replace the Africans who were taken as slaves to the Caribbean.

Gandhi's visit to South Africa as a young lawyer had a huge impact not only on his political work in India but on the young generation of South African Indians who were encouraged by his desire to rid India of British rule through peaceful action. His strategy of non-violence was adopted by Indians in South Africa in the Passive Resistance Campaign in 1946 in which my father participated.

By 1947 Mandela was Secretary of the ANC Youth League and by 1951 the ANC was working alongside the Indian Congress to organize a national work stoppage. This was a key moment as despite the attempts at divide and rule by the apartheid regime, the oppressed and like-minded were coming together. In my father's memoir,[2] he describes how Sisulu encouraged Mandela and other ANC leaders to build unity amongst the racially oppressed. Many of the ANC supporters were communists although the party itself was still banned and amongst them were White South Africans.

This consolidation of the fight towards a common goal resulted in the launch of the daring Defiance Campaign on 26 June 1952. Thousands of volunteers, Blacks, Indians and 'coloureds' deliberately broke the laws based on race including entering areas they were not permitted to be in. This resulted in mass arrests. The political mobilization was developing and the apartheid regime wanted to stamp it out immediately.

It was under the Suppression of Communism Act that 156 activists were accused of Treason in 1956. Ultimately, after a protracted trial lasting four years, the regime was unable to convict any of them on this charge and they were acquitted.

The now famous photo by Eli Weinberg of the 156 accused was taken as a series of four shots which he mounted to convey them as a collective. It illustrates how racially diverse the political movement had become as well as including many women such as Lilian Ngoyi, Ruth First and Helen Joseph. What has always struck me about this photo are the expressions on the faces of the accused. They were on trial for treason and yet nearly every one of them is composed and most are smiling. Many are giving a thumbs-up which was their salute before the clenched fist was adopted.

There was indeed strength in numbers and their unity and camaraderie are evident. Interestingly, Mandela stands out in this picture for a number of reasons. Firstly his height is accentuated as the row in front (which includes my father) is seated but our eyes are also drawn to his smart suit and physical stature. Perhaps his broad shoulders caused him to turn slightly towards the right in order to be comfortably accommodated in the line-up. Whatever the reason, he has a

particular presence and he too is smiling. The relief at the outcome of the trial would not last long as the regime used even greater force against its opponents.

The response to the protest at Sharpeville was for the ANC to not only to take up armed struggle but also to further consolidate its links with the Indians, 'coloureds', Whites and communists.

The ANC produced the Umkhonto We Sizwe Manifesto on 16 December 1961 and Mandela was its Commander in Chief. In it he said, 'Umkhonto We Sizwe is a new, independent body, formed by Africans. It includes in its ranks South Africans of all races'. It went on to explain why it was now adopting violent methods as well as working with existing national liberation organizations:

> It is, however, well known that the main national liberation organisations in this country have consistently followed a policy of non-violence. They have conducted themselves peaceably at all times, regardless of government attacks and persecutions upon them, and despite all government-inspired attempts to provoke them to violence. They have done so because the people prefer peaceful methods of change to achieve their aspirations without the suffering and bitterness of civil war. But the people's patience is not endless. The time comes in the life of any nation when there remain only two choices: submit or fight. That time has now come to South Africa.[3]

This moment marks a political revolution not just of ideas but of action and the point at which Mandela asserted himself without hesitation as the MK leader with a measured voice of reason and determination. The ANC had transformed itself from a non-violent organization with limited impact and narrow focus to one which now had an armed wing. It was flexing its muscles as it strategically and unapologetically prepared its plan of action.

What is interesting and perhaps unique about this revolution was that it came from within one organization, so in a sense it was the culmination of a 50 year evolution. This process of change was strengthened from its ability to adapt and collaborate through developing trust with other oppressed groups. It also had to learn how far the oppressors would go to retain power. This in turn would test its own mettle in how hard it was prepared to fight back. It had transformed itself from a conservative and somewhat docile organization into a newly energized revolutionary force. Mandela as its leader embodied political theory and action.

At just the point when the armed struggle was gaining momentum with its strategic targeting of symbols of apartheid (e.g., post offices and pass law offices, as opposed to civilians), the underground base at Liliesleaf Farm was uncovered and so ensued the Rivonia Trial. Once again the might of the apartheid regime and its brutal methods of quashing its enemies came into full force.

The mid-1960s, therefore, proved to be one of the most challenging times in the history of the fight against apartheid. The imprisonment of the political leadership and the forced exile of many of its foot soldiers effectively brought the dynamism of the movement to a stop. What the apartheid regime was not able to do was kill off the objective to win freedom which had taken seed in the minds of the cadres despite the immense obstacles put in their way.

My parents' connection with the Mandelas had begun through their political work together and grew into a close personal friendship. Winnie had her first child Zenani just a week before my mother gave birth to twins, my sister Zoya and brother Anand, in February 1959. In our family album are photos of Winnie and my mother side by side on demonstrations. They also appear together in photos and newsreel footage when Nelson was on trial.

In 1965 when my mother had to leave South Africa with my disabled brother whilst my father was having to plan the safe passage of my sisters as well as his own escape, she never got to say goodbye to her family or friends. What is more, neither of my parents had any idea how long they would be separated from their country and their people. This was a time of basic survival. Neither the emotional and physical turmoil of remaining in your country of birth without freedom, as the Mandelas had to endure, or having to run to an unknown land as my parents had to, was born from any real choice. Once committed to the liberation struggle nothing could be taken for granted. I had not been wrenched from my home and country of birth as the rest of my immediate family had but the trauma they experienced in effect became a secondary trauma for me.

My elder sister Tanya was given a mild sedative to make her sleep on the plane. She was an incredibly bright child who at that tender age said 'I know you don't want me to talk' even though she had no real idea what was going on. When they arrived in London, Tanya called my mother aunty as she hadn't seen her for so long which of course was difficult for both her and my mother. They then had to wait months to hear whether my father had successfully escaped.

They tried to lay down roots in London whilst their hearts remained in South Africa. The racism in 1970s Britain and the presence of the National Front didn't help develop a sense of belonging. We inhabited England but longed for our spiritual home South Africa – even me who was born in London.

Our parents shared endless memories of life in South Africa. These oral histories were incredibly colourful and textured. Some detailed the horrors of apartheid including the murder of that dear comrade 'Babla' Salojee. Years later when Babla's widow visited us in London, I remember my father embracing her

on our garden path and the two of them sobbing. It disturbed me to see my father so distressed and anger towards the regime took root inside me.

By way of contrast, other stories were warm and comforting. My sisters and I were captivated by tales of my father's childhood in the slums of Johannesburg. He would share amusing anecdotes of escapades or visits to the cinema with his siblings and friends. These were juxtaposed with memories of extreme poverty. My mother would describe her childhood in the countryside and her large extended family. They rarely mentioned their own political work as the ANC was still banned but rather talked of political events and the characters they knew and loved.

These narratives were authored mainly by my parents but also by elders from the exiled community all of whom we addressed as aunty and uncle. As I grew up I realized that the function of these oral histories was not simply a means of educating us but the act of narration itself became vital to my parents in keeping the struggle for freedom alive in their own minds, hearts and souls.

Despite never being physically present, uncle Nelson and aunty Winnie were players in that dramatic, political narrative both in the personal, private space of our homes first in Notting Hill in west London and later in Mill Hill East in north London and at political meetings.

Once Mandela was in prison in 1964, Winnie was alone with two young children. This would be the start of a long and deeply isolating existence for Winnie with regular servings of brutality from the regime and constant surveillance.

The Mandelas featured in the public space of political activism in London. There is a series of black and white photos which include my mother, sisters and me outside the SA embassy in the early 1970s. We were amongst several protestors, the majority of whom were women, holding handmade placards with the slogans 'Protect Winnie Mandela From Racist Thugs', 'Hands Off Winnie Mandela' and 'Apartheid Destroys Family Life'. These South African women came together to support Winnie as political sisters as well as each other as exiles. As a result, we children became activists too.

When we moved to Mill Hill East, my parents missed the richness of community life in Notting Hill but soon became active in the Barnet branch of the Anti-Apartheid Movement. On Saturday mornings, we would go with my father to hand out leaflets in Finchley asking shoppers to boycott South African goods. My father's patience and determination to engage members of the public in conversation was boundless even when met with indifference or outward

hostility. As we grew older, we would help him sell copies of the Anti-Apartheid News.

Political debates were always a feature in our family life too. Comrades from around the world would visit and discuss anything from Stalin, Castro and Watergate to McCarthyism and of course the main topic was the liberation struggle back home and how to support it from the UK.

As the AAM grew in numbers it was able to launch more sophisticated campaigns where posters and leaflets could be widely circulated. These called for boycotts of Outspan oranges, sporting boycotts and ending UK arms trade with South Africa. Volunteers organized fundraising events and gathered material aid for the people in the townships. I took part in my first sponsored walk at the age of seven to raise money for Barnet Anti-Apartheid. My father would be invited to speak at schools, churches and political meetings to raise awareness of apartheid. Every year the ANC would hold its Bazaar in London where political books and handcrafted goods from the frontline states were sold in support of the ANC. Traditional food from South Africa's range of cuisine was prepared by the women. My mother's curries and aunty's samosas and koeksisters brought a sense of home to London and were enjoyed by the political community.

At this time the focused campaign for Mandela's release had not yet taken off. He was kept alive in our minds as a family through the occasional and much valued letters he would write to my mother.

He and my father were banned from corresponding with one another so Mandela addressed the letters to my mother. There was much excitement in the family when a letter arrived. The paper was always wafer thin and his handwriting, formed with blue ink from a fountain pen, was neat and stylish. I was amazed at how small his writing could be and how it covered every bit of available space. Sometimes he would send my mother birthday cards and she was visibly moved when reading them. They were pretty with embossed covers or small decorative paper flowers. She would unfold them and there on each page and the reverse was his tiny writing. Sometimes he would write in code and my parents would decipher the political message and discuss it in private. At other times he was simply uncle Nelson sending us encouraging words or enquiring about our progress at school.

Whilst Nelson was incarcerated at least he had his comrades. Winnie meanwhile was banished to Brandfort, a remote part of the countryside, in the Orange Free State and deliberately isolated. The apartheid regime tried to break her through forced removal from her community to a place where she didn't

know the language. She too wrote to my parents but fewer of her letters got through and she also had to use code. One in particular makes painful reading as she talks of betrayal from someone she thought she could trust and yet it shows such courage. She thanks my mother for sending her a coat and calls my parents her brother and sister.

It was the orphaned youth both in a real and symbolic sense that Winnie would become mother of as her political independence grew in the late 1970s and 1980s. Her resilience was remarkable and she epitomized what the White, male colonizers feared – a brave, vocal, angry Black woman. The emasculation of Black men as a result of the violence of the White patriarchal system of apartheid was, in my view, why Winnie stepped into the breach and how the Mandela Football Team would later come about.

Political work and family life were deeply intertwined for us in London but our lives at school were very different. Mandela was still generally regarded as a terrorist in the 1970s–80s so we could not talk about our family's political work with our school friends.

In 1981, I made my first visit to South Africa when I was fourteen years old. My parents were still banned from returning but felt I should go. Even though I had heard so much about South Africa and wanted to be a part of it, I felt apprehensive before I left. Like any teenager, having an identity and wanting to belong was crucial. Perhaps on some unconscious level I was worried that this mythical land might not feel like home after all.

As it turned out my visit had an incredibly profound impact on me that I would take a long time to process. My father's family was relatively small and his elderly mother who we called Amah was still alive. She had met me only once before on a visit to London when I was baby and I could not remember her. My maternal grandmother had died when my mother was only fifteen but her father was alive. He too had made a visit to London when I was a younger child but now I could spend time with them in their homes.

The connection with my cousins and aunts and uncles was instant and the love that was shown towards me was wonderful. What I hadn't anticipated was how angry I would feel under apartheid and how experiencing it first hand was nothing like I expected. The Group Areas Act meant that our family lived in the Indian area Lenasia. Whilst it was wonderful to be amongst my relatives it also felt strange and uncomfortable to be separated from others because of race classification. Moreover, the poverty that black South Africans experienced was deeply shocking to see for myself. Endless shacks with corrugated iron roofs in Soweto were in stark contrast to the lavish homes owned by Whites in the

Johannesburg suburbs and the relative comfort of many, though not all, of my Indian relatives.

The sight of young black children wandering around on cold nights in broken shoes and old coats with missing buttons whilst sniffing glue, sickened me.

I wasn't able to visit Winnie owing to security issues but I did have a brief meeting with her daughter Zindzsiwa. My father's brother Peter drove me to the Carlton Centre in Johannesburg where he'd arranged for her to meet me. He waited at the car whilst she and I met on our own. We embraced and spoke briefly. I handed her an envelope for her mother that my parents sent with me although I was unaware of its contents. We said our goodbyes and parted.

On the same visit, I met Albertina Sisulu at a meeting in Lenasia where she gave a powerful speech about working together against the regime. Afterwards we spoke and she hugged me when she learnt whose daughter I was.

I returned to London feeling bereft at leaving my extended family but also angry and more determined to fight apartheid.

We had always participated in marches in London and now in the early 1980s these were attracting larger crowds, in particular students. The AAM ran a campaign against Barclays Bank, which had huge investments in South Africa. A lot of students had accounts with them and began to join the boycott which left Barclays worried about how their damaged reputation would effect profits.

In our Barnet branch we decided to adopt Ahmed Kathrada as a political prisoner to raise awareness of him and the wider struggle. I was given a bangle with his name engraved that I would wear until the day he was released.

The 'Free Mandela Campaign' ran throughout the 1980s. One of the first big events was on his sixty-fifth birthday at Alexandra Palace. Now that image of him on our living room wall which felt so private was reproduced on thousands of badges, stickers, posters, t-shirts and mugs. It was twenty years since his imprisonment and at last the world was beginning to hear more about him and his fellow prisoners.

My father accompanied Zenani Mandela to the unveiling of her father's statue outside the Royal Festival Hall. During the 1980s and beyond, she and her husband would stay with our family when they visited London and the bonds between us all grew stronger.

Whilst I was studying for my A-levels I decided to volunteer at the Anti-Apartheid Movement office during my free time. It was now located in a converted warehouse in the recently renamed Mandela Street in Camden Town. I would help wrap copies of the Anti Apartheid News and stuff envelopes for mailings. I later worked on specific projects. As 1988 approached, there was talk of the biggest campaign yet to demand 'Freedom at 70 for Mandela'.

It would involve a sponsored walk from Glasgow to London with twenty-five marchers each representing a year of Mandela's imprisonment. It was suggested that I be one of the marchers. I wasn't sure at first but soon the idea of being a representative of the ANC youth in exile became more appealing. Jerry Dammers who wrote the Special A.K.A. 1984 hit single 'Free Nelson Mandela' approached musicians to join Artists Against Apartheid to perform at a concert in Wembley Stadium. After all those years of campaigning on rainy days on the forecourts at Shell petrol stations, protesting outside the South African embassy, marching on demos and speaking at schools, there was a dramatic shift. It was suddenly fashionable to be against apartheid and there was a buzz in the AAM office.

The campaign not only spread the word across the UK but also across the globe when the concert was televised on the eve of the march. By this point, Jesse Jackson and longstanding supporters like Angela Davis were speaking at rallies demanding the end of apartheid. At the end of our march from Glasgow to London, the AAM had a magnificent turn out for a rally in Hyde Park. It wasn't long before Mandela would be free and addressing his people in South Africa. I remember the day we ANC members in London were invited to see Mandela for the first time at a private gathering at a trade union building in Camden. It was an exciting but surreal moment as we all crammed into the small hall and people rushed to have a picture. We were also in Trafalgar Square when he stood on the balcony of the South African embassy addressing an excited crowd.

Another concert was arranged at Wembley only this time Mandela was also on stage.

There was, however, still a journey to make to the first democratic elections in 1994.

Sadly, my father's mother had already died almost a decade before and he was not allowed to return for her funeral. Initially my mother made the first trip home soon after Mandela's release. Following a fairly involved administrative process other exiled ANC members were granted amnesty and could finally return home including my father.

My parents, siblings and I were permitted to apply for dual citizenship of Britain and South Africa. On election day April 1994 we, as a family, went to South Africa House in London to vote along with other former exiles. The sun shone on Trafalgar Square whilst we drank champagne from plastic cups on a truly jubilant day. In South Africa my elderly maternal grandfather would vote for the first and only time.

In the summer of 2007, there was much excitement amongst our family as Mandela was in London for the unveiling of his statue in Parliament Square. We attended the event which was a moment of great pride. It was also a political victory to see him honoured in this way by the British establishment after years of being scathingly undermined and referred to as a terrorist by several Tory MPs who had supported apartheid. The Labour MP Tony Benn, a firm supporter of the Anti-Apartheid Movement, was there and told my then five-year-old son that he was incredibly lucky to be present at such an important occasion. Benn also spoke of his own good fortune at having seen Gandhi when he was a small boy and that, like my son, he would never forget the great Mandela.

However, by the time he was ninety years old, Mandela the man had been turned into a myth and globally commodified. I decided not to attend his ninetieth birthday concert in Hyde Park as it felt commercial and devoid of politics. I watched a few minutes of it on TV, but the inane comments from the presenters and lack of basic political knowledge about Mandela and the wider political struggle that some of the performers revealed made me turn it off.

Mandela the revolutionary was replaced by Mandela the 'saint' but as my father has often reminded me, this was not how Mandela regarded himself. His image had reached the status of a religious icon as every celebrity wanted a photo with him perhaps hoping that some of his shine would rub off on them. It seemed those in power across the world preferred a politically neutered Mandela. By erasing his revolutionary past and 'forgetting' their culpability in sustaining the apartheid regime, a collective amnesia could be achieved.

By 2018, the centenary of his birth, Mandela was a household name the world over. For his comrades he remained a fellow freedom fighter and their MK leader. In the eyes of the apartheid regime he was a 'terrorist', a label that crossed the oceans and was consolidated by successive British and US governments. This powerful alliance created a false narrative of Mandela to ensure the continued incarceration of him and his comrades.

As 2018 drew to a close, the British Cabinet Office released papers relating to the Conservative government's communication with Mandela from thirty years prior. These documents serve as a reminder of the hostile attitude towards Mandela and the ANC by the British government of the time. They also reveal an underestimation of Mandela's political will and diplomacy.

Following a phone call with Mandela in June 1990, Margaret Thatcher's Private Secretary for Foreign Affairs, Charles Powell, noted privately: 'The Prime Minister commented to me afterwards that she was a bit disappointed with

Mandela, who seemed to have a rather closed mind' (*The Independent*, 29 December 2018).

Thatcher and Mandela were politically opposed; she wanted to renew trade links with the apartheid regime whilst he wanted sanctions to remain in place.

It is worth pausing for thought to consider whether the eventual shift not only by the British and US governments, as well as F. W. De Klerk's government, was at worst a cynical move to appear to be doing the right thing, or at best one of resignation when they realized there was no alternative. Arguably, in the end it was not a meeting of minds or a rejection of the fundamental evils of apartheid that led to negotiations both nationally and internationally. The political uprisings in South Africa, international pressure on the regime and the desire for British and US governments to maintain the interests of big business were the catalysts for change.

The private comments of world leaders do not always sit comfortably with ever changing tides of popular opinion, so at least in public, those views started to alter. Instead Mandela began to be portrayed in the media as something entirely different and more palatable. This begs the question as to why this apparent shift took place and whether it was ever genuine. Some of these politicians would later re-write their own political histories by 'forgetting' their former opinions of Mandela or by blatantly trying to bury them. On a visit by the British Prime Minister Theresa May to Robben Island at the end of 2018, the reporter Michael Crick from Channel 4 news asked her:

> 'What did you do to help release Nelson Mandela? Did you go on protests? Did you get arrested outside the South African Embassy? Did you boycott South African goods?'

Her defensive reply:

> 'I think you know full well that I didn't go on protests Michael but what was important was the support from the United Kingdom.'

Crick interjected saying:

> 'Hang on a minute, at that stage Mrs Thatcher believed Nelson Mandela was a terrorist, were you a loyal Conservative Party member? Did you think the same thing?'

This was a rare moment of calling out Tories on their shameful record regarding apartheid. Unsurprisingly, May was evasive and attempted to divert the spotlight from her past onto Mandela by praising him as a world statesman. This short interview is a perfect illustration of how it suits those in power to conveniently erase their own murky political pasts and arrive in the present as though they played no part in that history.

On the evening of 5 December 2013, my family and I attended the London premiere of the film 'The Long Walk to Freedom'. We were greeted by Zenani as we arrived. It felt surreal when Mandela's death was announced after the film was screened. We left the cinema and went to be with Zenani and Zindziswa in their hotel room. Despite the sadness, my parents reminisced with them. The TV was on in the background and of course the reports were all about their father. My eldest sister and I later spoke of the pain they must have felt and how even their private grief was inevitably a public affair. Once again I was reminded of Mandela the man and Mandela the myth being inextricably linked.

Winnie's Xhosa name was Nomzamo. Whilst Mandela was in prison he sent names for me and my siblings and chose Nomzamo for me. The name means 'one who endures trials' and this was certainly true of Winnie's life. In an emotive binarism, Mandela was mythologized to the point of hagiography whilst Winnie was portrayed as the sinner, vilified and demonized.

Any meaningful narrative of Winnie's life should offer a wider political context and explore the undeniable challenges she faced. The huge number of people who attended her funeral in 2018 is testimony to her standing amongst South Africans particularly in Soweto. She supported them in the 1976 uprising and continued to live there. At Winnie's funeral, Zenani spoke with anguish as she shared the admission made by South Africa's secret police that they used spies to undermine her mother. The cowardly timing of their statement confirmed not just their cruelty but also how much they feared Winnie right up until her death.

It is equally important to relocate Mandela in a wider historical context. He was a remarkable political leader of a revolutionary movement made up of countless individuals who collectively fought for change.

South Africa the beautiful 'Rainbow Nation' has not ended poverty and brought about peace and harmony. The fact remains, however, that the racist apartheid system was dismantled. The Freedom Charter of 1955 was undoubtedly a progressive manifesto. What matters most is the will to translate those ideals into reality through the honest realization and application of the South African constitution. It requires a commitment to maintaining them that can only be achieved if the people begin and continue to hold their politicians to account. Achieving this and ridding South Africa of corruption and structural inequality feels like an insurmountable task but, to my mind, a Mandela legacy worth fighting for.

Notes

1 Ken Keable (Ed.), *London Recruits: The Secret War Against Apartheid*.
2 Paul Joseph, *Slumboy From The Golden City*, p. 131.
3 Nelson Mandela, *The Struggle Is My Life*, p. 122.

References

Joseph, Paul (2018). *Slumboy From The Golden City*. Merlin Press.
Keable, Ken (Ed.) (2012). *London Recruits: The Secret War Against Apartheid*. Merlin Press.
Mandela, Nelson (1986). *The Struggle Is My Life*. IDAF.

Part Two

Mandela as Cultural and Spiritual Inspiration

2

Service and Spirituality: A View from the North

Sharon Prentis

After his presidency, Nelson Mandela embarked upon a series of visits around the world to promote trade with South Africa and to thank the people who had supported him during the apartheid era. In 2001, he visited Leeds, West Yorkshire at the invitation of its citizens. The visit scheduled to mark the seventh anniversary of the end of apartheid was to confer the honour of being a Freeman of the City in recognition of his contribution to peace and democracy. As his only official visit outside London, it was particularly poignant for the city's Black community, who had supported the campaign to end apartheid over many years.

Associations with the City of Leeds and the South African struggle ran deep, starting with his imprisonment in 1963. Although Mandela never spoke explicitly about faith, there was an implicit assumption that faith was woven through his experience, particularly the twenty-seven years spent in prison. Speculation about the source of his resilience, wisdom and resolve for peace shown in leadership was attributed to spirituality. For members of the Black community in Leeds, the visit was significant; his commitment to the freedom and advancement of all South Africans led us to view the occasion as nothing less than an endorsement of our commitment to seeking racial justice. For those of us connected to the church, the rhetoric of political reform he represented and spoke about in the public square was tempered by a familiar Christian narrative that spoke of concern for others, sacrificial service, peace, unity and reconciliation. It was natural to assume that these were because of spiritual convictions. In exploring the impact of the visit, I suggest the assumptions about his spirituality were not unfounded for the Black community in Leeds who lived out faith in the context of political and social marginalization. Having been present in the city square on that momentous day when Mandela graced Leeds with his presence, I can attest to the profound impact it had on me. Alongside the masses, I raised my voice in unison with them, chanting 'Madiba', fully aware

of the significance of his visit. The poignancy of the occasion was not lost on me, as I stood there, witnessing history unfold before my eyes.

Standing in solidarity with others was not an alien concept. From primary school, I was aware of the city's affiliation with the Anti-Apartheid Movement and Nelson Mandela, in particular. Monuments to the cause were dotted around our city. They were also significant monuments in my life: from the youth centre next to the church I attended in my youth, the public gardens in the city centre to the university I later studied at. As the Mandela Centre was situated next to the Wesleyan Holiness Church I attended, there was a natural connection to the story of the struggles with the biblical themes of righteousness, justice and freedom from oppression. Due to Martin Luther King and the Civil Rights Movement, faith and protest became an integral part of our experience. Biblical themes such as exodus, redemption and slavery (with their historical, social and economic connotations) and theologies of liberation featured heavily in our discussions. As marginalized people, we were living out what Alan Boesak terms a prophetic theology of resistance:[1] working out our faith by protesting 'on the edge' for those like us whose lives were framed with suspicion.

The Visit to Leeds

The official visit, which took place in April 2001, had been widely publicized, so it was not surprising that a crowd of 5,000 people filled the small city centre square ahead of the visit by Nelson Mandela. I was fortunate to be in the gathering that represented people from different backgrounds, all of us waiting patiently to see someone whose story and that of the South African people had been periodically brought to the attention of our civic life. Since the early 1960s, the Black struggle for liberation and justice has been woven into the city's history.[2] The long involvement with the call for freedom and Nelson Mandela began in 1963 after his arrest. Students at Leeds University showed their support by voting for him to become honorary president of the Student's Union to highlight his imprisonment and the plight of the South African people. However, associations with the city were not without some controversy. In 1982, when Bishop Trevor Huddleston, one of the Anglican Church's strongest proponents for the end of the apartheid regime, opened a garden near the Civic Hall to commemorate Mandela, there were calls by a few vociferous individuals for the city to relinquish its association with the struggle. However, any objections to the garden were unanimously rejected by the good people of Leeds.

The atmosphere on the day was celebratory as we clapped and danced to Ladysmith Black Mambazo while eagerly anticipating the man who had been hailed as the 'greatest living example of forgiveness, hope and inspiration'.[3] We were there to celebrate the culmination of years of our indignation and Leeds's part in the global outcry against apartheid in South Africa. I was then a postgraduate student at the University of Leeds. The same University students had voted unanimously to make Mandela the President of the Student Union in 1963.

Nearly fifty years later, the city's high regard for Mandela persisted so much that the local newspaper reported that Bernard Atha, the Lord Mayor at the time, commented on the enduring link to Leeds, saying that few people could carry the same authority, gentleness and aura.[4] It was a testimony to the esteem in which he was held locally and reflected the sentiments that had followed him around the world. The visit to Leeds was also unique. Being part of a British tour intended to thank grassroots activists for their support, it was the only one outside London. At his request, the motorcade took a detour through Chapeltown, a predominantly Black urban area in Leeds. The motorcade passed the Community Centre named after him at the heart of the African Caribbean community. It was a small gesture of thanks on a grand civic visit, but it meant much to the people there.

Dignitaries did not intentionally visit Chapeltown. It was a place known for its migrant population, social challenges and general dilapidation. As a Black statesman, he brought attention to an area of the city often portrayed negatively and instead validated its residents by affirming their contribution. He represented the same dignity and wisdom under duress we recognized in our elders. His resolve to accept nothing less than full participation in the country's government was parallel to their strength when they sought to make their homes in Britain. As a politically marginalized community, it was easy for us to identify with him and draw parallels from our lives and the challenges we faced. To us, the hope he embodied sprung from the same source: an unerring faith that no one should suffer the ignominy of racism.

We did not know where he stood concerning the faith, but we recognized that his leadership embodied the sentiments we had been brought up with. And therefore, to us, he was a Christian in the same vein as Martin Luther King. Mandela's hope became our hope; his struggles for equity in an anti-racist society became ours. We became mobilized around causes that reflected our own disempowerment because of systematic and systemic racism. Taking part in protests allowed us to voice our concerns as young people in places where our

voices were often muted or disregarded. We were living out the liberating nature of a gospel that proclaimed freedom. All these experiences were wrapped up in Mandela as we navigated adolescence. Our keenness for social justice arose from a historically shaped and theologically formed understanding of justice, particularly liberation theology, with its emphasis on the poor and marginalized. Through learning about the events of Sharpeville and watching the news footage of the aftermath of the Soweto Uprising, our resolve to act sharpened. It led to us trying to understand the involvement of the Methodist Church of Southern Africa (MCSA), Mandela's church, which naturally led to assumptions about the faith of Mandela himself.

For the minority ethnic population whose roots originated in the successive waves of post-war migration from the Caribbean, Africa, India and Pakistan, the visit to Leeds was more than just a civic affair; it had a profoundly symbolic meaning. The story of the struggles in South Africa was our own story, too, enabling us to frame our experiences in a larger global context. It was not just a celebration of the achievements of one individual but of a nation in overcoming what had once seemed impossible. More importantly, it reminded us that sacrifice was an integral aspect of serving others. As young citizens, we had a different perspective; he was different to other political figures in his defiance of unjust laws and the impact of White supremacy. The fight for his freedom and the people of South Africa captured our imaginations and became the focus of a burgeoning engagement with the wider world.

The fight of the people of South Africa and the story of Nelson Mandela also shaped our understanding of local and global politics and our fight for racial justice. Everyone I knew boycotted goods produced in South Africa, and most signed petitions calling for his release. In the face of the obvious injustice of apartheid and the potential of a race war, on the global stage, Mandela was cast in the role of moral beacon. His role in South Africa was discussed in reverential terms that alluded to the religious. Following his death, he was referred to as a moral guide, an icon and a prophet of South Africa's multi-racial democracy.[5]

The Church

For the Black church, which was often a focus of social engagement within the community, the gospel narrative was focused on righteousness and justice. From liberation theology, we understood that the presence of God and the experiences of the marginalized, especially the poor, was where Christ was found. Moreover,

there was a need for divine love in a world that was often cruel and where power was exhibited in ways that stripped others of their dignity. Our understanding came out of the real experience of being on the margins – as first and second-generation migrants who were subject to institutional discrimination and discriminatory practices. The struggle for justice was also our struggle. Faith was not just about staying within the church building but was worked out through social action: what we believed and how we proclaimed God through it.

As young people, we knew the names of those activists who challenged apartheid: Walter Sisulu, Steve Biko, Winnie and Nelson Mandela. Each one undeterred by state sanction or threat and prepared to pay the ultimate cost. The events that took place in Sharpeville during 1960 had made an impression on my parent's generation, sharpening their determination to protest state brutality. This was done by joining Solidarity, the Black-led wing of the Anti-Apartheid Movement in Britain and joining trade unions who sought the boycott of trade and goods from South Africa.[6] Black-led Churches also did their part by collecting money for schoolbooks for children living in townships and by expressing solidarity with those who were experiencing violence or being incarcerated for protests against the regime. In this way, our faith and politics became linked in terms of activism. The experiences of Black South Africans warranted action, and so we took the words from the book of the prophet Micah. These words were to literally to do as the Lord required of us: '*To act justly and to love mercy and to walk humbly with God.*'[7] Those who were our pastors and lay leaders had strong community links and were involved in activism at the local level. In the case of the oppressed majority under apartheid, acting justly concerned our sisters and brothers, highlighting they were not alone, so we showed our solidarity by using every opportunity to highlight their situation.

In the Black church community, it is natural to interpret our community engagement in the light of the Bible. Life was to be lived not just for the sole purposes of ourselves but to serve the wider community, including those on the other side of the globe. Service was integral to being Christ's disciple. What this meant was a strong commitment to work for the common good. We learnt the power of solidarity and the importance of self-empowerment that leads to a greater sense of communal well-being. Sacrifice meant a willingness to embrace the reality of being ostracized or scorned because it was the right thing to do. It was not simply a case of being idealistic but of understanding that there existed fractures in society that undermined the dignity of every human made in the image of God. We believed any deviation from that which undermined the worth of human beings should not be accepted. Any division based on the

separation between people – whether that be Black and White, between men and women, between those that have and those that struggle to live. This was the reality of our everyday lives. As our parents had understood before us, those fundamental ways of separation were based on differential treatment. As children in an urban area, my parents were eager for us to learn that we would be affected by the social schisms constructed along racial lines. The situation in South Africa reflected those concerns in the extreme. We became aware of the persistent and entrenched nature of inequality and racism that concerned not only our city of Leeds but the whole world.

Black Solidarity

The symbolism of Mandela's visit could not have been more poignant. It was a culmination of support, which for most of us was in living memory. The struggle had gained momentum in Chapeltown when we joined the boycott by refusing to buy goods originating from South Africa and collecting books for schools located in the townships. He was hope personified and, as such, became a central theme that resonated with faith groups especially. The civic gestures of esteem from Leeds served to endorse the power of hope and remind us of our unity at a community level. A renewed sense of purpose was evident. In Millennium Square that day, we could all relate to the kindly and benevolent fatherly figure whose commitment to others was played out on the global stage. The same commitment was shown by coming to Leeds to say thank you.

On the smaller stage in front of the Civic Hall in Leeds, surrounded by singing children and between the cheers, stood the smiling figure of Nelson Mandela. When he attempted to speak, there was a hushed reverence as we strained to catch every word, as if the wisdom offered would give us some insight into the qualities needed to transform the kind of change he led. The awe and respect were palpable. Later, in a speech to city dignitaries, Mandela described himself as 'being in trepidation' that the freedom of the city had been given to 'a retired, unemployed, old pensioner from back home'.[8] It was an endearing speech that further cemented the idea that he had become adopted as a citizen and an elder.

Respect for the insight of elders is part of the cultural DNA of minority ethnic communities. Ageing is understood not in terms of physical decline but as the acquisition of wisdom and spirituality passed onto younger generations. As a mark of respect, an elder is not referred to by their first name; instead, they become honorary aunties, uncles and grandparents tasked with transmitting cultural and spiritual values down through the family via an oral tradition. Storytelling

remains significant in the Black community. It becomes a vital communal asset in promoting resilience and coping with life's vagaries, demonstrated through their stories with messages of faith and hope.

It was our elders who told the stories and made the connections from our past to our present. They were the ones who navigated post-war Britain fuelled by the impetus to serve the mother country. As the years passed, this desire has not diminished. Ardelt suggests that as individuals age, they develop an increased commitment to serve. More time is devoted to self-development without mindful reflection, self-examination and a willingness to learn from experiences. Self-development leads to what Ardelt suggests as older people embracing a quieting of the ego and to self-transcendence manifested in a concern for the well-being of all and an altruistic, all-encompassing love.[9] Perhaps that's why Mandela's commitment to his community and country, coupled with his deeply rooted religious beliefs, make his story of wisdom in age particularly appealing, especially to older individuals.

In the South African context, traditional spirituality, religion and cultural experiences provided a significant backdrop to the history of South Africa. Several presidents of the African National Congress (ANC) were Christian, as were its founding principles.[10] Its founding leaders brought with them an understanding that refuted the theological justification of apartheid by the Dutch Reformed Church (DRC), which supported segregation according to race. Religious leaders such as the Reverend John Dube and Mangena Mokone were close political allies, ANC advocates and compatriots in the struggle.

Mandela's Spirituality

The specifics of Mandela's faith have been the subject of much speculation, mainly because he did not speak publicly about it. On one occasion, when asked to describe his meaning by faith, he replied that he understood it as a 'deeply private matter not for public discussion'.[11] Dennis Cruywagen's book gives further compelling evidence that Mandela was a spiritual man, and this aspect developed throughout his life.[12]

In an interview on the church's role, the official newspaper of the Dutch Reformed Church (NG Kerk), Mandela stated his familiar retort that the relationship with God is very intimate. When further pressed, he said that 'all of us accept faith in Jesus' and that the church, particularly the Methodist church, had given him a primary education.[13]

It is widely known that he was a member of the Methodist Church from his earliest days. The literature speculates about the degree of impact these experiences had on these formative years. In his autobiography, *Long Walk to Freedom*, Mandela offers insights into his affairs, mentioning several colleagues who were closely associated with the Christian faith.[14] These colleagues played a significant role in Mandela's life and in shaping his beliefs and values. One such individual was Archbishop Desmond Tutu, a prominent figure in the Anti-Apartheid Movement and a strong advocate for justice and equality. Mandela often sought Tutu's guidance and wisdom, finding solace in their shared faith and commitment to fighting for a better South Africa.

Another influential figure mentioned in Mandela's autobiography is Reverend Allan Boesak, a prominent theologian and anti-apartheid activist. Boesak's unwavering dedication to the principles of Christianity and his tireless efforts to challenge the oppressive regime resonated deeply with Mandela. Their shared belief in the inherent dignity and worth of every individual fuelled their determination to dismantle the apartheid system.

Mandela also acknowledges the support and encouragement he received from Reverend Frank Chikane, a prominent leader in the South African Council of Churches. Chikane's unwavering faith and commitment to social justice inspired Mandela to persevere in the face of adversity. Together, they worked tirelessly to promote reconciliation and healing in a divided nation.

Throughout his autobiography, Mandela reflects on the profound impact these colleagues had on his life and his struggle for freedom. Their firm faith in the face of provocation and commitment to justice was a constant reminder of the power of compassion and forgiveness. The connections Mandela forged with these individuals of faith brought about meaningful conversations about social transformation.

Nevertheless, ongoing curiosity about the exact nature of private faith in the life of public figures meant that this aspect of his life remains of interest. Mandela's resilience, wisdom and ability to persevere despite the challenges against him have been attributed to a deep sense of purpose and, to some extent, his faith. The fortitude displayed during the struggle reflects his inner resilience and commitment to the cause. Nevertheless, speculation about where he drew his strength and fortitude from under uncompromising duress has been of interest. In a series of interviews exploring the nature of Mandela's spirituality, Dennis Cruywagen suggests that spirituality was integral, if not always evident.[15]

In his book, *The Spiritual Mandela*, Cruywagen quotes several instances that highlight the influence of Mandela's grandfather, a staunch Methodist, and how

Christianity was an essential part of his life. Mandela's reluctance to openly discuss his religious beliefs stems from his role as the leader of the ANC, a diverse organization encompassing individuals of various faiths and ethnicities. In a statement, he clarifies that he prefers to keep his personal beliefs private. Nevertheless, he does share a glimpse into his upbringing in Transkei, where he attended Christian schools and even served as a Sunday school teacher for a period of four years. These experiences have profoundly shaped his values and principles, rooted in his faith. In a meeting with Archbishop Ndungane, Mandela is reported as saying, 'My generation are the products of the religious institution; religion is in our blood.'[16]

The associations with the Methodist Church of South Africa are found throughout his life. At his official state funeral, it was obvious that the church played a significant role in the formalities to support his family. What cannot be denied was that he was a firm Methodist who admitted on several occasions the influences of both the church and his traditional culture on his formative experiences. Perhaps one of the most significant periods was the time spent in prison, some in solitary confinement. By his own admission, he became quite religious, attending services and speaking with several chaplains during his time on Robben Island. Nevertheless, Mandela was reluctant to even explain those experiences in any depth, preferring instead to carefully craft a narrative that conveyed a more neutral position. Interestingly, he did, however, confirm that he read religious books and explored ideas with the ministers that came to visit him.

In the early days of incarceration, with the long periods spent in isolation, the difficult conditions, which included the threat of physical violence, Mandela's reputation as a calm and resolute figure in the political struggle grew. During his time on Robben Island Mandela met with religious leaders from different faiths. However, this changed when he was transferred to Pollsmoor where he could only have contact with ministers from his own Methodist church. A letter to Archbishop Russell recalled how much he appreciated members of the Anglican church and other ministers they encountered. In response to Mandela's letter, Archbishop Russell wrote to prison authorities about Mandela's Christian faith, and how he had drawn strength from the power and presence of Jesus Christ in prison. It was also during his time at Pollsmoor that he became reacquainted with Harry Wiggett, the Anglican priest he had met fourteen years previously on Robben Island and with whom he became friends. It was in Pollsmoor that Mandela alongside Sisulu, Kathrada, Mhlangeni and Mhlaba regularly attended chapel services to receive Holy Communion. Writing in the *Church*

Times, Wigget recalls his meetings with Mandela, sensing that he was someone with 'an alive spirituality and an appreciation for the sacramental and teaching ministry of the church'. One example of Christian magnanimity Wiggett refers to concerns one of the prison warders or guards. Chapel services were conducted in the presence of a prison warder who was there to ensure security. Wardens, although in attendance, did not join the prisoner in the act of worship. On one such occasion Mandela asked the warder sitting next to him, are you a Christian? When he replied that he was, Mandela responded that, as a Christian, he should join them in the service like the others in attendance because of the fellowship they share in Christ. This was an example of what Wiggett perceived as, 'a deep understanding of what a commitment to faith meant'. He wrote that Mandela's actions had proved to him that the love and grace of God extended to everyone, especially in the context of the Eucharist and celebrating communion together.[17]

During his twenty-seven years of imprisonment, Mandela was visited by numerous faith leaders. The opportunity to attend services were crucial for not only passing the time but enabling spiritual development. Another influential individual Mandela met was Dudley Moore, a Methodist minister who offered pastoral support, read the scriptures and debated spiritual matters with him.[18] The period in prison brought him into contact with others with whom he could explore faith with and reflect upon what it meant. Significantly, post-apartheid rule under his direction was focused on social reconstruction and the building of the Rainbow Nation through a process that acknowledged the violation of human rights but also emphasized the need for healing and peace without retribution. Efforts to bring the restorative justice model of the Truth and Reconciliation Commission (TRC) involved Archbishop Desmond Tutu as founder, and the Church to promote a notion of unity that transcended civic duty and tapped into concept of 'oneness' – the inter-relatedness of common humanity. The practice of reconciliation has not been lost on politicians. Inspired by the struggle, sacrifice and the bloodless transition, former US President Barack Obama in a statement following Mandela's death commented:

> Mandela understood the ties that bind the human spirit. There is a word in South Africa - *Ubuntu* - that describes his greatest gift: his recognition that we are all bound together in ways that can be invisible to the eye; that there is a oneness to humanity; that we achieve ourselves by sharing ourselves with others, and caring for those around us.[19]

The spiritual language Mandela used, with its themes of equality, justice, hope, service and the dignity of another, resonated with themes found in liberation

theology. This perspective, with references to the divine redemption and human flourishing for all, embraces the principles of justice, the eradication of poverty and eschews marginalization. The aspects of hope Mandela articulated and embodied concerned not only justice and recognition of past experiences but was also an invitation to explore new future possibilities. Reconciliation is a reoccurring theme. Mandela believed it to be a spiritual process requiring more than a statutory obligation but also an inner transformation of the hearts and minds of people.

Archbishop Thabo Makgoba, in his tribute, witnessed Mandela's compassion when consoling parents who had lost their children in tragic circumstances. He writes:

> As a priest, I would've fumbled and struggle to find words to use and would probably have turned to the formulations in our prayer book. But Madiba gently reassured the farmer that he should not blame himself for the death for him, life and death seem just to be different places on a continuum of loving oneself and loving the God. The spirituality and the healing gift of forgiveness and reconciliation that oozed from him overwhelmed us.[20]

Faith and Politics

Religion and politics make uneasy bedfellows. The idea that politics should be a religion-free zone is contentious. Some may argue for a separation of the two, believing that politics should be free from religious influence to ensure fairness and equality. Others believe that religion can provide a moral compass and guide politicians towards making ethical decisions. It is possible to speculate that Mandela's reluctance to openly discuss his faith was influenced by the need to strike a balance between religion and politics in a context where the church was historically on both sides of the apartheid divide. Mandela's stance was understandable necessitating religious choice while also ensuring that political decisions were inclusive, fair and transparent. C. S. Lewis made an observation related to this topic:

> almost all crimes of Christian history have come about when religion is confused with politics. Politics, which always runs by the rules of ungrace, allures us to trade away grace for power, a temptation the church has often been unable to resist.[21]

While it might be the case when it came to faith in politics, Mandela resisted being drawn into a conversation about it and consequently avoided being

categorized. Possibly, for the sake of pragmatism, or the need to form coalitions 'Mandela the political broker' took precedence over Mandela the explicit man of faith.

As someone whose formative years were spent in the enclave of Methodist education, the Christian faith featured largely in his life. However, attempts to keep it private was perhaps an indication of the need to exhibit fairness and not be seen to unduly favour perspectives of others. A private/public distinction is the familiar stance most politicians take to pre-empt any accusations of partiality or conflict with a more liberal position. Those who suggest that faith does not have a role in politics see it as the means to wield undue influences, to the detriment of the people they serve. The notion that previous affiliations are not neutral and would exert an undue influence is not without its problems. Derrida and Roudinesco highlight this dilemma. They suggest that in Mandela's attempts to seek a new start for South African society by obtaining amnesty for ANC exiles, militants and for those Whites who were the perpetrators of the worst atrocities, by adopting this position, they suggest it resulted in the gulf between rich and poor, Black and White, which was far from the Rainbow Nation he envisaged.[22]

The dilemma for Mandela was how to bring the different sides together. Partisan politics were also held by the denominations in the church. The nationalism of the Dutch Reformed Church (DRC) contrasted with the ANC affiliation with the Methodist Church of South Africa (MCSA). In a deeply divided nation, the need to bring both sides together took precedence over a personal profession of faith.

Although not explicitly stating any religious affiliation, nor explicitly talking about the role of faith during his political life, the rhetoric Mandela used was certainly spiritual. With its underpinning narrative of hope, altruism and the liberation of the oppressed his language resonated with Christians and those sentiments found in liberation theology. This perspective with its concern for the poor and marginalized has a commitment to political liberation. Not only does this redeem past experiences, it is also an invitation to the future. Perhaps the impact of his faith was in the way that his Christian values were lived out in the exercise of his leadership rather than risking scrutiny over any profession of belief. It is perhaps because of such views that Mandela chose not to explain his own position, preferring instead to keep it private. There is no doubt that the Church has played a significant role in his life. From his school days, time in prison, to the liturgy at his funeral. It reflected the deep conviction the man had throughout his life. There is a spiritual quality in the way that he lived

and conducted politics which lends itself not only to speculation about his faith but a desire to know more about what motivated him and what underpinned his politics and personal perspectives.

Conclusion

The public's continued fascination about Mandela's spirituality is both from interest about motivation – what enabled him to persevere despite opposition, and secondly, his association with the values of reconciliation, forgiveness and civic virtue. The ideological aspiration to working for the common good has been a significant theme throughout his life.

Mandela did not seek to frame his actions as part of an individual confession of faith, instead he referred to the church and the role of its members in furthering the cause of equality and the healing that would be required following the long years of racial oppression. It is, perhaps, not surprising that speculation about the nature of his own faith has arisen. When reviewing a person's impact, the tendency is to treat it with undue reverence; however, unlike, for instance, the hagiographical accounts of saints, whose lives are told to bear explicit witness to their faith, articles written about Mandela's life do not make any claims for an overt expression of Christian faith.

Yet, despite his reluctance to elaborate on speculation about the role faith played in shaping his views, there is implied observance. From his early days to his state funeral when the South African government declared Sunday, 8 December 2013 to be observed as a National Day of Prayer and reflection, religion played a part. On hearing of his death, people gathered in a variety of faith venues to pray, give thanks and reflect on his life and contribution to the world. That spontaneous and almost spiritual outpouring of feeling, like on that day in Leeds, reflected on a small scale, the high regard in which he was held by the whole world. It is not an over exaggeration to say that Mandela was perceived as a wise patriarch to many outside his country.

Faith implies that the believer has access to a source of spiritual strength that gives fortitude in the face of adversity. When considering the Black experience in Britain, the Black majority church has played a key role in mediating the challenges Black people face. The collective experience of discrimination leads to a sensitivity to the predicament of others across the African diaspora and their struggles for emancipation. Mandela was at great pains to disavow any

notions of 'sainthood' or attempts to revere his life work in such a way. Any attention paid to his achievements were either dismissed or quickly attributed to the collaborative efforts of others: mainly the South African people.

It is a temptation to categorize virtuous people as individuals who have unique qualities that are unattainable. Yet, as Mandela showed, they are real everyday people who get caught up in something greater than themselves, and who in the process must grapple with their own imperfection. Mandela was not on a journey to self-promotion or a self-defined piety but one tasked to serve something far greater than himself. People who exhibit a dedication to God and others come into the realm of being saintly.[23] In some ways it is visionary in that the command to love means even to love our enemies.

There was ample opportunity over twenty-seven years for Mandela to cultivate animosity towards those who sought to subjugate. His confinement on Robben Island was intended to be the ultimate humiliation, to diminish hope and inflict despair but was transformed into something else. The arrest and treatment of his second wife, Winnie, who was often subjected to solitary confinement, and the separation from the children and the loss of his mother and son while he was in jail, were experiences that could have broken his spirit and set him on a different path. The need to do better than the aggressors was an overriding concern. He resolutely stuck to there being only one way forward for the New South Africa: the way of peace and reconciliation. Transition brought with it a new narrative of justice and forgiveness which must have been challenging to people who had suffered immeasurably. Mandela's life exemplified the truism that if people learnt to hate they could also be taught to love.

A central tenet of the Christian faith is that God is love and that love leads to freedom. There is nothing more powerful than someone who professes that among people and lives it out in their actions. Despite pressure from his ANC compatriots and other forces within the South African government, Mandela maintained a position that, if South Africans were to flourish, then democracy could not be built on violence, nor the oppression of one race over the other. A deliberate approach to forgiveness and mutual flourishing would be required. If this approach were purely done in a completely secular context, choosing to serve would emphasize civic duty above anything else. Mandela could have so easily resorted to determine the conditions of the new South Africa as party leader by monopolizing power, but he did not. Involvement of the church and other faith groups in the social reconstruction of the country was an acknowledgement of their vital role.

As I look back over my association with the anti-apartheid cause from growing up in Leeds, perhaps part of Mandela's legacy is in acknowledging the role of faith can effect change; that each of us has the inner conviction to do

what is right; the courage to challenge injustice; and the strength that does not give into provocation, nor succumb to bitterness. From the example of South Africa we learnt to channel our experiences of discrimination into something constructive: to challenge those who oppress and exploit. The grace by which this is done is service. The day after Mandela's death the MCSA's Presiding Bishop, the Revd Zipho Siwa commented:

> Madiba remained a committed Methodist throughout his life. As a church, we hail the qualities that confirmed him as a true son of Methodism – a life of faith in God lived in service to others.[24]

In the light of the political factionalism and populist stances today, if we were to ask what Mandela's legacy is, it is that a counter-narrative in the public square is possible. As ethnically and culturally diverse Christians we understand that being socially and politically aware is not at odds with being a disciple of Christ. Faith is politics because it concerns social justice. The Bible gave us the liberating language of righteousness, hope, peace and reconciliation which were embodied by people such as Gandhi, Rosa Parks, Martin Luther King, Malcolm X, Nelson Mandela and his compatriots. From them we learn that our convictions can be tempered into a practical action – even from the edges to expose injustice. He taught us that service is both horizontal – as we overtly seek to support our fellow citizens in the most effective way through relationships of mutual respect – and modest in our vertical orientation towards the Divine, in recognition that we are all God's children.

Notes

1 Boesak, Allan Aubrey (2014). 'A hope unprepared to accept things as they are: Engaging John de Gruchy's challenges for "Theology at the edge"', p. 1059.
2 Forward to freedom exhibition in Leeds for Black History Month: https://lucas.leeds.ac.uk/news/forward-to-freedom-exhibition-in-leeds-for-black-history-month.
3 Jon Snow introduction at Millennium Square: https://www.channel4.com/news/meeting-mandela-from-freedom-to-anniversary.
4 Nelson Mandela's Link to Leeds, 6 December 2013: https://www.bbc.co.uk/news/av/uk-england-leeds-23031097.
5 African Research Bulletin, 2013 SOUTH AFRICA: Mandela: Death of an Icon First published: 21 January 2014. https://doi.org/10.1111/j.1467-825X.2014.05456.x.
6 'The Anti-Apartheid Movement: A 40-year Perspective', https://web.archive.org/web/20070509010117 / http://www.anc.org.za/ancdocs/history/aam/symposium.html. South Africa House, London.

7 Micah 6.8 NRSV Bible.
8 Address at ceremony receiving the Freedom of the City, Leeds, April 2001– NMF Archive: https://archive.nelsonmandela.org/index.php/za-com-mr-s-1089. Nelson Mandela Centre of Memory.
9 Ardelt (2008), p. 232.
10 Forster (2014).
11 Dennis Cruywagen (2016). *The Spiritual Mandela: Faith and Religion in the life of South Africa's Great Statesman South Africa*, p. 144. Penguin Random House.
12 Cruywagen (2016), p. 112.
13 Frits Gaum (2002). Nelson Mandela on leadership and the role of the churches: An interview. *Verbum et ecclesia JRG* 23(3).
14 Nelson Mandela (1995). *Long Walk to Freedom: The Autobiography of Nelson Mandela*. London: Macdonald Purnell.
15 Cruywagen (2016), p. 138.
16 Notes for a meeting with Archbishop Ndungane, 5 March 1998, 1998 diary, ZA COM NMPP-2009/8-2-10.
17 Wigget, Harry (2013). He shone with the light of Christ. The Church Times, December 13. Accessed 7 February 2021. https://www.churchtimes.co.uk/articles/2013/13-december/news/world/he-shone-with-the-light-of-christ.
18 Cruywagen, p. 109.
19 Remarks of President Barack Obama – As Prepared for Delivery. https://obamawhitehouse.archives.gov/the-press-office/2013/12/10/remarks-president-barack-obama-prepared-delivery.
20 Makogoba (2017), p. 132.
21 Philip Yancey (1997). 'What's So Amazing about Grace?'. Harper Collins, p. 233.
22 Derrida and Roudinesco (2004), p. 100.
23 Sharon Prentis (Ed.) (2019). *Every Tribe: Stories of Diverse Saints Serving a Diverse World*. SPCK, p. 136.
24 Foster (2014), p. 89.

Bibliography

Ardelt, Monika. (2008). 'Self-development through selflessness: The paradoxical process of growing wiser'. In H. A. Wayment & I. J. Bauer (Eds), *Transcending self-interest: Psychological explorations o/the quiet ego* (pp. 221–33). American Psychological Association.

Benneyworth, Garth. (2011). 'Armed and trained: Nelson Mandela's 1962 military mission as Commander in Chief of Umkhoto we Sizwe and provenance for his buried Makarov pistol'. *South African Historical Journal* 63(1): 78–101.

Boesak, Allan Aubrey. (2014). 'A hope unprepared to accept things as they are: Engaging John de Gruchy's challenges for "Theology at the edge"'. *Nederduitse Gereformeerde Teologiese Tydskrif* 55(Suppl. 1): 1055–74.

Buffel, Olehile A. (2017). 'Black theology and the Black experience in the midst of pain and suffering amidst poverty'. *Scriptura* 116(1): 1–14.

Cruywagen, Dennis. (2016). *The Spiritual Mandela: Faith and Religion in the life of South Africa's Great Statesman* Penguin. Random House.

Davis, Steve. (2013). 'Struggle history and self-help: The parallel lives of Nelson Mandela in conventional and figurative biography'. *African Studies* 73(2): 169–91.

Foster, Dion. (2014). 'Mandela and the Methodists: Faith, fallacy and fact'. *Studia Historiae Ecclesiastical a* 40(supplement): 87–115.

Fowler, James. (1981). *Stages of Faith: The Psychology of Human Development and the Quest for Meaning*. Harper and Row.

Gaum, Frits. (2002). 'Nelson Mandela on leadership and the role of the churches: An interview'. *Verbum et ecclesia jrg* 23(3): 615–20.

Ismaeel, Bashdar. (2013). Nelson Mandela's virtues of peace, struggle and forgiveness in the Kurdish question 2012–2013. http://bashdar.co.uk/2013/12/nelson-mandelas-virtues-of-peace-struggle-and-forgiveness-in-the-kurdish-question.

Makgoba, Thabo. (2017). *Faith & Courage: Praying with Mandela*. Tafelberg.

Mandela, Nelson. (1995). *Long Walk to Freedom*. *The Autobiography of Nelson Mandela*. Macdonald Purnell.

Maluleke, Tinyiko Sam. (1994). 'The proposal for a theology of reconstruction: A critical appraisal'. *Missionalia* 22(2): 245–58.

Muller, Hans Peter. (2000). 'The invention of religion: Aspects of the South African case'. *Social Dynamics* 26(1): 56–75.

Prentis, Sharon (Ed.). (2019). *Every Tribe: Stories of Diverse Saints Serving a Diverse World*. SPCK.

Read, James H. (2010). 'Leadership and power in Nelson Mandela's *Long Walk to Freedom*'. *Journal of Power* 3(3): 317–39.

Kgatla, Selaelo T. (2013). 'Forced removals and migration: A theology of resistance and liberation in South Africa'. *Missionalia* 41(2): 120–32. http://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S0256-95072013000800003&lng=en&tlng=en.

Gerald O. West. (2009). 'Thabo Mbeki's Bible: The role of religion in the South African public realm after liberation'. In D. Brown (Ed.), *Religion and Spirituality in South Africa, New Perspectives*. (pp. 87–106). University of KwaZulu-Natal Press; on Zuma and Ramaphosa and their use of the Bible, see Gerald West, '*People's Theology, Prophetic Theology, and Public Theology in Post-liberation South Africa*'.

Gerald O. West. *People's Theology, Prophetic Theology and Public Theology in Post-liberation South Africa*. http://www.academia.edu/7263452.

Williamson, M. (1992). *Return to Love: Reflections on the Principles of 'A Course in Miracles'*. Harper Paperbacks. https://archive.nelsonmandela.org/index.php/za-com-mr-s-1089.

3

In Memory of Madiba: Mandela as a Reggaematical Cultural Icon

William Henry

Introduction

> *Reggae is not a 'yes' music, it's a 'militant' music, and it's a 'vibes' music, and it's a 'love' music. And they don't want that because what we will be doing is opening people's eyes to reality, and that's not the thing that they want Africans to do.* (Blacker Dread, personal communication, 2010)

This chapter will make known the seminal role Madiba, Nelson Mandela, played in conscientizing many Black communities across the 'Black Atlantic' (Gilroy 1993), through the lens of reggae music, before his release. The reason for doing so is that in reggae culture the name Mandela is synonymous with the wider Black/African struggles against myriad forms of White domination. Moreover, several reggae performers have for decades made songs about South Africa, and its iconographic status, as an exemplar of White racist inequity; yet many of these songs remain unknown in the wider public arena. Of equal importance is overstanding[1] the role these songs played in the education of the African Diaspora, creating a dialogic space where tales of resistance and transcendence could be exchanged. This is the point Blacker Dread makes above when he speaks to the role and purpose of reggae music as a 'militant' force that counters White domination by 'opening people's eyes' to the African reality. This contrasts with what Perryman[2] (1988) dubbed the 'Mandela moment', in which he suggests the struggles against apartheid gained prominence in the UK. The 'moment' was driven by a concert held at Wembley Stadium to honour the seventieth birthday of Nelson Mandela, which featured an eclectic mix of celebrities, musicians and

other notable luminaries as representative of one harmonious voice, although only four reggae acts featured on the day. The concert itself made history in many ways and the BBC devoted ten hours of continuous broadcast to the occasion, which was unprecedented at that time. However, Perryman suggested that although the concert gave 'maximum visibility' to Mandela's personal predicament, there was more of an emphasis on partying and having a good time. He further suggested that whilst this was the case:

> Its success was rooted in the heritage of popular music with a political conscience. The soul music of the civil rights movement of 60s America; the peace, love and understanding of the late 60s; the punk agitation of Rock Against Racism; Amnesty International's *Conspiracy of Hope* tours … What was new about the Mandela concert was the rare sensitivity it displayed for the cause at hand. The music and the message had a genuine relationship shown by the showcasing of the best in black music – both the stars and the styles – presenting rap, reggae, soul and jazz, alongside the rich diversity of African music and dance. (Perryman 1988: 3)

There is no doubt that the concert enabled a greater sense of the anti-apartheid struggles to permeate the wider public arena, thereby spreading awareness to many who perhaps had not considered this matter before. In fact, it did so in a manner that was celebratory, non-threatening and, in many ways, arguably fed into the 'singing and dancing African' trope that has much currency in the wider public arena, due to the one-dimensional view of the African personality, which is why many conscious Jamaican performers like Capleton (1997) emphasized 'ah nuh boom boom boom an just dance; listen to the powerful words me ah chant'. The point is that this type of separation is known within reggae culture and speaks to the way the 'conscious' performer is viewed as far more than a mere entertainer,[3] and as the reggae singer Admiral Tibet suggests:

> I sing conscious songs. It doesn't make sense I sing songs without meaning. I have to sing to protect my brothers and sisters. (Admiral Tibet, cited in Foster, 1999: 208)

Admiral Tibet's sentiments about why he must sing songs with 'meaning' to 'protect his brothers and sisters' is crucial to appreciating the role of reggae music as a vehicle for promoting Black solidarity. They also shed light on how 'conscious songs' are central to the ethos of reggae music as an exemplar of the wider African struggles against White domination. As such, the performers featured here are speaking to the commonalities between the global struggles against White domination, by African people, and how reggae music and culture

provided a space for alternative 'public' voices to be heard. In these spaces, various forms of countercultural knowledge are disseminated through antiphonic exchanges across Gilroy's 'Black Atlantic', where the name Mandela becomes a metaphor for the righting of historical wrongs against people of African ancestry. Consequently, the lyrics featured here are taken from recorded releases that are found within the wider public arena, as well as from live performances from singers and deejays in reggae sound system, dancehall sessions. These sessions were recorded on cassettes that circulated within 'alternative public spaces' (Henry 2006) and were known as 'yard-tapes' if they came from Jamaica, and 'session-tapes' if they came from the UK or USA. Crucially then, the counter-narratives contained within these recordings in many ways remained 'hidden', because if you were not familiar with that aspect of sound system culture you would likely not know of their existence. That is why any exploration of Mandela's iconic status must begin by contextualizing his presence within the reggae worldview, for the music was created by Africans in Jamaica to challenge Eurocentric/White supremacist thought, action and domination across the Black diaspora.

Reggae Music: An Exemplar of African Resistance and Transcendence

> Despite his advanced age, the news of Nelson Mandela's passing came as a terrible shock today. Perhaps that is because the South African leader had become a living icon of human rights and endurance in the face of seemingly insurmountable odds … And if there's one genre of music that has consistently kept Mandela's name in heavy rotation, that would have to be reggae. From the UK, to Africa, to jamrock, reggae singers and players of instruments have been beating the drums of freedom for the late great Nelson Mandela. (Boomshots.com[4])

This perfectly captures the relevance of Nelson Mandela and his ever-presence in reggae music, which represents him as a veritable 'outernational'[5] force in the continuous quest for global human rights for peoples of African ancestry. It was published online, 5 December 2013, within hours of his transition and speaks to why it is important for us to think beyond what Perryman (1988) dubbed the 'Mandela moment', which represents a form of erasure. Discussing this form of erasure is crucial to the argument here, as just because something is not 'known' or remains unacknowledged in the wider – White dominated – public arena, does not mean it does not exist and have currency within the alternative public

arena. More importantly, by exploring these alternative spaces through an array of the lyricism contained therein, we will gain insight into the role and relevance of reggae music in the wider struggles for African liberation. Indeed, for this reason the argument here will feature a fraction of what has been presented by reggae performers, due to obvious limitations, but will provide an insight into Madiba's iconic presence within this resistant culture. Of equal importance is overstanding the role these songs played in the education of the African Diaspora, creating a dialogic space where tales of resistance and transcendence could be exchanged, that speak to the wider struggles for global, African liberation.

The dialogic nature of reggae culture enables Africans to express their dissatisfaction with their global predicament through the music, highlighting collective challenges to systemic and institutionalized racism. This explains why Nelson Mandela's plight as a prisoner under apartheid became a way for members of the global African family to look beyond the borders of South Africa, thereby focusing on the commonalities of their condition. The point here is a consequence of a global system premised on White supremacy and, thus, being Black means you are the recipient of its racialized practices. Such factors impact your everyday existence, irrespective of other factors such as geographical placement, social, cultural, class, gendered or even political affiliations, because the shade of your skin is what largely determines your physical and structural placement. That is why the personal commentaries shared through the lens of reggae music, on what it means to be Black, are generally linked to the treatment Black people receive at the hands of any other downpressor,[6] regardless of where you are physically located in the world. Here, once again, a concept like 'outernational' enables those of African ancestry, peoples who are now regarded as African/Caribbean/West Indian/Black etc., to think themselves into being in a manner that defies simple explanations. This is because many realize:

> From yuh skin is black you is ah struggling 'man',
> all over the world not just England,
> we have many enemies including Babylon,[7]
> cause we caan turn to them when we want protection,
> in ah parliament we have no representation,
> cause not many Blacks ah turn politician,
> if them do them is the foot stool of Satan,
> cause in ah parliament you find the most corruption,
> the National Front practice racialism,
> and say them want all Blacks out ah England,

> but me know say them grudge for we complexion,
> for as the sun start shine them buy lotion,
> ah boast to them friend I've got a lovely sun tan,
> me glad say me born as ah Black man,
> proud to be born as ah Black man,
> an original African Nubian.
>
> (Leslie Lyrix, 1989)

The above captures how recognizing your condition through an exposure to alternatives takes on a lived reality that resonate with you, becoming a mode of Black survival emerging from a common social, cultural, political and racial awareness. Therefore it is logical that those with this type of awareness use the music to address the worst aspects of 'living in Babylon'. In this space, Black oppression is perceived and rendered as a global problem that impacts the lives of all Africans because 'from yuh skin is black you is a struggling "man", all over the world not just England'. Therefore, 'conscious' performers realize they have a responsibility to their wider communities to educate, inspire and uplift, and these conscious 'songs with meaning' are disseminated through the medium of reggae music, as endorsed in the following, where it is stated:

> Reggae music for me represents the poor, the downtrodden, the oppressed, the impoverished, the persecuted individuals. First and foremost, Black people are Africans on a global scale, and anybody of any colour can look to reggae music for soul food, for guidance in this time and henceforth throughout them entire life, 'cause reggae roots music is the only music that represents them in its entirety and [is] uncompromising and never [has] been sugar coated from Bob time, from Peter Tosh, Bunny Wailer until this time … This music is given to us from the Almighty via Jamaica to the world. (Junior Kelly, personal communication, 2010)

Junior Kelly makes it quite clear that reggae is for everyone on the planet who requires this 'soul food', but its African roots must be recognized. That is why it was common for deejays[8] to introduce this factor in their lyricism, even if it was to acknowledge the plight of collective African suffering, as evidenced in the theme song from an album entitled M.P.L.A.,[9] by the Jamaican performer Tappa Zukie (1976). In the song, which acknowledges the freedom fighters who were members of the 'Movimento Popular de Libertação de Angola' (MPLA), or the 'Popular Movement for the Liberation of Angola', he states, 'MPLA natty going on a holiday, natty throw away you sorrow, natty leaving on the Black Star Liner tomorrow'.

Tappa Zukie's take is interesting because it works on various levels which transcend the MPLA as a Movement. For instance, he begins with an acknowledgement of the seminal role Rastafari, the 'natty', played in reminding Jamaicans that they needed to think beyond the island mentality and look to Africa for salvation/liberation. Thus, when he mentions 'natty leaving on the Black Star Liner tomorrow' this is an acknowledgement of Marcus Garvey's endeavours to unite the global African family through an alternative 'Africentric'[10] (Gilroy 1993; Henry 2002, 2006, 2012) aesthetic. Further, being 'natty' is achieving a level of Black consciousness and embracing an aesthetic that promotes self-determination in a fundamental way, which frees Africans from the shackles of Eurocentric/ethnocentric ideals of beauty and self-worth. Hence, 'cause yuh natty ah yuh beauty, yuh natty ah yuh glory, cos yuh natty is yuh soul', makes known that before you can seek to liberate your brothers and sisters in Africa, you must know yourself first, speaks to the influences of Marcus Garvey, who suggested:

> We are going to emancipate ourselves from mental slavery because while others may free the body, none but ourselves can free the mind. Mind is your only ruler, sovereign. The man who is not able to develop and use his mind is bound to be the slave of the other man who uses his mind. (Garvey 1937, cited in Henry 2007: 121)

Garvey's words make known the significant role mental liberation plays in the formulation and reformulation of the social, cultural and political sensibilities of the largely disenfranchised, global, Black communities. This means that the historical experience of chattel slavery is totally relevant to this form of Black musical expression, 'because they were major instruments of cohesion and revolt' (Alleyne 1988: 118). For instance, the British reggae performer 'Culture Mark', suggested in one of his lyrics:

> If it's the truth, Culture ah talk, shout out 'free Africa!'
> from poverty, come make we free Africa,
> from brutality, come make we free Africa,
> Africa ah we country, come make we free Africa,
> all gang and posse, come make we free Africa,
> Eddie Grant sing ah song name Give me Hope Joanna,
> nuff respect to Eddie Grant 'cause that deh song ah seller,
> but one record is not enough we want something more stronger,
> like a massive army of ragamuffin soldier,

> nuff aeroplane, nuff submarine, nuff ship in ah di water,
> make we fill them up of ragamuffin soldier,
> take one trip down to South Africa,
> For sort out the bwoy weh them call Botha.
>
> (Culture Mark 1981)

Culture Mark makes known that the situation in South Africa cannot be viewed in isolation because 'Africa ah we country, come make we free Africa'. Now whilst we are aware that Africa is not a country per se, his perspective perfectly captures the collapsing of the struggles for liberation across the continent, with what we can do to assist in the UK. That is why when he mentions 'Eddie Grant sing ah song name Give me Hope Joanna', he states that whilst he respects the song, physical intervention is necessary as 'we want something more stronger, like a massive army of ragamuffin soldier'. Culture Mark further explained:

> The main reason I thought it was important to do a lyric at that time about freeing Africa and mentioning Nelson Mandela, is because I saw the situation in the African countries as critical and wanted to do all I could within my power to fight against what was happening. So, writing a lyric about the situation and using that lyric to inform, inspire and unite the people against what was happening and reaching a wide audience through the sound systems, and the cassettes that were circulated thereafter, was the most effective way to do so at that time. (Culture Mark, personal communication, 2018)

Culture Mark's insight is especially telling when we consider he was just twelve years old at the time he wrote this song and managed to merge being a pupil at school with performing on Reggae Sound Systems. Equally, when he mentions how crucial the cassette recordings[11] were for the documentation and dissemination of these counter-narratives he gives insight to the efficacy of these alternative public arenas. This type of representation and articulation is, according to Spencer, not unusual for peoples of African ancestry as it is akin to an African notion of spreading or transmitting a 'social gospel' (Spencer 1995: 68), which dealt with real, earthly problems. The message must therefore be conveyed in a way in which the people can recognize their lived reality, and, more importantly, actively participate as part of a conscious collective effort to remedy the negative aspects of exploitation and colonization. As such, to demonstrate how the exploitation and colonization is challenged within the culture, let us consider the point Papa Levi made when he argued:

> Bob Geldof song everybody start sing, through them dip in ah them pocket an give we ah shilling, Europe left my people starving. (Papa Levi 1987)

The act of rejecting 'Live Aid' in Papa Levi's lyric demonstrates how this alternative voice refuses to accept the existing frameworks for debating/discussing European acts of philanthropy, 'give we ah shilling', because they deny the historical aspects that would place such acts in their proper context. In this case he obviously speaks of the wider historical context of African domination by White racists, 'Europe left my people starving', which is why it is important to appreciate how reggae music and reggae culture represents an uncompromising voice that deals with uncomfortable truths. In fact, Levi stated the lyric was inspired by Walter Rodney's famous work, *How Europe Underdeveloped Africa* and suggested:

> How many ones know of the Berlin Conference[12] where they [Europeans] carved up Africa like a cake? Can you imagine people who do not see you as human deciding your fate and then them same one want you to believe they are on your side and want to help you? But only if you forget the past and start over. Ah wah kind ah foolishness that? That can't work with I as they see us as niggers and take we for fools. (Papa Levi, personal communication, 1999)

For Levi, then, such acts of European philanthropy need to be placed in the context of the wider African struggles against White domination, which is why 'Live Aid',[13] which occurred in 1985, has direct parallels with the 'Mandela Moment' in 1988. The point is that certain struggles for African liberation seem to achieve validity in the wider public arena, when they are fronted by a White personage. It matters not who that White personage is because it is their skin colour that qualifies them to speak on behalf of, in this instance, the homogenized, suffering African. The crux of the matter is that because our reggaematical perspective on such matters was/is not known to the wider British public, it still retains its power to unapologetically challenge the Eurocentric worldview that far too often dominates such discussions. These sounds of the unified nature of the Black experience, as illustrated here, challenge the popular misconceptions of the dependent, docile or doltish African. As such, a reggaematical perspective represents a 'consciousness' that is not bound to geography; it essentially entails a notion of being everywhere at once. It is this type of outer national consciousness that led to many in the UK to identify themselves as peoples of African ancestry by embracing the notion blak,[14] aligning themselves with the anti-apartheid struggles in South Africa. By doing so, African traditions, folkways and mores, that still influence the way many conceptualize self, noticeably through language

and culture, are used as a resource in our ongoing struggles against Eurocentric dogma as 'brainwash education'. In fact, according to Liverpool:

> African traditions reflect human relations: relations between humans and animals, responses to the challenges of the unknown and the need for order. Through them, Africans relate their past to the present and explore their future. (Liverpool 2001: 16)

Liverpool explains why black music in this sense is an 'outernational song of ourselves', where cultural knowledge can 'cross barriers', because these outernational forms are our 'informal' and highly dependable 'routes of exchange', as Cooper (2000) reminds us. The suggestion is that an 'interactive consciousness' (Lewis 2001) equips those who recognize these aspects of their thoughts and behaviour to challenge the types of misrepresentation that are critiqued in roots and culture or conscious reggae music. Thus where 'outernational consciousness' begins or ends cannot be determined, meaning that it transcends the notion of a historical dispersal from one place that a 'Diaspora' consciousness is premised upon. Deejays who are therefore proficient in excavating alternative histories often demonstrate how 'the aftermaths of slavery still endure in the social forms and perceptions of New World peoples' (Mintz 1989: 62). Appreciating this aspect of reggae's expressive culture is crucial to understanding the championing of Mandela's cause and the struggles against apartheid, because this is when racist Europeans began their subjugation and annihilation of African people. This is evidenced in the following extract from Macka B's 'African Slavery', where it is argued, 'some people just don't want to know, about four hundred years ago, but the thing about slavery it's affecting people now … So what's wrong with us, was the Black holocaust not so serious?' (Macka B 2000)

Macka B clearly states that as peoples of African ancestry we are still affected by chattel slavery, especially those who are suffering from a type of 'amnesia' who have no awareness that their 'history never start on the plantation'. This line of argument is the contemporary manifestation of a historical 'mode of response/resistance' to, and rejection of, the imposition of European cultural values on African peoples. Thus, Macka B's lyric is designed to counter a Eurocentric/ethnocentric way of presenting a whitewashed 'history' with a blackness which is dependent on 'making connections with the entire Diaspora' (Back 1996: 145). Making these connections includes a re-linking with a more positive sense of a historical African presence that did not begin 'on the plantation'. Thus, the role of the deejay as educator is exemplified in Macka B's account, as he seeks to promote awareness of how the legacy of chattel slavery impacts on the way we perceive

ourselves in the present. Of equal importance, by making connections between the African and the Jewish holocausts, he highlights the way the African has been historically mis-educated, as many people have no idea of the true extent of the destruction meted out on the African by racist, slave master, Europeans. Considering this, our focus will now shift to specific examples of how 'reggae singers and players of instruments have been beating the drums of freedom' to celebrate and subsequently commemorate Nelson Mandela as a reggaematical cultural icon.

Free Up Madiba: 'Apartheid Must Be Destroyed'

> I first became aware of the apartheid system in South Africa in my teenage years between the mid to late 1970s. I could identify with the Black population of South Africa as they looked like me and my family, I could also empathise with their plight, experiencing racism, all be it to a lesser degree than my brothers and sisters in South Africa. I felt their pain because I knew that if I lived in South Africa I would go through the same tribulation as them because of my skin tone, rich in melanin. So, after embracing Rastafari as my way of life and engaging in poetry and deejaying on a local Sound System, I became culturally and politically active, which in turn inspired I to write about what was happening in South Africa to my people. I felt it was my duty to do so, plus to show solidarity to my people. (Levi Tafari, personal communication, 2018)

The above from Liverpool based Dub Poet Levi Tafari explains how and why the conscious Reggae performer brings this 'hidden voice' to the wider public, thereby expressing its revolutionary potential to liberate the African mind by presenting counter-narratives that speak to a global condition. Accordingly, the predicament of Madiba galvanized reggae performers and led to the creation of many songs that specifically sought his liberation and the destruction of apartheid. One example is taken from a popular song by the Jamaican deejay Admiral Bailey (1986) where, whilst extolling the virtues of living in Jamaica, he hits out at apartheid. In the song he suggests, 'me no like weh a gwaan down ah South Africa, this one's straight to President Botha, I don't know make him no waan free up Mandela'.

Remarkably, when Admiral Bailey speaks to the collective frustration felt about President Botha's attitude to freeing Nelson Mandela, added to this he states that this situation could never happen in Jamaica, 'them deh sinting couldn't gwaan on yah', which explains why he could not live under that regime

because 'when we check it out Lord, no weh nuh better than yard'. This type of acknowledgement of the situation in South Africa was the cause of much controversy for one of Jamaica's top radio DJs, Barry Gordon, known as 'Barry G the Boogie Man', who worked on the now defunct Jamaica Broadcasting Corporation (JBC) between 1978 to 1987. At the time, the island had two radio stations, JBC and Radio Jamaica (RJR), and Barry G had two shows on JBC, one entitled '2–6 Super Mix', broadcast weekday afternoons and a six-hour show on Saturday nights, 'The Boogie Down Show'. During the Saturday night show it was commonplace for Barry G to read out an extensive list of products that were made in South Africa, encouraging the public to boycott them. I vividly remember listening to his shows when I visited the island for six months in 1985–86 and reasoning with other folk, including several reggae performers, about how courageous this act was, and I can testify to the profundity of the impact this had on my thinking. This was because I could not think of one British-based reggae DJ on legal stations who would have dared to do so, and, in fact, many of the popular British reggae record labels and producers shied away from the issue completely. I subsequently penned a song whilst on the island in which I suggested:

> We have to fight, we have to fight apartheid,
> because that devil shitstem just don't right.
> Now lyrics fans and Africans just lend me your ears,
> when it comes to apartheid who really cares,
> the Government pretending for all these years,
> like the one Maggie Thatcher with her crocodile tears,
> but all that change when the camera disappears,
> cause she sees us like terrorists ah walk with spears,
> with starving pickney with flies round them ears,
> and behind close doors she gives Botha 3 cheers,
> for locking up Mandela for all these years,
> and for boosting her husband business affairs …
> But enough is enough fi them time soon come,
> when the youth them pick up the gun an chant fire bun,
> and run the white devil them straight out ah town,
> cause there's no place for the wicked in ah Jah Jah kingdom.
>
> (Lezlee Lyrix 1986)

The extract speaks to the hypocrisy surrounding Mandela's imprisonment where the British Government were concerned, as it was common knowledge that Thatcher called the ANC a 'typical terrorist organization' at the time. It was also

evident that the trade links established between Britain and the apartheid regime were more important than African lives, especially when the dominant media image of 'the African' was of a singing and dancing semi savage; that which 'the journalist Howard French calls "Ooga-Booga" journalism, the practice of writing in exoticizing and dehumanizing ways about Africa'. Consequently, this form of African dehumanization influences public perception and, in many ways, these tropes encourage and justify rife racist responses as experienced in Britain when:

> During Thatcher's time in office, members of the Federation of Conservative Students (FCS) went as far as wearing stickers declaring: 'Hang Nelson Mandela' until the group was banned in 1986 by an embarrassed Tory leadership. The head of the FCS at the time, John Bercow, is now the Speaker of the Commons, but he has insisted he did not take part in the Mandela-baiting.[15]

What this perspective clearly speaks to is the way these tropes militate against a rigorous examination of the relevant facts, be they historical, social, cultural, political or racial. Add to this the fact that the environment was such that the FCS were emboldened enough to publicly declare their wish for Mandela to be hanged, knowing full well that many anti-apartheid activists, such as Solomon Kalushi Mahlangu,[16] shared this fate. Moreover, the FCS was banned out of 'embarrassment' caused to the Tory Party, which speaks volumes to a political mindset that is born of a dominant, White supremacist sentiment that sees little wrong in the destruction and dehumanization of the African. Consequently, to counter this pernicious and myopic form of 'politics' that is both anti-human and ahistorical, consider the following extract from a track entitled 'Invasion' by Macka B (1986), where he states, 'those old old Europeans they had a lot of man, they went over to other people's land, to conquer was their intention … they went over to South Africa to try and conquer the South Africans'.

The track is historically astute and speaks to why it is important to contextualize the myriad manifestations of European aggression, which is why he emphasizes it was not just physical force, 'they came for a fight with the gun in their right'. Rather it was coupled with a proselytizing campaign, 'the Bible in their left hand' that resulted in the subjugation of that region. It is vital for us to appreciate the extent of the influence of European religious belief on the African personality, across the continent, because as stated above there is a pragmatic notion of a 'social gospel' that deals with earthly concerns in a pragmatic way. Hence, irrespective of age, Africans on the continent and their descendants throughout the Diaspora were, and many still are, expected to partake in 'religious

ceremonies', because 'African religious traditions take into consideration not only one's intellect, but also one's emotions, the mental and the visceral' (Barrett 1988: 27). Consequently, the idea that one cannot separate the 'emotional' from the 'visceral' is perfectly captured when Macka B states, 'truth and right must stand, so that system of apartheid must be destroyed, it can't carry on too long'. Moreover, the words 'fight for the truth and right' also resonate on a personal level with Macka B because he faced his own obstacles in the UK when he first went to record this incisive track. Consequently, he states:

> I recorded three singles for Fashion Records in 1984 and things seemed to be going okay until I approached them with a lyric entitled 'Apartheid Must Be Destroyed'. It seemed that my stance was too strong for them as I was told by John and Chris that it was too controversial and anyway they believed that Mandela would be freed next year, 1985. That's when I decided to leave and recorded for Mad Prof.[17] 'cause them man deh know what the struggle is about'. (Macka B, cited in Henry 2006: 240)

Macka B makes known that once he expressed a wish to deal with the global aspect of African downpression, by suggesting that 'Apartheid Must Be Destroyed', Fashion's White owners seemingly had no desire to associate their label with this type of Black consciousness. However, the telling aspect of the rebuff was the fact that for them the track was 'too controversial and anyway they believed that Mandela would be freed next year, 1985'. Similarly, Papa Benji who was with the same record label at the time had a similar experience when he approached the owners with a lyric entitled 'Shame and Scandal in the Royal Family' that featured the following:

> Say what ah shame an scandal in the royal family …
> the ting that make them royal is them bag ah money,
> so no bother you go marvel at the things that you see,
> like Princess Diana on a spending spree,
> two hundred thousand pounds on dress and mini,
> while two thirds of the world them ah dead for hungry …
> every Christmas the Queen of England come pon television,
> she love talk from her palace the place Buckingham,
> how Black an White people bow yah should live as one,
> but behind closed doors it's a different situation,
> as England is very friendly with the South African,
> them know nuff ah the youth them ah die but the government don't care ah damn,
> as long as them dig for gold an nuff diamond,

> me have couple gold ring but me nah goh wear nuh Krugerrand,
> cause we all ah die an ah starve cause is we land them get from.
>
> (Papa Benji 1985)

It is telling that the links Benji makes between the royal family, their colonial/imperial history and their role in the continued exploitation of the African, as well as the British taxpayers who fund their lavish lifestyle, are not always welcomed. For to state so plainly that 'the ting that make them royal is them bag ah money … while two thirds of the world them ah dead for hungry', demonstrates why they are in such a powerful position, and that is why you shouldn't 'marvel at the tings that you see'. In fact, Benji stated:

> I wrote the lyric when I saw Princess Michael of Kent come on TV to explain her father, the Nazi's, role in the SS and I thought what about the royal links with apartheid and the fuckry over Mandela. I remember at the time nuff man stopped wearing Krugerrands and sovereigns because man would call them sell-out and shame them. And when I went to fashion with the 'Shame and Scandal' lyric they told me they wanted another gimmicks tune like 'The Fare Dodger' and I wasn't doing this for a living so that relationship ended there. (Papa Benji, personal communication, 2018)

Obviously, the record producers failed to grasp the seriousness with which conscious performers viewed African downpression and how equally important they viewed their role in challenging it through their lyricism. Ergo, the development, articulation and subsequent promotion of the trenchant 'hidden voice', acknowledged the reality that we had to use this 'public' platform to present our truth. Thus, lyrics such as Macka B's and Papa Benji's offered African people a similarity of experience, blurring the distinction between the teller of the tale, the listener and the subject matter. Simply put, these types of social commentary need to be understood within their own 'frames of reference' and not abstracted from the cultural milieu out of which they arise. That is why it is crucial to recognize how effective this culture was at uplifting Black people during these difficult times, because the deejays, who were encouraging you to 'wise-up and rise-up against the White oppressor' (Champion 1985), were of your community.

The sense of realism presented in the lyricism was experienced on a conscious level, for by locating yourself in the deejay's account, during the performance, 'another voice spoke your personal thoughts' (Henry 2006). It seemed that the deejay's account mirrored your reality as an African who is deprived of a 'public'

voice, which consequently enabled you to recognize the validity of the reggae-dancehall as a place where you did have a voice. Likewise, within these spaces your perspective was given status and ultimately justified, for you bore witness to a counter-narrative that spoke to your truth in a language you not only understood but owned and controlled. For example, the following track 'Letter to Nelson Mandela' (1987) by the Jamaican performer Sugar Minott became an anthem in reggae dancehalls and perfectly captures the salient point being raised here regarding counter-narratives, 'you can tell Botha, tell him and his followers, they shall go down in silence, thinking they can test Jah Jah's children with their violence, way down there, in Africa … I'll do all I can, to see the freedom of all Africans'.

Interestingly, 'Letter to Nelson Mandela' was released on the Kingston, Jamaica based 'Black Solidarity' label, which speaks volumes to the mind-set behind its production and the resoluteness in challenging White domination. The suggestion that 'it's plain to see, you are a true-born African leader' means the overall concerns with African liberation are tantamount here, symbolized through 'Black Solidarity' in the personage of Mr Mandela. As such the tangible links between the historical and contemporaneous suffering of all Africans, at the hands of the White downpressor must remain at the forefront of the liberation struggle. Equally the fact that he states 'Mrs Mandela, I know that her faith is so strong, no matter what they do, I know she will carry on', reveals that there was much support for Winnie Madikizela-Mandela within the culture. This means 'within the alternative public spheres where Black music was played and danced to, collective sensibilities could be shared, and new ones forged' (Back 1996: 187). Thus, according to Back's reasoning, the participants in the culture could share their concerns with an outernational audience of like-minded folk, thereby figuring out practical solutions for African liberation, because:

> In the western hemisphere, Jamaica was the first country to ban trade and travel with South Africa because of their brutally racist apartheid system of government (a system of segregation & discrimination on grounds of race). They were the second country in the world to take these actions with the first being India. The message of reggae music has always been about African liberation, social change, justice and the struggle of common people for human rights. It's no surprise that there are many songs dedicated to Nelson Mandela and apartheid in South Africa. Nelson Mandela and his then-wife Winnie Mandela visited Jamaica in July 1991 and thanked the nation for their support. Jamaican singer Carlene Davis who made a song for Winnie Mandela met with her during her

visit to the island. 'She told us that the music from Jamaica motivated them to keep believing in the fight for freedom.'[18]

The sharing of these reflections expresses the profundity of the situation in South Africa and beyond, instigating and inspiring myriad ways of rendering and conveying social reality in a pragmatic fashion. That is why when 'Letter to Nelson Mandela' was played in the dancehalls, the audience would partake in antiphonic exchanges throughout, especially when the words 'way down there in Africa' were sung. Crucially then, the fact that the audience can empathize with and contribute to the ambient nature of the culture through call and response, 'dissolves the distinction between life and art' (Gilroy 1987), resulting in transcendental acts of self-defence. Hence, 'I pray we will never stop trying to free my people, to free our land from all this evil and from invasion', which perfectly captures the notion that at its core reggae music promotes Black self-determination in a White supremacist world.

In the context of the UK during this historical moment, Levi Tafari garnered a reputation for his militant activism and uncompromising stance on the situation in South Africa, and the freeing of Nelson Mandela, and wrote a poem entitled 'Apartheid System I Don't Like', in which he posits:

When I check out the system in South Africa,
I don't like the way that it is run,
all I see are my Black brothers and sisters living in slums.

Apartheid in South Africa is there to make Black people suffer,
that very same system is designed so that only White people can prosper.
Now, the White man came from a faraway land and called himself South African,
he segregated a whole nation into Black, Coloured and Caucasian,
he says he's superior while the Black man is inferior,
I know that this is the propaganda he uses to keep us under pressure.

When I check out the system in South Africa,
I don't like the way that it is run,
All I see are my Black brothers and sisters living in fear of guns.

Nelson Mandela, the ANC leader, is a Black liberator,
they say he is a trouble maker cause he's a freedom fighter,
now fires will bun and blood will run as we fight for our freedom.
Freedom, Black, Black freedom that is what we want,
but the White man says we can't.

'cause when I check out the system in South Africa,
I don't like the way that it is run,
I know for my brothers and sisters it is no fun.

Russia and America, the two super powers, they don't really care
whether Black people in South Africa get their equal share,
the Russians invaded Afghanistan and America Grenada
but none of them made an attempt to invade and free Black South Africa, so,
Black people, universally, we will have to come together to stand up and fight, for the liberation of the Black people of South Africa.

'cause when I check the system in South Africa,
I don't like the way that it is run,
right now we're coming together,
to fight for her freedom!

(Levi Tafari 1985)

Levi Tafari's poem is an exemplar of what you would experience within the culture where your peers would speak to your concerns, without compromise and without sanction, because 'they say he is a trouble maker "cause he's a freedom fighter, now fires will bun and blood will run as we fight for our freedom"'. Accordingly, by linking the treatment of his brothers and sisters in South Africa with the American invasion and subjugation of our brothers and sisters in Grenada, he speaks to the wider project of White domination. This becomes evident in the manner in which these experiences of oppression are documented and then disseminated '"live an" direct' from the amplified platforms provided by Sound Systems or via live band performances. The suggestion is that the recorded documentation of an alternative living history, as represented here, provides a more accurate account of the harsh realities and ironies of living in Babylon, which Levi Tafari captures when he suggests:

> I wrote the poem 'Apartheid System I Don't Like' because I knew that through verse people would listen. In the 1980s I engaged with the ANC (African National Congress) in Liverpool, performing at their rallies and other political events and the poem would always receive a rapturous response from the audience. So, when I formed my reggae fusion band 'Ministry of Love' we would perform the poem with a full musical arrangement behind it. The response was the same with the audience chanting for the freeing of Mandela and the end of apartheid. For us, the liberation of the Black people of South Africa was a must and we did all we could in our works to achieve this end, Rastafari know. (Levi Tafari, personal communication, 2018)

Conclusion

The argument made here has addressed the way Nelson Mandela's seminal role in the struggles against apartheid in South Africa was used as a template for various types of pro-Black activism, actioned through the lyricism of the reggae performer. The essence of this type of musical expression was to conscientize and uplift Black communities across the 'Black Atlantic', to ensure the struggle for African liberation was ever at the forefront of discussion and debate. That is why the focus here was on the types of lyricism one would experience in reggae settings before his release after twenty-seven years in prison, because there were countless celebratory songs and records made after that moment. It was therefore crucial to present the type of account one would find in Black alternative public arenas, as opposed to the dominant White-controlled mainstream arenas, as was the case during Perryman's 'Mandela Moment'. Of equal importance was to highlight the outernational nature of the culture that sought to unify peoples of African ancestry, by detailing the commonality of their condition at the hands of endemic and institutionalized White racism across the Black Diaspora. Moreover, the performers featured here demonstrated through their lyricism that the name Nelson Mandela symbolized the continuous fight, on a global basis, for the righting of historical wrongs against people of African ancestry.

Notes

1 Rastafari say 'overstand/overstanding' as Africans have been under the stand for too long.
2 Perryman, M. (1988) 'The Mandela Moment', *Marxism Today*, September.
3 See Henry (1997, 2002, 2006) for a full explanation of this aspect of the culture.
4 http://www.boomshots.com/index.php/2013/12/top-10-nelson-mandela-Reggae-selections.
5 See Henry (2005) 'Projecting the "Natural"; language and citizenship in outernational culture'. In J. Besson and K. Fog Olwig (eds) *Caribbean Narratives of Belonging: Fields of Relations, Sites of Identity*. Oxford: Macmillan Education.
6 Rastafari say your oppressor presses you down therefore they are downpressors.
7 For Rastafari, Babylon is the enemy and as such is representative of any form of repression be that on an individual or state sanctioned level. In other instances, it specifically means law enforcement, the government of a nation or a whole nation.
8 Deejays are akin to rappers but generally deliver their lyrics in patwa, Jamaican language or the stylized versions of it, that are known across the African Diaspora.

9 See Tvedten, I. (1997) *Angola: Struggle for Peace and Reconstruction*. Boulder, Colorado. Westview Press.
10 I use Africentric and not Afrocentric, as an Afro was a powerful aesthetic, political statement, linked to the poignancy of the 'Black Power/Panther' movement of the 1960s and 1970s. As such, if we are to challenge the assumptions that an 'enemy language' like English is premised upon, then we as Africans must determine how such challenges are made.
11 See Henry (2006) 'What the deejay said: A critique form the street', for an in-depth analysis of cassette culture.
12 The Berlin Conference 1884–1885 or the 'scramble for Africa' is when the dominant European colonial/imperial powers formalized which countries they would own and established trade boundaries etc., and the Africans had no say in it. By the early 1900s Europeans had colonized ninety per cent of the continent.
13 See Ekwe Ekwe, H. (1993) *Africa 2001: The State, Human Rights and the People.*
14 To identify yourself as Black means that you see a clear link between your current predicaments, as a person of African ancestry and the treatment meted out to your chattel slave forebears at the hands of racist Europeans. See Henry (2006), pp. 37–46 for a more detailed explanation of this term.
15 https://www.theguardian.com/politics/2013/dec/06/conservative-party-uncomfortable-nelson-mandela.
16 http://www.sahistory.org.za/people/solomon-kalushi-mahlangu.
17 Mad Professor's Ariwa Sounds Record Label.
18 https://jamaicans.com/reggae-songs-nelson-mandela.

References

Admiral Bailey. (1986). 'No Better Than Yard', Album: Double Twin Spin, Vol. 1, Jamaica.
Alleyne, M. (1988). *Roots of Jamaican Culture*. London: Pluto Press.
Back, L. (1996). *New Ethnicities and Urban Culture*. London: UCL.
Barrett, L. (1988). *The Rastafarians*. Boston, MA: Beacon Press.
Capleton. (1997). 'Boom Boom', Black Star Records, 45-rpm single, Kingston, Jamaica.
Champion. (1985). Jam Down Rockers, Sound System, London, Cassette Recording.
Cooper, C. (2000). 'Rhythms of Resistance: Jamaican Dancehall Culture and the Politics of Survival'.
Culture Mark. (1981). Sound System performance, London, Cassette Recording.
Foster, Chuck. (1999). *Roots Rock Reggae: An Oral History of Reggae Music from Ska to Dancehall*. New York City: Billboard Books.
Gilroy, P. (1987). *There Ain't No Black in the Union Jack: The Cultural Politics of Race and Nation*. London: Hutchinson Education.

Gilroy, P. (1993). *The Black Atlantic: Modernity and Double Consciousness*. London: Verso.

Henry, William. (1997). 'Son, School and Father'. Paper presented at the 3rd Annual Conference for the International Institute of African Research, on 13 September 1996, Reading, England.

Henry, William. (2002). 'Sound system DJs'. In Donnell, A. (ed.), *Companion to Contemporary Black British Culture*. London: Routledge.

Henry, William. (2005). 'Projecting the Natural: language and citizenship in outernational culture'. In Besson, Jean and Fog Olwig, Karen (eds), *Caribbean Narratives of Belonging*: *Fields of Relations, Sites of Identity*. Oxford: Macmillan Education.

Henry, W, 'Lez'. (2006). *What The Deejay Said: A Critique From The Street!* London: Learning By Choice Publications.

Henry, W, 'Lez'. (2007). *Whiteness Made Simple: Stepping into the GREY Zone*. London: Learning By Choice Publications.

Henry, W. A. (2012). *Carry-Beyond Reflections: An Audiography by Lezlee Lyrix*. London: Learning By Choice Publications.

Lewis, R. (2001). Recorded Personal Communication, Kingston, Jamaica.

Leslie Lyrix. (1986). 'Diamonds The Girls Best Friend', Sound System, London, Cassette Recording.

Leslie Lyrix. (1989). Tim Westwood's 'Capital Rap Show', Capital Radio London, Cassette Recording.

Levi Tafari. (1985). 'Apartheid System I Don't Like'. *Liverpool Experience*. Liverpool: Michael Schwinn.

Liverpool, Hollis. (2001). *Rituals of Power and Rebellion: The Carnival Tradition in Trinidad & Tobago 1763–1962*. Chicago: Research Associates School Times Publication.

Macka B. (1986). 'Invasion', Sign of the Times Album, Ariwa Records, London.

Macka B. (2000). 'Effects of Slavery', Global Messenger Album, Ariwa Records, London.

Mintz Sidney. (1989). *Caribbean Transformations*. New York: Columbia University Press.

Perryman, M. (1988). 'The Mandela Moment', *Marxism Today*, September, 28–30.

Papa Benji. (1985) 'Diamonds The Girls Best Friend', Sound System, London, Cassette Recording.

Papa Levi. (1987). 'Saxon' Sound System, London, Cassette Recording.

Spencer, Jon. Michael. (1995). *The Rhythms of Black Folk: Race, Religion and Pan-Africanism*. Trenton, NJ: Africa World Press, Inc.

Sugar Minott, 'Letter to Nelson Mandela', Black Solidarity Label, 45-rpm single, Kingston Jamaica.

Tappa Zukie (1976). M.P.L.A. Album, Klik Records, Kingston, Jamaica.

Part Three

The Mandela Legacy of Leadership Internalized and Exported Through Practice

4

Mandela's Legacy of Leadership, Old Traditions, New Trends: A Black British Perspective on Gambia's Youth Landscape

Sireita Mullings

'A fundamental concern for others in our individual and community lives would go a long way in making the world the better place we so passionately dreamt of.'[1]

The first time I took note of transitions or rites of passage in a contemporary space outside of the context of birthday parties, funerals or wedding ceremonies, was during a workshop I was invited to attend by Odiri Ingmare, the director of Kori youth charity, to participate in Ubele's Mali Enterprise Leaders[2] project, in Waterloo London. Odiri expressed her awareness of our projects common thread that displays an interest in 'a fundamental concern for others'. A sentiment expressed by Mandela in his 2012 work titled 'Notes to the Future: Words of Wisdom'. The workshop activity led by Michael Hamilton divided the group into elders and young people. At first, I joined the young people's group for obvious reasons but was ushered out the room based on the premise that I have been a facilitator of knowledge exchange for more than ten years and should therefore participate in the elder's session.

As a member of my new elders' group, we were required to reflect on our role as leaders in our respective communities and consider the impact that Nelson Mandela has had on our practice within Britain and internationally. As an avalanche of thoughts on community arts praxis and lessons learnt from project participants' experiences entered my mind, I recalled an early encounter with black politics. At age thirteen my brother and I sat with my mother in our South London home in Brixton and watched the televised celebrations of Nelson Mandela's release from prison on 11 February 1990. It was the same

year that mum expressed her disappointment with the British education system and decided to send us, her children, to be educated 'back home' in Jamaica. In response to my marvel over crowds of black people in one place, she said 'when you go to Jamaica you will see'. I had many questions about Mandela's influence on the world. His presence and speech that emphasized education as a key to the liberation struggle[3] struck me; although my fourteen-year-old self may not have fully understood why at the time, it would become clear that, through the threads of courage, we witness young people from The Gambia cast a lens on the way in which they forge new relationships with Europe that embody the teachings of Mandela who stood as a symbol of freedom, black unity, strength, education and peace.

The groups of young people presented on the following pages help to give an overview of how Mandela's teachings are not only visible in the courage of individuals who choose to leave The Gambia for a better life, but also The Gambia's youth group who share common purpose, goals and concerns about what it means to stay home. There has been a long and on-going tradition of migration from The Gambia to Europe. This culture of migration has been as a result of the country's unique geographic location, where international trade, war and conquest have occurred throughout history.[4] Between the fifteenth and nineteenth centuries, 12 million enslaved people had undergone forced migration from The Gambia, with 6,000 transported yearly from one of the major slave ports in the Senegambia area to Europe and the Americas.[5] And when the country gained independence in 1965, both pre- and post-independence Gambia saw migrants leave to the UK for study and work. Similarly, young students undertook journeys into exile during the 1970s in commitment to the struggle for national liberation. Ndlovu, who explores the centrality of oral history as a means to document neglected pasts, argues that understanding the precarious journey taken by the youth, 'benefit both present and future generations who are committed to studying our undocumented history'.[6] By the 1980s, during the World Bank's intervention and implementation of the Economic Recovery Program, migration to Europe from The Gambia became a coping strategy for many young people. As rural to urban migration intensified during the 1990s and young people sought asylum in Europe (mainly in Spain) during the presidential rule of Yahya Jammeh, who came to power in 1994 via a military coup, the 'BackWay' became a new survival strategy for most young men and women who lacked economic and social opportunities in The Gambia.[7]

The journey 'BackWay' is a term now used in The Gambia to describe the dangerous route of more than 5,000 kilometres across the Sahara and

Mediterranean in the search for a better life. It means traveling illegally, crossing international borders without visas and passports. People on routes from West Africa go through the desert to Libya, from Libya they board overloaded boats in the hope that they will make it alive to Italy and the rest of Europe.[8] They all know that there are risks to be faced that might cost them their lives, but there is a strong desire among young people to make the epic trip because they have seen others succeed.[9] In this regard, desire and success is shaped on the basis of courage, which according to Mandela 'is not the absence of fear, it's inspiring others to move beyond it'.[10] Given the fact that young people are very much aware of what they may or may not face, there is something to be said about their ability to still encourage and inspire others to move forward through their own courage. Through such courage they form part of what is known to many in the global North as the 'Migrant Crisis' and the journey is characterized by Anderson, who states, 'The border is as tall as a fence and as deep as the sea, yet across it migrants and refugees keep coming, this is the latest phase in the tragic spectacle of "illegal" migration from Africa to Europe.'[11]

Academic discussions on the efforts to deter clandestine migration are sparse but have been reported by journalist Sheriff Janko through programmes such as 'Operation No Back Way to Europe.' A twenty-year-old 'school dropout' was able to earn half of what a government minister in the region would earn, having become one of fifty young farmers to have joined the programme. The programme began in 2011 as a National Youth Council initiative that works closely with the Immigration Department and the Gambian Police Force to reduce illegal emigration. Despite the success of 'Operation No Back Way,' young people are still plotting strategies to leave The Gambia for western Europe.[12] In 2017, for example, Ebrima Jobe, deputy Permanent Secretary in the Ministry of Foreign Affairs said, 'there are about 26,000 undocumented Gambian migrants in Italy.' These journeys are animated by popular perceptions of the West as utopia, with lots of social and economic opportunities, but which often results in difficult situations for the young people's peers, siblings and parents who are left to grapple with repaying the loans and other resources mobilized for the trips abroad. When we hear news stories of the supposed damaging impacts that migrants are having on the British economy, by way of what has now come to be known internationally as the 'migrant crisis', we seldom hear about how families become traumatized by the pressure to send money to pay rebels or traffickers at the Libyan border who are holding their children hostage, or the impact of loss of lives on families because of torture or death. Fully aware of their limited life expectancy, young people from The Gambia who choose to embark

on this treacherous journey also meet a confrontation – a 'Jakarlo' with their own process of identification and dis-identification as they, at some point, will have to denounce being Gambian.

Having returned from delivering an arts project in The Gambia, a series of rhizomatic connections were made with knowledge exchanged throughout my engagement with some of the country's young leaders.

The workshop facilitated my own awareness of a transition from youth to elder as well as the milestones and transitions made by the young people I have worked with. An elder not only because of my partaking in knowledge and skills exchange with these young people, but also observing that others being concerned is a significant contribution to change. Reflections on the significance of Mandela's teachings in relation to project process led me to consider the ethnographic research conducted with Kori youth charity in West Africa. I began to think about Mandela's statement that has us reflect on our concerns or lack thereof for others and that our ability to facilitate leadership often occurs through thoughts on change. Change in any sense must be a reciprocal process that brings into focus the importance of what it means to be aware of our individual and collective role as leaders and the contributions we make to our communities. Through participation in the project process with some of The Gambia's young people and the leadership workshop, I witnessed a sort of mind mining that highlighted the many ways in which Mandela's legacy has come to impact the practice of fellow practitioners and a Black British academic straddling the UK and West Africa, by offering a framework to interrogate key ideas and values embedded within and shaped by our practice in Britain and elsewhere.

What it meant to have a fundamental concern for others emerged during my learning about the day-to-day happenings within The Gambia's youth culture. Artistic practice,[13] wrestling and clandestine migration are cultural phenomena which remains visible amongst young people across Africa.[14] Focusing upon ethnography from The Gambia, the smallest country on the African continent, which is considered a youthful nation as 60 percent of its population are under the age of thirty, the 2014 National Human Development Report stated that 38 per cent of Gambia's youth experience the highest rates of unemployment while 48 per cent of the population lives below the poverty line, earning just about £1.00 per day.[15] Amongst these young people live a group of young patriotic women and men who I was fortunate to meet during my first trip to West Africa. I draw upon them

here because they feature heavily in making sense of a few things that are reminiscent of Freire's idea that challenges the traditional pedagogy which he calls the 'banking model of education'.[16] The work produced from this project makes known that the process of learning is an equal and reciprocal one that offers an innovative model of the teacher student relationship – where the teacher is learning from students and project participants or co-creators alike. Such a process can also be seen in the principles of *Ubuntu*.[17] *Ubuntu* emphasizes the importance of a group or community and it finds its clear expression in the Nguni/Ndebele phrase: *umuntu ngumuntu ngabantu*, which when translated to Shona means *munhu munhu muvanhu* (a person is a person through other persons).

We were all able to exchange narratives on an equal level, which allows us to take note of key moments within our work that flag a rite of passage, or simply an awareness from states of development and moments of knowledge transition. Through an awareness of my own initiation or rite of passage into the elder's group, I came to learn that this transition was not about eldership, it was about recognizing leadership qualities found within the young people I worked with and those that emerged through my engagement with young people that ought to be shared.

Working with this group of young Gambians, I was indeed tugging at the branch of a tree, whereby its roots were routed in narratives of moral courage, rites of passage, leadership and transformative knowledge. These young people live within the country's declining economy and exacerbating poverty, where many of The Gambia's young people are fleeing from home to seek better social and economic opportunities abroad, especially in Western Europe. It is no wonder then that The Gambia currently appears fourth on the IOM (International Organisation of Migration) league of six nationalities making desperate attempts to cross the Mediterranean from Libya to Italy. Using the framework of Mandela's legacy through his teachings on moral courage and leadership, this chapter interrogates the moments of critical engagement with what can be described in the following pages as confrontation and transition amongst The Gambia's youth. It explores what it is to be a female, Black British and Afro-Caribbean academic in the UK who comes to terms with her own passage and observes how alternative transitions or passages play out in both traditional and in non-traditional senses. Perhaps by simply acknowledging a shift from one state of being or youthfulness to another, where moral courage and leadership feature at its core.

This chapter presents findings of a biographical case study, which is one aspect of a larger qualitative research project engaging fifty young people aged between eleven and thirty-five years old. These individuals are supported by Kori,[18] a North London-based charity that offers training and skills development for young people and engages with African youth leaders in the diaspora through the delivery of the charity's Vessel UK, an international volunteering program.[19] As part of the study, the author has been involved with cohorts of young people and youth project facilitators from three communities in The Gambia: Abuko, Kerr Serign and Sanchaba. The data gathered and featured in this biographical case study has been gathered through several methods, including participant observation, focus groups and interviews with youth participants, programme leaders and youth practitioners. While the overall impact of the project is not discussed here, it is referenced in order to give context to one of the organization's aims, which is to match UK skills and potential with African youth development needs. Although the chapter focuses on the observations made of ten Gambian young people, its arguments are informed by a larger sample. The use of participant observation focus groups, interviews, art and photo elicitation were most effective for this piece, as the methods enabled participants to respond and react to each other. Discussions that occurred during observations and focus groups brought about a collective and individual view to their worlds through naturally occurring speech. This gave young people the opportunity to reflect, engage and discuss what is at stake within current and emerging youth practices, thereby providing rich and layered descriptions of their experiences.

This chapter therefore explores how transdisciplinary processes of leadership play out within youth social spaces. At its core it interrogates the multiple ways that old traditions of transnational migration are being held onto and have taken on new forms within the youth landscape of The Gambia, whilst simultaneously revealing the meaning and significance of some popular social and cultural practices in which young people currently participate. Drawing upon the ethnographic reflections of an arts project, the chapter utilizes Mandela's ideas and thoughts on leadership, moral courage and knowledge transfer through reflections on his text and speeches. These are made sense of through the artworks of participants from the ArtFarm, an artists' and farmers' collective based in Kerr Serign, discussions with young people from the Abuko Youth Association and photographs taken during a Jakarlo, a youth wrestling event in Sanchaba. This chapter asks how young people make sense of contemporary

practices such as African visual history making, wrestling and the clandestine migration via the 'BackWay' to western Europe?

Background and Method

ArtFarm collective artists Omar, Kandeh, Kebba and farmers Mohammed, Matar and Omar spoke of their experiences framed around the notion of cultural identification and dis-identification. They explained using a combination of their languages combined with English, especially when emphasizing a point that they felt I needed to understand. They articulated what it meant to be a young man coming of age in The Gambia:

> We are the ones who are trying to encourage the young people of Africa through art and farming, that there are ways to sustain yourself and be satisfied in your own country … many of our brothers are of the view that going 'BackWay' is the only way to achieve success … They follow their friends on social media who profile in Europe as though everything is ok, posing against big cars and nice buildings. They think that they will be able to have the life like the superstars Shatta Wale, Davido or Fuse ODG, but when they leave, they cannot even claim they are from The Gambia, as they fear they will be deported.[20]

What is interesting about the idea of going 'BackWay' to achieve success are some of the processes through which this thinking or mindset occurs. Wanting to meet with the leaders in the government was not viewed as selling out those who want to leave the country. 'Wanting to meet with MPs for support is not selling them out – it is to encourage us (the members of ArtFarm) to support the government in letting young people know that there is nothing for them in Europe, like there is at home in the Gambia.' The efforts of ArtFarm to take the lead in discouraging illegal migration, at risk of being viewed as sell outs, speaks to the bold and courageous thinking and is symbolic of Mandela's idea of 'leading from the front but not leaving your base behind,'[21] which was in relation to his negotiations with the government in 1985 when his colleagues and friends thought that he was 'selling out'. The collective's ideas on taking responsibility for their generation of young people echoes the thinking of Mandela delivered during a fundraising dinner in Hyde Park, London. In 2008 on 25 June, during Mandela's ninetieth birthday, he announced to the world that 'the work is not done but is now in the hands of your generation'.[22]

Facebook features many profiles within the Gambian youth networks of mostly young men and some women who have made it to Europe, creating an impression of success by their mere arrival to European countries. What is occurring here is the fusing and shaping of multiple hybrid identities as experienced virtually and transglobally. Bisschoff reminds us that: 'Today, very few of us Africans are from, in and connected to only one place, and it is the multiplicity of our experiences and influences that make up the vibrant and multi-layered landscape that define African identity in the contemporary world'.[23]

Expressions of what it is to have reached Europe through the acquisition of new clothes and city scape selfies found on Facebook, Snapchat and other social media sites, feature experiences that form part of the hybridization of culture and identity formation processes that define the hopes and dreams of many young people in Africa. During an informal conversation with Lamin, the twenty-year-old security guard to the compound we stayed in Abuko, he expressed that: 'most of my friends are in Europe, they made it safely … I talk to them all the time on Facebook and they let me know when they send gifts through Western Union'.[24] Lamin is now one of 3,900 people to have died trying to reach Europe in 2016. What we see is how clandestine migration is facilitated by emotional and economic networks that can be found and accessed through social media, and thus is becoming an increased popular form of African youth culture, but also a form of threat to their existence. We also see how, because of these new social networks, a number of values are at stake. Van Dijk, in his discussion on new infrastructures for society after the age of networks, outlines the formation and history of networks in everyday life.[25] He argues that as a result of new information and communication technologies, fundamental values of our society are at stake.[26] Suggesting one such value being the richness of the human mind 'may increase owing to the diversity of impressions we gather through these new media. On the other hand, it may also be reduced because these impressions are offered out of context in schematic, (pre) programmed and fragmented frames.'[27]

The mere arrival of friends to Europe is often conveyed via impressions constructed through fragmented frames, as in the case of Lamin and other young people from Africa communicating with friends who have made it to Europe and continue to experience these frames via Facebook. Arrival in Europe has become a signifier of success and speaks to a sort of initiation into adulthood. Female members and youth advocates of the Abuko Youth Association, whose mission is to facilitate education programs for their peers, shared their personal

experiences of family members who have left The Gambia for Europe. Bintu, after realizing her brother had been missing for two days, shared her feelings of stress and anxiety when she received a note from her brother via his friend telling her of his plan to go 'BackWay'. The note was detailed with instructions as to how she should obtain funds by selling a collection of mobile phones that he had hidden for her to collect and that she should make a transfer via Western Union. She continued to explain that the money was not enough and that she needed to find 25,000 Dalasi in order for her brother to buy his freedom from rebels who held him hostage in Algeria. Bintu was only able to send a fraction of the money. As she described how he spent several nights in the bush and when some people who give him food and a place to sleep said they liked his smile, she smiled too. Most people will remember Mandela for his magnificent smile – his smile became a key part of his message and struggle.[28] Bintu reflects on her brothers struggle with a smile – on a telephone call with her brother telling her he's fine and has made his way across Algeria. 'It must be his smile.' She was relieved that somehow her brother managed to escape and make the journey to Europe, but angry about the attitudes of some of the young men she knows who have returned or not made the trip to Europe successfully, explaining the reason she has chosen to engage with young people via AYA is to educate and discourage them from risking their lives. She expressed that: 'The boys who have gone "BackWay" and returned are seen as tough, they will find they have girlfriends and even more friends due to the journey they have taken.'[29] There is a sense of bravado that increases the status of those who have travelled, as a result of having survived the journey. Andersson reminds us that:

> Among Soninke villagers of Mali and Senegal – whose life cycles have long been structured around the rhythms of labour migration – young immobile men are taunted by women for being 'stuck like glue' in neighbouring Gambia. Their brethren experience a state of nerves as they hear the tall tales of success brought back by visiting emigrants. As in other postcolonial regions, access to foreign land has become a source of increased polarization, with Europe rendered as a repository of wealth and transformative power.[30]

It is no surprise that young people choose this route to 'success' as what they desire is transformative power to improve their socio-economic status. But what they experience for social and economic prosperity is often far from what they desire. Albahari observes that some 142,000 people in the Italian ports originated from Syria and Eritrea, followed by citizens of Mali, Nigeria, Somalia, The Gambia, Pakistan, Senegal and Egypt: 'Over 25,500 people are known to

have died whilst trying to reach Europe since 2000. In the first nine months of 2014, at least 3,072 died or were missing in the Mediterranean.'[31] Recent data shows that more than 35,000 Gambians arrived in Europe between 2014 and 2018. However, 2016 is recorded as the deadliest year on record.[32] These figures give an insight into the large waves of mostly young men and some women who are involved in undocumented journeys to the West in search of a better life. The young men and women who often engage in the precarious journeys to Europe are often motivated by stories of employment possibilities. Albahari notes that the Italian Ministry of Labour, for example, has estimated that in light of its aging citizenry, the country is in need of at least '100,000 additional workers per year'. These opportunities for gainful employment and economic independence are a major draw for the thousands of young men and women fleeing The Gambia and other places across the continent to Europe every year.[33] Kori approached me as a black arts practitioner from South London in 2016 to design, develop and deliver creative workshops with groups of young people and youth practitioners in The Gambia to facilitate skills exchange through art, enterprise and education. The objective of the collaboration was to encourage young people to think critically about the conceptual significance of the work they produced and employ creative ways in which they could generate an income from their creative or imaginative work. The workshop, entitled 'Visual Voices', took place in The Gambia and facilitated the sharing of pedagogical approaches in art education to be used in the communities of the participants – Abuko and Kerr Serign. The program encouraged the use of formal aspects of art training, especially to frame the techniques that they have independently developed in their teaching practice and to articulate the concepts that have been used in the production of their own art. In the workshop, young people and practitioners offered the meanings given to some of the historical, cultural and contemporary symbols in their work. What emerged from discussions with members of the Abuko Youth Association (AYO) and during critiques of art-work by the ArtFarm collective, was that they are surrounded by young people faced with enormous social and economic challenges and thus having to make a conscious choice to leave The Gambia clandestinely via the 'BackWay'. The groups leadership qualities become visible through their display of passion and willingness to do 'good' for their country. and references Mandela's idea on goodness that 'Man's goodness is a flame that can be hidden but never extinguished'.[34] Through dialogue with the young people we are better able to make sense of how these youth leaders believe they are making efforts to preserve their cultures and deter others from leaving the country: this will now be discussed.

Visual Voices: Exploring Old Traditions and New Practices

One strategy employed to address issues of mass youth migration is by means of some young women and men, currently in The Gambia, who are finding ways to reconnect and improve their relationships with the country through creative cultural preservation. These are the young people who have decided not to leave The Gambia via the back way but are committed to seek alternatives that strengthen their socio-economic status for both themselves and their families. Through artistic production, skills sharing and knowledge transfer, the Visual Voices workshop provided an incubator for sustainable income generation ideas and experiments. A collection of works were digitized by the ArtFarm members and uploaded to Etsy, an online shopping portal targeted at a global market for consumers wanting to purchase unique handmade gifts. These works were also placed in a south London-based youth social enterprise called Hustlebucks (Figure 4.1) in Brixton market. The prints sold for £10 per piece (600 Dalasi). As the national wage is 50 Dalasi per day which is equivalent to $1.25 or £1.17, these young people felt that this means of income generation offered an opportunity to sustain themselves and their families. The paintings discussed below are a selection used to produce prints for sale and for elicitation during critiques conducted during the workshop sessions.

Figure 4.1 a and b ArtFarm members model products (**a**, above) on display at London's youth social enterprise Hustlebucks, 2015 (**b**). Image courtesy of the artist.

The Mandinka phrase, 'Jamba Dogo' (dancing leaf or the leaf dancing), shown in Figure 4.2, is the spirit and title of Keba Salah's painting, in which he draws upon and emphasizes the importance of his choice of colour pallet to reflect the vibrant attire worn during traditional festivities. Kebba turns his focus on how best to capture movement, whilst pointing to the floating dust beneath the brightly clothed people's feet. He explained that he is inspired by some of the moves performed during the opening and closing of the local wrestling matches he attends, in order to capture an old cultural dance which often took place during local festivals for male circumcision or after a fruitful harvest, whilst listening to the Spirit of Nature albums. Keba had not long returned from

Figure 4.2 'Jamba Dogo' Keba Salah – Acrylic on canvas, 2015. Image courtesy of the artist.

Europe and had been employed at various hotels as a resident artist producing paintings for sale to tourists and delivered art classes to hotel residents and local children. When asked, 'why it is important for this type of work to be produced?' he stated that upon his return from England there was a greater appreciation for his culture, and he felt compelled to continue exposing the beauty of his country as a proud Gambian and teach young people in The Gambia how to capture and share their culture through artistic production. Another reason behind his efforts to capture cultural moments is due to a need to preserve dying traditions. 'I'm exposing it because even though we still have things like naming ceremonies and weddings in our families, most of us do not know where these things come from and our traditions are dying bit by bit.'[35] For Keba, his leaving and return home offered a renewed commitment to interrogate aspects of his society and redefine what it means to be Gambian. The canvas assists in the same way a diary or journal does to the writer or the camera to the photographer, and the need to carve out a distinct Gambian identity became a recurring theme for the artists who are using their canvases to explore ways to discourage young people from migrating by capturing and discussing the importance of their culture through their art practice. As travelling 'BackWay' is not an option for Kebba, his efforts

to preserve culturally historical tributes serve as a form of knowledge transfer that aims to educate others about the cultural richness and value of their country. Knowing that, in the spirit of Mandela's works, Kebba reminds us that 'quitting is leading too'. [36] Kebba quotes Mandela and explains that his efforts are in hope that those who want to leave will find value in 'quitting' – staying home as he has chosen to do.

Omar Corr has also decided to stay home and paint. He is the author of the painting titled 'Kumpo Dance' (Figure 4.3) and is very much aware of the significance of the central character being the 'Kumpo' in his work. Traced to the Cassa subgroup among the Jola tribe, the 'Kumpo Dance' is also a festival where traditions of protection and initiation rituals occur. Its popularity was visible in the Fonyi district of the Casamance region of Senegal, and despite the varying discourses on the origin and significance of the dance, the negotiation of political and economic power relations, gender disputes and conflict resolution at the local village level are consistent characterizations of the role of the 'KumpoDance', which is to facilitate social cohesion and control.[37] The Kumpo's relevance to young people in The Gambia is noted because of the role played in mediating family issues and renegotiating relationships, such as loss of parental control as a result of young men engaging in seasonal labour migration.[38]

Figure 4.3 'Kumpo Dance' Omar Corr – Acrylic on canvas, 2015. Image courtesy of the artist.

Although the performance has taken on new meaning centred around the market and tourist economy, it can be found in contemporary youth spaces such as wrestling, which will be further discussed later in this chapter. The brisk fine brushstrokes that form palm tree fibres convey the movement of the Kumpo, referencing the speed at which he travels whilst communicating his message. He is supported by the drummers who entrance Kumpo and the dancing women use song to communicate issues raised that are to be addressed. The Kumpo's main purpose, explains Omar, is to make sure the people of the community are in a good place and continue living in a positive community spirit. Omar builds on Keba's point stating that:

> We paint our traditions as soon no one will know about their importance because they are disappearing from inside our culture. I hope to achieve many things by painting my tradition. I paint to show or depict the key sections, actions and reasons of the traditions of my people in visual forms. If I have only stories of my people's traditions, it is not enough to communicate and preserve what happens in the paintings. So, some of these values will serve as visual evidence and support the preservation of tradition in my community. I am painting in the present day with a good idea of how to depict the past. The availability of technology such as photography and the digital [*sic*] also enable a perfect transmission of my tradition in a visual form which travels far and wide across the planet, for who so ever is interested in the painting will enjoy and appreciate and even use the stories which are in the paintings. I also love to paint my tradition to hear other people's views and opinions.[39]

Both Keba and Omar share each other's sentiment on the importance of cultural preservation and the need to remain connected to their past. In the case of the visual voices of artists, their desire to archive social and economic success can be seen in their painting of old practices that manifest in aspects of their lives. The Kumpo, even if only performing a dance for entertainment, is still visible because, as De Jong argues in his work on the trajectories of a mask performance, although the Kumpo has undergone a process of commodification,[40] it is still visible in The Gambia's youth social spaces, where the artists and other young people featured in this chapter gather with the Kumpo whose power no longer plays the same role in controlling the community as it once did. The pieces offer an opportunity for these young people to celebrate who they are and reflexively explore aspects of their culture where figures like the Kumpo feature as a key player in their everyday lives. Specifically, the artwork facilitates reflection on the use of historic cultural signifiers in relation to what takes place within youth spaces that have acquired new meaning.

Embedded within this reflexive process is the significance in maintaining and archiving practices and tradition through the visual. It is what Hal Foster describes as an archival impulse, where the function of archival art is to create historical information that is lost or displaced.[41] Likewise, Omar argues that:

> Traditions are very important as they help us to know that we are part of a history, it connects us to our past, it defines who we are today, and taking care of our traditions will preserve and define our identity. They help us to see very deeply the beliefs, habits, principles and values of our founding fathers and ancestors. They also transmute values, stories and ways of life from one generation to the next. Traditions help us to reinforce, strengthen and maintain the relationships with people in our families and in our community.[42]

Yet, the artwork does more than just document the significance of tradition. It generates new material that, according to Foster, is 'found yet constructed, factual and fictive, public yet private'.[43] These historical and cultural events have been captured, held and transposed into the present moment through what Kimani Njogu calls 'African visual history'.[44] However, in these paintings there is a merging of forms of cultural histories, traditions and practices from across Africa that shape a 'hybrid' youth identity and space.

Although the artists have been painting, delivering art classes and selling work within the tourist industry for some time, these conversations allowed them to interrogate the integrity of their work, where they distinguished work produced for tourists from work that had undergone a process of historical research and conceptualization. The dialogue with ArtFarm members provided space for a radical rethink on how contemporary and popular youth practices feature as a means to inspire change, active citizenship and social engagement in order to address the complexities of poverty and migration in the everyday lives of young people in The Gambia.[45] As will be discussed in the section 'Jakarlo with BackWay', the young people's engagement with ideas on the importance of staying or going 'BackWay' that are juxtaposed with their painted histories, help shed light on the cultural politics that has come to shape Gambian youth identities. One such cultural politic can be seen through a 'partial synchronization' which is documented in the work of these ArtFarm members and resembles moments that the artists experience in contemporary gatherings and festivities that see remnants of historic practices merged with global symbols of black popular culture. As Stuart Hall suggests:

> These forms are the product of partial synchronization, of engagement across cultural boundaries, of the confluence of more than one cultural tradition, of

> the negotiations of dominant and subordinate positions, of the subterranean strategies of recording and transcoding, of critical significations of signifying. Always these forms are impure … Thus, they must always be heard, not simply as the recovery of a lost dialogue bearing clues for production of new music (because there is never any going back to the old in a simple way), but as what they are – adaptations moulded to the mixed contradictory hybrid spaces of popular culture.[46]

Similarly the works that represent life across the Black Atlantic by Afro Modern artists such as Jacob Lawrence's 1964 'Street to Mbari', Edward Burra's and Palmer Hayden's 1934 and 1936 'Harlem' and 'Midsummer Night in Harlem' paintings, Tarsila Do Amaral's 1924 'Hill of the Shantytown' and Pefro Figari's 1921 'Candombe', also present a set of cultural negotiations formed within hybrid spaces of popular culture.[47] Likewise, the hybrid spaces found in The Gambia have been shaped partially through a synchronization of multiple traditions and cultural negotiations. Some of which, according to Omar, are hinged upon the idea of a lack of strength or shift in how youth identities are constructed.

> It is very important that we keep sensitizing the young ones about the past because we are so weak in tradition; we are very, very weak … I think this is because of the time we spend on movies, and social media which will not help us – following this Western life we change a lot in our original life. Kids, for example, are innocent. They know nothing, what they see is what they apply, it's what they will think, so they cannot be blamed for wanting to leave The Gambia and go BackWay. It's our generation so it's better we tell them what to use or where to go so they will grow in the right direction.[48]

Omar's perception of a 'weakness' in traditional knowledge as a result of 'following this Western life' hints at the identity politics at play in the formation of new Gambian youth cultures and ideologies. What is evident is that the ArtFarm collective references what Hall refers to, which is the way culture will never be the same, as it constantly draws upon its past and reformats its future in a way that goes through a recycling of new and old synchronizations. These synchronizations are manifested through transformative knowledge and learning, and new modes of communication that forge new cultures. Or to borrow Mandela's phrase, 'tribal givens', that demonstrates the essence of the ways in which The Gambia's young people hold on to traditional values such as respect for elders, ceremonial and sporting practices. Young people of The Gambia in this sense bring life to Mandela's concept 'tribal givens', which are inherited values that we all possess.[49] The artworks by the young artists present

historical links that serve to bring meaning to that which is experienced in the present. By turning to the past to offer cultural renderings that affirm Gambia's cultural richness and beauty, the youth who made a conscious choice to stay home and have resisted the lure to emigrate to Europe for social and economic opportunities, are engaged in a form of identity politics that relies on art to create a local consciousness amongst its generation regarding the possibilities of survival and prosperity in The Gambia. By doing so, the young artists formulate a new narrative of futurity that differs from the bleakness and gloom that contemporary African youth often associate with staying in the continent.

Kandeh, who expressed his mission of being an artist farmer stated, 'I will work today as an artist and tomorrow as a farmer until the meaning of ArtFarm is understood and all dictionaries recognize that farmers are artists and artists are farmers … one thing we can do to sustain ourselves is to plant and grow our own food and sell our own artworks'.[50] He went on to discuss his completed piece and asked participants in the workshop to guess the work's title. Whilst trying to give a hint, he explains that he has made a conscious decision not to incorporate social media icons such as the Facebook and Twitter logos because 'it will make it too obvious'. As participants shouted various titles such as 'the big city', 'social media', 'virtual reality', and 'the internet', Kandeh ended the guessing game saying the work is titled 'The Network' (Figure 4.4).

The rectangular canvas is divided into two. The upper section houses two people who signify home, love, unity and companionship. They intersect a naked body, which according to Kandeh, 'speaks to the many souls and bodies that have not been given any value and have been lost or held captive during efforts to leave and go to the other side via the "BackWay"'.[51] He adds that the interlocking hands of the bodies symbolize communication.

'The Network' represents the forging of people, space and time, as well as ideas about place and belonging. Signified by the architectural structures and the positioning of bodies across the canvas, there is a clear distinction between ideas of home and abroad that speak to concerns about migration, which highlight the unifying and conflicting attitudes towards social values. Yet, according to Van Dijk, another set of values are at stake. On the one hand, 'the quantity and quality of social relations might improve if communication technology enables us to easily get in touch with almost everybody, even over long distances'. On the other hand, he argues, 'our social relationships might decrease because particular people may withdraw into computer and telephone communication and only interact in safe, self-chosen social environments'. Where 'The Network'

Figure 4.4 'The Network' Pa Doullo Kandeh – Acrylic on canvas, 2015. Image courtesy of the artist.

addresses the nuanced ways in which social relations are being reshaped, in the context of a condensing network society these relationships pose their own set of risks that potentially destabilize youth social structures. These youth instabilities are often driven by, but not always confined to, poverty reduction strategies but also through perceived educational and economic opportunities abroad.[52] Aspirational desires instigated through migration as a symbol of success challenges the fluidity of young people's national identity, especially when they change or take on alternative nationalities to travel across borders.[53] Expressions of educational aspirations also serve as assertions of new identity formation; however, the migration of young people increases the risk of brain drain.[54] As Castels and Miller argue, decreasing labour forces of skilled and unskilled migrants is a concern for processes of external and intercontinental migration across Africa.[55] Aspirations to travel abroad occur through a

complex and socially contested web of commercial and voluntary social activity with foreign tourists, known locally in The Gambia as *toubab*. Nyanzi et al. explore the sexual hustle of the 'bumster', characterized as young men who often engage with older tourists to secure economic advancement through migration or remittance.[56] The bumster, like the cyber hustlers or chanters – who are young people who engage in informal income generation strategies – are constantly trying to reconcile immoral with moral identities. For example, Ceesay argues that there is a constant struggle between the online hustler's homosexual and offline heterosexual masculine identity that denounces online sexual engagements with homosexual men as gay, in order to fulfil family and religious obligations. Paying for parents to go on the Mecca pilgrimage, food for the family, children's education, or to pay for festivities such as *tobaski*, is described by Ceesay as therefore converting immoral hustler money into moral money.[57] Ambivalent feelings about home occur at different points and do not serve, as Adriana Cancellier argues, as 'a romanticized, fixed and bounded place to protect. It is a plural and conflictual field of action that can support social exclusion but can also open new interconnections and possibilities of peoples' empowerment.'[58]

Kandeh reveals the composition of social infrastructures and the internal workings found within a society viewed through the lens of a Gambian young person and artist whose work does not romanticize about ideas of home. His illustrated concepts of belonging, suffering, connection and disconnection, and his effort to retain ideas of home, have been exemplified through an interconnection of architectural symbols of community, village and compound against a developing city scape. In line with the work of Aaron Douglas's 1936 paintings titled 'Into Bondage and Aspiration' and just as striking as Frank Bowling's 1964 piece titled 'Mirror', Kandeh's piece 'The Network' also embodies the concept of 'double consciousness'.[59] He, too, in his work, 'negotiates, on one hand an image of an idealized African past as a source of pride, to be recovered and made accessible in the present, and on the other hand a modernity that is contested yet offers a focus for aspiration'.[60] 'The Network', according to Kandeh, is in fact *Jakarlo*, a face-to-face or confrontation with the past, present and aspirations for the future which, similar to Bowling's work, weaves together Europe, the Americas and Africa.[61] Kandeh states:

> The Network also has a way of pulling our young people in, taking them elsewhere and spitting them out at sea. Three significant young people, had a *Jakarlo* – confrontation with themselves, two wrestlers and a woman footballer

> who were not happy with their achievements and what they did for Gambia, died when traveling BackWay.[62]

Kandeh is referring to the female footballer Fatim Jawara and the male wrestlers, Mille Franc and twenty-two-year-old Ali Mbengu who left for Libya in hope to get across to Italy by boat in 2016. However, after waiting at least three weeks with traffickers at Libyan ports, their boats capsized at sea.[63] Kandeh goes on to list several other families whose young people have travelled or attempted to travel clandestinely from his village. Kandeh's work thus articulates young people in confrontation – a *Jakarlo* – with global influences and the complex changes, developments, demands and transitions that are presented in the everyday lives of Gambian youth. An alternative reality is made known when he speaks of their desires to be elsewhere. He explains that most young people are forging and making efforts to maintain relations across the globe via the 'network,' some platonic, others romantic in hope that they will one day leave The Gambia for a better life.

Jakarlo With BackWay

An alternative reality for Gambian youth, which is to travel 'BackWay', is alive within the youth landscape and has come to form an aspect of The Gambia's social imagination and youth 'popular culture'. Kandeh wanted to demonstrate what he meant by 'confrontation' and took us to Sanchaba, the neighbouring village to his studio in Kerr Serign, where more than 300 young people formed the audience of *Jakarlo*. *Jakarlo* is the Wolof word for face to face or confrontation. Confrontation is what Kandeh used to explain what frames the wrestling performance. He explains that most of the young people who attend wrestling matches use it as a meeting place to discuss their plans to go 'BackWay'. Contact details for key people who will help along the journey as well as route maps are often shared here.

Attending a wrestling match is a regular occurrence for most compounds, as every village stages its own sporting event. 'In UK you have football, every child plays football, yes? We have football and *Jakarlo* – wrestling. Walk through any village at any time and you will see some wrestling programme.'[64] In fact, wrestling is said to be Gambia's oldest sport which dates back to the thirteenth century,[65] but it became an organized sport in Banjul during the 1950s and is now the national sport of the country. Wrestling appeals to a large portion of The Gambia's youth population with informal ticketed matches frequently staged

on empty land organized by young people themselves. Abdoulie Ndow, alias Hoyontan, is currently considered to be the king of Gambia's wrestling arena. According to 'All Africa' the sport originated from the Sere people of Senegal, who still hold on to aspects of wrestling spirituality, where participants pour a substance over themselves as a form of empowerment and protection against evil from opponents.[66]

As seen in the sample of images below from the collection of photographs taken during our visit to a wrestling match in Sanchaba, there was a large audience dominated by young people of various ages. The spectators comprised of team cheerleaders, well-wishers, funders, sponsors, dignitary elders, children and wrestling participants. Whilst the slightly older boys (11 plus) compete as a prelude to the main match, the younger boys (from age 9 plus) participate as guardians of potions, substances used by the wrestlers as a means to gain protection and increase power.[67] Figure 4.5 features younger boys guarding substances made from leaves, various roots, fruits, milk, flour, water and glitter, held in plastic bottles, jars and calabash, they have been blessed by a marabou. The use of potions in human history is unquestionably a long one.[68] Yet, in The Gambia's contemporary youth spaces, we can see the wrestlers seek assistance to protect themselves from younger boys (who pour the substances over their bodies before and during the match for protection from negative spirits and to boost their chances of winning). In Figure 4.6, the MC commands the crowd's attention and announces the opponents, then the drummer begins to play. The opponents meet face to face moving their bodies to the rhythm of the drummer whilst teasing and jeering each other they compete through dance. The drummer stands to attention, right arm masking his heart whilst the left enables his fingers to make the sound of a snake rattling on the skin of his drum (Figure 4.7). Like the dancers and people portrayed in Omar and Kebab's paintings above ('Jamba Dogo' and 'Kumpo Dance'), these moving feet (Figures 4.8 and 4.9) do so in honour of the past. The dance moves that define and shape Gambian youth cultures, are grounded in traditional dance practices, some of which resemble Jamaica's twenty-first century[69] 'Willie bounce' and serves as a reminder that, similar to youth cultures of The Gambia, there are African cultural retentions alive within contemporary Jamaican youth spaces. However, cultural continuity is evident in the form of popular youth practices like wrestling or Jakarlo. In this regard, Gambian youth evoke and share historical practices in a contemporary youth space. With the drummer's head held high he closes his eyes and absorbs the atmosphere, one that brings the past with the present, and the present with the past, through a cyclic motion of changes and global transformations, some of

Figure 4.5 Jakarlo, Sanchaba Gambia, 2016. Boys guarding substances held in plastic bottles, jars and calabash. Photograph by Sireita Mullings.

Figure 4.6 Jakarlo, Sanchaba Gambia, 2016. The MC commands the crowd's attention and announces the opponents. Photograph by Sireita Mullings.

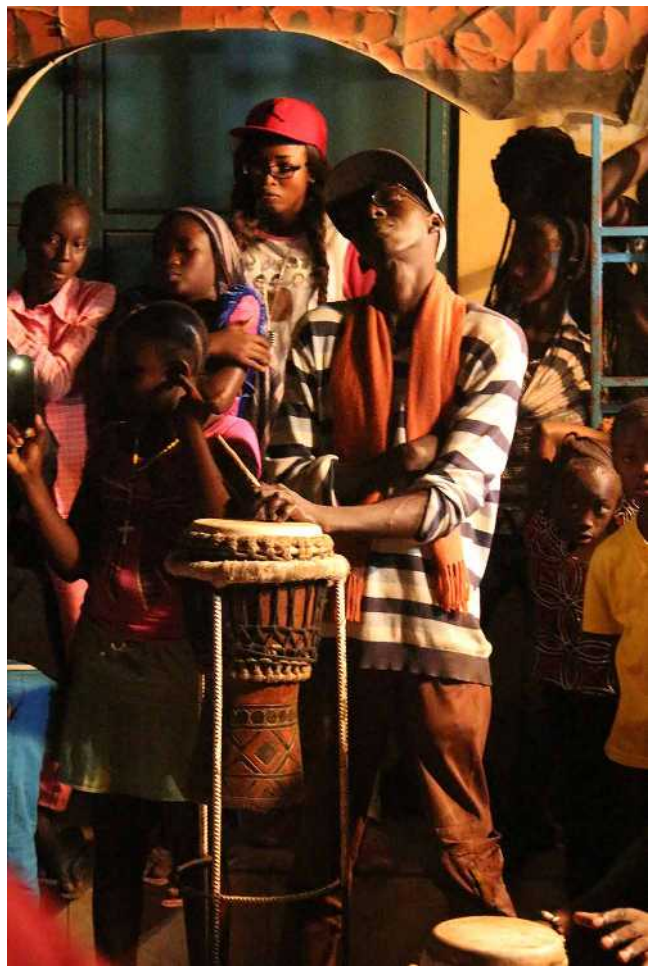

Figure 4.7 Jakarlo, Sanchaba Gambia, 2016. The drummer stands to attention. Photograph by Sireita Mullings.

which are seen in their style and fashion sense that is visible amongst the young people present. The drummer is wearing a woolly scarf and knitted jumper, referencing the influence of western ideas of being. Similarly, the young girl standing directly behind the drummer boasts long weave, a hoody, gold chain and a red Nike Air Jordan baseball cap. Leaning to the right of the drummer is a girl of roughly twelve years of age, documenting the event using the camera on her phone. The two standing behind her cast their eyes down to her screen. One of the smallest children to the right of this photo, like the photographer in the same image, boasts a beautiful series of cornrows in their hair and a dress with

Figure 4.8 Jakarlo, Sanchaba Gambia, 2016. The opponents compete through dance. Photograph by Sireita Mullings.

Figure 4.9 Jakarlo, Sanchaba Gambia, 2016. The opponents compete through dance. Photograph by Sireita Mullings.

what appears to be 'traditional' African print. In the meantime, the little boy in a yellow t-shirt notices a stranger present.

Yet there is, when considering Van Dijk's and Castells idea of a network society, and as Kandeh has highlighted above, an emergence and complex shaping of Gambian youth culture. A shaping that bears an element of decoloniality as a means of leadership, which is essentially a theory of life where the decolonizing of being and knowledge are predicated on the denial of life to those who were pushed to the margins.[70] This is organized around 'information flows'[71] of cultural and financial data that confronts the past by drawing upon aspects of The Gambia's cultural heritage and visual history that present youth spaces like family gatherings, such as naming ceremonies, weddings and wrestling – Jakarlo. Here Jakarlo serves as a stage that hosts and symbolizes the merging of contemporary ideas about aspirations for the future. Therefore, current modes of Gambian youth life that draw upon old traditions play a key role in the formation of new practices and networks that feature mobilization, entertainment and migration at its core.

Conclusion

During the final session of Ubele's Mali Leadership Enterprise project, we convened with young people and shared our reflections that had become leadership gifts to be given to those who want to partake in change. The experiences shared whilst participating with some of The Gambia's young people allowed an exploration of leadership characteristics that have been framed and signposted with Mandela's philosophy. This philosophy serves as a lens through which we are able to witness the lived experiences that characterize some of Mandela's thinking. This project captures the spirit of how young people in The Gambia bring some of Mandela's ideas to reality as they uphold traditional values such as respect for elders, educating the young, and participate in ceremonial and sports practises. As positions of leadership, generational responsibility and moral courage are in extinguishable flames, and understanding that quitting is leading too, we then open up a space where facilitators and collaborators continue to demonstrate a fundamental concern for others whilst capturing and archiving their history.

This chapter has drawn upon empirical data gathered during an African and UK youth development project during 2016 and 2017 in The Gambia. It aims to highlight how Gambian youth have represented observations of their own

lives in an effort to make sense of new trends and old traditions that feature as complexities within urban popular cultural texts and practices. Through extensive conversations about the conceptual developments and techniques used to produce ArtFarm's visual culture, a number of striking points have occurred from the discourse between the Abuko Youth Association's advocates and the visual narratives produced by the artists. Again I am reminded of Mandela's thoughts noted in his writings on the ordinary makers of history, which these young people were unquestionably a part of, when he said:

> I have become more convinced than ever that the real makers of history are the ordinary men and women of our country; their participation in every decision about the future is the only guarantee of true democracy and freedom.[72]

The young people who were participants during the Visual Voices programme have articulated the reasons that they have come to make efforts to preserve their traditions via painting, farming and youth work. How these young people choose to position themselves socially, as citizens who do not intend to abandon their country, has been explored and made apparent through discussions that have occurred during focus groups and critiques of their work. The artworks and the narratives they share act as a means to assemble their social worlds through a process of creative production and verbal reasoning where they engage and evaluate the importance of the positions they occupy as Gambia's youth ambassadors on their own terms. What is revealed is that the function and role of the works they produce – farming, art and advocacy – and what they are inspired by, play a significant part in deterring the migration of other young people. Through creative work and other textual practices, the collective contextualizes how young people value being part of a social process where they are producers and documenters of their own lives and culture**.** But the contexts of their work and the cultural texts they produce reveal the complexities, linkages and uncertainties that surround and define their popular imaginative works. As has been noted by scholars of African popular culture:

> Given the diversity, size, and complex cultures that, at the very least, constitute an admixture of traditional, modern, Western, and Eastern religious traditions, it is rather difficult, if not impossible, to look to a single comprehensive work through which to study Africa so as to contextualize its popular cultural practices.[73]

Despite The Gambia's long history of migration to Europe, young people from local community youth groups have reflected upon frequent acts of clandestine migration which have become a popular practice amongst their peers and a major

concern for the country. These young people have expressed their awareness and unease of the new and ongoing trend as witnessed in the numerous cases of successful and unsuccessful journeys taken to Europe via Libya. Moreover, the young people's concerns about clandestine migration have enabled an exploration of a popular youth practice that has come to form a key component in contemporary Gambian identity formation and youth popular culture. The young people of the ArtFarm and those from Abuko Youth Association reveal that there is always a confrontation – Jakarlo – taking place between the past and the present. The documenting of historic and current day conceptualizations of life through popular arts serves as a means to contribute to self-sufficiency and offer citizen-led solutions to public issues. The documenting process also offers a resource to increase their community's historical legacy and to develop the country's cultural capital. However, efforts to preserve and promote the past through an engagement with tradition brings new practices into focus that raise questions on how Gambia's youth identities are being shaped. What we see in the aesthetic and political dimensions of art works by Gambian youth is a classic example of how, as Bisschoff notes, 'Contemporary popular culture and arts in Africa is always a negotiation between the past and the present, between tradition and modernity, and is very much embedded in the search for African identities in today's globalized, pluralized world.'[74]

Jakarlo not only serves as a metaphor for a confrontation with the past and the present or with a young person's cultural identification and misidentification, it is a space which takes on self-representational and sociopolitical meanings that signify and embody old traditions and new practices, of wrestling, migration and mobilization. Such youth spaces feature on their own terms what it means to be African, whilst making sense of complex and contradictory forms of culture that are popular amongst them. Kandeh's discussion about the wrestlers (Mille Franc and Ali Mbengu) speaks to such complexities as they were seen as successful sportsmen in Gambia. Unable to identify with this meaning of success, they both died whilst migrating to Europe. This arts project becomes part of a discourse that sees the roles in which young people are situated as key advocates of culture and citizenship for their communities. The artists draw upon their archival impulse to ensure that their culture does not undergo a process of evaporation and erasure. Therefore, they paint past practices found in traditional festivities and juxtapose them with new or current ways of coping with Gambia's economic climate. Some of the details in these festivities, such as the dance patterns and attire featured in the paintings, are alive within the current spaces that young people occupy and choose to draw upon as a means

of expression, which as noted by Gilroy[75] and Henry[76] are considered to be 'alternative public arenas'. These are spaces that in the context of Gambian youth wrestling, present nonverbal expression through processes of embodiment. Spaces such as Jakarlo or youth wrestling, feature bodies that are formally programmed in the dances and routines of the past and modified for current performances that are integral to wrestling in the present. The project thus offers an outsider insight experienced through visual culture that illuminates a woven tapestry of global networks that can be found within old and new practices of creative expression, wrestling and migration amongst the lives of young people in The Gambia. Building on the ideas of Van Dijk and Castells, I argue that Jakarlo as a wrestling space also presents the ways in which local, national and international information networks function to shape youth identity politics within the Gambian society. These reasonings open up an opportunity to consider Mandela's teachings on collaboration – 'It is not what you can do for Africa but what you can do with Africa'. The network society, from Kandeh's perspective, serves as a repository for interconnected and disjointed segments of a culture and ideas of belonging that are shaped and linked through global networks constantly undergoing processes of negotiation.

Notes

1 Nelson Mandela, *Notes to the Future: Words of Wisdom* (Simon & Schuster, 2012, p. 146).
2 'MALI Enterprising Leaders', UBELE, https://www.ubele.org/mali.
3 Nelson Mandela, *Selected Speeches and Writings of Nelson Mandela: The End of Apartheid in South Africa* (Red and Black Publishers, 2010).
4 'The Gambia: Migration in Africa's "Smiling Coast"', p. 2, see *The Online Journal of the Migration Policy Institute*: https://ssrn.com/abstract=2429807.
5 Barry, Boubacar, '*Senegambia and the Atlantic Slave Trade,*' p. 65.
6 South African Democracy Education Trust, *The Road to Democracy in South Africa: 1970–1980*, vol. 2 (Unisa Press, 2004).
7 Mills, Greg, Olusegun Obasanjo, Jeffrey Ira Herbst and Tendai Biti, *Democracy Works: Turning Politics to Africa's Advantage*, p. 217.
8 Zanker, Franzisca, and Judith Altrogge. *The Politics of Migration Governance in the Gambia*, 2017. https://doi.org/10.13140/RG.2.2.19493.40169.
9 Strand Jagne, Frida, *The Back Way to Europe: A Case Study About Why Young Men in Gambia Are Prepared to Risk Their Lives to Get to Europe*.

10 Samson Mpapayiai and Kepha Ombui. 2016. 'Effects of Transformational Leadership on Governance in Kajiado County Government, Kenya'. *International Journal of Scientific and Research Publications* 6(10): 6.
11 Andersson, Ruben. *Illegality, Inc: Clandestine Migration and the Business of Bordering Europe*, p. 1.
12 Saloum, Sheriff. 'Operation No Backway'.
13 See the Daughters of Africa production on the importance of art as a tradition: https://www.youtube.com/watch?v=jkuJbzZy0Qo.
14 Fabian K. Lukalo. *Extended Handshake or Wrestling Match? Youth and Urban Culture Celebrating Politics in Kenya* Uppsala, Sweden: (Nordiska Afrikainstitutet, 2006).
15 The Gambia National Human Development Report: https://www.undp.org/sites/g/files/zskgke326/files/migration/gm/NHDR-2014.pdf.
16 Paulo Freire, 'Pedagogy of the Oppressed. 1968', Trans. Myra Bergman Ramos. Herder, 1972.
17 Mawere Munyaradzi and Marongwe Ngonidzashe, *Violence, Politics and Conflict Management in Africa: Envisioning Transformation, Peace and Unity in the Twenty-First Century* (Langaa RPCIG, 2016).
18 Kori community youth organization: http://www.kori.org.uk.
19 The Vessel programme: https://kori.org.uk/vessel-uk.
20 Focus group discussion with ArtFarm, 2016.
21 Peter Lorange, *Leading in Turbulent Times: Lessons Learnt and Implications for the Future* (Emerald Group Publishing, 2010).
22 Ann Kramer, *Nelson Mandela: An Extraordinary Life* (Hachette UK, 2014).
23 Bisschoff, Lizelle, 'African Popular Culture at Africa in Motion'.
24 Personal communication with Lamin, a security guard in Abuko.
25 Van Dijk, Jan. *The Network Society* (Sage, 2020).
26 Ibid., p. 4.
27 Ibid., p. 4.
28 Stengel, R., *Nelson Mandela: Portrait of an Extraordinary Man* (Random House, 2012).
29 Interview with a member of AYA, Abuko Youth Association.
30 Andersson, Ruben, *Illegality, Inc: Clandestine Migration and the Business of Bordering Europe*, p. 19.
31 Albahari, Maurizio, *Crimes of Peace: Mediterranean Migrations at the World's Deadliest Border*, p. 6.
32 See data gathered by the missing migrants project: https://missingmigrants.iom.int.
33 Albahari, Maurizio, *Crimes of Peace: Mediterranean Migrations at the World's Deadliest Border*, p. 133.

34 Barbara Nussbaum. 2003. 'Ubuntu: Reflections of a South African on Our Common Humanity', *Reflections: The SoL Journal* 4(4): 21–6.
35 Interview with Keba Salah, 2016.
36 Richard Stengel, *Mandela's Way: Lessons in Life* (Random House, 2010).
37 Cline-Cole, Reginald and Clare Madge (Eds), *Contesting Forestry in West Africa* (Routledge, 2017).
38 De Jong, Ferdinand. 1999. 'Trajectories of a Mask Performance: The Case of the Senegalese Kumpo (Itinéraires des spectacles de masques. À propos des masques Kumpo sénégalais).' *Cahiers d'études africaines* 153: 49–71.
39 Interview with Omar Corr, 2016.
40 De Jong, Ferdinand, 'Trajectories of a Mask Performance' 153: 49–71.
41 Foster, Hal, 'An Archival Impulse', pp. 3–22.
42 Interview with Omar Corr, 2016.
43 Foster, Hal, 'An Archival Impulse', pp. 3–22.
44 Njogu, Kimani, *Culture, Entertainment, and Health Promotion in Africa*, p. 145.
45 See how Senegalese young people inspire social engagement using the arts in Enz and Bryson, 'Introduction Fed Up: Creating a New Type of Senegal Through the Arts', 13.
46 Hall, Stuart, 'What Is This "Black" in Black Popular Culture?', p. 119.
47 Barson, Tanya, et al., *Afro Modern: Journeys through the Black Atlantic.*
48 Interview with Omar Corr, 2016.
49 Saundra M. Tomlinson-Clarke and Darren L. Clarke, *Social Justice and Transformative Learning: Culture and Identity in the United States and South Africa* (Routledge, 2016).
50 Interview with Pa Doullo Kandeh, 2016.
51 Ibid.
52 Suso, Catherine T Conrad. 2019. 'Backway or Bust: Causes and Consequences of Gambian Irregular Migration'. *The Journal of Modern African Studies* 57(1): 111–35.
53 Schapendonk, Joris. 2018. 'Navigating the Migration Industry: Migrants Moving through an African-European Web of Facilitation/Control'. *Journal of Ethnic and Migration Studies* 44(4): 663–79.
54 Carling, Jørgen and Francis Collins. 2018. 'Aspiration, Desire and Drivers of Migration'. *Journal of Ethnic and Migration Studies* 44(6): 909–26. https://doi.org/10.1080/1369183X.2017.1384134.
55 Castles, Stephen, *The Age of Migration: International Population Movements in the Modern World* (Macmillan International Higher Education, 1998, p. 125).
56 Nyanzi, Stella, Ousman Rosenberg-Jallow, Ousman Bah and Susan Nyanzi. 2005. 'Bumsters, big black organs and old white gold: Embodied racial myths in sexual relationships of Gambian beach boys.' *Culture, Health & Sexuality* 7(6): 557–69.

57 Ceesay, Ismaila. 2016. 'The "Love" and "Deception" Methods: The Strategies of Chanters'. *Journal of African Foreign Affairs* 3(1/2): 45–68.
58 Adriano Cancellieri. 2017. 'Towards a Progressive Home-Making: The Ambivalence of Migrants' Experience in a Multicultural Condominium'. *Journal of Housing and the Built Environment* 32(1): 49–61.
59 Gilroy, Paul, *The Black Atlantic: Modernity and Double Consciousness.*
60 Barson, Tanya et al., *Afro Modern: Journeys through the Black Atlantic*, p. 10.
61 Ibid.
62 Interview with Pa Doullo Kandeh, 2016.
63 See *The Guardian*: https://www.theguardian.com/world/2016/nov/10/gambia-wrestler-trying-to-reach-italy-drowns-in-mediterranean.
64 Interview with Pa Doullo Kandeh, 2016.
65 Emms, C. and Barnett, L. 2001. 'The Gambia'. London: Bradt Travel Guides.
66 The history of Gambian wrestling: http://allafrica.com/stories/201408011311.html.
67 MacClancy, Jeremy. 2019. 'THE ANTHROPOLOGY OF SPORT: Bodies, Borders, Biopolitics. By Niko Besnier, Susan Brownell and Thomas F. Carter.' *Pacific Affairs* 92(2): 317–19.
68 M'Baye, Babacar. 2013. 'Verbal and Acrobatic Strategies in Senegalese Wolof Wrestling.' *Storytelling, Self, Society* 9(2): 188–216.
69 See Elephant Man Willie Bounce: https://www.youtube.com/watch?v=r038-tDd8eI.
70 Sabelo J. Ndlovu-Gatsheni, *The Decolonial Mandela: Peace, Justice and the Politics of Life* (Berghahn Books, 2016).
71 Jan van Dijk, *The Network Society* (SAGE, 2020).
72 Nelson Mandela, *The Struggle Is My Life* (Popular Prakashan, 1990).
73 Agwuele, Augustine and Toyin Falola, *Africans and the Politics of Popular Culture.*
74 Bisschoff, Lizelle, 'African Popular Culture at Africa in Motion'.
75 Gilroy, Paul, 'Ain't No Black in the Union Jack'.
76 Henry, William, 'What the DJ Said, a Critique from the Street'.

Bibliography

Agwuele, Augustine and Toyin Falola, eds. (2009). *Africans and the Politics of Popular Culture*. Vol. 42. Boydell and Brewer.

Albahari, Maurizio. (2015). *Crimes of Peace: Mediterranean Migrations at the World's Deadliest Border*. University of Pennsylvania Press.

Andersson, Ruben. (2014). *Illegality, Inc: Clandestine Migration and the Business of Bordering Europe*. University of California Press.

Bah, Tijan L. and Catia Batista. (2018). 'Understanding Willingness to Migrate Illegally: Evidence from a Lab in the Field Experiment'. Universidade Nova de Lisboa, Faculdade de Economia, NOVAFRICA.

Bang, April Hyoeun. (2016). 'The Restorative and Transformative Power of the Arts in Conflict Resolution'. *Journal of Transformative Education* 14(4): 355–76. https://doi.org/10.1177/1541344616655886.

Barry, Boubacar. (1998). *Senegambia and the Atlantic Slave Trade*. Cambridge University Press.

Barson, Tanya, Peter Gorschlüter, Petrine Archer and Tate Gallery Liverpool. (2010). *Afro Modern: Journeys through the Black Atlantic*. Tate Liverpool.

Bellagamba, Alice. (2009). 'Back to the Land of Roots. African American Tourism and the Cultural Heritage of the River Gambia'. *Cahiers d'études Africaines* 49(193–194): 453–76.

Bhagwati, Jagdish. (2003). 'Borders beyond Control'. *Foreign Affairs* 82(1): 98–104. https://doi.org/10.2307/20033431.

Bisschoff, Lizelle. (2012). 'African Popular Culture at Africa in Motion'. *Postgrads from the Edge* (blog). https://centreofafricanstudies.wordpress.com/2012/11/26/african-popular-culture-at-africa-in-motion.

Cancellieri, Adriano. (2017). 'Towards a Progressive Home-Making: The Ambivalence of Migrants' Experience in a Multicultural Condominium'. *Journal of Housing and the Built Environment* 32(1): 49–61. https://doi.org/10.1007/s10901-015-9489-7.

Carling, Jørgen and Francis Collins. (2018). 'Aspiration, Desire and Drivers of Migration'. *Journal of Ethnic and Migration Studies* 44(6): 909–26. https://doi.org/10.1080/1369183X.2017.1384134.

Castles, Stephen. (1998). *The Age of Migration: International Population Movements in the Modern World*. Macmillan International Higher Education.

Ceesay, Ismaila. (2016). 'The "Love" and "Deception" Methods: The Strategies of Chanters'. *Journal of African Foreign Affairs* 3(1/2): 45–68.

Cline-Cole, Reginald and Clare Madge. (2017). *Contesting Forestry in West Africa*. Routledge.

De Jong, Ferdinand. (1999). 'Trajectories of a Mask Performance: The Case of the Senegalese Kumpo (Itinéraires Des Spectacles de Masques. À Propos Des Masques Kumpo Sénégalais)'. *Cahiers d'Études Africaines* 39(153): 49–71.

Dijk, Jan van. (2020). *The Network Society*. SAGE.

Drammeh-Licentiate, Foday Yahya and Tommy D. Andersson. (2019a). 'Production of African Identity: An Explorative Study of The Roots Festival'.

Drammeh-Licentiate, Foday Yahya, and Tommy D. Andersson. (2019b). 'Production of African Identity: An Explorative Study of The Roots Festival'.

'Ellen Johnson Sirleaf'. (2019). The Elders. 20 January 2019. https://www.theelders.org/profile/ellen-johnson-sirleaf.

Enz, Molly Krueger and Devin Bryson. (2014). 'Introduction Fed Up: Creating a New Type of Senegal Through the Arts'. *African Studies Quarterly* 14(3): 13.

Foster, Hal. (2004). 'An Archival Impulse'. *October* (October): 3–22. https://doi.org/10.1162/0162287042379847.

Freire, Paulo. (1972). 'Pedagogy of the Oppressed. 1968'. Trans. Myra Bergman Ramos. Herder.
Gilroy, Paul. (1993). *The Black Atlantic: Modernity and Double Consciousness*. Verso.
Gilroy, Paul. (2013). *There Ain't No Black in the Union Jack*. Routledge.
Hall, Stuart. (1993). 'What Is This "Black" in Black Popular Culture?' *Social Justice* 20(1/2 (51-52)): 104–14.
Henry, William. (2006). *What the Deejay Said: A Critique from the Street!* Nu-Beyond Ltd: Learning By Choice!
Henry, William. (2007). *Whiteness Made Simple: Stepping Into the Grey Zone*. Nu-Beyond Ltd: Learning By Choice!
Kebbeh, C. Omar. (2014). 'The Gambia: Migration in Africa's "Smiling Coast"'. SSRN Scholarly Paper ID 2429807. Social Science Research Network. https://papers.ssrn.com/abstract=2429807.
Kramer, Ann. (2014). *Nelson Mandela: An Extraordinary Life*. Hachette UK.
Lekoetje, Ade M. and Alieu K. Jammeh. (n.d.). 'National Human Development Report 2014'. United Nations Development Program. https://www.undp.org/sites/g/files/zskgke326/files/migration/gm/NHDR-2014.pdf.
Lorange, Peter. (2010). *Leading in Turbulent Times: Lessons Learnt and Implications for the Future*. Emerald Group Publishing.
Lukalo, Fibian Kavulani. (2006). *Extended Handshake or Wrestling Match?: Youth and Urban Culture Celebrating Politics in Kenya*. Nordiska Afrikainstitutet.
Maanga, G.S. (2013). 'The Relevance and Legacy of Nelson Mandela in the Twenty-First Century Africa: An Historical and Theological Perspective'. *African Journal of History and Culture* 5(5): 87–95.
'MALI Enterprising Leaders'. (n.d.). The UBELE Initiative. https://www.ubele.org/mali.
Mandela, Nelson. (1990). *The Struggle Is My Life*. Popular Prakashan.
Mandela, Nelson. (2010). *Selected Speeches and Writings of Nelson Mandela: The End of Apartheid in South Africa*. Red and Black Publishers.
Mandela, Nelson. (2012). *Notes to the Future: Words of Wisdom*. Simon and Schuster.
Mandela, Nelson. (2013). *Long Walk To Freedom*. Hachette UK.
M'Baye, Babacar. (2013). 'Verbal and Acrobatic Strategies in Senegalese Wolof Wrestling'. *Storytelling, Self, Society* 9(2): 188–216.
McAuliffe, MarieDennison, Binod Khadria James and International Organization for Migration. (2019). *World Migration Report 2020*. https://publications.iom.int/system/files/pdf/wmr_2020.pdf.
'Migrant Deaths and Disappearances'. (n.d.). Migration Data Portal. http://migrationdataportal.org/themes/migrant-deaths-and-disappearances.
Mills, Greg, Olusegun Obasanjo, Jeffrey Ira Herbst and Tendai Biti. (2019). *Democracy Works: Turning Politics to Africa's Advantage*. Hurst & Company.
'Missing Migrants Project'. (n.d.). https://missingmigrants.iom.int/region/mediterranean.

Mpapayiai, Samson and Kepha Ombui. (2016). 'Effects of Transformational Leadership on Governance in Kajiado County Government, Kenya'. *International Journal of Scientific and Research Publications* 6(10): 6.

Munyaradzi, Mawere and Marongwe Ngonidzashe. (2016). *Violence, Politics and Conflict Management in Africa: Envisioning Transformation, Peace and Unity in the Twenty-First Century*. Langaa RPCIG.

Murove, Munyaradzi Felix. (2009). *African Ethics: An Anthology of Comparative and Applied Ethics*. University of Kwazulu-Natal Press.

Ndlovu-Gatsheni, Sabelo J. (2016). *The Decolonial Mandela: Peace, Justice and the Politics of Life*. Berghahn Books.

Njogu, Kimani. (2005). *Culture, Entertainment, and Health Promotion in Africa*. African Books Collective.

Nussbaum, Barbara. (2003). 'Ubuntu: Reflections of a South African on Our Common Humanity'. *Reflections: The SoL Journal* 4(4): 21–6.

Nyanzi, Stella, Ousman Rosenberg-Jallow, Ousman Bah and Susan Nyanzi. (2005). 'Bumsters, Big Black Organs and Old White Gold: Embodied Racial Myths in Sexual Relationships of Gambian Beach Boys'. *Culture, Health & Sexuality* 7(6): 557–69.

Olsen, William C. and Walter E. A. van Beek. (2015). *Evil in Africa: Encounters with the Everyday*. Indiana University Press.

Schapendonk, Joris. (2018). 'Navigating the Migration Industry: Migrants Moving through an African-European Web of Facilitation/Control'. *Journal of Ethnic and Migration Studies* 44(4): 663–79. https://doi.org/10.1080/1369183X.2017.1315522.

Schapendonk, Joris, Matthieu Bolay and Janine Dahinden. (2020). 'The Conceptual Limits of the "Migration Journey". De-Exceptionalising Mobility in the Context of West African Trajectories'. *Journal of Ethnic and Migration Studies* 47(14): 3243–59. https://doi.org/10.1080/1369183X.2020.1804191.

Shelley, Becky, Kitty Te Riele, Natalie Brown and Tess Crellin. (2019). *Harnessing the Transformative Power of Education*. Brill.

Stengel, R. (2008). Mandela: His 8 lessons of leadership. *Time Magazine*.

Stengel, Richard. (2009). *Mandela's Way: Fifteen Lessons on Life, Love, and Courage*. Crown Publishers.

Stengel, Richard. (2010). *Mandela's Way: Lessons in Life*. Random House.

Stengel, Richard. (2012). *Nelson Mandela: Portrait of an Extraordinary Man*. Random House.

Strand Jagne, Frida. (2014). *The Back Way to Europe: A Case Study about Why Young Men in Gambia Are Prepared to Risk Their Lives to Get to Europe*. Bachelor's Thesis, Linnéuniversitetet.

Suso, Catherine T. Conrad. (2019). 'Backway or Bust: Causes and Consequences of Gambian Irregular Migration'. *The Journal of Modern African Studies* 57(1): 111–35.

Tomlinson-Clarke, Saundra M. and Darren L. Clarke. (2016). *Social Justice and Transformative Learning: Culture and Identity in the United States and South Africa*. Routledge.

Trust, South African Democracy Education. (2004). *The Road to Democracy in South Africa: 1970–1980*. Vol. 2. Unisa Press.

'Verbal and Acrobatic Strategies in Senegalese Wolof Wrestling on JSTOR'. (n.d.). https://www.jstor.org/stable/10.13110/storselfsoci.9.2.0188.

Zanker, Franzisca and Judith Altrogge. (2017). *The Politics of Migration Governance in the Gambia*. https://doi.org/10.13140/RG.2.2.19493.40169.

Part Four

Mandela and the Law: A Review

5

Instead of the Truth and Reconciliation Commission's Amnesty, Would a Different Approach Have Delivered a Better Future for South Africa?: Nelson Mandela's Contribution Towards South Africa's Long-Lasting Peace

Gregory Alake

Introduction

Increasingly truth commissions are regarded as a way of healing the wound of the past. According to Mandela, 'The Truth and Reconciliation Commission of South Africa has put the spotlight on all of us … In its hearings Desmond Tutu has conveyed our common pain and sorrow, our hope and confidence in the future.' (Tutu 1999)

The South Africa truth and reconciliation process was based on the hypothesis that knowledge of the past will lead to acceptance, tolerance and reconciliation in the future. The purpose of this chapter is to test that hypothesis, by analysing the outcomes to see if a different approach would have delivered a better future for South Africa. The analysis will centre on the judicial approach and the process of amnesty giving, by contrasting in the main, the Nuremberg trial model and the Truth and Reconciliation Commission (TRC) of South Africa.

This chapter will explore the background of TRC, the problems associated with TRC and why the TRC amnesty was chosen instead of a Nuremburg style commission or reparation model. In order to reach a conclusion, it will investigate Criminal Justice (Nuremberg style) and Reparation (big corporation issue).

Background

Shortly after his release, Mandela began negotiations with the government to end the system of apartheid and establish a new, democratic system of governance.

In the South Africa first democratic elections, Mandela was elected as the country's first Black President. As President, Mandela worked tirelessly to heal the deep divisions of the past and build a new, inclusive nation. He introduced a range of reforms and initiatives to address the injustices of the past, including programs to provide education, healthcare and housing for marginalized communities.

One of Mandela's notable contributions was the South Africa Truth and Reconciliation Commission (TRC) – a court-like body established by his government in 1995 to help heal the country and bring about a reconciliation of its people by uncovering the truth about human rights violations that had occurred during the apartheid period. The Commission differed from the Nuremberg trials[1] (20 November 1945–1 October 1946) because it focuses on gathering evidence and uncovering information – from both victims and perpetrators – and not on prosecuting individuals for past crimes.

The South African TRC comprised of seventeen commissioners: nine men and eight women. Archbishop Desmond Tutu chaired the commission and Alex Boraine the deputy chair. The commissioners were supported by approximately 300 staff members, divided into three committees (Human Rights Violations Committee, Amnesty Committee, and Reparations and Rehabilitation Committee).

The TRC took over 20,000 testimonies from victims; and 2,000 of them appeared at public hearings. The commission received 7,112 amnesty applications. Amnesty[2] was granted in 849 cases and refused in 5,392 cases, while other applications were withdrawn.

The TRC recommended reparations program that included financial, symbolic and community reparations. The commission proposed that each victim or family should receive approximately $3,500 USD each year for six years.

There was recommendation that prosecution should be considered in cases where amnesty was not sought or was denied if evidence existed.

The TRC Final Report provides the majority of the findings of the Commission. The report of events is summarized logically as follows:

Volume 1 – provides the basis and rationale for the work of the Commission and also describes the way the Commission worked and the methods it used in order to fulfil its mandate.

Volume 2 – gave account of gross violations of human rights on all sides of the conflict. The accounts covered the period between 1960 and 1990, stating the role of the state in the perpetration of gross violations of human rights, violations committed outside South Africa and those committed inside South Africa.

Volume 3 – in relation to Volume 2, this also addresses gross violations of human rights from the perspective of the victim.

Volume 4 – gave account of the environment in which gross violations of human rights took place, this gave account of a series of 'institutional hearings' which sought to explore the broader institutional and social environment. It also reports on three special hearings: on compulsory military service, children and youth, and women.

Volume 5 – contains the conclusions reached by the Commission, including analyses, findings and recommendations.

Challenges

The TRC was subjected to substantial pressure to constantly demonstrate its even-handedness because of its delicate political task to examine human rights violations on all sides of the South African conflict. In some instances, this has resulted in an overly tentative process and approach to building reconciliation, in which the Commission proved reluctant to fully utilize its substantial powers of search, seizure and subpoena.

Right-wing opposition to the TRC and the Commission's attempts to gain right-wing political parties' support meant that the TRC missed opportunities to acquire tangible information needed in building stronger reconciliation. Due to this, few perpetrators voluntarily came forward to seek amnesty during the early period of the TRC's operations (with the exception of many who had already been convicted or jailed for their past activities), putting considerable pressure on the TRC's amnesty process. It can be argued that the flood of applications for amnesty, which did occur towards the end of 1996,[3] was less the result of a looming cut-off date for amnesty applications than it was the result of the successful prosecution of Eugene De Kock – a notorious apartheid assassin who, during his trial, provided extensive information about other senior state

operatives involved in gross human rights abuses. The TRC balancing act also affected its relations with those victims who expressed legitimate frustrations at the fact that they could not expect full justice on prosecuting those who were known to be responsible for the murder of their loved ones. In particular, constitutional challenges to the amnesty process, which were brought by the Azania Peoples' Organization (AZAPO), as well as relatives of Steve Biko,[4] murdered ANC activists Griffiths and Victoria Mxenge, and the relatives of slain Dr Fabian Ribeiro,[5] were viewed by some Commissioners as being contrary to the Commission and its quest to reconciliation rather than as legitimate demands of apartheid's survivors. However, the TRC was able to mitigate most of these in the last year of its operation.

Though the TRC's Amnesty Committee was troubled by controversy and misunderstanding, its Human Rights Violations Committee remained largely immune from such politically rooted problems. The great strength of the TRC resided in the operations of the Human Rights Violations Committee.[6] This resulted in a rare process whereby a full range of those who suffered gross violations of their human rights within the conflicts of the past, testified before the Committee and before the South African public. The social impact of this process of public testimony has been the greatest achievement of the TRC.

Important Timelines

Whilst this chronology mainly focuses on events of national significance in South Africa it also includes TRC mandate period, the chronology should be read in relation to information on historical context as well as volumes 2 and 3 of the TRC Final Report.

1910 Union of South Africa comes into being.

1912 South African Native National Congress or SANNC (later African National Congress or ANC) was founded.

1913 The Natives' Land Act prescribes that no African person be allowed to own land outside designated reserves (approximately 7% of the land is allocated for African people, subsequently increased in 1936 to 13%).

1914 National Party was founded.

1920 The Native Affairs Act creates separate administrative structures for people in African reserves. South Africa was granted a League of Nations mandate over South West Africa.

1925 Afrikaans was adopted as an official language.

1943 ANC Youth League was formed.

1947 The Security Branch of the South African Police (SAP) was formed.

1949 Prohibition of Mixed Marriages Act was passed.

1950 The Group Areas Act provides for areas to be declared for the exclusive use of one particular racial group and makes it compulsory for people to live in an area designated for the group under which they were classified. The Suppression of Communism Act prohibits organizations and people from promoting Communism.
Later amendments extend the prohibition to cover any efforts to overthrow the state and provide for the banning of meetings and people, the receiving of donations, the prohibition on people practising law and deportations. The Population Registration Act provides for the classification of all South Africans into one of four racial groups. The Immorality Act prohibits sexual relations across the colour bar.

1951 The Prevention of Illegal Squatting Act grants magistrates the power to evict squatters from urban areas and to demolish their dwellings.

1952 The ANC launches the Defiance Campaign.
The Native Laws Amendment Act was enacted. The Abolition of Passes Act introduces reference books for Africans.

1953 The Public Safety Act provides for a state of emergency to be declared. The Minister of Law and Order, the commissioner of the SAP, a magistrate or a commissioned officer can detain any person for reasons of public safety.
A magistrate or the commissioner of police can ban meetings and gatherings. (The Act is passed in response to the civil disobedience campaign of the ANC and invoked for the first time after the Sharpeville Massacre on 21 March 1960.) The Reservation of Separate Amenities Act is passed. The Bantu Education Act introduces a system of education for African people designed to provide them only with skills that will serve the White economy.
The Communist Party of South Africa dissolves and is reconstituted as the South African Communist Party (SACP).

1956 Coloured voters are removed from the common voters' roll.
The Riotous Assemblies Act prohibits certain public open-air gatherings.
The Treason Trial begins. 156 accused are charged with high treason. (The trial continues for five years during which charges are withdrawn against all but thirty-four. They were all acquitted in 1961.)
In August, 20,000 women march to the Union Buildings in Pretoria to protest against the extension of passes to African women.

1956 Mandela was arrested along with 155 other activists and put on trial for treason, a charge designed to harass the anti-apartheid activists, but all were eventually acquitted in 1961.

1960 **Mandate period of Truth and Reconciliation Commission begins**.
On 21 March, sixty-nine people were killed and 186 wounded at Sharpeville when police open fire on marchers protesting against the pass laws.
In Cape Town, two people are killed and forty-seven wounded in Langa when police open fire on a crowd of anti-pass protestors. At the end of March, a group of 30,000 people march from Langa to Cape Town in protest.
A national state of emergency is declared on 24 March, lasting until 31 August.
11,503 people are detained. PAC leader Sobukwe is sentenced to three years for burning his pass.
The ANC and the PAC are banned on 8 April.
The African Resistance Movement (ARM) was formed by mainly young radical Whites and launches a sabotage campaign.
The Pondoland Revolt by Transkei peasants against the Bantu Authorities Act was crushed by police shootings, detentions and torture and trials and executions.
The South West African People's Organisation (SWAPO) was formed.
South Africa's alleged contravention of SWA mandate was taken to the International Court.

1961 Umkhonto we Sizwe launched its first attack against government installations and was subsequently classified a terrorist organization by the government and the United States, an electricity sub-station was the first target of the campaign, followed by attacks on government posts, machinery, crop burning and power facilities.

1962 Mandela visited Algeria, Egypt and Ghana to get international support for the resistance, returning to South Africa later that year. Shortly after his return, Mandela was arrested at a road block in Natal and subsequently sentenced to five years in prison for illegally leaving the country and inciting workers' strike in 1961.

1970 The Bantu Homelands Citizenship Act effectively strips all Black South Africans of their citizenship by making them automatic citizens of one of the ten 'homelands'.

1976 Soweto uprising begins. Police opened fire on approximately 10,000 pupils protesting.

1984–89 Township revolt, state of emergency.

1989 F. W. de Klerk replaces P. W. Botha as president, meets Mandela. Public facilities desegregated. Many ANC activists freed.

1990 ANC unbanned, Mandela released after twenty-seven years in prison. Namibia becomes independent.

1991 Start of multi-party talks. De Klerk repeals remaining apartheid laws, international sanctions lifted. Major fighting between ANC and Zulu Inkatha movement.

1993 Agreement on interim constitution.

1994 ANC wins first non-racial elections. Mandela becomes president, Government of National Unity formed, Commonwealth membership restored, remaining sanctions lifted. South Africa takes seat in UN General Assembly after twenty-year absence.

1996 Truth and Reconciliation Commission begins hearings on human rights crimes committed by former government and liberation movements during apartheid era.

1996 Parliament adopts new constitution. National Party withdraws from coalition, saying it was being ignored.

1998 Truth and Reconciliation Commission report brands apartheid a crime against humanity and finds the ANC accountable for human rights abuses.

1999 ANC wins general elections, Thabo Mbeki takes over as president.

2002 Court acquits Dr Wouter Basson – dubbed 'Dr Death' – who ran apartheid-era germ warfare programme. Basson had faced charges of murder and conspiracy. ANC condemns verdict.

2002 July – Constitutional court orders government to provide key anti-AIDS drug at all public hospitals. Government had argued drug was too costly.

2002	October – Bomb explosions in Soweto and a blast near Pretoria are thought to be the work of right-wing extremists. Separately, police charge seventeen right-wingers with plotting against the state.
2003	November – Government approves major programme to treat and tackle HIV/AIDS. It envisages network of drug-distribution centres and preventative programmes. Cabinet had previously refused to provide anti-AIDS medicine via public health system.
2004	Ruling ANC wins landslide election victory, gaining nearly 70% of votes. Thabo Mbeki begins a second term as president. Inkatha Freedom Party leader Mangosuthu Buthelezi is dropped from the cabinet.
2005	Investigators exhume the first bodies in a Truth and Reconciliation Commission investigation into the fates of hundreds of people who disappeared in the apartheid era.

The Roles and Importance of Mandela to South African Peace

Mandela was considered by some analysts as largely ineffective and was criticized for his handling of settlement for the victims of apartheid and the economy while in office; however, most will argue he did the best possible from a difficult situation.

After his release from prison in 1990 Mandela negotiated with the government of President F. W. de Klerk to end apartheid by bringing peace to a racially divided country and leading the fight for human rights around the world.

Mandela's fight for equality helped to change the racial injustice system, he championed a campaign of peaceful, non-violent defiance against the South African government and its racist policies. Mandela was a symbol of hope for many, his activism and leadership helped to bring an end to separation and injustice to a certain extent.

The Boipatong massacre of June 1992 when more than forty residents were shot or hacked to death outside Johannesburg, and the Bisho massacre of September 1992 when twenty-eight unarmed protestors were shot dead by troops in the Eastern Cape, could have led to bitter uprising if it was not managed diplomatically by Mandela and ANC leadership.

The political tension in the townships of South Africa around the early 1990s was clearly noticeable, and it felt as if the country was edging towards a violent

catastrophe. The earlier hope that followed Mandela's release and expectation on multi-party talks on negotiated settlement broke down. The ANC also blamed the government for the killing of around 8,000 Black South Africans since President F. W. de Klerk took office in September 1989.

Mandela refused to seek revenge for all the atrocities and, rather than derailing the negotiation process, the Boipatong massacre seemed to strengthen Mandela's resolve of seeking to reach a peaceful settlement. A breakthrough came a few weeks after the Bisho massacre, when Mandela and de Klerk signed the 'Record of Understanding', stipulating that a single, freely elected constitutional assembly would serve as a transitional legislature and would draft a new constitution. This prepared South Africa for the first democratic elections that were to be held less than two years later.

It could be argued that Mandela and the ANC only surrendered their commitment to armed struggle when it was clear to them that the transition to Black majority rule was clearly underway and irreversible. ANC and Mandela's conviction that they had the upper hand in negotiation was a catalyst for vigorously promoting peace and reconciliation.

Mandela's leadership role during the transition period (1990–94), when South Africa could have fallen into a race-based civil war, was crucial to the peaceful settlement achieved, especially in the wake of the assassination of liberation leader Chris Hani[7] in 1993, when initial popular anger threatened to undo the peace process. Mandela's decisive speech calmed the situation and kept the transition on course.

Another contribution was the Truth and Reconciliation Commission (TRC) established during Mandela's term in office. Though not an idea that came directly from Mandela, his endorsement and support of it was important and was led by Archbishop Desmond Tutu.

Though the ANC, and South Africa, were fortunate in having a leader of Mandela's quality, it would be wrong to attribute the success of the transition entirely to him alone. Significant efforts were also made by global anti-apartheid movements, foot soldiers, and President F. W. de Klerk and his government.

Why Truth and Reconciliation?

Most people and human rights movements see Nuremberg as a template[8] with which to define responsibility for mass violence. However, this chapter intends to demonstrate that Nelson Mandela's leadership was instrumental to the peaceful ending of apartheid in South Africa and that the TRC, Mandela's

policy instrument for concretely advancing reconciliation, was the best option available.[9]

Mandela's uniqueness was made known when the Sri Lankan president, Mahinda Rajapaksa, approached South African president Jacob Zuma at a diplomatic gathering in November 2013 and told Zuma he wanted to learn more about South Africa's post-apartheid Truth and Reconciliation Commission. This was reported in the New Indian Express,[10] where a reader left a melancholy comment on the news website, stating that a TRC might help, but to make it work, Sri Lanka needs its own Nelson Mandela and Bishop Desmond Tutu.[11] Tutu led South Africa's TRC. According to the reader, Sri Lanka[12] has neither.

Many people remember Mandela as a reconciler, a revolutionary who later turned to a nation healer and a nation builder.

The South Africa truth commission model[13] is increasingly being adapted across the world with the hope that finding the truth about a country's past conflicts will somehow contribute to reconciliation. However, the question to ask is, has truth actually contributed to reconciliation in South Africa?

The NP wanted to continue to enjoy power and was willing to allow for increased political participation by Blacks. The liberation movement, on the other hand, desired the complete removal of White power. Neither of these goals seemed achievable without an all-out war. It was therefore in the best interest of all parties to avoid such a situation.

The political compromise[14] between the ANC and the NP led to the South Africa Truth and Reconciliation Commission (TRC). Although it was criticized by many parties, for example, the ANC's demand for retributive justice went unheeded (to the outrage of many, including the family of Stephen Biko, who unsuccessfully sued the TRC in the South African Constitutional Court) because heeding it would have eliminated the chance for a democratic South Africa.[15] When the TRC's report was about to be handed to Nelson Mandela in October 1998, the ANC wanted it stopped because they believed it sought to criminalize the struggle. However, neither Tutu nor Mandela accepted this position. The compromise secured the end of apartheid and permitted the TRC to function with at least a sufficient degree of political legitimacy. Though some Black victims felt betrayed by the TRC because they felt it did not give proper closure, failing to adequately address the systematic structural violence perpetrated by the apartheid regime, this failure stands as a betrayal of victims who were waiting for the criminal justice process to take its course and has added considerably to their trauma. However, the process had sufficient legitimacy[16] to forestall political

campaigns to undo compromises already made, unlike in Latin America where political movements forced unilateral amnesties to be retrospectively withdrawn. The South African conditional amnesty compromise withstood attempts to retrospectively invalidate it because it was a compromise between the two main political parties representing the Black and Afrikaner communities. Each side has so much to lose, and as such, a compromise was the best option.

Recently, there has been increased appetite for democracy across the world. Previously closed societies ruled by tyrant or autocratic leaders are increasingly embracing democracy, partly as a result of liberation struggles. (In South America, Argentina, Bolivia, Brazil, Paraguay, Chile and Uruguay moved away from dictatorships to democracy between 1982 and 1990. The new states that stumbled out of the ruins of the old Soviet Union, except Uzbekistan and Turkmenistan, moved toward democracy in the early 1990s, as did the countries of East Central Europe and the Balkans. More recently, regimes were toppled in Tunisia, Libya, Egypt and partially in Yemen.) Faced with the ordeal of their violent and oppressive past, these countries are looking for ways to reconcile with their former adversaries and deal with their violent and oppressive past.

Background of South Africa Truth and Reconciliation Commission (TRC)

The agreement of the early 1990s between the NP and the ANC led to power-sharing, the eventual change to majority-rule and the setup of the TRC with the purpose of finding the truth about past atrocities and reconciling the societies. The agreement also allowed the Commission to grant perpetrators amnesty in exchange for complete and truthful accounts of their actions.[17]

During negotiation, President de Klerk's NP was unwilling to compromise over the issue of amnesty, wanting to tie the issue of amnesty to the release of political prisoners. The Indemnity Act passed in November 1990 was a pre-requisite to negotiation and allowed the return of some exiles and the release of some political prisoners.[18]

The NP, in October 1992, tried to expand the amnesty to cover the president and members of the government but failed in the House of Assembly. De Klerk then took the measure to the president's council (a parliamentary body dominated by NP members), designed to resolve conflicts over legislative issues, which passed the further Indemnity Act. According to Raylene Keightley's

(1993) analysis of the struggle during the negotiations, the indemnity process was arbitrary and very confusing for the citizenry, leaving many South Africans feeling suspicious and angry.

The South Africa TRC was founded by the Promotion of National Unity and Reconciliation Act. The TRC was given the following tasks (The Truth and Reconciliation Commission of South Africa Report, Volume 1, chapter 4, p. 54):

- to facilitate the granting of amnesty to persons who make full disclosure of all the relevant facts relating to acts associated with a political objective and who comply with the requirements of this Act;
- to establish as complete a picture as possible of the causes, nature, and extent of the gross violations of human rights during the period from 1st March 1960 to the cut-off date;
- to establish and make known the fate or whereabouts of victims and to restore the human and civil dignity of such victims by granting them an opportunity to relate their own accounts of the violations of which they are the victims, and by recommending reparation measures in respect of them; and
- to compile a comprehensive report and recommendations of measures to prevent the future violations of human rights.

Three committees were set up to facilitate the project: the Committee on Human Rights Violation, the Amnesty Committee, and the Reparation and Rehabilitation Committee. The TRC was originally given eighteen months to complete its works, but this was later extended to two years, during which it received 7,000 amnesty applications.

To qualify for amnesty the committed crime had to be of a political nature as defined within the TRC Act, and full disclosure of the offence for which amnesty was sought[19] had to be made. The Act stipulated categories of people who may apply for amnesty, including members of political organizations, members of state security and liberation movements.[20]

Eligibility for amnesty was based on whether the motive was within the context of the Act.[21] Those who acted for personal gain[22] did not qualify unless being paid as an informer. Also, amnesty was granted to those who committed a crime of personal malice, ill will or spitefulness.[23] For gross violation of human rights, the committee had to conduct a public hearing before granting amnesty.[24] Record of conviction for the crime for which amnesty had been granted was then expunged and that conviction was deemed not to have taken place once

amnesty was granted.[25] The person's name and information about the act[26] were then published in the *Government Gazette*, the official government publication.

The South Africa Amnesty principle was a challenge to retributive justice and emphasizes restorative justice as an alternative. The TRC knowingly put legal justice second to the finding of truth to achieve reconciliation and national unity. While the amnesty principle was not the preferred option of the ANC at the negotiating table with the NP, the clear military imbalance favouring the oppressor left the ANC with little choice but to make certain concessions to their opponents in order to achieve the greater good of an inclusive government. The ANC, however, avoided granting blanket amnesty to the NP-government and achieved the compromise of full disclosure in exchange for amnesty.

Problems Associated with TRC

There is no universal agreed definition of 'reconciliation'. Mark Hay, for instance, calls 'reconciliation' 'one of the most abused words in recent history in South Africa' (Hay, 1998, p. 13). Some have gone as far as claiming that reconciliation is a concept that cannot be measured (Max du Preez, 2001, p. 13). According to du Preez, there was no need to defend this point of view because it is so self-evidently true. Most people are also certain that reconciliation has not lived up to the expectations of most South Africans; at the very least, they will know it when they see it – or if they do not see it.

The problem with 'reconciliation' is that it has too many meanings; for instance, Hamber and van der Merwe (1998) gave five distinct ways in which reconciliation has been either implicitly or explicitly used. Reconciliation has so many meanings because everyone is able to imbue their own distinct understanding.

Antjie Krog (1999) was critical of the TRC in her book *Country of My Skull*,[27] stating that it is difficult to build a common memory when there are a variety of experiences. Also the TRC general lack of participation of Whites and politicians; however, she concluded that the TRC broke the silence of the past and has shown the way to a culture of human rights and national unity.[28]

After the negotiated transition, the new government had to depend on civil servants and institutions from the old regime. These included security agents and justice system functionaries who sustained the apartheid system and were previously deemed illegal under international law. Additionally, many of

those in power at the time had themselves been previously involved in armed resistance to apartheid, which allegedly involved human rights violations both within South Africa and externally.

The fact that the South African TRC sacrificed the interests of the victims by granting amnesty to perpetrators of crimes against humanity for the sake of national unity was seen by some as a breach of international law obligations to punish those involved in genocide and human rights violations.

During the high-profile challenge at the South Africa supreme court against the Truth and Reconciliation Commission (TRC), the failure to prosecute disillusioned many victims and encouraged the view that the system had strengthened impunity and that the beneficiaries of apartheid had escaped accountability for their actions. However, the extraordinary reputation of Nelson Mandela and the high profile of Archbishop Desmond Tutu largely legitimized South Africa's Faustian pact of truth without justice, which was put to the test. Robyn Slovo said: 'We were deeply shocked by the amnesties which are completely unwarranted and unfair – but we have not decided whether we can take the pain of going through another judicial process, and we're still consulting our lawyers.' It is important to note that restorative justice is often defined in contrast to retributive justice. In his book *Changing Lenses: A New Focus for Crime and Justice*, Howard Zehr (1990, pp. 80–1) notes that rather than viewing crime as a violation of the law with the state being the victim, restorative justice views crime as 'a violation to people and relationships.' The aim of restorative justice is not to establish guilt and punish perpetrators of crimes, but to 'identify obligations' as well as to meet the needs of everyone involved and promote healing (Zehr, 1990, p. 81). Furthermore, rather than viewing the process of justice as a dispute between offenders and state law – which in most cases leads to a win-lose outcome – the process of restorative justice involves all stakeholders in a conflict, including the larger community, in identifying obligations and solutions. This promotes dialogue and mutual agreement, contributing instead to a win-win outcome (Zehr, 1990; Braithwaite, 2006).

In international law, crimes against humanity and acts of genocide are of *jus cogens* status (the principles which form the norms of international law that cannot be set aside) and constitute *obligatio erga omnes* (obligations that states have toward the international community as a whole), and are therefore inderogable.[29] In other words, it is anathema to suggest that amnesty could be granted in respect of such crimes.

Why Amnesty was Provided Instead of Other Models like Nuremberg

Compared to criminal trials, the TRC granting amnesty facilitated public hearing to be heard faster and gave more victims and more perpetrators the chance to be heard. According to Richard J. Goldstone (2004), the TRC heard from 20,000 victims and, by the close, 7,000 amnesty applications were made. It was therefore able to collect much more information of human rights violations than a criminal court would have been able to accomplish.[30]

Because of the paramount importance assigned to truth-finding, the TRC exchanged 'amnesty for truth about apartheid crimes' (Clark, 2013, p. 216). Several scholars (Villa-Vicencio and Verwoerd, 2000; Gibson, 2004; Graybill, 2004) argued that the TRC process acted as a vehicle for peaceful interracial co-existence, fostering healing and reconciliation.

The NP government and its security forces would never have allowed the transition to a democratic order had its members and supporters been exposed to arrest, prosecution and imprisonment**.** Provision of amnesty (final draft of the interim Constitution[31] was completed without agreement on whether an amnesty provision should be included) actually allowed a peaceful transition. Just before the election, some police generals warned the ANC that they would not support or safeguard the electoral process if it led to a government intending to prosecute and imprison members of the police force. Dullah Omar (a key ANC negotiator at the time) confirmed that hostility from the security forces would have made a successful election impossible and that without an amnesty agreement, there would have been no elections.[32]

The amnesty soft landing mostly enjoyed by the NP government gave weight to Terry Bell and Dumisa Buhle Ntsebeza's views in their book *Unfinished Business: South Africa, Apartheid, and Truth*. Most South Africans today would agree that the country's past has still not been properly confronted. Corruption and pockets of poisonous racism still remain within society. For the sake of continuity, many of apartheid's most senior agents – within the army, the police, the secret services and the civil service – had to remain in place. On the other hand, truth-telling exposed some of the hidden history of South Africa's apartheid past: how the Afrikaner Broederbond (the secret society to which every president, prime minister, senior military and police officer belonged) operated; the murderous activities of the South African security forces in Transkei; the story of Dumisa Ntsebeza, an anti-apartheid activist, torture victim, political prisoner, teacher

and human rights lawyer, who was cynically implicated in a massacre in an attempt to derail the Truth and Reconciliation Commission; and the citation of former president F. W. de Klerk as a defendant[33] in a civil action for murder at exactly the moment he was travelling to Oslo to collect a Nobel Peace Prize.

Another rationalization for the South African TRC was captured by Archbishop Desmond Tutu when he said that without the negotiations 'we would have been overwhelmed by the bloodbath that virtually everyone predicted as the inevitable ending for South Africa'.[34]

Also, providing amnesty was about the advancement of 'reconciliation and reconstruction',[35] since the cost (especially to victims) of seeking justice through the courts would be too high. Amnesty would save the innumerable lives that would have been lost had the conflict continued.

Further, cases could be lost on legal technicalities, as civil claims in South Africa are subject to a two-year statute of limitations, meaning the vast majority of victims were unable to pursue such claims. In addition, most victims who furnished the TRC with information are poor and could not have afforded the services of an attorney or an advocate. In summary, civil trials offer only a small percentage of victims of human rights abuses a reasonable prospect of obtaining redress.

Unlike Latin America and other countries where blanket amnesty applied, conditions were attached to the amnesty in South Africa. The TRC had to assess applications and adjudicate them based on criteria set down in the Promotion of National Unity and Reconciliation Act.[36] The linking of amnesty into the process was unique and highly unusual for a truth commission.

As stated earlier, the new government could not afford the cost of prosecuting those responsible for human rights abuses, most of whom are former members of the police and military. Therefore, the government would be obliged to pay their legal defence costs. For example, the defence legal costs exceeded 9 million rand ($1.5 million)[37] in the trial of Magnus Malan (the former Minister of Defence) and other high-ranking members of the South African Defence Force. Additionally, the trial of Eugene de Kock, a former police colonel, cost taxpayers more than 5 million rand ($0.8 million).[38]

The inability of the criminal justice system to deal successfully with those responsible for human rights violations was another reason for not taking the punitive approach. The absence of a functional criminal justice system capable of securing such convictions raised the unpleasant situation that would do more damage to the re-building of public confidence in the legal system and the rule of law in South Africa than the apparent impunity associated with amnesty.

Judging by the International Criminal Court (ICC) success rate – arrest and trials of main suspect took so long – Milošević was arrested in 2001 and charged with genocide and crimes against humanity; he died in prison in 2006 before the conclusion of his trial. Karadžić went into hiding in 1997, and he spent more than a decade at large before his arrest in July 2008. In March 2016 he was found guilty of genocide for his role in the Srebrenica massacre, as well as nine other counts of war crimes and crimes against humanity. Also in the Rwanda case, there was a continuing source of pain in seeing those held responsible for slaughter being acquitted or given meagre sentences at the International Criminal Tribunal for Rwanda (ICTR) in Arusha, Tanzania – in both the Bosnia[39] and Rwanda[40] War Crimes Tribunal there was little point in such a punitive justice model if it was not enforceable. The few perpetrators that could be acquitted would have been able to deny their involvement in human rights abuses, which would have continued a culture of lack of confidence in the rule of law, even making victims and survivors angrier.

Would a Nuremberg Style Tribunal Have Delivered a Better Justice and Closure?

Some reasons for amnesty were addressed above; however, it is worth noting that the manner in which a successor government chooses to deal with a previous repressive regime is profoundly influenced by the balance of power between the old and new orders at the time of transition. The Allies were able to have the Nuremberg trials because they had militarily defeated the Nazi regime, and the leaders of the Third Reich[41] could be prosecuted due to the Allied forces' sufficient power. During Chile's transition to democracy, the new government was unable to prosecute those who had committed gross violations of human rights during military rule[42] because the military still commanded considerable authority, allowing former Chilean dictator General Augusto Pinochet to remain in office as head of the armed forces.

Because regime change was not achieved militarily, the amnesty approach was therefore the best approach, confirming the fact that transition choice has to do with who has power rather than principle. Just like in Chile, the NP government retained control over a formidable military and police force during the negotiation process. It was therefore a clever move by Mandela to ensure a peaceful transition via TRC.

If the criminal prosecution of perpetrators had been undertaken, only a small fraction of those responsible for gross violations of human rights could have been prosecuted successfully. This is based on the notion that South Africa's criminal justice system was virtually dysfunctional; the police and the judiciary lacked the capacity to investigate/arrest and prosecute, respectively; and the criminal justice system was leaking at the seams. Moreover, only four per cent of those who commit crimes such as murder, armed robbery, rape and serious assault spend more than two years in jail.[43]

If prosecutors and police had to devote a significant share of their resources to dealing with human rights violations – most of which occurred a decade or more previously – the country would almost certainly have lost the battle against ongoing crimes.[44] Also, political crimes committed by highly skilled operatives trained in the art of concealing their actions and destroying evidence are difficult to prosecute.

Diane F. Orentlicher (1995) argued that criminal punishment is 'effective insurance against future repression … by demonstrating that no sector is above the law' and thereby fostering 'respect for democratic institutions', and that international law and pressure are capable of securing justice even where governments may be reluctant to forego prosecutions due to domestic concerns. Amnesty International (1995) and Human Rights Watch support this stance by calling for complete justice in post-authoritarian societies.[45]

There would have been fewer problems in selecting a Nuremberg approach in South Africa if there was unconditional surrender, like before Nuremberg. Some believe that the most one can hope for is truth, even a limited version of it. Jose Zalaquett (a Chilean lawyer who investigated human rights abuses during Augusto Pinochet's regime), argues that the overall stability of society prevails over the needs of the victims.[46]

Since the Treaty of Westphalia,[47] crimes perpetrated by servants of the state (whether autocratic or democratically elected) could not be prosecuted unless they were overthrown by their own compatriots or lost a war and were prosecuted by the winners. Sovereignty of the states has always been respected in the international community. While this is still largely the case throughout the world, recent developments within institutions such as International Criminal Tribunal for the former Yugoslavia, the International Criminal Tribunal for Rwanda, and the International Criminal Court are of the opinion that impunity should not persist in the face of gross mass atrocities. Unlike the Nuremberg Trials, often criticized as a winner's tribunal, these new institutions advocate for incentives to hinder future human rights violations through exemplary punishment rather than purely punitive measures.

There is also a problem of jurisdiction with regards to the International Court of Justice, according to positivistic jurists. Since Germany did not consent to the tribunal, the Allies could not have had jurisdiction to find Germany guilty.

Post-conflict justice calls for careful conceptualization. For example, indicting Omar Hassan Ahmad al-Bashir, the President of Sudan, for his role in the conflict would not create peace and justice for all, but it is the right thing to do. In Zimbabwe, Mr Tsvangirai claimed that the fear of losing pensions and the International Criminal Court's actions prevented the generals from leaving office.

However, the prosecution of perpetrators by an international tribunal or court sends a signal to all repressive regimes that they will be subjected to prosecution if they participate in or authorize acts against humanity. International prosecutions are, however, mostly impeded by jurisdiction because they tend to indict powerful leaders, and because of resource constraints, they are only able to prosecute a small percentage of the total number of perpetrators.

Linking amnesty with the process of establishing the truth was an innovative way of addressing the problems associated with utilizing a punitive approach in South Africa. It provided victims with some form of reparation, and the recommendations to the President (the final TRC report was presented to President Mandela at a nationally televised ceremony on 29 October 1998) presented measures to prevent future recurrence of human rights violations. Alex Boraine wrote, 'in a deeply divided society [war crimes tribunals] cannot be the final word if healing and reconciliation are to be achieved … consideration must always be given to reconciliation so that the risk of the process being repeated is to some extent diminished'.[48]

Would a Reparation Model Have Delivered a Better Closure?

The question of reparation is a complex one, especially in a society like South Africa with competing developmental concerns and severely limited financial resources. The victim's expectation for some sort of reparation was so high that it could not be fulfilled. There was striking tension between individual needs and demands on the TRC on one hand, and the economic and political rationale which underpins the notions of communal reparation on the other, which led to unresolved reparation claims.

The issue of reparation raises infinite difficulties. Victims resented having to prove that they qualified and that their level of suffering was measured to determine how much they would be granted. There was the problem of how

to compensate thousands of people, either monetarily or in kind, the majority of whom were impoverished, without bankrupting the new government. Since victims' reparative needs were expressed individually, the process becomes more difficult and gave rise to complexity and implementation problems. The commission underestimated the monetary expectations of many victims, who were not going to accept just symbolic reparation and whose changing needs were not adequately monitored.

There are those who favour legal prosecution to punish human rights violations (Minow, 1998; Gutman and Thompson, 2000). There are also those who highlight the limited impact of truth commissions due to political constraints. Since they can only give recommendations, implementation depends on the will of the respective governments (Teitel, 2000, p. 53). The controversial reparations programme strengthens the relevance of this argument in the South African context; criticized for being delayed and insufficient, it is generally perceived as a failure of South Africa's governments (Rubin and van der Merwe, 2018, p. 302).

For other countries contemplating a similar process, the reparation strategy needs to be carefully planned, the South Africa reparation model would have been successful if big corporations that benefited under the apartheid regime and policies were made to contribute to the reparation funds. It must, however, be noted that the TRC's Reparations and Rehabilitation Committee[49] managed to achieve the goal of providing psychological support for those coming forward to testify by utilizing the services of non-governmental agencies and service providers.

In early 1996, the commission liaised with academics nationally in order to get their input on policy development, while regionally they work with local medical and tertiary institutions. In some instances, these institutions provided direct support, such as medical care and counselling services.

Workshops were held with non-governmental organisations (NGOs), community-based organisations, relevant government departments and churches, they provided planning, policy formulation for reparation and rehabilitation, and trauma counselling and support for victims. The Natal Church Leaders' Group was involved in getting a Reconciliation Committee working in the region, as it was felt that the churches should be part of the process and would need to carry on the work after the end of the official life of the Commission.

Thabo Mbeki's[50] (former South Africa President) announcement on 15 April 2003 that victims of apartheid who testified before the TRC would be granted

a final reparation pay-off of only R30,000 (US $3,842) each,[51] meant that the 19,000 victims would receive a total of US $85 million, which was considerably less than the US $360 million recommended by the TRC. This prompted the Khulumani Support Group[52] co-ordinator (Ntombi Mosikare) to respond: Mr. Mbeki's words still stung like salt in a wound: 'we only want the country to acknowledge us. What they are giving us is too little.'[53]

Reparations are always financed and provided by successors, not by the ousted repressive regimes. This involves difficult decisions on how to allocate scarce resources. For example, reparations made to victims of gross human violations often represent a diversion of resources from infrastructure projects that would improve the quality of life in society, such as housing, education or health care.

For example, the British government paid out £20 million to compensate some 3,000 families that owned slaves (contrary to the above) for the loss of their 'property' when slave-ownership was abolished in Britain's colonies in 1833.[54] For instance, John Austin, who owned 415 slaves, was compensated with the sum of £20,511, a sum worth nearly £17 million today. The irony is that some British political families today made their fortunes from slavery, such as the Hogg dynasty, which includes the former cabinet minister Douglas Hogg. They are descendants of Charles McGarel, a merchant who made a fortune from slave ownership. Between 1835 and 1837, he received £129,464, about £101 million in today's terms, for the 2,489 slaves he owned.

Closure within South Africa's TRC Reparation Programme would have been achieved if measures were taken to address both individual injustices and structural injustices. There were assumptions by some that the government had done its best and any additional repair should be left to the citizen. One would have expected the available resources to be split in half: one-half to fix the historically ineffective justice system and to train the police in fairness and investigation, while the other half should have been for reparations.

Conclusion

The South African TRC sits somewhere between two extremes: the prosecution style associated with post-war Germany on one end of the scale and the blanket amnesty approach of Chile on the other. It is difficult to evaluate the successes or failures of the South African TRC because it involves taking the past and future into consideration. Apart from reparation complexity, some relatives wanted only basic information about disappeared relatives, while some sought direct

confrontation or mediation. While some demanded full justice, others wanted community-based or political vindication.

Although the South African TRC amnesty approach was a non-retributive form of justice, it generated justice that appeared to satisfy many (it overcame the 'justice deficit'). The compensatory justice was in part distributive, allowing people to come forward and tell their stories, with some perpetrators expressing heartfelt remorse and apologizing for their actions in ways that were widely understood to be sincere.

According to Snyder and Vinjamuri (2003), truth commissions can contribute to democratic consolidation only when those who want democracy hold power within a conducive environment; they have adverse effects where the environment is not conducive. Amnesty is key in instances of negotiated settlements in transitional justice processes because the potential for representatives of the old regime to derail democratic reform is so formidable that their allegiance to the new regime must be bought through amnesty.

Although it would never have been feasible to investigate every case, relatives of the missing and the murdered, such as Fabian and Florence Ribeiro,[55] Stephen Biko and others, are still seeking justice and fundamental elements of the truth.

I would argue that there were few alternatives available to the choice made; the 'deal' of 'justice for truth' was not so much a moral compromise but one that enabled the perpetrators a stake in the new South Africa. The South African transition was very delicately balanced and a Nuremberg type solution would have cost so much money needed for reconstruction and reconciliation. I am not sure that a Nuremberg style of approach would have achieved better closure even after all this while.

If the ICC or Nuremberg approach had been taken, the apartheid generals and political leaders in fear of being indicted would have derailed the transition. South Africa therefore took the view that it would be prudent to sacrifice the rights of a few for the sake of the right of the majority to a better life. In a crucial meeting between the ANC and the right-wing generals of the South African armed forces, Mandela declared:

> 'If you want to go to war, I must be honest and admit that we cannot stand up to you on the battlefield. We don't have the resources. It will be a long and bitter struggle, many people will die and the country may be reduced to ashes. But you must remember two things. You cannot win because of our numbers: you cannot kill us all. And you cannot win because of the international community. They will rally to our support and they will stand with us.'
>
> (Tismaneanu 2015)

General Viljoen was forced to agree, the two men had to face the truth of their mutual dependency. With the apartheid government and its military and police calling for a blanket amnesty (supported by some in the international community, local media and business circles), the debate over the degree of impunity acceptable to all parties resulted in the last-minute addition of a postscript to the 1993 interim constitution that provided for amnesty in general terms while stating that 'the pursuit of national unity, the well-being of all South African citizens and peace require reconciliation between the people of South Africa and the reconstruction of society' (De Lange, 2000, p. 22).

Another problem with adopting the Nuremberg approach is that only a small fraction of those responsible for gross violations of human rights would have been prosecuted successfully because the police and the judiciary lacked capacity to investigate, arrest and prosecute as stated earlier.

One of the demands of the beleaguered apartheid government was that in exchange for loss of power there should be a blanket amnesty for all the agents of apartheid, particularly the police and the armed forces. But while such an outcome would be beneficial to Whites, it would not enjoy the support of those who were victims of apartheid. They would rightly feel that the beneficiaries and enforcers of apartheid were getting away too easily. The worst outcome of such a solution would be that Black South Africans, victims of apartheid, would lose confidence in any of their leaders who could accept such a solution.

Thus, in South Africa, a prosecutorial approach would not have achieved the objective of punishing those responsible for human rights abuse.

It can also be argued that the transition from apartheid to true democracy and a real chance of a better life was largely successful because it was an innovative model for building peace and justice and for holding accountable those guilty of human rights violations that delivers the main objective of peaceful transition. Peace can be said to be the foundation for stable development. However, what was done with the new-found freedom is another thing, having achieved the dream of Nelson Mandela's Rainbow Nation, it is now up to South Africans to use the peace and stability to develop the country, repair the damages done by apartheid, achieve economic advancement, improve the standards of living for Black South Africans and reconcile as a society. More could have been achieved since 1994 but South Africa succeeded in negotiating transition without civil war.

New-found freedom helped to establish policies such as Broad-Based Black Economic Empowerment (B-BBEE), a strategy to ensure all South Africans are able to meaningfully participate in the mainstream economy. The programme

was in response to criticism against Black Economic Empowerment (BEE) instituted in the country during 2003/2004. The policy objective is to encourage businesses to integrate Black people in the workspace, train and mentor Black workers, support Black businesses and give back to mainly poor communities across the country.

The BEE was, however, shrouded in corruption, fraud, mismanagement, poor accountability, lack of monitoring and evaluation. Jeffery (2016) reiterates that BEE in South Africa failed to ignite the much needed black economic transformation, which made the public lose confidence in the ANC economic policy. Jeffery argues that, in the local context, BEE has been flawed as a result of scarce capital, lack of skills, high level bureaucracy and inexperienced entrepreneurial minds. Pravid Gordhan, the finance minister in 2010, affirms that BEE policies have not worked and have not made South Africa a fairer or more prosperous country. Lawrence Mavundla (who was the president of the National African Federated Chamber of Commerce and Industry) as cited in Jefferey (2016), lambasted BEE and its procurement systems as it had impoverished emerging entrepreneurs and small businesses instead of assisting them. Moletsi Mbeki[56] in 2016 also condemned BEE for promoting 'tenderpreneurs' or tender thieves who acquired tender through politically motivated influence.

Mandela Call for Redress

Looking back, it can be argued that while the TRC was focusing on truth telling, the TRC and South Africans missed the genius and the essence of Mandela speech at the Rivonia Trial. Nelson Mandela was one of the innovators of #Black Lives Matter, but it took the world years to realize it. According to Nelson Mandela:

> The complaint of Africans, however, is not only that they are poor and the Whites are rich, but that the laws which are made by the Whites are designed to preserve this situation. There are two ways to break out of poverty. The first is by formal education, and the second is by the worker acquiring a greater skill at his work and thus higher wages. As far as Africans are concerned, both these avenues of advancement are deliberately curtailed by legislation.
>
> (Crais 2014)

The failure of South Africa to properly use reparation to fix the problems caused by apartheid was also the failure of slavery compensation to help freed slaves

to rehabilitate. The TV chef Ainsley Harriott, whose great-great-grandfather was a slave owner, said he was shocked by the amount paid out by the British government to the slave owners. He stated 'You would think the government would have given at least some money to the freed slaves who need to find homes and start new lives. It seems a bit barbaric. It's like the rich protecting the rich.'[57] The imbalance in slave trade compensation led to the recent Windrush Scandal in Britain' if the ancestors of those taken as slaves had been properly compensated, the scandal probably would not have happened. The same can be said of the South African TRC's reparation, where a balanced solution/ reparations could have delivered a better result.

Notes

1 https://www.academia.edu/73263218/Nuremberg_Trials_a_Betrayal_to_History_Book_Review_The_Betrayal_by_Kim_Priemel.
2 https://www.justice.gov.za.
3 This date was originally scheduled for 15 December 1996, but was extended by the State President in response to a request from the TRC.
4 Bantu Stephen Biko (18 December 1946–12 September 1977) was a South African anti-apartheid activist. He pioneered the philosophy of Black Consciousness in the late 1960s. He later founded the South African Students Organisation (SASO) in 1968, in an effort to represent the interests of Black students in the then University of Natal (later KwaZulu-Natal).
5 Dr Fabian Ribeiro was a South African doctor and anti-apartheid activist who, along with his wife Florence, was assassinated by South African government forces.
6 The Committee does not need to make moral or political distinction between the experiences of victims from all sides of the conflict.
7 Chris Hani was a charismatic leader who was seen by some as a future president of South Africa.
8 The definition of what constitutes a war crime is described by the Nuremberg Principles, a document that came out of the trial. Any person who commits an act which constitutes a crime under international law is responsible therefore and liable to punishment.
9 It would be wrong to credit Mandela entirely for the introduction and success of South Africa TRC as the commission was set up by parliament and was endorsed by Nelson Mandela and other prominent South African figures; his endorsement and support was important and crucial.
10 https://www.newindianexpress.com/world/2013/nov/19/Rajapaksa-seeks-advice-from-Zuma-539027.html.

11 https://eu.statesmanjournal.com/story/news/2013/12/25/truth-commission-mandelas-tool-for-peace/4196923.
12 Long-simmering ethnic tensions between the mainly Buddhist Sinhalese and the largely Hindu Tamil minority led to the civil war: https://www.aljazeera.com/news/2023/7/27/what-are-black-july-massacres-that-triggered-sri-lankas-26-year-civil-war#:~:text=Long%2Dsimmering%20ethnic%20tensions%20between,led%20to%20the%20civil%20war.&text=Forty%20years%20ago%2C%20mobs%20in,an%20all%2Dout%20civil%20war.
13 Over the past three decades, more than forty countries have established truth commissions, including Chile, Ecuador, Ghana, Guatemala, Kenya, Liberia, Morocco, Philippines, Rwanda, Sierra Leone and South Korea. The hope has been that restorative justice would provide greater healing than the retributive justice modelled most memorably by the Nuremberg Trials after the Second World War.
14 A conditional amnesty, firstly providing the victims of apartheid the opportunity to tell what happened to them and for their sufferings to be publicly acknowledged. Secondly, the perpetrators of political crimes should account for their deeds by making full and truthful disclosure of their actions. Lastly, reparations should be made to the victims.
15 Justification made by Archbishop Desmond Tutu: 'There were those who believed that we should follow the post World War II example of putting those guilty of gross violations of human rights on trial as the allies did at Nuremberg. In South Africa, where we had a military stalemate, that was clearly an impossible option. Neither side in the struggle (the state nor the liberation movements) had defeated the other and hence nobody was in a position to enforce so-called victor's justice.'
16 The TRC's proceedings were communicated as widely as possible, for instance, thereby increasing and promoting participation of South African citizens. The openness and transparency of the TRC process attracted huge public attention and strengthened its legitimacy (Gready, 2011, p. 69). Moreover, it gave people a voice and included 20,000 individual testimonies in its Final Report (TRC, 1998). Several scholars (Villa-Vicencio and Verwoerd, 2000; Gibson, 2004; Graybill, 2004) therefore argue that the TRC process acted as vehicle for peaceful interracial co-existence, fostering healing and reconciliation.
17 https://www.gov.za/sites/default/files/gcis_document/201409/trc0.pdf.
18 Parker, Peter. (1996).'The Politics of Indemnities, Truth Telling and Reconciliation in South Africa Ending Apartheid Without Forgetting'. *Human Rights Law Journal* 17(1/2): 1–13.
19 Section 20(1)(c) of the TRC Act.
20 The phrase 'another publicly known political organization or liberation movement' was included to allow members of political organizations who committed crimes against members of other political organizations to apply for amnesty.

21 TRC Act, sec. 20(3).
22 TRC Act, sec. 20(3)(i).
23 TRC Act, sec. 20(3)(ii).
24 TRC Act, sec. 19(3)(b)(iii). Also note that according to section 33 of the TRC Act, all hearings of the commission shall be open to the public. However, if it is in the interests of justice, or if there is a likelihood that a person may be harmed if proceedings are held in public, then the commission may direct that its hearings be held behind closed doors.
25 TRC Act, sec. 20(10).
26 TRC Act, sec. 20(6).
27 Krog, Antjie. (1999). *Country of My Skull: Guilt, Sorrow, and the Limits of Forgiveness in the New South Africa*.
28 Krog, Antjie. (1998). *Country of my Skull*: On space and identity, Krog acknowledges the shortcomings of the Commission, 'the mistakes, its arrogance, its racism, its sanctimony, its incompetence, the lying … the showing off' (Krog, 1998, p. 278). She praises, however, the Commission for keeping alive the idea of a common humanity and carrying a flame of hope.
29 Jonathan Klaaren and Howard Varney. (2000). 'A Second Bite at the Amnesty Cherry? Constitutional and Policy Around Legislation for a Second Amnesty'. *South African Law Journal* 117: 572–93.
30 The TRC's choice of a restorative justice process allowed victims and perpetrators to encounter one another in a peaceful manner, to openly relate their experiences of the past, and have their concerns validated.
31 Constitution of the Republic of South Africa, Act 200 of 1993 [herein after the interim Constitution], Postamble. South Africa's first democratic government took office under the interim Constitution. It is referred to as interim because in addition to making provision for governance for five years, it also prescribed a process by which the democratically elected representatives of all South Africans drafted a final Constitution. This was necessary because an unrepresentative negotiating forum, consisting of parties not elected through a democratic process, agreed to the interim Constitution.
32 Dullah Omar, Informal remarks prior to speech, Justice and Impunity: Germany and South Africa Compared conference, Community Law Center (Cape Town: October 1994).
33 In 1997, de Klerk was sued by victims of apartheid for crimes against humanity. Instead of defending himself in court, he went to Oslo to receive the Nobel Peace Prize.
34 Report of the South African Truth and Reconciliation Commission, ch. 1, 22 (1998).
35 The Promotion of National Unity and Reconciliation Act of 1995, No. 24 (1995); S.A. Interim Constitution.

36 Alex Boraine (2002). *A Country Unmasked: South Africa's Truth and Reconciliation Commission*.

37 Wyndham Hartley, Marathon Malan Trial Cost R9m, Business Day (Johannesburg), 14 November 1996.

38 Figure given by Dr Torie Pretorious, deputy attorney general of the Transvaal during the Eugene de Kock (the former police colonel who commanded a government assassination squad) trial. It excludes transportation and expert witnesses.

39 https://www.britannica.com/event/Bosnian-War/War-crimes-and-trials.

40 https://www.aljazeera.com/opinions/2014/4/18/international-justice-and-rwanda-has-the-un-failed-again.

41 See Gitta Sereny. (1995). *Albert Speer: His Battle with Truth*. Knopf.

42 See Naomi Roht-Arriaza. (1990). 'State Responsibility to Investigate and Prosecute Grave Human Rights Violations in International Law'. *California Law Review* 78: 449.

43 *Nedcor National Crime Survey*. Nedcor, 1996.

44 The United Nations Truth Commission set up in El Salvador was confronted with an analogous difficulty. Faced with a dysfunctional criminal justice system, it noted the futility of trying to prosecute perpetrators identified through the course of its work. See Roht-Arriaza, p. 300.

45 Amnesty International. (1995). 'Policy Statement on Impunity'. In *Transitional Justice How Emerging Democracies Reckon with Former Regimes,* Vol. I *General Considerations*, Neil J. Kritz (Ed.), United States Institute of Peace Press, pp. 219–20 and Human Rights Watch. Neil J. Kritz (Ed.), pp. 217–18.

46 https://www.e-ir.info/2016/09/02/reconciliation-in-transitional-and-post-conflict-societies-healing-or-impunity. See also Diane F. Orentlicher. (1995). 'Settling Accounts Revisited: Reconciling Global Norms with Local Agency'. *The International Journal of Transitional Justice* 1: 10–22, 12.

47 The Treaty of Westphalia was the treaty between Holy Roman Emperor Ferdinand III and King Louis XIV of France that ended the Thirty Years War in 1648. It established the modern concept of state sovereignty by drastically limiting the power of the Holy Roman Emperor, who had previously been said to be ruler of all Europe. https://www.britannica.com/event/Peace-of-Westphalia.

48 Alex Boraine. (2000).'Truth and Reconciliation in South Africa: The Third Way'. In R. Rotberg and D. Thompson (Eds), *Truth v. Justice: The Morality of Truth Commissions*. Princeton University Press, 147–8.

49 The Committee consisted of a chairperson, who was also a commissioner, a vice-chair, who was also a commissioner, and up to five other members, all appointed by the Commission (Ms M. Mkize, Chairperson of the Committee and Commissioner, Ms Glenda Wilscott, Commissioner, Prof S. Magwasa, Member, Mapula Ramashala, Commissioner and Prof Piet Meiring, Member). See also https://www.law.cornell.edu/wex/south_african_truth_commission.

50 Thabo Mvuyelwa Mbeki served as the second president of South Africa from 16 June 1999 to 24 September 2008.

51 In a speech before Parliament, President Mbeki announced that the family of each victim would receive a one-time payment of $3,900. See https://www.nytimes.com/2003/04/15/international/africa/south-africa-to-pay-reparations-to-victims-of-apartheid.html.

52 Survivors and families of victims of the political conflict of South Africa's past formed Khulumani Support Group in 1995.

53 South Africa to Pay $3,900 to Each Family of Apartheid Victims. *New York Times, Int*. April 16 2003.

54 Remembering 1807: Histories of the Slave Trade, Slavery and Abolition; see also https://www.independent.co.uk/news/uk/home-news/britain-s-colonial-shame-slave-owners-given-huge-payouts-after-abolition-8508358.html.

55 Both Dr Ribeiro and his wife, Florence, were relentlessly harassed and persecuted. In 1980, he was detained for a few months. There were countless unsuccessful assassination attempts on their lives and they were both mysteriously gunned down and killed on 1 December 1986.

56 Moeletsi Mbeki, the brother of former president Thabo Mbeki, also criticized BEE in his book, *Architects of Poverty: Why African Capitalism Needs Changing*, published in 2009.

57 See web page: https://reparationscomm.org/reparations-news/britains-colonial-shame-slave-owners-given-huge-payouts-after-abolition.

Bibliography

Amnesty International. (1995). 'Policy Statement on Impunity'. In N. J. Kritz (Ed.), *Transitional Justice How Emerging Democracies Reckon with Former Regimes*, Vol. I *General Considerations*. United States Institute of Peace Press.

Asmal, Kader. (1992). 'Victims, Survivors and Citizens–Human Rights, Reparations and Reconciliation.' *South African Journal on Human Rights* 8(4): 491–511.

Bell, Terry and Dumisa Buhle Ntsebeza. (2003). *Unfinished Business: South Africa, Apartheid, and Truth*. Verso.

Bloomfield, David. (2003). 'Reconciliation: An Introduction'. In D. Bloomfield, T. Barnes and L. Huyse (Eds), *Reconciliation After Violent Conflict: A Handbook*. IDEA, pp. 10–18.

Boraine, Alex. (1997). *Dealing with the Past: Truth and Reconciliation in South Africa*. 2nd Edition. IDASA.

Boraine, Alex. (2000). *A Country Unmasked: Inside South Africa's Truth and Reconciliation Commission*. Oxford University Press.

Braithwaite, J. (2006) 'Doing Justice Intelligently in Civil Society'. *Journal of Social Issues* 62(2): 393–409.

Clark, P. (2013). 'Transitional Justice After Atrocity'. In N. Cheeseman, D. Anderson and A. Scheibler (Eds), *Routledge Handbook of African Politics*. Routledge, pp. 215–223.

Crais, Clifton and McClendon, Thomas V., eds (2013), *The South Africa Reader: History, Culture, Politic*. Duke University Press.

De Lange, Johnny. (2000). 'The Historical Context, Legal Origins and Philosophical Foundations of the South African Truth and Reconciliation Commission'. In C. Villa-Vicencio and W. Verwoerd (Eds), *Reflections on the Truth and Reconciliation Commission of South Africa*. Zed Books.

Du Preez, Max. (2001). 'Too Many Truths to Tell', *The Sunday Independent*, Johannesburg, 24 June 2001.

Gibson, J. (2004). 'Does Truth Lead to Reconciliation? Testing the Causal Assumptions of the South African Truth and Reconciliation Process'. *American Journal of Political Science* 48(2): 201–217.

Gibson, J. (2006). 'Overcoming Apartheid: Can Truth Reconcile a Divided Nation?'. *The Annals of the American Academy of Political and Social Science* 63: 82–110.

Goldstone, Richard J. (2004). Foreword – 'The Role of Law and Justice in Governance: Regional and global'. In R. Thakur and P. Malcontent (Eds), *From Sovereign Impunity to International Accountability: The Search for Justice in a World of States*. United Nations University Press.

Goldstone, Richard. (1997). The United Nations' War Crimes Tribunals: An Assessment., 12 *Connecticut Journal of International Law*. 227: 233–234.

Graybill, L. (2004). 'Pardon, Punishment, and Amnesia: Three African Post-Conflict Methods'. *Third World Quarterly* 25(6): 1117–1130.

Gready, P. (2011). *The Era of Transitional Justice: The Aftermath of the Truth and Reconciliation Commission in South Africa and Beyond*. Routledge.

Gutman, A. and Thompson, D. (2000). 'The Moral Foundations of Truth Commissions'. in R. Rotberg and D. Thompson (Eds), *Truth versus Justice: The Morality of Truth Commissions*. Princeton University Press, pp. 22–45.

Hall, Catherine. (2007). 'Remembering 1807: Histories of the Slave Trade, Slavery and Abolition'. *History Workshop Journal* 64. Oxford University Press.

Hamber, Brandon and van der Merwe, Hugo. (1998). *What Is This Thing Called Reconciliation?* Paper presented at the Goedgedacht Forum 'After the Truth and Reconciliation Commission,' Goedgedacht Farm, Cape Town, 28 March 1998.

Hay, Mark. (1998). *Ukubuyisana: Reconciliation in South Africa*. Cluster Publications.

Jeffery, A. (2016). *BEE is flawed and should be scrapped*. http://mg.co.za/article/2013-01-18-bee-is-flawed-and-should-be-scrapped.

Keightley, Raylene. (1993). Political Offences and Indemnity in South Africa. *South African Journal on Human Rights* 334: 339. (Highlighting the difficulty of defining political offenses.)

Krog, Antjie. (1999). *Country of My Skull: Guilt, Sorrow, and the Limits of Forgiveness in the New South Africa*. Crown.

Minow, M. (1998). *Between Vengeance and Forgiveness. Facing History after Genocide and Mass Violence*. Beacon Press.

Orentlicher, Diane F. (1995). 'Settling Accounts: The Duty to Prosecute Human Rights Violations of a Prior Regime'. In Neil J. Kritz (Ed.), *Transitional Justice How Emerging Democracies Reckon with Former Regimes*, Vol. I *General Considerations*, United States Institute of Peace Press, 375–416.

Parker, Peter. (1996). 'The Politics of Indemnities, Truth Telling and Reconciliation in South Africa Ending Apartheid Without Forgetting.' *Human Rights Law Journal* 17 (1/2): 1–13.

Pradier, Aurélien, Rubin, Maxine and Van Der Merwe, Hugo. (2018). 'Between Transitional Justice and Politics: Reparation in South Africa. *South Africa Journal of International Affairs* 25(3): 301–321.

Snyder, Jack and Vinjamuri, Leslie. (2003). 'Trials and Errors: Principle and Pragmatism in Strategies of International Justice'. *International Security* 28: 5–44.

Teitel, Ruti G. (2000). *Transitional Justice*. New York. Oxford University Press.

Teitel, Ruti G. (2014). *Globalizing Transitional Justice: Contemporary Essays*. Oxford University Press.

Tismaneanu, Vladimir and Bogdan C. lacob, eds. (2015). *Remembrance, History, and Justice: Coming to Terms with Traumatic Pasts in Democratic Societies*. Budapest: Central European University Press.

TRC. (1999a). '*Truth and Reconciliation Commission of South Africa Report*', Vol. 1: *The Commission*.

TRC. (1999b). '*Truth and Reconciliation Commission of South Africa Report*', Vol. 5: *Findings and Recommendations.*

TRC Act, sec. 19(3)(b)(iii). Also note that according to section 33 of the TRC Act, all hearings of the commission shall be open to the public. However, if it is in the interests of justice, or if there is a likelihood that a person may be harmed if proceedings are held in public, then the commission may direct that its hearings be held behind closed doors.

TRC Act, sec. 20(10).

TRC Act, sec. 20(6).

Truth and Reconciliation Commission. (1998). *Truth and Reconciliation Commission of South Africa final report*. Cape Town, South Africa.

Tutu, Desmond (1999). *No Future Without Forgiveness*. New York, Doubleday.

Villa-Vicencio, C. and Verwoerd, W. (2000). *Looking Back, Reaching Forward: Reflections on the Truth and Reconciliation Commission of South Africa*. University of Cape Town Press.

Zehr, H. (1990). *Changing Lenses: A New Focus for Crime and Justice*. Herald Press.

6

Between Belligerence and Servility: The Impact of English Law on Mandela's Legal Philosophy and Practice

Thelela Ngcetane-Vika

Introduction

Nelson Rolihlahla Mandela, the first democratic President of South Africa and perhaps one of the most prominent political prisoners of his time,[1] is widely remembered by history worldwide for his role in the liberation of South Africa, and then later, his years as the first democratic President, which have made him an 'icon.' As a man of his wisdom with a regal presence, he is often referred to as arguably 'the last great liberator of the twentieth century'.[2] Together with his contemporaries and comrades, they are hugely credited for the ushering in of a democratic South Africa as they tirelessly advocated for a just and equal society (Mandela, 2011). Their incredible resilience was admirable, although not without criticism.

Undeniably, there have been many struggles over time across the world, and it is perhaps the fact that struggles are different and tend to produce leaders who rise to meet those critical moments in history. Correspondingly, Mandela is a towering historical figure and an important voice that was against Black oppression and discrimination.[3] Nelson Mandela's journey into the legal profession is a crucial chapter in his remarkable life. It began with his early education, a phase that laid the foundation for his activism and eventual career as a lawyer (Hain, 2018). His connection to the law, and the subsequent exploration of the impact of English Law on his life, provide essential insights into his role as a global icon of justice and equality. In his speech, 'The Struggle is My Life', Mandela shows his resolve on the cause of liberation of his people.[4] There are many biographies written about Mandela (including those written by him) and prominent ones

include works by Tom Lodge (2006), titled, *Mandela: A Critical Life*. In this book, Lodge offers a critical analysis of Mandela's life and political career, examining his leadership style, strategic decisions, and the complexities of his legacy. Another is by Sampson (1999) who offers a detailed examination of Mandela's life, drawing on interviews with Mandela, his family and his colleagues. It provides a comprehensive overview of Mandela's political career and his impact on South Africa. One notable one is *Mandela: The Rebel Who Led His Nation to Freedom* by Ann Kramer (2005): this biography provides a concise overview of Mandela's life, highlighting his political activism, imprisonment, and role in the dismantling of apartheid. Another interesting one is written by Mandela's close collaborator Richard Stengel (1999), titled, *Mandela's Way: Lessons on Life, Love, and Courage*, in which he explores Mandela's leadership style and principles through a series of anecdotes, interviews, and personal observations. Kathrada (2016) in his book titled *No Bread for Mandela* gives a compelling account of their disdain for inequality and injustice by the apartheid government that led to him, Mandela and their comrades, to be jailed for many years at Robben Island, this affirming their dedication to the struggle for liberation. Boehmer (2023) in his book titled, *Nelson Mandela: A Very Short Introduction*, humanizes Mandela by bringing both national and international perspectives on his role in shaping his nation, South Africa.

A common view permeates most writings on Mandela; that his education was a formative period that fuelled his passion for justice. He attended the University of Fort Hare and later studied law at the University of Witwatersrand, becoming one of the first Black South Africans to attend these institutions (Mandela, 1994). His education wasn't just about acquiring knowledge; it was a conscious step towards empowering himself and his community in the face of apartheid's oppressive policies. As he delved into the legal profession, Mandela's activism took shape. He understood the power of law in advocating for the rights of Black South Africans (Bizos, 2007). He joined the legal profession in South Africa, taking on roles as an articled clerk, a professional assistant, and eventually establishing his own law practice (Mandela, 1994). His journey through the legal world was marked by a profound commitment to fighting injustice, discrimination, and oppression. In his own words, he said,

> The Universal Declaration of Human Rights provides that all men are equal before the law and are entitled without any discrimination to equal protection of the law. – Nelson Mandela, November 1962

The impact of English Law on Mandela's life cannot be understated. South Africa's legal system was heavily influenced by British colonialism, which entrenched

apartheid policies and racial discrimination (Chanock, 2001). The English legal framework provided the legal underpinning for the apartheid regime. Mandela's experiences within this system, both as a lawyer and an activist, exposed him to the injustices perpetuated by the legal system and motivated him to challenge them. The South African legal landscape, underpinned by English law, became a battleground for Mandela's activism. He used his legal expertise to defend those oppressed by apartheid, and he frequently came into conflict with a legal system that was inherently biased against Black South Africans (Sachs, 1973). His experiences in South African courts and prisons would further fuel his commitment to justice and equality (Sampson, 1999). In essence, Mandela's journey from education to activism and his career as a lawyer provide a unique perspective on the intersection of his life with the legal system, particularly the influence of English law. This chapter invites us to explore how this legal context shaped Mandela's relentless pursuit of justice, setting the stage for his iconic role in the fight against apartheid and the establishment of a democratic South Africa.

Nelson Mandela's legal career stands as a shining example of activism and an unwavering commitment to justice. He skilfully wielded the law as a powerful tool in challenging the oppressive apartheid regime in South Africa and advocating for the rights of the marginalized and oppressed. Mandela's legal activism was marked by a series of strategic and impactful actions, demonstrating his profound understanding of the law's potential for social change (Sampson, 1999). One of Mandela's notable achievements was his defence of political activists who faced unjust charges. Through his legal acumen and persuasive arguments, he skilfully navigated the intricacies of the legal system to secure fair trials and protect the rights of those unjustly accused. Mandela's courtroom prowess, coupled with his unyielding determination, made him a formidable force against the apartheid regime, exposing its injustices and rallying support for the Anti-Apartheid Movement (Bizos, 2007).

In a nutshell, Nelson Mandela's legal career exemplified the highest standards of excellence and effectiveness. His strategic approach to litigation, combined with his unwavering commitment to justice, made him a formidable force against apartheid. Mandela's legacy as one of the greatest lawyers of the twentieth century is not only grounded in his legal achievements but also in his ability to inspire and mobilize others in the pursuit of a more just and equitable world. In his own words, in his book titled *The Strange Alchemy of Life and Law* (2009), Albie Sachs offers a personal and insightful glimpse into the challenges of judging in a turbulent era, reflecting on his extraordinary life experiences

and how they shaped his pursuit of justice through law, echoing Mandela's belief in law as a tool for social transformation.

Although some philosophical assumptions argue that equality is not necessarily a desirable thing, the incongruity between the ideal societies, based on equality and the one we live in, filled with discrimination and inequality, have led to universal struggles for justice (Donnelly, 1989). The argument that 'equality is not necessarily a desirable thing' is often associated with various conservative and libertarian schools of thought. These schools of thought emphasize individual freedom, limited government intervention, and the preservation of traditional social hierarchies. Here are some key perspectives that align with this argument:

Classical Liberalism: Foremost Classical liberals like John Locke and Adam Smith, among others, argue that the government's primary role should be to protect individual rights, including property rights and the freedom to pursue one's interests. They often contend that too much focus on equality can stifle individual initiative and entrepreneurship. In their view, the pursuit of equality may lead to excessive government regulation and redistribution, which can be detrimental to overall economic prosperity (van de Haar, 2009).

Libertarianism: Libertarians take the classical liberal perspective to an even greater extreme, advocating for minimal government intervention in all aspects of life. They argue that people should be free to make their own choices, even if this leads to economic or social inequalities. The focus is on individual autonomy and self-determination (Rathbun, 2016).

Conservatism: Conservative ideologies tend to value tradition, hierarchy, and social stability. Some conservatives argue that striving for equality can disrupt these traditional social structures and lead to unintended consequences. They may be concerned about the erosion of values and norms they consider essential for a well-functioning society (Bourke, 2018).

It's important to note that while these schools of thought may emphasize the potential downsides of pursuing equality, they often don't reject the concept of equality entirely. Instead, they contend that it should not be pursued at the expense of individual freedom, economic prosperity, or social stability. However, there are significant variations within each of these ideological frameworks, and not all individuals or thinkers within these groups will hold the same views on the desirability of equality.

The universal struggles mentioned above included the Anti-Apartheid Movement in South Africa,[5] South African Women's March of August 1956,[6] Civil Rights Movements in the United States,[7] which inspired the 1965 Selma to Montgomery March,[8] recently, the Black Lives Matter Movement in the US[9] and the 2020 Rhodes Must Fall Movement (RMF)[10] at Oxford University among others. Here, it is important to distinguish between sector specific interests and general equality claims. The RMF movement is perhaps a more specific student movement, but the Civil Rights Movement of the 1960s is perhaps a struggle for the freedom of Blacks across the world.

The Rhodes Must Fall (RMF) movement and the 1960s Civil Rights Movement represent two distinct chapters in the history of social justice movements, each shaped by unique contexts, objectives, and strategies. The Civil Rights Movement, which unfolded in the United States during the 1960s, was a seminal struggle for racial equality and the elimination of systemic racism. At its core, it sought to dismantle racial segregation, secure voting rights, and address broader issues of civil rights within the United States. This movement was primarily confined to the United States and was rooted in the specific challenges faced by African Americans within the nation. In contrast, the RMF movement, a more recent phenomenon that began in the twenty-first century, is a global effort with a more expansive geographic scope. It finds its origins in South Africa but has since spread to universities and institutions worldwide. RMF is primarily concerned with decolonization and seeks to address the enduring legacy of colonialism. Its central demand is the removal of colonial-era statues and symbols, particularly those associated with figures like Cecil Rhodes, a British imperialist.

The methodologies employed by these movements also differ significantly.[11] The Civil Rights Movement of the 1960s used a wide range of tactics, including nonviolent civil disobedience, grassroots organizing, legal action, and large-scale protests. It led to transformative legislative changes in the United States, such as the Civil Rights Act of 1964 and the Voting Rights Act of 1965, which dismantled institutionalized segregation and expanded civil rights protections for African Americans.[12] RMF, on the other hand, has been primarily associated with protests, activism, and demands for the removal of colonial-era statues. It has also sparked discussions about curriculum decolonization in educational institutions and more broadly, the re-evaluation of colonial legacies. The Civil Rights Movement of the 1960s and the RMF movement are both committed to addressing issues of racial and social justice. However, they are distinguished by their historical contexts, geographical focuses, specific

objectives, methods, and resultant impacts.[13] The former concentrated on the battle against systemic racism and segregation in the United States, while the latter centres on the removal of colonial symbols and the broader influence of colonialism on societies worldwide.[14]

As alluded to before, Mandela and his contemporaries waged a resilient struggle for the liberation of Black South Africans. Thus Mandela, as a revolutionary and colossal historic figure, in recognition, joins the esteemed members of revolutionaries like Martin Luther King Jr, W. E. B. du Bois, Malcolm X, Charles Ignatious Sancho, Marcus Garvey, Pixley ka Isaka Seme, Thomas Sankara, Charlotte Maxeke, Robert Mangaliso Sobukwe, Lilian Ngoyi, Rosa Parks, Julius Nyerere, Kwame Nkrumah, Oliver Tambo, Steve Biko, among many other luminaries. Although injustices are still the order of the day the world over, their pedigree remains. During his time in prison and after, Mandela arguably became an embodiment of Black resilience in every part of the globe, celebrated and revered, as he inspired countless individuals through the example of his life. In this regard, many Black people and minority groups identified with his struggles and saw him as a significant part of who they are, including Blacks in the UK. The following passage provides an annotated brief of each of these above-mentioned stalwarts.

Martin Luther King Jr: Known for his leadership in the American Civil Rights Movement, Martin Luther King Jr. was a prominent advocate for racial equality and nonviolent civil disobedience. His 'I Have a Dream' speech and activism led to significant civil rights legislation in the United States. His influence extended beyond America, inspiring movements for justice and equality worldwide. His work shares similarities with Mandela's commitment to nonviolence and the fight against racial oppression.

W. E. B. Du Bois: An African-American sociologist, historian, and civil rights activist, W. E. B. Du Bois is known for his scholarship on race and racial inequality. He co-founded the National Association for the Advancement of Colored People (NAACP) and emphasized the importance of higher education for African-Americans. His work laid the foundation for critical African scholarship, and he shares a commitment to racial equality with Mandela.

Malcolm X: A prominent figure in the civil rights movement in the United States, Malcolm X advocated for Black nationalism, self-determination, and self-defence. He inspired a sense of pride and identity among African-Americans and influenced the Black Power movement. His commitment to self-determination and empowerment resonates with Mandela's push for liberation.

Charles Ignatious Sancho: Born in the eighteenth century, Sancho was an influential writer, composer, and the first known African to vote in a British parliamentary election. His letters and compositions addressed issues of slavery, racism, and social justice, contributing to early African scholarship and the abolitionist movement.

Marcus Garvey: A Jamaican-born leader, Marcus Garvey founded the Universal Negro Improvement Association (UNIA) and advocated for the Pan-African movement, promoting unity among people of African descent worldwide. His call for African self-reliance and a strong sense of identity resonated with Mandela's Pan-African ideals.

Pixley ka Isaka Seme: A South African lawyer and politician, Seme was a founding member of the African National Congress (ANC). He played a key role in advancing the rights and political aspirations of South Africa's Black population. His work aligns with Mandela's efforts in the ANC and the struggle against apartheid.

Thomas Sankara: The former president of Burkina Faso, Sankara was a charismatic and revolutionary leader. He introduced progressive policies to address social and economic inequality, improve healthcare, and promote gender equality. His commitment to addressing social injustices shares parallels with Mandela's focus on justice and equality.

Charlotte Maxeke: A South African activist, Maxeke was one of the country's first Black female graduates. She co-founded the Bantu Women's League, a precursor to the ANC Women's League, and advocated for women's rights and political involvement. Her work resonates with Mandela's dedication to social justice.

Robert Mangaliso Sobukwe: A key figure in the Anti-Apartheid Movement, Sobukwe founded the Pan Africanist Congress (PAC) and played a pivotal role in advocating for non-collaboration with apartheid policies. His commitment to the struggle against apartheid aligns with Mandela's efforts in the ANC.

Lilian Ngoyi: A South African women's rights activist, Ngoyi was a leader in the ANC Women's League and an advocate for gender equality and civil rights. Her work in advancing women's rights complements Mandela's commitment to justice and equality.

Rosa Parks: An iconic figure in the American Civil Rights Movement, Parks is known for her refusal to give up her bus seat to a White man in Montgomery, Alabama, in 1955. Her act of civil disobedience ignited the Montgomery Bus

Boycott and was a catalyst for the larger civil rights struggle. Her commitment to equality shares similarities with Mandela's dedication to justice.

Julius Nyerere: As the first president of Tanzania, Nyerere championed the concept of Ujamaa, which emphasized collectivism and self-reliance. He played a significant role in African decolonization and Pan-Africanism. His influence extends to African scholarship on self-determination and self-reliance, aligning with Mandela's Pan-African ideals.

Kwame Nkrumah: The first prime minister and president of Ghana, Nkrumah was a leading figure in African decolonization and the Pan-African movement. He emphasized the importance of African unity and self-reliance. His work influenced African scholarship and complements Mandela's commitment to Pan-Africanism.

Oliver Tambo: As a prominent anti-apartheid activist, Oliver Tambo co-founded the African National Congress Youth League (ANCYL) and later became the president of the African National Congress (ANC) in exile. He played a crucial role in the ANC's struggle against apartheid. Tambo's leadership helped garner international support for the Anti-Apartheid Movement, leading to sanctions against the apartheid regime. His work strengthened the ANC's international ties and contributed to the eventual dismantling of apartheid. Oliver Tambo's efforts align with Nelson Mandela's commitment to ending apartheid and establishing a democratic South Africa.

Steve Biko: Steve Biko was a leading figure in the Black Consciousness Movement in South Africa during the 1970s. He emphasized the importance of black pride, self-reliance, and self-empowerment. Biko's activism inspired a sense of identity and unity among Black South Africans, challenging the psychological impact of apartheid. His work focused on addressing the mental and emotional aspects of oppression, complementing Mandela's efforts to end racial discrimination and promote equality. Biko's legacy as a Black consciousness leader remains influential in South African history and shares common ground with Mandela's commitment to justice and racial equality.

These leaders from various countries and time periods made significant contributions to the struggle for justice, equality, and self-determination. Their influence on African scholarship and their dedication to fighting oppression and discrimination share common ground with Nelson Mandela's lifelong commitment to justice and the liberation of Black South Africans. Undoubtedly, Mandela's life remains colossal, and here I attempt to provide only a glimpse, a

stroke or spark to the unexplored aspects of these depths. Therefore, this chapter is an invitation to such an awaiting endeavour.

From 1941 to 1961, Mandela was a member of the organized legal profession in South Africa, with roles including, an articled clerk, a professional assistant, a sole practitioner and well as practicing in partnership.[15] He completed his Articles at Witkin in 1951 (Mandela, 1994). He joined the firm of Terreblanche and Briggish where he stayed for about a year.[16] He then joined the firm of Helman and Michel where he stayed for about three months. There is much work that Mandela did as a lawyer between 1952 and 1964 when he was sentenced to prison on Robben Island. There is also more work he did with Lazar Sidelsky and Hayman Basner.[17] Mandela commending the valuable experience he got from Basner, he once said, 'for the months I worked there I was often in court representing the firm's many African clients … after the experience I gained there I was ready to go on my own' (Mandela, 1994). Then he partnered with his friend, Oliver Tambo in Mandela & Tambo, Attorneys at Law and this was the first partnership of a Black law firm in South Africa (Mandela, 1994).

In this chapter however, I do not intend tracing his actual life as an attorney, but provide glimpses of his stellar legal career for a cause bigger than himself – social justice. Mandela's Rivonia speech is a good source as a critique of the legal system, and so is Clingman's masterful book on Bram Fischer.[18] Another useful source is Luli Callinicos's 2012 Oliver Tambo biography entitled, *Beyond the Ngele Mountains*, all these help to reconstruct Mandela the lawyer. George Bizos, who was Mandela's lawyer, also has interesting nuggets of encountering Mandela the lawyer in his book entitled, *Odyssey to Freedom*.[19] Albie Sachs' book titled, 'The Soft Vengeance of a Freedom Fighter' published in 1991 gives a compelling account of Mandela's election as the first democratic President of South Africa, the formation of the Constitutional Court and the truth and Reconciliation Commission(TRC). Most of the actual legal work done by Mandela though is to be found in the national archives in Pretoria, South Africa. However, this chapter on Mandela is only a glimpse, a stroke to inspire more scholarship.

There are many descriptions attributed to Mandela, but hitherto, the legal entrepreneur typology is lacking. That being the case, there are some writings on Mandela and the law but these are not as commonly known as those covering his other roles, and much less, about Mandela as arguably one of the effective and greatest lawyers of the twentieth Century (Hansford, 2013). Nelson Mandela is often regarded as one of the greatest lawyers of the twentieth century for several reasons, chief among those was his legal activism as Mandela's legal career was characterized by his activism and commitment to justice. He used the law as a

tool to challenge the apartheid regime in South Africa and fight for the rights of the oppressed and marginalized. His legal activism included defending political activists, leading legal campaigns against unjust laws, and advocating for equal rights and racial equality (Hain, 2018).

Moreover, Mandela's legal campaigns against unjust laws were instrumental in dismantling the apartheid system. He strategically challenged discriminatory legislation through litigation, seeking to undermine the legal foundation of apartheid and expose its inherent injustice. By skilfully employing legal arguments and leveraging international pressure, Mandela not only secured legal victories but also brought global attention to the plight of Black South Africans (Sampson, 1999).

Beyond his legal victories, Mandela's advocacy for equal rights and racial equality resonated on a global scale. His eloquence and moral authority in articulating the principles of justice and human dignity captivated audiences worldwide. Mandela's ability to inspire and mobilize people through his legal activism was a testament to his exceptional leadership and persuasive skills (Bizos, 2007). He was also known for his strategic litigation. Former Justice Edwin Cameroon in his book titled 'Justice: A Personal Account' (2014) makes compelling arguments of importance of law in fighting for a just society, thus affirming Mandela's stance on using law to fight an unjust system.

Also, not much is said about the extent to which the English law influenced his legal philosophy and practice. Legal scholars have alluded to it but rarely examined the extent of the English law's influence or its traditions on Mandela. Nevertheless, Mandela is on record for praising English law and referenced the Magna Carta[20] in the same way English law traditions influenced American law. Speaking in the Pretoria courtroom on the 20 April 1964, Mandela said:

> I have great respect for British political institutions, and for the country's system of justice. I regard the British Parliament as the most democratic institution in the world, and the independence and impartiality of its judiciary never fail to arouse my admiration.[21]

This quotation has its inherent liabilities as South Africa was a former British colony and, in that context, Mandela could be criticized for his deep admiration. There are separate points that he seemed to be making though, which we might want to tease out. First, he says he has 'respect' for the country's system of justice. He is not praising it but respects it. What he 'admires' on the other hand is the 'independence and impartiality of its judiciary'. What he seemed to be saying is that 'I admire one facet of the system – the independence of the judges,

but I respect the system'. Respect has to do with the authority of the system, but admiration has to do with the legitimacy of the independent judiciary.

Mandela, like most Africans, objected to English law but were forced to serve under it or even use it. It must be said, however, that although Mandela had admiration for British traditions, he was equally cognizant of its colonial history. This was demonstrated by how he tirelessly fought against colonization and black discrimination. However, historians and legal scholars seem to take these statements as given and never examine what motived them, whether this was mere oratory marshalled at the moment or they reflected the deep thoughts and legal scholarship that shaped the skilful art and mastery that Mandela commanded in his interaction with the law as a student, lawyer, and later statesman. In this context, scholarship is defined as erudition or knowledge. While Mandela may have not seen himself as a legal scholar, his body of work and contribution has been seen as such by legal scholars.

There are two plausible reasons for the lack of study of Mandela the lawyer and how the English law influenced him. First, generally, the interest on Mandela has often centred on his life as a liberator and politician. Without a doubt, his legal knowledge became a useful tool in challenging the application of the law in pursuit of justice and the liberation of Black people in South Africa. As such, he eloquently argued in the 1962 treason trial court that 'the real truth is that there is in fact no equality before the law whatsoever as far as our people are concerned'.[22] His assertions were in stark contrast with the White legal adjudication in those courts, which was exclusionary. In this case, he was an accused.

Second, recent studies attempting to address the neglect of Mandela's life as a lawyer have resulted in two streams of literature in which the iconic Mandela is casted either as a lawyer-statesman, or lawyer with a cause. Both characterizations are useful. However, they give a (re)presentation of a pervasive dichotomy in which Mandela is divided into two irreconcilable parts. Undoubtedly, each part plays a role in presenting a desired narrative, and in a way an instrumental end. Activists for social justice find for themselves in Mandela a lawyer with a cause (who could well be a political figure with a cause), who is a role model and source of inspiration for speaking truth to power, a desirable goal in any society. It is not surprising, therefore, that the recent 2020 Black Lives Matter Movement in Britain symbolically stood before his statue and henceforth marched forward as the ideals of Mandela inspired their cause for a just society. This symbolism demonstrated their appreciation of the connectedness of struggles of the past and present. Similarly, political figures and scholars of constitutional jurisprudence find Mandela a lawyer-statesman on whose shoulders they can stand in their

endeavours to shape society. Former US President, Bill Clinton is on record on the many lessons Mandela set for politicians, alluding to the great statesman he was. The term 'lawyer-statesman' was originally used by US Chief Justice Rehnquist on the 6 May 1985 while addressing the University of Chicago Law School, to refer to notable politicians who were also lawyers such as former US Presidents, Thomas Jefferson, and Abraham Lincoln, and would also be extended later to Barack Obama who often alludes to the example set by Mandela post-1994. There are many examples of lawyer-statesmen in other countries like Fidel Castro of Cuba and John Kufuor, the former President of Ghana.

Undoubtedly, Mandela was a legal figure who exerted laudable influence on just political and social outcomes, consequently inspiring not only constitutional jurisprudence[23] but other branches of jurisprudence such as human rights law. While both lenses of lawyer with a cause and lawyer-statesman are necessary, individually, each is not sufficient to understand the life of Mandela as a lawyer. Furthermore, the two lenses like a novel start Mandela's life in '*medias res*' (in the middle of things) as opposed to '*ab ovo*' (from the beginning). As a result, we lose an understanding of how ideas, in addition to the reported incidents, influenced Mandela. Also, while we get a sense of how Mandela has influenced the fight for social justice and the development of constitutional jurisprudence, we lack an understanding and thorough detail of how his ideas have done so. It must be noted however, that Mandela as an African also respected African traditional law. He cherished particularly the *Ibhunga* (a Xhosa word for council)[24] and the fact that it is based on consensus and this influence is seen in the way he conducted his politics in decision-making predominantly based on consensus.

Instead of taking one view of the lawyer with a cause or lawyer-statesman dichotomy, this discussion proposes to reconcile the two and present Mandela as a lawyer-entrepreneur who does not only start new things or innovate or overcome the resistance of the social environment but continues to innovate and inspire new things. Broadly speaking, entrepreneurs use existing and new ideas as raw materials for new things (Schumpeter, 1934).[25] In the same vein, the central argument is that Mandela used ideas to inspire new ideas and change as he used law to fight injustice both inside and outside the courtroom. These ideas can come from anywhere and in this case existing legal theory or jurisprudence such as English law. While this does not rule out the influence of other ideas, Mandela's fascination with some of the virtues of English culture and his open praise for the English law and its traditions is an invitation to examine this further. But also considering the state of 'Blackness in Britain' and Mandela's

wishful joke that hopefully one day the statue of a Black man will be erected alongside White others, presents a dilemma in which a multiparty democracy, which is founded on the elegance of English law misses the same elegance in practice. Worse still, when the same system has produced a different system in which other humans still struggle to have the full benefit of the law, in this case Black Britain and minority groups. Now, even after Mandela's death and his towering statue in Britain and his impression of English law, we still lack an understanding of how Mandela influenced the English law or the broader common law in other jurisdictions, inspired by its traditions. Therefore, the lawyer-entrepreneur whose essence is to start new things, challenge and change the social environment and inspire new ideas, is a useful lens of analysis to address this question: To what extent was Mandela influenced by the English law, or how in turn Mandela influenced English law, and the broader common law, based on traditions?

Accordingly, the discussion takes an interdisciplinary approach to bring insights from legal studies, entrepreneurship, and institutional studies. Notably, the use of these three disciplines has not been extensively explored. Thus, a synthesis of the three disciplines allows for the use of the lawyer-entrepreneur typology to extend the existing work by legal scholars and biographers alike, who look at the pre-1994 Mandela as a lawyer with a cause (social justice) and the post-1994 Mandela as a lawyer-statesman. In doing so, a continuous line of sight is established between the two epochs, and hopefully arrive at a better understanding of the iconic figure. A lawyer with a cause literally means when a lawyer identifies a cause such as social justice and devotes part or their whole life to bring about change. As indicated before, Mandela found social justice his most compelling cause and became a champion against apartheid in South Africa. It must be noted, however, that some leading South African lawyers like Bram Fischer and Duma Nokwe are also observed to have used their legal practice to fight an unjust system, apartheid, and paid dearly for this cause (Grant, 2020). Fischer is an intriguing example as some argue that he did not 'pay dearly' for using the law against apartheid. Rather he was defiant and intentionally skipped his bail conditions, despite promising to obey them. He stated that he would not comply with apartheid law because he considered it unjust. He is thus not an example of a person who used the law to fight injustice; instead, he accepted that there was nothing that the law could do. As such, the fight against apartheid was purely political. Duma Nokwe is also another interesting example. There are very few cases where Nokwe appears as counsel. He too accepted early on that

the law as such is sterile. Any fight against apartheid was in the political terrain; hence he skipped the country to join the ANC in Lusaka.

As mentioned before, such a legal typology is incomplete in that it starts in the middle and can imply that the lawyer lacks an innate agency and relies on an external stimulus. At the same time, Kronman[26] defined a lawyer-statesman as a lawyer who not only honed his legal craft but also pursued the art of great statesmanship, thereby rightfully earning the respect of the community and respect of himself. Also, this (re)presentation is incomplete in that it also starts in the middle and gives us an understanding of Mandela as a political actor. It is not surprising that this typology emerges from the US and is probably influenced by the history of American lawyers who became statesmen such as Thomas Jefferson, Abraham Lincoln and in recent times, Barack Obama.

Adam Sitze in *The Cambridge Companion to Mandela* (2014)[27] extensively explores the legal scholarship of Mandela on what he titled 'Mandela and the Law'. He gives a compelling extensive examination of 'Mandela's Mastery of Jurisprudence' as he argued in courts on the 'the question of responsibility': He said:

> the court must take into account the question of responsibility whether it is I who [am] responsible or whether in fact, a large measure of the responsibility does not lie on the shoulders of the government which promulgated that law, knowing that my people 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 opposite had been closed to them by prior legislation, and by government administrative action … The court cannot expect a respect for the processes of representation and negotiation to grow amongst the African people, when the government shows everyday by its conduct, that it despises such processes.

According to Sitze, this demonstrates Mandela using strategic legal arguments and insisting that the courts must recognize the responsibilities of the government to Black people and the unjust laws imposed on them. Thus, his legal jurisprudence was on full display. This is an ideal type of Mandela as a lawyer with a cause. Arguably, this (re)presentation of Mandela is the ideal type of a lawyer with a cause, and indeed one side of Mandela, but which misses the other side of the lawyer-statesman and still needs to be reconciled together with the lawyer-entrepreneur ideal type.

Here, Mandela spoke as an accused, not as a lawyer. The fact that he happened to have legal qualifications is tangential. This is an important distinction to

make. A lawyer, even in the 1960s when Mandela was talking, must speak within the confines of the law, even when fighting for justice. As an accused, Mandela was free from the usual shackles of a lawyer, who must argue a case – even a political case – within the strictures of the law. A lawyer cannot bend the law even if he or she believes that by doing so, he is acting justly. If Mandela had been defending a criminal accused on a charge of sedition or treason, he couldn't say it is the government that must be in the dock – that is a political statement, not a legal statement. But as an accused he could. The true mastery of a lawyer would be to craft a legal argument that enables the client either to be found not responsible for his actions, either because he lacked intention or acted out of necessity – which are both recognized defences, and if one cannot, to show that there must be lenient punishment. So ultimately the statement doesn't tell us much about Mandela 'the lawyer'. It tells us about the Mandela we know – who makes political statements and sees the law as unjust. This is no different either to Bram Fischer or Duma Nokwe who became outlaws.

However, an understanding of Mandela the lawyer-entrepreneur, to the best of my knowledge, is lacking and remains unexplored. Therefore, the term lawyer-entrepreneur in the context of legal theory and practice is an innovative concept being applied for the first time. An entrepreneur is defined as a person who converts an idea into a successful innovation by combining existing and new knowledge (Schumpeter, 1934, 1942). Although traditionally the term has been applied broadly to business and industry in pursuit of profits, in recent times, it has been applied to institutional change whereby institutional entrepreneurs identify opportunities or voids through which they can bring wholesome change to organizations, communities and society (Maguire, Hardy and Lawrence, 2004). While Mandela, in partnership with Tambo, are entrepreneurs in the traditional sense by starting a law firm to serve the community and make a profit in return, taking Mandela as an institutional entrepreneur (Schumpeter, 1942) opens a new frontier in examining his understanding and practice of the law, in particular how he was influenced by English law or its traditions. At the same time, examining how Mandela has influenced law broadly, and specifically, the same English law as well as common law which is based on the same traditions but applied in other jurisdictions with respect to constitutional jurisprudence and social justice.

Accordingly, the subsequent sections help to see an under-examined aspect of Nelson Mandela, the lawyer-entrepreneur who sought to use his legal acumen for a higher cause of social justice in a deeply segregated, apartheid South Africa,

and in turn inspired the whole world. Similarly, through his lived example in a new democratic South Africa, inspired the same understanding of a just society at home and abroad. Therefore, in Mandela, we will see an interface of law, social justice and how his brilliant social justice jurisprudence, legal practice and political activism inspired others, including 'Black Britain'. In the coming sections, we will explore the important areas on Mandela, and the structure that discussion is going to follow will include Mandela's childhood experiences which were somehow influenced by English traditions, Mandela's entry into law, Mandela and South African law, Mandela and his Legal Entrepreneurship, Mandela and Black Britain and conclude by making a case that Mandela, the lawyer-entrepreneur, could be a useful resource to current generation of Black activists and the recent Black Lives Matter Movement as we, Black people and minority groups, seek to affirm ourselves and our identities in a world that continues to diminish our worth and value.

Mandela's Early Life and Historiography

Simple dichotomies often fall short as we seek to understand better the nuanced, multi-layered nature of human beings, let alone historical figures like Mandela. The question may arise: How does a politician and social justice activist of Mandela's stature be influenced by English law which is a product of colonial past? Others may be forgiven for thinking that he should not have embraced the English law in his pursuit of fighting an unjust system like apartheid. Rather, he should have rejected everything that comes with the imperialist history. But we know too well that history has many lessons for us and that fighting huge societal causes requires well thought out strategies and even how to beat opponents in their own institutions. It can be argued, therefore, that Mandela sought to do this through his legal scholarship. It must be noted, however, that there is a strong view among other scholars that even his legal scholarship was also influenced a great deal by the African traditions and customs (Sitze, 2014). Thus, some scholars argue strongly that his traditions and customs were the greatest influence of his political life and by extension, of his legal scholarship. This point is well-argued and elucidated by various contributors in the book titled, *The Cambridge Companion to Nelson Mandela*.[28]

Understanding Mandela's influence by the English law could be traced back to his earlier interface with British traditions in his early childhood. Consequently, it may be helpful to briefly talk about his roots and childhood to get a glimpse

of possible pointers to this influence. Mandela was born on 18 July 1918 in the village of Mvezo near Umtata in the Transkei, Eastern Cape Province (Mandela, 1994). He was born of royal blood as his father, Chief Mphakanyiswa Henry Mandela, was a Thembu chief and principal counsellor to the then Acting King of the Thembu people, Jongintaba Dalindyebo (Mandela, 1994). Mandela's early interaction with British traditions and perhaps its influence could be traced to three incidents in his life. First, his father was demoted on his chieftaincy by a British magistrate and whether that experience left an impression that led to him pursuing legal studies is not very clear. What is demonstrably clear is that his father defied and resisted British interference on his traditional life and authority as a chief. Later, we see the same defiance, however, in his own understanding of his rights and law as he got deeply involved in the African National Congress (ANC) structures. He once asserted, 'When a man is denied the right to live the life he believes in, he has no choice but to become an outlaw.' (Mandela, 1994). Second, his mother, Nosekeni Noqaphi Mandela, converted to Christianity and became a Methodist, a church started by the Reverend John Wesley from London, something he also identified with throughout his life and as recorded at the time of his death; a pastor from the same church said prayers before Mandela passed on to another life (Kumalo, 2020, p. 80). Third, Mandela's English name Nelson, was given to him by his class teacher, Ms Mdingane. Mandela himself associated his name with the British sea captain, Lord Nelson (Kumalo, 2020, p. 80).

When his father died in 1930, Mandela was taken to the then acting Paramount Chief of abaThembu, Chief Dalindyebo, who became his guardian and had an enduring impact on his life that shaped indelibly his understanding of African traditions and norms (Kumalo, 2020, p. 79). Mandela himself does attribute his fascination and admiration of law to the many cases that came before Chief Dalindyebo who played a father-figure role to him (Kumalo, 2020, p. 80). He later set himself on a course to become a lawyer. Mandela saw the law as a useful tool but one that should not change his identity nor become a vehicle for assimilation. Thus, even though he was influenced greatly by English law, it can never be said he was assimilated into it as he continued to honour his African roots and traditions, even as a litigant in court proceedings. He even went to some court proceedings wearing his Xhosa outfit, asserting his pride in being an African. It must be noted, however, that he could not attend court in traditional attire if he had been a lawyer as he would be required to wear a robe. It is only because he was an accused that the rule didn't apply to him. He argued in his seminal court trial in 1962,

> In a political trial such as this one, which involves a clash of the aspirations of the African people and those of Whites, the country' courts cannot be impartial and fair. (Treason Trial, 1962)

Again, this is not a legal statement, but to accuse a court that it cannot be impartial, or fair is to make a political statement. There is in fact an interesting, reported exchange with the magistrate when Mandela is applying for recusal using the same language, but the Magistrate, who is unusually calm for the courts of those days says to him, 'I am the only court available'.

Influence of English Law on South Africa

The influence of British law on South Africa is deeply rooted in the historical backdrop of South Africa as a British colony. British colonial rule in South Africa, which began in the early nineteenth century and continued for nearly a century, left an indelible mark on the legal, political, and social structures of the country. The British colonial administration introduced a legal framework that was heavily based on English common law (Chanock, 2001). This framework became the foundation of South Africa's legal system, influencing everything from property rights to contract law and the judiciary. English law and legal principles were formally adopted, establishing the English legal system as the precedent for South African jurisprudence (Davis and Le Roux, 2009).

English law coexisted with indigenous customary law, and this duality created a complex legal landscape. South Africa's diverse population, composed of various ethnic and cultural groups, had distinct legal traditions that were often in tension with English law. This tension led to the development of parallel legal systems, with English law primarily applied to the European-descendant population and customary law governing African communities. British colonial rule in South Africa also laid the groundwork for the apartheid system, which was implemented later in the twentieth century (Chanock, 2001). Discriminatory legislation, including the Natives Land Act of 1913 and the Group Areas Act of 1950, codified racial segregation and established the legal basis for apartheid policies. These laws and policies segregated communities, limited land ownership for non-White populations, and institutionalized racial discrimination.

The British colonial legacy influenced the legal profession in South Africa. Legal education, legal practice, and the judiciary were structured along British lines, with English law serving as the primary reference point for legal professionals (Chanock, 2001). This legacy extended to the legal careers of individuals like Nelson Mandela, who was trained in English law and practiced

as a lawyer within this legal framework before his activism against apartheid. After South Africa gained independence from British colonial rule, many aspects of the British legal system remained in place. However, the legal legacy of British colonialism also played a role in shaping the legal reforms and constitutional changes that dismantled apartheid and established a new democratic South Africa. The adoption of a new constitution in 1996 marked a significant departure from apartheid-era laws and practices, reflecting the country's commitment to equality and justice (Lodge, 2006).

In summary, the influence of English law on South Africa is profound, stemming from the colonial period when South Africa was a British colony. British legal principles, common law, and discriminatory legislation all left a lasting imprint on South African jurisprudence and played a role in the country's complex legal and political history. The legacy of English law in South Africa, coupled with the struggle for justice and equality, underscores the importance of understanding the historical context within which South Africa's legal system has evolved.

Mandela's Entry Into Law

Mandela studied Anthropology and Roman Dutch law at the University of Fort Hare, Eastern Cape Province, South Africa. At this point, he was not yet inspired to study law. He had ambitions only to be a Court Interpreter and civil servant. His ambition to be an interpreter was born of his desire to help and interpret for his mother who was not educated (Ngcukaitobi, 2018). Kaiser Matanzima, his cousin, is regarded as one of the first persons to encourage Mandela to study law, although Mandela was dismissive at the time (Ngcukaitobi, 2018). However, he was expelled from Fort Hare University in 1940 for joining a student protest before completing his degree. He later moved to Johannesburg.

It was in Johannesburg that his interest in doing law became increasingly greater as he experienced the brutality of apartheid. In 1940, he did his articles at Witkin Eildeman Sidelsky, Attorneys and Conveyances, after being introduced to Lazer Sidelsky by his comrade Walter Sisulu (Mandela, 1994). He respected Sidelsky and would later allude to his influence on him and felt he validated his legal ambitions. He did mainly low-level magistrate's work at Sidelsky. In 1952, Mandela also worked at Basner Attorneys, whose communist influence could be attributed to the making of Mandela the lawyer-entrepreneur. Thus communism, as advocated by Marx and Engels and later Lenin, was perceived by its followers to aspire for

a revolution or structural change in society, and like Schumpeter understands an entrepreneur, would forever change society for the better. Whether this is the case with communism or not is beyond the scope of this chapter. It is also debatable whether Mandela became a communist or not.[29] While his Methodist faith would contradict this, Mandela himself, later, after when asked about his friendship with Fidel Castro, he would castigate the use of 'labels' and declare that it is humanness that matters. In a typical entrepreneurial nature, Mandela would again create new meanings to address the challenges of this world.

Mandela further studied for an LLB degree at the University of Witwatersrand in Johannesburg, while he worked as an article clerk. He qualified as a lawyer on the 27 March 1952 (Manyathi-Jele, 2014) and became an attorney at law. However, it is important to note that Mandela, at this time, had not completed his law degree yet but had already written the prerequisite bar exams that gave him a license to practice as an attorney. It took him almost forty years as he only completed his law degree, through correspondence, with the University of South Africa (UNISA) in 1989, a year before he was released from prison. This, on its own, is a lesson on determination and staying on course to achieve one's dreams.

In 1952, he opened a Black law firm in Johannesburg with his comrade and friend, Oliver Reginald Tambo (Mandela, 1994). The importance of this firm can never be understated because Black people did not have legal representation at the time. Mandela and Tambo law firm sought to help Blacks access affordable legal representation as Blacks were often subjected to expensive fees from White law firms (Mandela, 1994). Mandela and Tambo law firm was a pioneering work that contributed immensely to access to justice to Blacks. They believed in the equality under law. Reflecting on the significance of their firm, Mandela states in his autobiography *Long Walk to Freedom* (1994):

> From the beginning Mandela and Tambo were besieged by clients. We were not the only African lawyers in South Africa, but we were the only firm of African lawyers. For Africans, we were the firm of first choice and last resort. To reach our offices in the morning we had to move through a crowd of people in the hallways, on the stairs and in our small waiting room.

However, his political involvement meant that he was always in the courts as an accused. In fact, at some point in or around 1968, the Transvaal Law Society wanted to strike him off the roll. When the Law Society relocated the Transvaal Division of the Supreme Court of South Africa, commonly known as the High Court, there was a move to have Nelson Mandela removed from the roll of attorneys.[30] Contrary to popular belief, this action was not related to the Treason

Trial, as it preceded its commencement. Ultimately, Mandela was acquitted of the treason charge. However, he was convicted under The Suppression of Communism Act for his involvement in the Defiance of Unjust Laws Campaign, where he was accused of inciting people to bring about change through unlawful means (Ngcukaitobi, 2018).

The Mandela and Tambo law firm eventually closed and later Mandela would appear in the court of law not as a lawyer but an 'outlaw.' He went through three trials; the most well-known is the Rivonia trial (October 1963–June 1964). His speech demonstrated that he was his own best lawyer, despite his external representation. But the reasoning and argument of that speech showcases his lawyerly thinking on the African condition in the face of White domination and the quest for justice in his case. He said:

> During my lifetime I have dedicated myself to this struggle of the African people. I have fought against White domination, and I have fought against Black domination. I have cherished the ideal of a democratic society in which all persons live together in harmony and equal opportunities. It is an ideal which I hope to live for and to achieve. But if needs be, it is an ideal for which I am prepared to die for. (Rivonia Trial April 1964)

We also see many cases of Mandela as a lawyer in a court room, these give glimpses on him as a lawyer before we move towards his relationship with the law in the next section. Despite his political activities, it is notable that during August and September 1954, he made more than seven applications to represent and appear on behalf of various clients.[31] One of those cases he dealt with (number 6/01 1954) was the matter of A.P MDA *vs*. STEYN SENOAMALI, NATIVE COMMISSIONER'S COURT Sterkspruit, Herschel, which was enrolled for 16 September 1954.[32] The remarkable thing here is that on the 23 December, three months after Mr Mandela's intended appearance in court, the Commissioner of the South African Police in a letter bearing reference number S.4/907, replied to the minister that his department had no objections to Mandela being allowed to proceed to Sterkspruit in order to appear in the Native Commissioner's Court on behalf of his client A.P MDA.[33]

Mandela and South African Law

South African common law has two major influences, namely, Roman Dutch law and English law. Because modern South African law is a mixture of Roman-Dutch law and English law, there is always an interesting debate among legal

scholars about which of the two laws influenced South African common law the most. The Roman-Dutch law found its roots in South Africa when the Dutch colonists landed at the Cape of Good Hope in 1652. Its main influence is on private law and to a larger extent civil law, mainly more the substantive normative elements and less the procedural aspects of law. Similarly, the English law's influence in South African law is rooted on the British colonial history. The Constitutional law and Administrative law have largely been influenced by the English law as law of procedure and evidence are almost wholly English. The English law, in essence, has a balance of both procedural and substantive but with long traditions of the development and practice of the procedural elements. While these characteristics do not suggest that form of law is purely substantive or procedural, they show the extent to which they are emphasized in one form or influence its traditions.

In general, among legal scholars, even in South Africa, the substantive-procedure dichotomy has been a topical legal issue for some time. Thus, some scholars argue that 'substantive law is inherently procedural' (Main, 2009) and vice-versa. Procedural law includes legal rules governing the legal process, while Substantive law sets out obligations and rights of the members of a society and includes both private and public law. Substantive judgement would mean the normative and universally applied law, yet whose procedure developed faults when given to a Black man. Courts are political constructs and can implement laws of the time, even though discriminatory, as we saw during apartheid. Laws like pass laws were enforced by courts, although discriminatory to Black people. Thus, courts have been criticized for focusing more on the substantive matters than procedures, although 'procedure is an instrument of power that can in a very practical sense, generate or undermine substantive rights' (Strong, 2017, p. 349). The fact is, law does not exist in a vacuum.

The two, substantive and procedural elements, are linked together by the principle of fidelity to the law. Thus, fidelity to the law simply means contextualizing substantive facts into the procedures. Procedure does affect the outcome of a case. Thus, Mandela consistently argued procedural unfairness can be a hindrance to justice served, consequently, an obstacle to the principles of natural justice. He used an existing idea with a new idea that even if substantive justice cannot be given to a Black person, the court cannot contradict its own procedures on whose interpretation of the substantive part rest.

Mandela understood that social justice battles are often fought on high moral grounds, and thus he used law as a means to achieve this objective. He largely obeyed the law but was willing to challenge laws he considered illegitimate, like pass laws. The Pass Laws Act of 1952[34] directed that every Black South African

over the age of 16 years must carry a passbook, commonly known as *dompas* (literally meaning *dumb pass* or *domestic passport*) when travelling outside their designated areas, or when working in areas reserved for Whites only. This was one of the most hated laws under apartheid, as many Black people felt it was one of the worst forms of discrimination. Some Black South Africans got detained, while others lost their jobs after being found without the *dompas* in their possession.[35] While Pass laws meant Black people had to carry their pass documents wherever they went,. if they did not, they could be detained and even lose jobs in their place of employments.[36]

Mandela was defiant; he is, after all, the man who started a revolutionary movement through the Armed Struggle. This was after many attempts at insurrection through 'azikhwelwa' and when he became the volunteer in chief of the Defiance Campaign he went underground. Then he went through Africa. All of these were unlawful.

Apartheid was a system which included many repressive laws and everyday practices by the minority White population which choose to benefit directly or indirectly from it. Based on this system, some lived experiences of Black people included land dispossession, political exclusion, Bantu education and racial inequalities, among others. Against this backdrop, Black youth was mostly thrown in the deep end during apartheid years and had no option but to join the struggle.

Understanding that South African substantive law gives rise to rights and duties, like the right to cross-examine, Mandela effectively used substantive elements to insist on the burden of proof and presumptions of law. He understood well that Roman-Dutch Law is the common law of South Africa, except in the Law of Evidence, which is English law. He used them interchangeably in courts to defend his clients, himself, and his co-accused, as seen in the cases we shall discuss in the next section.

Law matters a great deal, so does the deference to legal processes which should pass the scrutiny test. Thus, it seemed that Mandela, as a practising attorney and a potent opponent of injustice, identified a gap and sought to expose it in his fight for social justice and freedom for all. It is observed that he seamlessly combined justice and accountability.

In his famous court appearance in November 1962, as accused No. 2, Mandela skilfully demonstrated his understanding of the procedural law gaps that existed in courts, thereby questioning the credibility of the court processes. Thus, his legal scholarship could be colloquially described as 'the moment meets the man'. One can even equate it to the Biblical story of Goliath and David (1 Samuel 17:50-53).

He forcefully argued,

> I wish to apply for Your Worship's recusal from this case. I challenge the right of this court to hear my case on two grounds. Firstly, I challenge it because I fear that I will not be given a fair and proper trial. Secondly, I consider myself nether legally nor morally bound to obey laws made by a parliament in which I have no representation. (Black Man in a White Court; Nelson Mandela's First Court Statement, 1962)

Here, he is still appearing as an accused, not as a lawyer. Here, he clearly questions the procedural aspects of law which are fundamentally important if justice is to be served and equally important if justice is seen to be served. He further argued:

> it is improper and against the elementary principles of justice to entrust Whites with cases involving the denial by them of basic human rights to the African people. (Black Man in a White Court; Nelson Mandela's First Court Statement, 1962)

His assertions spoke directly to the basic legal tenets of fairness and equality before the law. Further, he sought to emphasize the importance of credibility to those with a duty to administer justice in their application of law. It can be argued that this demonstrates his legal entrepreneurship in the most grandiose of ways, him as a legal entrepreneur of legal thought and practise. Hansford (2013) describing Mandela's jurisprudence asserts 'Mandela's image should replace the image of the scales or of lady justice as the iconic image of the legal profession.'

SC Tembeka Ngcukaitobi giving a lecture celebrating Mandela's centenary, titled his lecture as '*Mandela as a Lawyer*', aptly talked about the 'Black Intellectual thought of the era of the empire and the era of the apartheid'. He reflected on the years of oppression and how lawyers of Mandela's generation thought of alternate ways as they did law under a brutal, racist regime (Ngcukaitobi, 2018). He also alluded to the assertion made earlier of how understudied the area of Mandela the lawyer is.

Mandela and His Legal Entrepreneurship

Practising law during apartheid years came with a unique set of challenges for Black lawyers. They defended clients in a judicial system that was not even conducive for them as legal practitioners. They had to find effective ways of

practising law. Mandela discovered that law can be used to fight a political cause when he worked with a radical lawyer and a communist, H. H. M. Basner[37] who was instrumental in Mandela's understanding of how law can be a good weapon for a just cause. This shaped Mandela's thinking of the law and could be attributed to him later becoming the lawyer-entrepreneur. Thus, he could practise law while volunteering for the ANC Defiance Campaign.[38] Mandela focused more on justice and morality.

A useful book which summarizes Basner's work is Phyllis Ntantala's *Life Mosaic*.[39] *Life Mosaic* provides a valuable summary of the work and impact of Basner, offering readers a comprehensive understanding of his contributions. In this insightful book, Ntantala delves into Basner's life and achievements, weaving together a rich tapestry of his experiences and the lasting legacy he left behind. Through her meticulous research and engaging storytelling, Ntantala brings to life the remarkable journey of Basner, shedding light on his significant role in shaping the social and political landscape of his time (Ntantala, 1993).

'Life Mosaic' not only highlights Basner's accomplishments but also explores the intricacies of his work, providing readers with a deeper understanding of his ideas, methodologies, and the broader contexts in which he operated (Ntantala, 1993). Ntantala's book serves as a valuable resource for those interested in learning about Basner's impact on various aspects of society, including his contributions to law, politics, and social justice. By presenting Basner's story within the broader historical and cultural context, Ntantala enables readers to appreciate the significance of his work and its enduring relevance in contemporary times.[40]

Overall, *Life Mosaic* is a must-read for anyone seeking a comprehensive and nuanced understanding of Basner's life and work.[41] Ntantala's insightful exploration of Basner's journey serves as a testament to his enduring legacy, while also offering readers a deeper appreciation for his contributions and the broader social and political movements of which he was a part.[42] But little is said about Mandela there. But perhaps by understanding Basner, one can get a sense of what Mandela would have been taught as a young lawyer.

The idea and whole notion of lawyer-entrepreneur is to take a slightly different approach from the lawyer-statesman which is a traditional norm between law and politics. It can be argued that it is an 'innovative' way of solving legal challenges and removing impediments. While the term entrepreneur applies broadly to define as a person who converts an idea into a successful innovation by combining together existing and new knowledge (Schumpeter, 1934, 1942), it

should not be confused with the traditional understanding of an entrepreneur as someone who opens a business in pursuit of a profit. Of course, in 1952, Mandela did open a business of a law practice in partnership with his comrade and friend, Tambo. In essence, Mandela was an entrepreneur even in the traditional sense.

Instead, the interest or focus here is to see Mandela as an institutional entrepreneur who saw institutional voids and gaps and used what he had to change the society for the better. In this case, Mandela is influenced by the English law's established practices or approaches of procedural aspects with which he combines with the substantive aspects emphasized in Roman-Dutch law which both made important contribution to the South African law and jurisprudential development. Examples can be drawn in his court appearance in November 1962, where he asked to address *points in limine*[43] as he asked to conduct his own defence. This clearly demonstrated both his mastery of the power of his own agency and his own comfort in legal proceedings, in this case in a court of law. This demonstrably showcased his legal entrepreneurship, using an institution. He argued:

> Firstly, I challenge it because I fear that I will not be given a fair and proper trial. Secondly, I consider myself neither legally nor morally bound to obey laws made by a parliament in which I have no representation.
>
> In a political trial such as this one, which involves a clash of the aspirations of the African people and those of Whites, the country's courts, as presently constituted, cannot be impartial and fair.
>
> In such cases, Whites are interested parties. To have a White judicial officer presiding, however high his esteem, and however strong his sense of fairness and justice, is to make Whites judges in their own case.
>
> It is improper and against the elementary principles of justice to entrust Whites with cases involving the denial by them of basic human rights to the African people.
>
> What sort of justice is this that enables the aggrieved to sit in judgement over those against whom they have laid a charge?

Hamalengwa (2014) makes a stunning observation that much has been talked about Mandela but not his practice as a lawyer, let alone his approach to the law. Quite often law and politics converge and have always been taken together but rarely has legal theory and entrepreneurship theory been taken together. Although legal and institutional theory share some things in common, the legal

theory has not had full benefits of this association. The result is that while law and political science have made the role of power explicit, the role of individual agency and how the law changes remain partially understood.

Accordingly, we can build from institutional theories (Di Maggio, 1988) to understand the role of agency, interest, and institution, respectively, looking at individual or groups, their motivations and the social structure or rule they wish to change.[44]

In the same vein, institutional entrepreneurship refers to the 'activities of actors who have an interest in particular institutional arrangements and who leverage resources to create new institutions or transform existing ones' (Maguire, Hardy and Lawrence, 2004, p. 657). Institutional entrepreneurs specifically and the role of individual agency can help us develop a better understanding of individuals like Mandela's influence on justice and likewise are also influenced by other ideas, in this case, English law, whose emphasis on the procedural aspects Mandela innovates and uses as a scaffold for the substantive aspects emphasized in Roman-Dutch law, both which constitute the South African law.

As an entrepreneur, Mandela innovates by exploiting the institutional void. In a Schumpeterian sense, Mandela combines old and existing knowledge to create a new interpretation and administration of justice (Schumpeter, 1934). There is a golden thread that runs from Mandela's thought, understanding of the law and its practice whether for his clients' purposes during his article-ship as well as practice with Tambo, and later as a lawyer representing himself and other co-accused.

What do Legal Entrepreneurs do – Innovation?

Schumpeter argues that entrepreneurs are innovators and defines innovation as 'number of other elements such as the development of new products that are new variants' (Fagerberg, 2003). However, this is easier said than done. Innovation is not always an easy thing to do. Thus, innovators often have to go against the social environment. In a seemingly rendition of Niccolo Machiavelli, a leading political scholar and author of the *Prince*, Schumpeter observes that those who benefit from the status quo will resist change. At the same time, unfortunately, as Schumpeter would observe, the old system would become a habit of thought that sits in the sub-conscience and forms an aspiration barrier that says it is impossible to change the same. While the social environment is limiting on the one hand, paradoxically, on the other hand, it provides social capital which are institutionalized relationships through which entrepreneurs

identify opportunities and resources for innovation through networking. In essence, social capital allows entrepreneurs to identify opportunities as seen in Mandela getting his first articles at a law firm through Walter Sisulu. Broadly, Mandela's entrepreneurship can be taken as innovative and high growth type not only in his work as a lawyer but general disposition as a leader. Everything that Mandela touched literally became better, whether it was justice to be won at the courts or the world. This masterstroke and magic present a unique entrepreneur.

Mandela was unique in that he was an institutional entrepreneur like no other, a legal entrepreneur par excellence; Mandela is seen as a lawyer and simultaneously Mandela, the outlaw. He used his legal thought and practice to question the fairness and credibility of court processes in court proceedings, adjudicated by White jurists. Albie Sachs,[45] a distinguished figure in the South African liberation struggle and former judge of the Constitutional Court of South Africa, aptly captures the essence of Nelson Mandela's legal career when he describes him as a lawyer who enriched the legal profession and embodied the transformative journey from lawbreaker 'outlaw' to lawmaker (Ngcukaitobi, 2018). Mandela's trajectory from a political activist labelled as a lawbreaker by the apartheid regime to a respected statesman and advocate for justice showcases his profound impact on the legal profession and the rule of law.

As a lawbreaker, Mandela challenged the unjust laws of apartheid and actively participated in acts of civil disobedience. His defiance of oppressive legislation was rooted in a deep commitment to justice and equality (Ngcukaitobi, 2018). However, it was through his transformation into a lawmaker that Mandela truly left an indelible mark on the legal profession. After his release from prison, Mandela played a pivotal role in the negotiations that led to the dismantling of apartheid and the drafting of a new democratic constitution for South Africa. As a key architect of the post-apartheid legal framework, Mandela demonstrated his ability to navigate the complexities of lawmaking and engage in the process of shaping a more just and inclusive society.

As alluded to earlier, Mandela's journey from lawbreaker to lawmaker exemplifies the transformative power of the law and underscores the importance of upholding the principles of justice and equality. His legacy serves as an inspiration to lawyers and legal professionals, reminding them of their duty to challenge unjust laws and work towards the creation of a more just and equitable society. Mandela's impact on the legal profession extends far beyond his own achievements, as his example continues to inspire generations of lawyers to use their legal expertise as a force for positive change and the advancement of human rights (Kramer, 2005). Mandela in his own words recounts being an outlaw:

> I have had to separate myself from my dear wife and children, from my mother and sisters, to live as an outlaw in my own land.[46] (The Struggle is my Life Press Statement, 26 June 1961)

There is an example of one case in which he forces the judge to write down his decision as the true record of court proceedings. During the Rivonia trial he does the same. Mandela basically pits the court against itself and often did this masterfully. He argued in court:

> It should be equally understandable why we, as Africans, should adopt the attitude that we are neither morally nor legally bound to obey laws which we have not made, nor can we be expected to have confidence in courts which enforce such laws. (Court Statement Pretoria, South Africa – 15 October–7 November 1962)

In the defence of his clients and himself and co-accused let us look at few typical cases, two, each for clients and for himself, and another with his other co-accused before 1994 and the last one post-1994, when he appeared in court during his presidency, in this order. This kind of analysis is called within case analysis; thereafter we bring the four cases together to highlight aspects of English law traditions in particular procedural aspects and how Mandela used them to put the government on trial.

In the case of Ledwaba, Mandela is seen to be undermined by the Magistrate as he cross-examines his client. The Magistrate wanted proof of his qualifications because the court was a White court. This implied or insinuated that the Magistrate did not fully believe a Black man could qualify as a lawyer. This experience emboldened Mandela and his resolve to fight for freedom and equality. The dynamics of this case, perhaps gives us a clearer picture of Mandela the lawyer.

In a case of a Black man accused of raping a White woman, Mandela saw it as an opportunity to show the absurdity of racialism. The accuser even said she would not answer questions from a 'Kaffir' (a derogatory term used by racist Whites to demean Black people) in this case referring to Mandela – the lawyer. But how he handled this case was commended as his client was acquitted and this case is recorded as Mandela very bold and fearless, whilst the issue of rape is a sensitive matter. Such accusations were prevalent during those days, and oftentimes African women raped by White men (including their White bosses) ended up with them (victims) serving sentences in jail, instead the perpetrators of this hideous crime. S. C. Ngcukaitobi, alluding to the difficulty of finding records on Mandela's legal work, said, 'This story has always concerned me in

its similarity with another story that I wrote about in *The Land is Ours* under Alfred Mangena's chapter 'UMangena nomlungukazi'. Ultimately, I couldn't trace the case records that Mandela was referring to and abandoned the enquiry. Mandela's original legal work that I could find was appearing in a divorce case for a fellow called Lukhele who ultimately left for Swaziland'.[47]

The most prominent and final act of Mandela's law practice was the speech he made in court in 1962 when he fired his representation who were Whites and chose to represent himself. His speech is titled 'Black Man in a White court.' At this point, he was convinced the only way to deal with racial problems in South Africa was to engage politically. He turned the legal system upside down and sought to question and change the system. He began to understand the political construct of the judiciary. He argued:

> A judiciary controlled entirely by Whites and enforcing laws enacted by a White parliament in which Africans have no representation – laws which in most cases are passed in the face of unanimous opposition from Africans.

He used the procedural law as an effective and solid defence tool to gain ground on the substantive aspects of the law, in this context as an institutional entrepreneur. While the procedural law is often seen as subservient to the substantive law, arguably, Mandela reconstructed it as the scaffold on which the essence of good or the substantive normative application of the law rests. In doing so, understanding the challenges of Black lawyers and Black respondents in a court which followed Western rules, he chose to practice a form of judo in which he used the opponent's weight against themselves. He literally would put the court itself on trial, as demonstrated in the cited case studies above.

Affirming his African roots, in some of his court appearances, he wore his African outfits because he was deeply rooted in his traditions and those of his African people. Some viewed the wearing of traditional outfits as a political statement of him expressing his contentions of a 'Black man in a White court.' (Black Man in a White Court; Nelson Mandela's First Court Statement, 1962)

Notably, after 1994 Mandela is no longer practising. He is a politician. He happens to have a legal background. And his respect for the law isn't a remarkable thing either. Every president complies with the law. Post-1994, the Mandela lawyer-statesman demonstrated his respect for the rule of law, human rights, supremacy of the constitution, democratic principles and how he held in highest regard the principle of equality before the law. In 1998, he was once dragged to the courts by Louis Luyt, the then South African rugby boss, when

Mandela appointed a commission to investigate allegations of racism in rugby. Talking about his involvement in this Constitutional Court case, he said 'These two examples clearly demonstrated that in the new South Africa there is nobody, not even the President, who is above the law, that the rule of law in general, and in particular the independence of the judiciary, should be respected'. He further said, 'The apartheid regime had put law and order in disrepute … because of this crude practice, and out of my own convictions, I exploited every opportunity to promote respect for law and order and for the judiciary' (SAFLII, 1999). Mandela's constitutional jurisprudence could also be seen in the promulgation of a South African Constitution which is lauded world over for its progressiveness.

Mandela and Black Britain

There is no doubt that Mandela had a complex relationship with Britain. He revered British traditions but paradoxically, fought against Britain's colonial legacy in South Africa. Although he was often referred to as the Anglophile, his distaste for injustice in the same culture was clear. It is reported that as he once passed through the British parliament with Tambo, he expressed a wish that one day they put a statue of a Black man. It can be considered that Mandela's address to the British people in the House of Parliament in 1996 and his notice of the English law and its tradition was a missed moment for the entire British society to reflect on the status of Black Britain. While the power structures in British society missed this opportunity, Mandela the lawyer-entrepreneur did not miss it. For an entrepreneur, timing is everything. Mandela turned his romantic affair with the British society to put a proposal never heard of in the history of English law. The lawyer-entrepreneur saw an opportunity to innovate and create new things. Equally, how Mandela influenced English law is not certain to us; we can only see glimpses of that influence in the Stephen Lawrence murder case.[48] Thus, the Landmark Stephen Lawrence murder case became a turning point in English law and the history of Black Britain. Mandela's influence in this case further led to the Race Relations Act enacted in the UK in 2001. This was seen as one of his seminal constitutional jurisprudential contributions on other jurisdictions.

Because the procedural aspect of English law gives permission for public engagement, Mandela, understanding his influence and moral authority, took this opportunity by appealing to the existing conscience of its substantive judgements. Thus, this lawyer-entrepreneur approach is not only visible in his court cases as a lawyer and an accused, but also as statesman to advance the

cause of justice. This elegantly demonstrates the intersection between legal practice and social justice. Thomas Hobbes, an English philosopher, once aptly stated, 'Life without a social contract would be short, brutish and nasty.' These words underscoring the importance of laws that advance public good and our civic duty to be involved when harm is caused to others – that would, in essence, be a social contract. More than fighting for social justice everywhere as Mandela would inspire many, the Stephen Lawrence murder case marks Mandela's words to society where not only a Black man or woman's statue should be erected, but where his rights should be recognized and respected equally alongside other citizens in a non-racial and multiparty democracy.

On one of his visits, Mandela met with the parents of Stephen, Doreen and Neville Lawrence and got to hear first hand their pain of the brutal murder of their son in a racially motivated case. Stephen was murdered when he was waiting for a bus in Well Hall, Eltham in the UK. The murder happened in 1993 and Mandela was moved by it and this led to Mandela using his influence to persuade the then Home Secretary, Jack Straw, to establish the Macpherson Inquiry in 1997. Stephen's murderers were subsequently tried and sent to jail. It must, however, be noted that only two were sentenced and this troubling case continues to cause pain as in August 2020, the police closed the case controversially. Some of the murderers, in this case, were convicted, but only in 2012.

The prominent question in public discourse is often this: How did the Stephen Lawrence murder case impact English law? The Stephen Lawrence murder case had a significant impact on English law and the history of Black Britain due to several reasons:

Racial Injustice: The case exposed deep-rooted racial injustice and institutional racism within the British criminal justice system. Stephen Lawrence, a young Black man, was brutally murdered in a racially motivated attack in 1993. The subsequent investigation and trial were marred by mishandling, incompetence, and allegations of police racism, leading to a lack of justice for Stephen and his family.[49]

Public Outrage and Protests: The mishandling of the case sparked public outrage and widespread protests across the country. The case became a symbol of racial inequality and discrimination, leading to calls for justice and reform.

Macpherson Report: In response to the public outcry, the British government established an inquiry led by Sir William Macpherson. The Macpherson Report, published in 1999, concluded that the Metropolitan Police investigation into

Stephen Lawrence's murder was marred by 'institutional racism'. It highlighted the need for fundamental changes in the police force and the criminal justice system to address racial discrimination.[50]

Legal Reforms: The Macpherson Report's findings and recommendations had a profound impact on English law.[51] It led to significant legal reforms aimed at combating racial discrimination and improving the criminal justice system. One of the key outcomes was the enactment of the Race Relations (Amendment) Act 2000, which strengthened the legal framework for combating racial discrimination in various aspects of public life, including law enforcement.[52]

Landmark Case: The Stephen Lawrence murder case itself became a landmark case in English law. It highlighted the importance of tackling institutional racism, ensuring fair and impartial investigations, and protecting the rights of victims and their families. The case brought attention to the need for changes in criminal procedure, witness protection, and the handling of racially motivated crimes.[53]

Mandela's Influence: Nelson Mandela, the anti-apartheid icon, and former President of South Africa expressed his support for the Lawrence family and their quest for justice. Mandela's influence and international recognition helped bring global attention to the case and added pressure on the British government to address racial discrimination in its legal system.

In a nutshell, the Stephen Lawrence murder case impacted English law by exposing racial injustice, leading to public outrage, triggering legal reforms, and highlighting the need for fundamental changes in the criminal justice system to combat institutional racism and ensure justice for all.

In the same vein, one of the most pervasive and perplexing ironies in a supposedly multi-racial society like Britain is the Windrush generation issue that affects generations of Black Britons of the Caribbean descent, who moved to Britain from the mid 1940s after the Second World War as Britain faced severe labour shortages. One can argue that Nelson Mandela's influence may have been more impactful on the children of the Windrush generation rather than their parents, as they grappled with the legacy of the British Empire in their daily struggles. Mandela's inspirational leadership and his fight against apartheid in South Africa resonated with many young people who were born or raised in the UK but faced racial discrimination and inequality. Mandela's message of equality, justice, and the power of peaceful resistance served as a source of inspiration and empowerment for the younger generation of Black Britons. They drew strength

from his example and incorporated his principles into their own activism and pursuit of social change within the context of British society. This generation has contributed to building a stronger Britain in many key industries such as the National Health Service (NHS), London transport, car factories and more. Even after so many years spent in Britain, this generation has not escaped racial bias against it. Moreover, the deaths in custody of a disproportionate number of Blacks at the hands of the police, racist attacks, as well as discrimination across public life, have soured the initial optimism of the Windrush Generation. (Amelia Gentleman's 2019 *The Windrush Betrayal: Exposing the Hostile Environment*; also David Lammy (2018) PM speech in Parliament on Windrush). This generation has often been subjected to a racist assumption that they do not belong in Britain. There has been a convenient myopia of the legacies of Empire and a lack of appreciation of the blood and sweat of their ancestors, which has put the 'great' into Great Britain. Talking about the racial experiences in Britain and calling out the end of slavery, the poet William Cooper (1785) wrote:

> We have no slaves at home – Then why abroad? Slaves cannot breathe in England; if their lungs receive our air, that moment they are free.

Thus, the Windrush generation was inspired by Mandela. Reflecting on Mandela's impact on the Windrush generation and Black Britain, cultural historian, Patrick Vernon wrote in *The Voice* newspaper:

> Mandela not only transcended African politics but was the moral barometer of humanity and quest for social justice and equality for all. His personal sacrifice has inspired many to look at the issue of achievement, leadership, ethics, principles, and humility … The Atlantic connection in learning from the Civil Rights movement and fighting apartheid influenced the development and creation of Black History Month in the UK on October 1, 1987.

However, his influence and therefore the relationship, have only been interrogated in political terms. The Anti-Apartheid Movement including both Blacks and Whites in Britain was popular and largely centred on Mandela's release from prison. Many Black Britons were instrumental in this movement as they saw African liberation as personal to them as they were descendants from the African Continent. Many showed up at protests across the UK (Williams, 2017).

The marches by the Black Lives Matter Movement starting from Mandela's statute on the London Southbank, and the one in Parliament Square (June 2020) to Westminster Abbey was not just a symbolic gesture but it ignited a new debate and question that needs deep searching: What is the significance of Mandela's

legal understanding, practice, and influence, direct and indirect, to Black Britain and its unfinished struggles? While Mandela the law-entrepreneur has been appropriated by various jurisdictions and different groups across the world. His influence on Black Britain is often traced to the formation of the Black History Month. Even though the Black presence in the UK has been evident since the African soldiers that accompanied the Roman Army invasion of Britain, Black Britain today comprises of a plethora of communities from across the British Commonwealth, in particular from the Caribbean, Africa and beyond (Fryer, 1984; Olusogas, 2016).

While the broader British society had missed the Mandela moment as an opportunity to reflect on the English law and its fidelity, it can also be argued that Black Britain missed the Mandela moment by appropriating his political nature but over-looking his contribution and influence as a lawyer-entrepreneur. Many problems still exist in Britain and negatively affect Black Britain. Among them are the 'Rhodes Must Fall' movement at Oxford University, which was sparked by similar protests in South Africa that gave an opportunity for Blacks in Britain to assert themselves and seek to correct history found in iconography as they understand statues are not neutral but portray important messages that could either value or devalue a group, while distorting histories of a certain group. This has now been followed by a more permanent decolonization project. It is arguably it is the Black students that have taken this cause up, rather than Black Britons per se. However, removing statues such as Edward Colston in Bristol and elsewhere has acted as rallying event for local Black communities.

It must be noted, however, that during the protests of 2020 racism and politics of setting up Mandela's statue in London marked divisions among the British people. This also includes the threat of pulling it down when the statue of the Second World War British prime minister was vandalized. The right wingers' threats were shown on various media platforms, wanting to remove, or threatening to destroy the statue, which had to be taken to a safe place.

Black History Month went on to influence grassroots organizers and many Pan Africanists as a ripple effect of Mandela's influence. Similarly, the Black Lives Matter Movement inspired by Mandela, marched from his statue, which stands in front of the House of Commons as a powerful symbol of social justice and inspiration. Although his intervention was commended on the Lawrence murder case, it must also be noted that he also tried to intervene in the Northern Irish disputes, to much criticism. Yet, the social justice movement including Black Lives Matter have only appropriated Mandela the lawyer with a cause and also the lawyer-statesman as a moral authority to drive home a political

statement. However, the missed opportunity is for Black Britain to understand Mandela the lawyer-entrepreneur and use him as a means to an end. Mandela the lawyer-entrepreneur offers lessons for Black Britain that could be used to put the British legal system on trial. Therefore, this chapter in this book, titled *Nelson Mandela: Pulling the Branch of a Tree! The Impact on Black Britain* presents Mandela the lawyer-entrepreneur as a useful typology for Black Britain to draw inspiration for its fight for social justice and equality in Britain and insists that indeed, 'Black Lives Matter'.

Conclusion

Mandela's perennial fidelity to justice is one of his uppermost and enduring legacies. It became a balm that soothed the democratic soul. He fought hard to restore the honour and dignity of Black people. Mandela summoned his better angels and bravery for a just cause. His lifetime of unparalleled devotion to principles of equality, protecting the rights of the oppressed and the disenfranchised among us is a splendid example. His abiding and audacious faith was demonstrated in his unwavering belief of an equal and democratic society. Some say there was no more heroic, creative lawyer than Mandela was. He kept on re-inventing himself, despite structural obstacles and systemic racism. That made his example that much more precious – a force for good and gift for the ages. Known for his courage and steadfastness, he used the law to liberate his people and set an example for future activists. It is my submission, therefore, that history will always smile as it looks at him kindly.

In addition to Nelson Mandela's remarkable contributions and enduring legacy, it is important to acknowledge that he, like any human being, was not infallible. While his commitment to justice and his fight against apartheid are widely celebrated, it is essential to recognize that Mandela, like any leader, had his flaws and faced criticism as well. One aspect that has drawn criticism is his approach to economic policies. Some argue that Mandela's prioritization of political reconciliation and stability led to compromises that did not adequately address economic inequality in post-apartheid South Africa. Critics argue that his government's economic policies did not do enough to address the socio-economic disparities that persisted, leaving many Black South Africans marginalized and disillusioned.

It is important to remember that no leader is without flaws and that critical analysis of their actions and decisions is necessary for a comprehensive

understanding of their legacy. Recognizing Mandela's imperfections does not negate his immense contributions and the positive impact he had on South Africa and the world, but it provides a more nuanced perspective on his leadership and the complexities of his legacy.

The story of Mandela has been told from many perspectives and the most common are the cause-lawyer and lawyer-statesman. While each perspective gives a different understanding, the dichotomy (re)presents a divided Mandela in which the narrative misses some of the salient elements of his life. In particular, very little if any attention has been paid to Mandela's life as a lawyer. The result is that there is a lack of an understanding of what ideas influenced Mandela and in turn, which ideas did he influence. For instance, a lot has been said about Mandela and Britain, but rarely about how the two shape each other. More specifically, how the English law or its common law traditions influenced Mandela and how he also influenced same. Equally missing is an understanding of how Mandela influenced Black Britain, despite his wish and eventual honour for a Black statute at the British Parliament, it seems its search for justice remains elusive.

Arguably, seeing Mandela as a lawyer-entrepreneur provides a useful tool to understand specifically how the English law influenced Mandela's life as a lawyer but tracing it from his childhood to legal practice on behalf of clients, as an accused and as a statesman after his release from prison. Accordingly, this chapter brought together the over-emphasized but disjointed narratives of Mandela as a lawyer with a cause (social justice) and lawyer-statesmen to (re)present him as a lawyer-entrepreneur, not one who just starts a legal practice as a business but more specifically an institutional entrepreneur who combined existing ideas and new ideas to create new combinations of transformative societal wide changes, in this case, social justice. This discussion has demonstrated that Mandela understood the English Law and used its procedural emphasis to bring fidelity to the law in South African courts during apartheid and obtain justice for Black people as a lawyer representing Black clients and later himself as an outlaw before the law. Building on his understanding of the law, Mandela used the institutional voids between the substantive and procedural aspects of the law to uphold the fidelity of the law and put the courts on trial. Post-1994, we saw Mandela seizing an opportunity as a lawyer-entrepreneur to emphasize this when he appeared before the Constitutional Court during his presidency in the Louis Luyt matter, something he would also do beyond South Africa.

However, unlike Mandela, who as a lawyer-entrepreneur did not miss an opportunity to uphold the fidelity of the law, and despite his inspiration,

many societies missed the opportunity to build on his goodwill. The reported racial bias cases demonstrate such a missed opportunity as similar systemic issues in the Windrush issue persists in a paradoxically multi-cultural society like Britain. Similarly, while Mandela became the inspiration for Black Britain, including the Black Lives Matter Movement demonstration that marched from his statue, this symbolism has been more political than the legal substance that made Mandela achieve the transformation of the wider society. Therefore, an important lesson remains for Black Britain and other marginalized groups or sections of society the world over is that Mandela's understanding, practice and advocacy for the law is a tool that lawyer-entrepreneurs and those wishing to follow the same approach can use to overcome the resistance of the social environment, and transform society for the better. Thus, Mandela demystified colonial and apartheid injustices and successfully demonstrated how effective institutional entrepreneurship can be used as a tool for social and political transformation. The Madiba Magic works (even posthumously) as Mandela was also fondly known by his clan's name; one can see how he inspired the Mandela Rules referring to the revized United Nations Standard Minimum Rules for the Treatment of Prisoners adopted by the UN General Assembly in December, 2015. Therefore, Mandela gives Black people, and anyone, marginalized and disenfranchised, anywhere permission to re-imagine social justice and the power of their own agency.

Mandela remains an icon whose colossal figure no one can claim to exhaust in any analysis. The limitations are that this is not a detailed study on Mandela's legal scholarship and practice but rather the first step and an exploration to open a new lens of analysis beyond the existing understanding. Specifically, the analysis is limited to few illuminative cases and neither covers all cases involving Nelson Mandela as a lawyer standing for his clients nor standing for himself as an accused, especially in the prominent Rivonia trials and for the co-accused.

This chapter focused on how Mandela was influenced by English law and only offered a sketch of how Mandela, in turn, may have influenced English law or its traditions. Both attempts remain stylized facts that provoke and invite the need for a deeper analysis and understanding. There is also a need to ensure that Black Britain does not remain an anecdote in this analysis as much as it still remains one in the dispensing of justice in Britain, if the present struggle stops. Otherwise, taking Mandela's word, it seems like 'A long walk to freedom' for Black Britain.

Lastly, I hope this chapter can motivate other legal scholars to explore the various aspects of Mandela the lawyer. I also hope this chapter can influence a

new debate and questions about Mandela's legal scholarship. More specifically, Mandela the lawyer-entrepreneur and moving forward his influence on legal theory and practice, not only to the English law or Black Britain but the world over.

Table of Case Laws

A.P MDA *vs.* STEYN SENOAMALI, NATIVE COMMISSIONER'S COURT.

Treason Trial 1962: https://www.nelsonmandela.org/content/page/trials-and-prison-chronology.

Rivonia Trial: https://www.sahistory.org.za/article/rivonia-trial-1963-1964.

The Stephen Lawrence Case: https://commonslibrary.parliament.uk/research-briefings/cdp-2023-0160.

Table of Statutes

Constitution of the Republic of South Africa

Universal Declaration of Human Rights of 1948

Human Rights Act 1998

The South African Pass Laws 1952

Notes

1 Richard Stengel interview with Mandela entitled The boy from Transkei: https://www.pbs.org/wgbh/pages/frontline/shows/mandela/interviews/stengel.html.

2 President Barack Obama's speech at the passing of President Nelson Rolihlahla Mandela: http://edition.cnn.com/2013/12/10/politics/mandela-obama-remarks/index.html.

3 Nelson Mandela Foundation: https://www.nelsonmandela.org.

4 This statement was issued by Nelson Mandela from inside South Africa, explaining his decision, in accordance with the advice of the National Action Council, to carry on his political work underground. Published by the ANC in London. Press Statement Issued on 26 June 1961.

5 The Anti-Apartheid Movement in South Africa was a widespread and international campaign that aimed to dismantle the apartheid system of racial segregation and discrimination. It encompassed various forms of activism, including boycotts, protests and sanctions, and played a crucial role in raising awareness and mobilizing support for the struggle against apartheid.

6 Women's March, August 1956: https://www.sahistory.org.za/article/1956-womens-march-pretoria-9-august.
7 The Civil Rights Movement in the United States was a social and political movement that aimed to secure equal rights and end racial segregation and discrimination against African-Americans. It played a pivotal role in shaping the legal and social landscape of the country, leading to landmark legislation such as the Civil Rights Act of 1964 and the Voting Rights Act of 1965.
8 Social Movements of the twentieth century: https://georgiahistory.com/education-outreach/online-exhibits/online-exhibits/three-centuries-of-georgia-history/twentieth-century/social-movements.
9 The Black Lives Matter Movement in the United States is a decentralized movement that advocates for the rights and equality of Black individuals, particularly in response to police violence and systemic racism. It emerged in 2013 following the acquittal of Trayvon Martin's killer and has since sparked nationwide protests and calls for social justice and police reform.
10 The Rhodes Must Fall (RMF) Movement in the UK was a student-led movement that called for the removal of statues and symbols honouring Cecil Rhodes, a British imperialist and colonial figure. The movement aimed to challenge the glorification of colonialism and promote a more inclusive and decolonized education system within universities.
11 Social Movements of the twentieth century: https://georgiahistory.com/education-outreach/online-exhibits/online-exhibits/three-centuries-of-georgia-history/twentieth-century/social-movements.
12 Ibid.
13 Ibid.
14 Ibid.
15 Life and Times of Nelson Mandela the Attorney: https://maponya.co.za/wp-content/uploads/2018/03/Life-and-times-of-Nelson-Mandela-the-attorney-Without-Prejudice.pdf.
16 Ibid.
17 Ibid.
18 Clingman's masterful book entitled *Bram Fischer: Afrikaner Revolutionary* traces Fischer's contribution to South Africa's revolution against apartheid.
19 Odyssey to Freedom by George Bizos: https://www.penguinrandomhouse.co.za/book/odyssey-freedom/9781415200957.
20 It is often referred to as the Great Charter of Freedoms and royal charter of rights. To make peace between the unpopular king and a group of rebel barons, it promised the protection of church rights, protection for the barons from illegal imprisonment, access to swift justice, and limitations on feudal payments to the Crown.
21 Nelson Mandela was forty-five years old when, on 20 April 1964, he gave the defining speech of the Anti-Apartheid Movement, from the dock of a Pretoria

courtroom: https://www.washingtonpost.com/news/worldviews/wp/2013/12/05/read-the-most-important-speech-nelson-mandela-ever-gave.

22 Treason Trial 1962: https://www.nelsonmandela.org/content/page/trials-and-prison-chronology.

23 The word jurisprudence derives from the Latin term *juris prudentia*, which means 'the study, knowledge, or science of law.' In the United States jurisprudence commonly means the philosophy of law. … This type of jurisprudence seeks to reveal the historical, moral, and cultural basis of a particular legal concept: https://www.law.cornell.edu/wex/jurisprudence.

24 Mandela was from the AbaThembu from the Transkei region of the Eastern Cape, and Xhosa is recognized as a language not only spoken by the Xhosa nation but other nations within the Eastern Cape province of South Africa. Xhosa language is also spoken in other parts of the country like Cape Town, parts of Gauteng, among other.

25 Schumpeter, J. A. (1934). *The Theory of Economic Development*. Harvard University Press.

26 Anthony Kronman was a Dean of Yale Law School whose description of lawyer-statesman is cited by Justin Hansford: https://criticallegalthinking.com/2013/12/06/nelson-mandela-lawyers-ideal.

27 A. Sitze. (2014). 'Mandela and the Law'. In R. Barnard (Ed.), *The Cambridge Companion to Nelson Mandela*. Cambridge University Press.

28 Ibid.

29 Tom Lodge. (2021). Red Road to Freedom: A History of the South African Communist Party 1921–2021. Jacana Media.

30 Email interaction between Judge Albie Sachs and Dr Thelela Ngcetane-Vika on 8 October 2023.

31 Life and Times of Nelson Mandela the Attorney: https://maponya.co.za/wp-content/uploads/2018/03/Life-and-times-of-Nelson-Mandela-the-attorney-Without-Prejudice.pdf.

32 Ibid.

33 Ibid.

34 The Pass Laws Act of 1952: https://www.sahistory.org.za/article/pass-laws-south-africa

35 Ibid.

36 Ibid.

37 Basner was a liberal lawyer who was a supporter of African Rights and offered Mandela a good opportunity to represent many Black people in court something he found beneficial in him gaining the legal experience.

38 Defiance Campaign was a campaign in 1952 led by the ANC to oppose unjust laws and have massive demonstrations against Apartheid across South Africa.

39 Ntantala, P. (1993). *A Life's Mosaic: The Autobiography of Phyllis Ntantala*. University of California Press.
40 Ibid.
41 Ibid.
42 Ibid.
43 Preliminary points raised before the substantive matters of the care are argued or presented.
44 DiMaggio, P. (1988). 'Interest and agency in institutional theory'. In L. Zucker (Ed.), *Institutional Patterns and Organizations: Culture and Environment.* Ballinger Publishing Company, pp. 3–21.
45 Albie Sachs, a South African lawyer, and activist had a close relationship with Nelson Mandela and played a significant role in the legal and liberation work against apartheid. Sachs, who was appointed by Mandela to serve as a judge on the Constitutional Court of South Africa, worked alongside Mandela and other anti-apartheid activists to dismantle the oppressive system and establish a democratic and inclusive society based on human rights and equality.
46 These are Mandela's words on a press statement issued while he was underground hiding from the brutal Apartheid regime which made his life and those of his fellow comrades unbearable. This statement is titled 'The Struggle is My Life'.
47 SC Tembeka Ngcukaitobi's review of this chapter, February 2023.
48 The Stephen Lawrence Inquiry report: http://journals.sagepub.com/doi/full/10.5153/sro.235.
49 Ibid.
50 Ibid.
51 Stanley, L. (1999). Rapid Response/Sociology Online: The Stephen Lawrence Murder and the Macpherson Inquiry Report. *Sociological Research Online* 4(1): 92. https://doi.org/10.1177/136078049900400103.
52 Ibid.
53 Ibid.

Bibliography

Bizos, G. (2007). *Odyssey to Freedom*. Penguin Random House.

Boehmer, E. (2023). *Nelson Mandela: A Very Short Introduction*, 2nd edn, Very Short Introductions. Oxford Academic. https://doi.org/10.1093/actrade/9780192893444.001.0001.

Bourke, R. (2018). What is conservatism? History, ideology and party. *European Journal of Political Theory* 17(4): 449–475. https://doi.org/10.1177/1474885118782384.

Callinicos, L. (2012). *Oliver Tambo: Beyond the Ngele Mountains*. New Africa Books.

Cameroon, E. (2014). *Justice: A Personal Account*. Tafelberg.

Carlin, J. (n.d.). Richard Stengel interview. https://www.pbs.org/wgbh/pages/frontline/shows/mandela/interviews/stengel.html.

Chanock, M. (2001). *The Making of South African Legal Culture 1902–1936*. Cambridge University Press.

Clingman, S. (2013). *Bram Fischer: Afrikaner Revolutionary*. Jancana Media.

Constitutional Court Oral History Project, 10 January 2012. https://probono.org.za/?s=Dialogue+on+Mandela+the+lawyerDialogue on Mandela the lawyer.

Davis, D. and Le Roux, M. (2009). *Precedent & Possibility: The (ab)use of Law in South Africa*. Juta and Company Ltd.

DiMaggio, P. (1988). Interest and Agent in Institutional Theory. In L. G. Zucker (Ed.), *Research on Institutional Patterns: Environment and Culture*, Ballinger Publishing Co.

Donnelly, J. (1989). *Universal Human Rights in Theory and Practice*. Cornell University Press.

Fagerberg, J. (2003). 'Schumpeter and the revival of evolutionary economics: an appraisal of the literature.' *Journal of Evolutionary Economics* 13: 125–159.

Fisher, M. (2013). Read the most important speech Nelson Mandela ever gave. https://www.washingtonpost.com/news/worldviews/wp/2013/12/05/read-the-most-important-speech-nelson-mandela-ever-gave/.

Fryer, P. (1984). *Staying Power: The History of Black People in Britain*. Pluto Press.

Gentleman, A. (2019) *The Windrush Betrayal: Exposing the Hostile Environment*. Faber.

Gerhart, G. W., Barnes, T., Bugg-Levine, A., Karis, T. and Mkele, N. (2018). *From Protest to Challenge Volume 4: Political Profiles, 1882–1989*. Jacana Media.

Grant, T. (2020). *Free Thinking and the Rule of Law*. Gresham College. https://www.gresham.ac.uk/watch-now/free-thinking-law.

Hain, P. (2018). *Mandela: His Essential Life*. Rowman & Littlefield Publishers.

Hamalengwa, M. (2014). A speech in celebration of Nelson Mandela given to the youth at the Roy Mcmurtry Youth Correctional Centre on 20 February 2014.

Hansford, J. (2013). *Nelson Mandela: The Lawyer's Ideal*. https://criticallegalthinking.com/2013/12/06/nelson-mandela-lawyers-ideal.

Historical Papers of the Rivonia Trial, Digital Collection at the University of Witwatersrand; http://www.historicalpapers.wits.ac.za/?inventory/U/collections&c=A2519/R.

Kathrada, A. (2016). *A Simple Freedom: The Strong Mind of Robben Island Prisoner No 468/64*, University Press of Kentucky.

Kramer, A. (2005). *Mandela: The Rebel who Led His Nation to Freedom*. National Geographic.

Kumalo, S. (2020). *African Legends of Methodism*. Bibliotos.

Lammy D. (2018). PM speech in Parliament on Windrush. https://www.youtube.com/watch?v=kfy1mDdNtEQ.

Lodge, T. (2006). *Mandela: A Critical Life*. Oxford University Press.

Maguire, S., Hardy, C. and Lawrence, T. B. (2004). Institutional Entrepreneurship in Emerging Fields: HIV/ Aids Treatment Advocacy in Canada. *Academy of Management Journal* 47(5): 657–679.

Main, Thomas O. (2009). *The Procedural Foundation of Substantive Law*. University of Nevada.

Mandela, N. (1962). Black Man in a White Court; Nelson Mandela's First Court Statement. 1962. https://escholarship.org/content/qt3284d08q/qt3284d08q.pdf?t=o869lf

Mandela, N. (1964). I am prepared to die speech. https://www.sbs.com.au/news/article/transcript-nelson-mandela-speech-i-am-prepared-to-die/acc7mlanu.

Mandela, R. N. (1994). *Long Walk to Freedom*. Macdonald Purnell.

Mandela, R. N. (2011). *Conversations with Myself*. Picador.

Manyathi-Jele, N. (2014). *Late President Mandela's Academic Life and Legal Career*. De Rebus.

Maodi, W. and Seefane, L. (2014). Life and Times of Nelson Mandela the Attorney. https://maponya.co.za/wp-content/uploads/2018/03/Life-and-times-of-Nelson-Mandela-the-attorney-Without-Prejudice.pdf.

Nelson Mandela Centre of Memory. https://www.nelsonmandela.org/content/page/about-the-centre-of-memory1.

Nelson Mandela Foundation. https://www.nelsonmandela.org.

Ngcukaitobi, T. (2018). *The Land is Ours: Black Lawyers and the Birth of Constitutionalism in South Africa*. Penguin Random House.

Ngcukaitobi, T. (2018). Mandela as a lawyer (public lecture on Mandela). Nelson Mandela University. https://www.uj.ac.za/newandevents/Pages/Mandela-as-a-Lawyer-Advocate-Ngcukaitobi,-Judge-Sachs-reflect-on-the-life-of-an-icon.aspx.

Ntantala, P. (1992). *A Life's Mosaic.* UWC Mayibuye History Series No 6. University of Western Cape.

Ntantala, P. (1993). *A Life's Mosaic: The Autobiography of Phyllis Ntantala*. University of California Press.

Obama, B. (2013). President Barack Obama's speech at the passing of President Nelson Rolihlahla Mandela http://edition.cnn.com/2013/12/10/politics/mandela-obama-remarks/index.html.

Olusogas, D. (2016). *Black and British: A Forgotten History*. Macmillan.

Rathbun, B. (2016). Wedges and Widgets: Liberalism, Libertarianism, and the Trade Attitudes of the American Mass Public and Elites. *Foreign Policy Analysis* 12(1): 85–108. https://www.jstor.org/stable/26168092.

Sachs, A. (1973). *Justice in South Africa*. University of California Press.

Sachs, A. (1991). *The Soft Vengeance of a Freedom Fighter*. Oxford University Press.

Sachs, A. (2009). *The Strange Alchemy of Life and Law*. Oxford University Press.

SAFLII (1999). President of the Republic of South Africa and Others v South African Rugby Football Union and Others (CCT16/98) [1999] ZACC 11; 2000 (1) SA 1; 1999 (10) BCLR 1059 (10 September 1999). https://www.saflii.org/za/cases/ZACC/1999/11.html.

Sampson, A. (1999). *Mandela: The Authorised Biography*. Knopf Doubleday Publishing Group.

Schumpeter, J. A. (1934). *The Theory of Economic Development*. Harvard University Press.

Schumpeter, J. A. (1942). *Capitalism, Socialism and Democracy*. George Allen and Unwin.

Sitze, A. (2014). 'Mandela and the Law'. In R. Barnard (Ed.), *The Cambridge Companion to Nelson Mandela*. Cambridge University Press.

Stengel, R. (2009). *Mandela's Way: Lessons on Life, Love, and Courage*. Crown Archetype.

Strong, S. I. (2017). General Principles of Procedural Law and Procedural *Jus Cogens*. *Penn State Law Review* 122.

Treason Trial. (1962). https://www.un.org/en/events/mandeladay/court_statement_1962.shtml.

van de Haar, E. (2009). What Is Classical Liberalism? In *Classical Liberalism and International Relations Theory*. Palgrave Macmillan History of International Thought Series. Palgrave Macmillan,. https://doi.org/10.1057/9780230623972_2.

Williams, E. M. (2017). *The Politics of Race in Britain and South Africa: Black British Solidarity and the Anti-Apartheid Struggle*. Bloomsbury.

Part Five

Mandela and 'Fre-enemy': A View from the UK

7

The Question of Legacy: Mandela is not Mugabe

Christopher Roy Zembe

Understanding the legacies of Nelson Mandela and Robert Mugabe has been an emotive topic underpinned by contested narratives and debates. As the first Black leaders in their respect countries, these nationalist revolutionaries had to face a restless Black population that expected the redressing of White colonial privileges embedded in racial injustices and exploitation. The expectation was explicitly evident when both leaders were greeted by a tidal wave of euphoria that had the potential of evolving into racial civil wars as consequences of redressing the colonial polarisation of Blacks within the socio-economic structures. However, despite both leaders sharing the same vision of building peaceful non-racial societies; a vision that would contribute to commendable successes in preventing racial violence in their respective countries, their legacies have been marked by stark differences. While Mandela has been elevated to a global icon of peace and credited for constructing a democratic and functioning multi-racial post-apartheid South Africa, Mugabe on the other hand has been labelled a despot who ruined Zimbabwe's economy and thrived on racial and ethnic divisions. However, given the diverse political, social and economic dynamics between South Africa and Zimbabwe, reaching such generalised conclusions of Mandela and Mugabe legacies can be misleading. This is because, these are two leaders who found themselves having to navigate diverse and complex pathways propelled by historical and contemporary global, regional and domestic political developments.

A comparative analysis on how the two leaders navigated their political pathways in response to the historic and contemporary micro and macro political and economic dynamics has been the source of contested debates and disputed narratives on how their legacies should be defined. In the absence of

a consensus of the legacies they left behind, this chapter, by consulting a wide range of primary and secondary sources, will unveil and debunk the arguments, contradictions and myths behind the Mandela/Mugabe legacy discourse. This will be done by focusing on four areas. Firstly, the political dynamics within the Southern African Development Community (SADC). Secondly, the attempts to redress the colonial injustices within the economy. Thirdly, Cold War and post-Cold War geo-politics and the leaders' adaptation to them. Finally, the nature of the negotiation processes that led to Black majority rule in both countries. Examining these four areas will recognize that their legacies should not be understood through symbolic and psychological narratives that mainly immortalize Mandela as a political saint and Mugabe a tyrant.

The vilification of Mugabe trivializes the fact that in the 1980s, during the period described by Hevina Dashwood (2002) as the pre-Mandela era, he enjoyed legitimate popularity both in Zimbabwe and abroad.[1] He was viewed as a nationalist leader and liberation icon who shook off one of the last vestiges of White minority rule on a continent that had been under colonial rule for close to a century. Unsurprisingly, his international stature was recognized when Zimbabwe hosted the 'Non-Aligned Movement (NAM)' meeting in 1986, and in 1991 'The Commonwealth Heads of Government Meeting (CHOGM)'. In 1994, Mugabe's international recognition was further enhanced by Britain when he was knighted by Queen Elizabeth II.

However, Mugabe's international stature and reputation of the 1980s underwent significant transformation when Mandela was released from prison on 11 February 1990. Overnight the world's attention shifted as South Africa's pariah status under apartheid ceased being of relevance on the international stage following Mandela's freedom. It is important to note, as pointed out by Heidi Holland, that Mandela's release from prison happened at a time when Mugabe's fortunes had started to fade.[2] Expectedly, Mandela's ascendance to power to become the first democratically elected leader of post-apartheid South Africa in 1994 would mark the beginning of gratuitous Mandela/Mugabe comparisons that gradually placed Mugabe at the periphery of international political standing. Early on in Mandela's presidency, the Southern African Development Community (SADC) emerged as the regional platform on which the international community would compare the two leaders' ideological and personality traits, which became instrumental in constructing their legacies.

SADC, originally known as the Southern African Development Coordinating Conference (SADCC) was established in 1980 before being rebranded in 1992 as SADC. It was created by independent States in Southern Africa to promote

economic cooperation and integration as a way of reducing vulnerability to South Africa. Although SADC was primarily a regional economic grouping, Dashwood explains how it had always had a security component to counter South African aggression during the apartheid era.[3] Its membership overlapped the Frontline States alliance that had been established in 1974 by leaders of Botswana, Tanzania and Zambia under the auspice of Pan-Africanism that would offer support in dismantling White colonial rule by providing material and logistical support to nationalist movements in the region.

When the Frontline States alliance was disbanded in 1994, following the independence of Namibia and South Africa, its members, consisting of Angola, Botswana, Mozambique, Tanzania, Zambia and Zimbabwe, had all experienced South Africa's aggression for assisting the liberation movement to end apartheid. With SADC membership overlapping the defunct Frontline States, these shared histories and memories of the liberation struggle and countering South Africa's aggression had inadvertently created an environment that allowed Mugabe to have natural and historical alliances within the SADC bloc.[4] The outcome of the shared histories and memories would be the manifestation of Mandela/Mugabe irritations within SADC, whose origins were anchored in the days of South Africa's liberation struggle. This was when Mugabe's nationalist party, Zimbabwe African National Union (ZANU) supported the more radical Pan African Congress (PAC) rather than Mandela's African National Congress (ANC).[5] On the other side of the spectrum, Mandela's ANC's historical links were with Mugabe's political rival, Joshua Nkomo's Zimbabwe African People's Union (ZAPU) party.

SADC Geopolitics

The inevitable irritations between the two leaders started to play out when Mandela assumed the rotational chairmanship of SADC in 1997 with Mugabe taking over the role of the newly established SADC Organ on Politics, Defence and Security (OPDS). During his tenure as chairman of SADC Mandela declared as illegitimate Mugabe's insistence that OPDS was a separate entity with authority to pass resolutions outside the remit of the SADC Chair.[6] With no subtlety in the power struggle between the two leaders, a political landscape had been created within SADC in which clashes of ideologies and personalities that would define their legacies were an inevitability. The event that triggered the inevitable ideological clashes between the two leaders happened when

Mugabe in August 1998 unilaterally decided to deploy Zimbabwean troops in Democratic Republic of Congo (DRC) where Laurent Kabila was engaged in the fight with Rwandan-backed rebels. As chairman of OPDS, Mugabe felt he was justified to call for military intervention without seeking authorization from the SADC bloc chaired by Mandela.[7]

As expected, Mandela as chairperson of SADC vehemently opposed Mugabe's decision to militarily intervene in DRC by advocating a SADC-led diplomatic solution to the crisis. As a result of Mandela's opposition to military deployment in DRC, South Africa found itself being isolated in the meetings that ultimately passed the resolution to offer military support to the DRC; neither was it invited to take part in a fact-finding mission deployed to verify whether 'DRC's territorial integrity had been violated.'[8] The Mandela/Mugabe clash over the DRC conflict exposed fractures within SADC since the majority of member states notably Angola and Namibia supported Mugabe's decision.

Mugabe's irritation in response to Mandela's insistence on finding a diplomatic solution was to be captured by the media when Mugabe in a rather undiplomatic tone told reporters:

> No one is compelled within SADC (the Southern African Development Conference) to go into a campaign of assisting a country beset by conflict. Those who want to keep out … fine, let them keep out. But let them keep silent about those who want to help.[9]

Although the ultimate result was that Mugabe was able to deploy troops in DRC under the pretext of SADC decision, it also exposed Mandela and Mugabe to international scrutiny regarding their ideological and personality approaches when confronted with conflicts. The differing tactical and strategic ways of dealing with the DRC conflict conferred Mandela with international respectability as a proponent of peace and rational diplomat in the face of intense and violent international conflicts.

However, this rather simplistic conclusion in the Mandela/Mugabe legacy discourse needs to be understood in the context of the changing political dynamics and leadership struggle within SADC that were complemented by the historic memories and alliances in Central and Southern Africa. This is because the legacy of Mugabe within SADC needs to be analysed through the lenses of the historically affirmed status of respectability and elder statesmanship Mugabe commanded in Southern Africa. It was a status that failed to diminish within most of the region's political leaders resulting in few voices critiquing Mugabe in public spaces which would have undermined his credentials as a

nationalist icon. As a result, apart from Mandela, the only other leader within the SADC bloc to have publicly condemned Mugabe was Ian Khama of Botswana.

While the DRC crisis responding to political dynamics and alliances within SADC emerged to be a significant frontier in unveiling the complexities of arguments related to the Mugabe/Mandela legacies, the two leaders' dealing with colonial injustices should not be ignored when debating their legacies. As the first democratically elected Black leaders in their respective countries there was realization by both leaders that racial reconciliation was the best way of dealing with antagonistic relations in communities emerging from the dungeon of colonial racial injustices. Evaluating Mandela and Mugabe's ideologically led initiatives in dealing with the insurmountable task of nation-building is therefore an invaluable process that should not be ignored when attempting to understand why there is no consensus in their legacies. Assessing the leaders' attempts in redressing colonial injustices challenges the mainly Western constructed simplistic comparison of Mandela and Mugabe that demonizes Mugabe while Mandela is elevated to celebrity status of peace and reconciliation.

Redressing Colonial Injustices

Dealing with colonial economic disparity was an obvious expectation Mandela and Mugabe had to deal with since through-out generations, Pan Africanist had promoted consciousness of Africa 'as the ancestral home of Black people' where they should be in control.[10] South Africa was therefore not immune to that Pan-Africanist expectation especially when Mandela's presidency had emerged to be what Tshepo Masango Chéry describes as a 'symbolic terrain of racial reconciliation.'[11] Mandela's reconciliation gestures included setting up of the Truth and Reconciliation Commission; visiting the widow of Hendrik Verwoerd, the architect of apartheid; agreeing to visit the erected statue of Verwoerd (Reuters, 2013); and inviting Percy Yutar, the prosecutor in his 1964 trial, to a kosher lunch. However, regrettably, the compassion and generosity had not translated into Black economic empowerment. This was an outcome that naturally frustrated Black South Africans still living in abject poverty. The euphoria of expectation at independence started to be gradually replaced by disillusionment not helped by growing awareness that Mandela was failing to deal with rampant corruption within the ruling ANC elite.[12] These developments in Mandela's South Africa should therefore not be excluded in the debates of Mandela legacy by analysing how he dealt with them.

In 2012, thirteen years after Mandela stepped down as president, the South African Institute of Race Relations encapsulated the extent of the racial disparity in the South African economy that was still skewed in the Whites' favour. They pointed out how White per capita personal income was nearly eight times higher than that of the indigenous Black population.[13] In their attempts to find significant reasons why South Africa's economy is still built on the invisibility of Blacks, Mark Malisa and Phillippa Nhengeze (2018) express how a growing number of the younger generation were beginning to ask whether there was a lack of Pan-Africanist radical approach by Mandela in dealing with economic disparity.[14] Pan-Africanist Harold Green identified lack of significant land redistribution in Black empowerment as an example used to accuse Mandela of trivializing the goals and objectives of the ANC that had been crystallized in the ANC'S Freedom Charter.[15] The Charter had advocated land reform and redistribution, and nationalization of some of Whites' economic base as essential aspects in addressing post-colonial colonial inequalities.[16] It is therefore no wonder that among South Africans there are those who are beginning to view Mandela as a nationalist who went through a metamorphosis from being a radical decolonial socialist nationalist to a highly compromised neo-liberal who abandoned the politics of nationalization as constituted in the Freedom Charter that would have economically empowered Blacks.

Expressing the growing anger on how Mandela dealt dealing with economic disparity that would have lifted a significant number of Blacks from poverty, Malaika WaAzania's commented on social media in 2013 when Mandela was hospitalized. She remarked 'Mandela must not die yet, no no no. That would be unfair. People didn't get away with crime'.[17] Mngxitama, a student at Witwatersrand, further argued in a debate in 2013 that 'Mandela cuts deals with White people at the expense of Black people. That is his unique contribution, that's his legacy.'[18] In the same year Siki Mgabadeli, a broadcaster and financial commentator, told an American academic: 'in truth, Mandela was too preoccupied with White fears and not enough with Black grievances and expectations of a better life. I know it isn't easy to right the wrongs of three centuries of colonialism in nineteen years, but from the onset Mandela was too timorous'.[19] This traction of a hostile narrative on Mandela's legacy by the young people was also reinforced by Winnie Mandela who accused her ex-husband of historical betrayal for presiding an era where Whites continued to enjoy apartheid-inherited economic privileges. Explaining how he betrayed expectations of Black South Africans she said 'Mandela let us down. Economically we are still on the outside. The economy is

very much White. It has a few token Blacks, but so many who gave their life in the struggle have died unrewarded.'[20]

The lack of Black economic empowerment manifested in the growing frustrations has led to questions being raised on whether the twenty-seven years Mandela spent in prison had informed this later brand figuration of Mandela the compromizing peacemaker, a competent negotiator and facilitator for freedom and democracy at the expense of radical attempts to deal with economic inequalities. Regrettably, these perceptions of Mandela's lack of radical approach in dealing with economic disparity have contributed to the growing narrative of viewing Mandela as a sell-out who betrayed the expectations of Black South Africans in regards to economic empowerment.[21] Takudzwa Hillary Chiwanza argues how the sell-out label signals a failure by Mandela to adequately dialogue with Blacks and why there was no radical economic transformation during his era.[22]

Without adequate communication on a radical agenda of Black economic empowerment, Mandela's release from prison, although it paved the way for Black ruled South Africa, has been open to being critiqued as a ploy and a trapping mechanism in which Blacks were to gain political power without destabilizing the apartheid-constructed economic power base and influence.[23] It is therefore not surprising that Mandela's perceived ineffectiveness in forcefully dealing with historic causes of economic inequalities has resulted in comparisons being made with his successors, Thabo Mbeki and Jacob Zuma. His successors were seen to have been better than Mandela in forcefully sending signals to the White community that their privileges enshrined in apartheid privileges will need to be addressed even if there was reluctance. Afterall, just like Mandela, they had Zimbabwe as a case study to refer to where Mugabe had faced challenges in the redistribution of wealth because of Whites' insincerity in engaging with Black empowerment measures.

An example of sending a clear message to the White community that some Black South Africans feel Mandela should have explicitly and aggressively adopted was by Jacob Zuma in 2012 during a parliamentary debate. This was when he sparked a debate in parliament when he called for greater state involvement in mining and land ownership to address inequalities inherited from apartheid – which he said pose a 'grave threat' to Africa's biggest economy.[24] De Klerk the last president of the apartheid regime who negotiated Mandela's release from prison expectedly waded into the debate by warning of new racism in South Africa, accusing the ANC of increasingly becoming hostile to White

South Africans. His response to Zuma showed the extent of reluctance by some within the White community to engage with measures that would threaten their apartheid-constructed economic status.

In his speech at the end of ANC policy meeting in the same year,2012, Zuma also warned the White-minority, who still held a disproportionate sway over the economy, by saying 'If we continue in this way, our gains of democracy will be put at risk because those who feel the pain will say "Enough is enough."'[25] Zuma's stark remarks on empowering Blacks naturally evolved to be a critical component in the debates on the Mandela/Mugabe legacy regarding dismantling Whites' economic dominance which led to Mandela being labelled as a 'sell-out'. However, when comparing Mandela/Mugabe economic empowering legacy it is important to contextualize the 'sell-out' tag within racial reconciliation. This was because Mandela, as argued by Richard Calland and Mabel Sithole, had to make 'compelling strategic choice' of steering South Africa transition towards national reconciliation.[26]

However, it can also be argued that Mandela's reconciliation agenda, while confronted with the task of dealing with colonial economic injustices, was not unique to South Africa, but also to Mugabe's Zimbabwe. As a result, just as it was for Mandela in South Africa, the distribution of wealth should also be used as a critical baseline in assessing Mugabe's legacy while comparing it with Mandela's. In his maiden speech on 4 March 1980, Mugabe called for reconciliation and national unity by encouraging Zimbabweans to think beyond racial and ethnic boundaries which had polarized the country for over ninety years. Emphasizing the need for reconciliation, Mugabe said:

> I urge you whether Black or White, to join me in a new pledge, to forget our grim past, forgive others and forget, join hands in a new amity and together as Zimbabweans, trample upon racism, tribalism and regionalism.[27]

To practically implement his reconciliatory gestures towards Whites, Mugabe appointed the former Rhodesian Front Finance Minister, David Smith, as the new Minister for Commerce and Industry, and the president of the White commercial farmers' National Farmers Union, Dennis Norman, as the new Minister of Agriculture. However, despite Mugabe's reconciliation gestures, most Whites failed to positively engage with moves to economically empower Blacks. As a result, for most part of Zimbabwe's first two decades of independence especially in the 1980s, a significant number of Blacks still lived in the shadows of a White controlled economic environment in manufacturing, financial and mining sectors, and without holding large tracts of productive arable land.

Incidentally, it was during this period of insignificant Black economic empowerment of the 1980s, that Mugabe was being hailed as a progressive leader in post-colonial nation building. The accolades on Mugabe seemed to be acceptance of a post-colonial Zimbabwe by the West in which Blacks were expected to get over their colonial suffering injustices at the hands of the racists, forgive them and move on even if it meant continuation of economic disparity. This was an indication that the West were desensitized from the plight of the Blacks which made them become disconnected to any political conflicts that did not have the potential of dislodging Whites from their colonial economic inherited economic status. The West's disconnection and insensitivity to the plight of Black Zimbabweans bordering on hypocrisy was exposed during Zimbabwe's civil conflict, Gukurahundi[28] of the 1980s. The muted response by the West to the civil conflict was an explicit demonstration of hypocritical racial bias blinded by the status quo of White privilege that was evident within Zimbabwe's economic structures. Questions have therefore been raised on whether the West would have been quiet if the violence was being committed on Whites by Blacks to redress the colonial injustices.

The West's hypocrisy on Black–White violence was to be exposed at the commencement of Zimbabwe's land distribution exercise at the turn of the millennium. It was only when Mugabe started to implement his Afro-radicalism land redistribution by violently seizing White-owned farms that there was a steep rise in the narrative of demonizing Mugabe mainly by the West, describing him as a despot who needed to be stopped. The revered Mugabe of the 1980s was now perceived as an international pariah. Despite the demonization of Mugabe, seizure of White-owned farms to facilitate land distribution was undoubtedly a significant step in dismantling historical colonial inequalities and structural barriers that had trapped Blacks in poverty of which the West had failed to condemn or address. This is a Mugabe legacy of redressing the colonial imbalance in land distribution that cannot be trivialized when analysing the Mugabe/Mandela legacies.

Regrettably for Mugabe's legacy, the violent confiscation of the White-owned farms coincided with the first significant political challenge to his rule following the formation of the Movement for Democratic Change (MDC) political party in 1999 under the leadership of Trade Unionist Morgan Tsvangirai. This political development preceded the political violence at the turn of the millennium that has been used to taint Mugabe's legacy.[29] While denying the state sponsored violence on the opposition, Mugabe instead accused the MDC of being financially sponsored by White farmers and Western governments who were

against land redistribution and Black economic empowerment.[30] In response to the perceived state sponsored persecution of political opposition and violent seizure of White-owned farms USA, the European Union and their allies which included Canada and Australia imposed economic sanctions on Zimbabwe. Imposition of the sanctions provided Mugabe with a platform to reignite his righteous liberation credentials and populist nationalist ideology of the liberation struggle of empowering Blacks by accusing the political rivals as political puppets of the West with a neo-colonial agenda opposed to land redistribution.[31] The accusations were rationalized by political and financial support the MDC and other civil groups working on democracy and human rights received from Western governments and donor.[32] For Mugabe this was proof of foreign control of MDC and Non-Governmental Organisation in promoting a regime agenda.

For a majority of Pan-Africanist and those still under the latch of colonial rule, what Mugabe did in economically empowering Blacks represented a nationalist who would not indefinitely compromise with imperial injustices despite the reconciliation initiatives at independence. This was a radicalism that was seen to be absent during Mandela's presidency, despite the evidence of Whites' reluctance to engage with measures to economically empower Black South Africans. For a significant number of Blacks in South Africa, Mugabe was going against the West and its neo-colonialist mentality by transforming the lives of ordinary Black people through economic empowerment, in addition to health, education and housing reforms at independence. It was therefore an expected outcome that when Mugabe arrived at Zuma's inauguration in 2009, he was greeted by cheers and singing from the attendees. Similarly, at Mandela's memorial, he also a elicited rapturous welcome from the mourners who thronged the FNB stadium. Mugabe was undoubtedly seen as a symbol of liberation from colonial racial injustices. For those mourners, Mugabe's legacy will be that of a Pan-Africanist nationalist who had always been hostile to any negotiations or structures that would compromise his ideological stance of empowering Blacks.

The redressing of colonial economic injustices in both Zimbabwe and South Africa that have been used in contrasting the legacies of Mandela and Mugabe legacy discourse was happening within the global political order and calibration of economic structures enshrined in the Cold War and Post-Cold War eras. The Cold War era of ideological alliances with either the neo-liberal west or the socialist eastern bloc led by USA and Soviet Union respectively would be replaced by a transformed global post-Cold War order that advocated neo-liberalism and democracy, which would influence international relations and political legitimacy. The Cold and post-Cold War global geopolitics should therefore not

be discounted when attempting to understand the diverse interpretations of the legacies of Mandela and Mugabe. This was because, unlike Mandela, Mugabe's rule straddled both the Cold War and Post-Cold War periods and his domestic and foreign policies reflected the contrast of the two eras.

Cold War Geopolitics

The contrasts in Mugabe/Mandela legacies need to be understood in the context of the leaders' response and interactions with the Cold and post-Cold War ideological dynamics. Sifiso Ndlovu (2009) points out how the superpowers saw post-colonial Africa as a fertile territory to impose their ideologies and for the reaping of rich resources at low cost.[33] In the 1970s, the Soviet Union had already started deploying ideological proxies in the newly independent states of Angola and Mozambique.[34] Incidentally, this was also a period that had been characterized by South Africa's unashamed growing alliance with the West as highlighted by Chester Crocker (1992).[35] Fear of the spread of communism had allowed South Africa to be viewed as an important partner in the global strategy of imperialism led by Western superpowers notably the United States of America and United Kingdom as a pledge to 'defend the free world from the communist threat'.[36] Containment of communism in Southern Africa as a geopolitical strategic foreign policy was expectedly extended to Zimbabwe when it became independent, especially during its first decade of independence.

With Zimbabwe's Liberation Movement's policies to end colonial rule enmeshed in the Cold War ideological framework as alluded to by Sifiso Ndlovu and Chester Crocker, the Western superpowers could not afford to lose post-colonial Zimbabwe to communist powers as was already the case in Angola and Mozambique.[37] Within the context of the Cold War realities, the Western powers believed they were better positioned to dampen down the spread of communism in Zimbabwe since the peaceful transition to independence in Zimbabwe and Mugabe's policy of reconciliation had been brokered by Britain.[38] The West's confidence that the future of Zimbabwe will not be closely aligned with Communism was further enhanced by the fact that the USA, as pointed out by Timothy Scarnecchia (2011), had always viewed Mugabe as 'a non-Soviet Southern African State.'[39] They based their optimism of containing communism in the newly independent state on the fact that during the liberation struggle, the Soviet Union had supported Mugabe's nationalist rivalry Joshua Nkomo with Mugabe being supported by China.[40]

The West's strategy in maintaining a balance of power against Soviet influence in the region did not only include providing financial aid to Zimbabwe as highlighted by Scarnecchia, but it soon became apparent it also included a policy of tolerance that bordered on appeasement**.** Ideologically blinded by Cold War strategies to contain communist expansionism in Southern Africa, the West viewed Mugabe as a partner who was to be appeased and not to be provoked. The explicit example of appeasing Mugabe became evident when both USA and Britain failed to intervene in Zimbabwe's civil conflict (Gukurahundi); neither did they condemn atrocities that were being carried out on civilians by Zimbabwe's security forces. The extent of West's appeasement during the violent conflict was acknowledged by Sir Martin Ewans, who had been appointed the British High Commissioner to Britain in 1983. He remarked how his instructions from London were to steer clear from the conflict when speaking to Mugabe 'I think Matabeleland was a side issue … The real issues were much bigger. We were extremely interested that Zimbabwe should be a success story, and we were doing our best to help Mugabe and his people bring that about'.[41]

It can therefore be argued that the communism containment diplomatic strategies of the West in Zimbabwe made them complicit in Mugabe's perceived despotic tendencies of the 1980s that were manifested during Gukurahundi era. With the Western powers showing tolerance and appeasement to Mugabe's political manoeuvres of the 1980s, he was able to build a feared power base that would allow him to create a de-facto one party state which enabled him to stay in power for thirty-seven years. It was only at the collapse of communist ruled Eastern Europe symbolized by 1989 collapse of the Berlin Wall that Mugabe found himself having to deal with post-Cold War neo-liberal ideology of good governance, democracy and human rights. However, the fall of the communism in East Europe that coincided with Mandela's ascendance to power ushered in a Mandela/Mugabe comparison. The ascent of Mandela's status in the post-Cold War neo-liberal 1990s was happening at a time when Mugabe's status as a competent leader of the 1980s was in rapid decline as Zimbabwe was starting to experience political unrest, suppression of opposition and downward slide of the economy. With the post-Cold War shift in ideological framework, developments in Zimbabwe firmly placed Mugabe at the periphery of credible international status while Mandela was experiencing global meteoric rise compatible with post-Cold War political dynamics.

By assuming power in the post-Cold War era, Mandela was not tempted to fall into the trap of allowing political brinkmanship and ideological fixation to be a hindrance in forging new relations in corporate globalization spearheaded by

western liberal economic policies Hounded by historic communist leanings as pointed out by Francis Lukhele (2012), Mandela was pragmatic enough to adapt to the changing post-Cold War global neo-liberal systems.[42] As a result, he did not flirt with anti-liberal policies by recognizing the global dynamism in the post-Cold War era if South Africa had to have a voice.[43] While the changing global geopolitics of the Cold War was instrumental in drawing comparisons between Mandela and Mugabe, the next section of the chapter explores the debates surrounding the negotiation process for independence that makes it difficult to adopt a like-for-like comparison of the two leaders when attempting to establish their legacies.

Negotiations for Independence

In both South Africa and Zimbabwe, the transition to Black rule was through complex negotiation processes that were diverse in nature. By 1985, Mandela had started to secretly and cautiously conduct negotiations with few high-level politicians and the security sector of the apartheid regime.[44] The privacy of the negotiations between Mandela and De Klerk naturally allowed the creation of an environment where the negotiation parties were able to focus on South Africa without external influences to arm twist them in decision making despite the attempts by particularly the US and Britain to be involved. What Mandela and De Klerk wanted was an internal statement with the interests of South Africans at heart. As a result, both Mandela and De Klerk, as pointed out by Betty Glad and Robert Blanton (1997), 'were willing to take personal and political risks and make sacrifices to ensure objectives.'[45] In contrast, while the Mandela and De Klerk negotiations happened out of the glaring eye of the international community, Zimbabwe's 1979 Lancaster House Negotiations talks that paved the way for Zimbabwe's independence was a public and complex spectacle. The talks involved external influences led by Britain but also needed the endorsement and support of the Frontline states especially Mozambique and Zambia, which were expecting an escape from Zimbabwe war for liberation.[46]

Unlike Mandela, who believed the time was ripe to negotiate for a political settlement, Mugabe had been a reluctant negotiator at the Lancaster House negotiations and did not make a secret of it. He was still holding to the hope of winning the armed struggle and was therefore hostile to any negotiations that would compromise his ideological stance as he had no intention of losing politically what they had gained militarily or hand over to others who had not done

the fighting.[47] Unhappy with how the talks were progressing, he had threatened to pull out from them if it was not for the pressure and intervention by Samora Machel the Mozambican president that forced him to abandon his plans and seek for a political situation. This was when Machel remarked:

> If he did not sign the agreement he would be welcomed back to Mozambique and given a beach house where he would write his memoirs. But Mozambique would make no further sacrifices and cause that would be won at the conference table. In other words, as far as Mozambique was concerned, the war was over.[48]

Despite Mugabe's threats and accusations of authoritarianism and high handedness by Britain, at the Lancaster House negotiations, against what had seemed like an impossible process, an agreement was reached. The rival armies agreed to lay down weapons, accept a return to colonial rule and permit a British Governor to settle their differences in elections.[49] The outcome was a great achievement regardless of Mugabe's resentfulness. His disdain to the outcome of the Lancaster House agreement was captured when he remarked:

> As I signed the document, I was not a happy man at all. I felt we had been cheated to some extent, that we had agreed to a deal which would some extent rob us of victory we had hoped we would achieve in the field.[50]

However, it is important to recognize that the Lancaster House Constitution outcome would not have been possible if it was not for Britain recognizing its colonial obligation and compromises made by the nationalists. As a former British colony, Zimbabwe had always been a case for Britain where it had to exercise responsibility. It was therefore right for Margaret Thatcher's Conservative Government to act when the issue of land became a sticking point that had the potential of derailing the talks by agreeing to provide the funds for compensating Zimbabwean White farmers who were willing to sell their land back to the government at the Lancaster House talks. On its part the nationalists also had to make compromises. The two most notable ones were: guaranteeing Whites continuous ownership of land acquired under colonial rule through the 'willing-buyer' and 'willing-seller' principle; and granting Whites a political voice by allocating them twenty seats in newly established National Assembly of one hundred seats during the duration the decade Zimbabwe was to be governed by the Lancaster Constitution. These concessions allowed Whites to continue enjoying the luxuries they had been accustomed to during the colonial period, especially land ownership.[51] The Lancaster House constitution was therefore an agreement riddled with unresolved issues that needed to be solved at the

expiry of the ten-year period Zimbabwe was to be governed by the terms of constitution. One of those was land redistribution.

Despite the complexities and compromises that led to the Lancaster House Constitution, when New Labour came to power in 1997 under prime minister Tony Blair, the British government unilaterally scrapped the arrangement and pulled out of talks to fund the land reforms programme. Britain's abdication of its Lancaster House Constitution obligation was formalized in 1997 when Britain's International Development Secretary Clare Short, wrote to the Zimbabwean government denying that Britain had 'a special responsibility to meet the costs of land purchase in Zimbabwe' as agreed at Lancaster House.[52] The actions by Blair's government were instrumental in triggering a reaction by Mugabe that culminated in violent evictions of White farmers from their farms in the early 2000s.

Based on the political decision by the Labour government, it can be argued that the violent seizures of White-owned farms of the 2000s, which came to define Mugabe's legacy as a racist tyrant, had been to an extent been ignited by Britain when it went against the spirit of the 1979 Lancaster House Agreement. Mugabe was adamant that his government would not initiate a land buy-out scheme for what had been stolen and taken for free from Africans. While Mandela was being celebrated as a liberator of South Africa from colonial bondage as pointed out by Sabelo J. Ndlovu-Gatsheni (2014), Mugabe had been given the political space to curve the image of an indispensable leader who could only solve Zimbabwe's problems through by economically empowering Blacks.[53] Mugabe had become a god whose word could not be challenged using a liberation discourse of colonial oppression embedded within the rhetoric 'We are not a British colony any longer.' Mugabe's irritation with Britain as colonial masters struggling to let go of their former colony was a Mugabe legacy that earned him support among former colonies citizens.

Conclusion

While it is undeniable that Mandela and Mugabe were icons of the liberation struggle who navigated diverse pathways that became instrumental in the construction of their legacies, this chapter challenges the simplistic narrative of their legacy discourse mainly played out in the Western media and by former colonial powers. It established how and why Mugabe and Mandela were different

individuals, whose experiences as nationalists and leaders of their respective countries informed their political decisions that inevitably helped define their legacies. By examining a multi-layered nature of their leadership influenced by historic and contemporary socio-economic and political developments the chapter was able to contextualize why there is no consensus on how their legacies should be defined.

In both South Africa and Zimbabwe there was an acceptance that nation building attempts would only succeed if Whites liberated themselves from a sense of colonial superiority engrained in the economic structures. The expectations Blacks had for their leaders to implement effective 'Africanization' policies to challenge the White economic dominance makes it imperative to examine the Mandela/Mugabe legacy within the context of the attempts made in redressing colonial injustices evident in the economy. With a significant number of Whites failing to positively engage with reconciliation gestures, there have been contesting debates on the Mandela/Mugabe legacy. This was because both leaders had to apply ideologically driven policies to deal with colonial injustices that has resulted in a growing contradictory conclusion on their legacies.

For Mugabe, his forceful and violent expulsion of White farmers from their land was a justified response because, for him, the British had been tainted for breaking the promises of the Lancaster House agreement regarding land compensation. The differences in the legacies of Mandela and Mugabe need to be understood through the geopolitics within SADC, which helped to expose ideological differences and strained relations that have become part of their legacies. Mugabe's legacy can also not be understood outside the global geopolitics of the Cold War and post-Cold War periods. While in the post-Cold War era, Mugabe could be labelled as intolerant to illiberal politics, it was the same Mugabe who was being elevated by the West as a leader with the potential to curb Soviet influence during the Cold War in Southern Africa.

Notes

1 Hevina Dashwood. (2002). 'Mugabe, Zimbabwe, and Southern Africa – The Struggle for Leadership'. *International Journal* 57: 78–100.
2 Heidi Holland. (2008). *Dinner with Mugabe. The untold story of a freedom fighter who became a tyrant*. Penguin Books, pp.122–123.
3 Dashwood, *Mugabe, Zimbabwe, and Southern Africa*, pp. 78–100.
4 Ibid.

5 Ngwabi M. Bhebe and Gerald Chikozho Mazarire. (2013). 'Paying the ultimate Price: Zimbabwe and the liberation of South Africa, 1980–1994'. *The Road to Democracy in South Africa*, Vol. 5, pp. 443–467.
6 Dashwood. *Mugabe, Zimbabwe, and Southern Africa*, pp. 78–100.
7 Ibid.
8 Ibid.
9 'Mugabe and Mandela divided by personalities and policies'. *The Irish Times*, 21 August 1998: https://www.irishtimes.com/news/mugabe-and-mandela-divided-by-personalities-and-policies-1.185048.
10 'Many say South Africa "still white male-dominant," and they blame Nelson Mandela'. *CBS News*, 18 July 2018. https://www.cbsnews.com/news/south-africa-still-white-male-dominant-after-nelson-mandela-won-democracy-africawatch.
11 Tshepo Masango Chéry. (2017). 'Beyond the Elder Statesman: Reflections on Teaching About Mandela and South Africa in Neo-liberal Times'. *The Black Scholar* 47: 54–69.
12 Zakes Mda. (2013). 'Nelson Mandela: neither sell-out nor saint'. *The Guardian.* https://www.theguardian.com/commentisfree/2013/dec/06/nelson-mandela-statesman-saved-south-africa-economic-reform.
13 'South Africa: Does race matter in the "rainbow nation"'? *British Broadcasting Corporation*, 23 August 2012. https://www.bbc.co.uk/news/world-africa-19326263
14 Mark Malisa and Phillippa Nhengeze. (2018). 'Pan-Africanism: A Quest for Liberation and the Pursuit of a United Africa'. *Genealogy* 2: 10–11.
15 Harold Green, 'South Africa and Zimbabwe: A Tale of Two Land Reforms'. *Black Agenda Report*. https://blackagendareport.com/content/south-africa-and-zimbabwe-tale-two-land-reforms.
16 'Documents on Democracy'. *Journal of Democracy* 1 (1990), pp. 128–134. https://www.journalofdemocracy.org/articles/documents-on-democracy-88; Raymond Suttner. (2015). 'The Freedom Charter @60: Rethinking its democratic qualities'. *Historia* 2: 1–23.
17 Mda Zakes, "Nelson Mandela: neither sell-out nor saint". *The Guardian* (2013). https://www.theguardian.com/commentisfree/2013/dec/06/nelson-mandela-statesman-saved-south-africa-economic-reform. Colin Bundy. (2019). 'Editorial: The Challenge of Rethinking Mandela'. *Journal of Southern African Studies* 45: 997–1012.
18 Ibid.
19 Ibid. Mgabadeli Siki, 'Embracing Democracy and Reconciliation in Principle'. Institute for Policy and Governance (2014). https://ipg.vt.edu/DirectorsCorner/Soundings/Soundings011214.html.
20 Nadira Naipaul. (2010). 'How Nelson Mandela betrayed us, says ex-wife Winnie'. *The Standard*, 8 March, 2010. https://www.standard.co.uk/news/how-nelson-mandela-betrayed-us-says-ex-wife-winnie-6734116.html.

21 See: Richard Calland and Mabel Sithole. (2022). *The Presidents from Mandela to Ramaphosa, Leadership in the Age of Crisis*, p. 42; Jason Burke, 'Struggling South Africans lose faith in Nelson Mandela's legacy', *The Guardian*. https://www.theguardian.com/world/2019/may/05/south-africa-reaches-new-crossroads-25-years-after-free-elections; 'Nelson Mandela: Why some young South Africans think he "sold out"'. *British Broadcasting Corporation*. https://www.bbc.co.uk/news/av/world-africa-44861138; Daniel Friedman,' Malema one of many who feel Mandela sold out to White interests'. *The Citizen*. https://citizen.co.za/news/south-africa/1982695/malema-one-of-many-who-feel-mandela-sold-out-to-white-interests/; 'How Mandela sold out Blacks'. *News 24,* 17 July 2012 https://www.news24.com/news24/MyNews24/How-Mandela-sold-out-blacks-20120717.

22 Takudzwa Hillary Chiwanza, 'Did Nelson Mandela Sell Out the Black South Africans?', *The African Exponent*. https://www.africanexponent.com/post/8556-some-people-have-suggested-that-mandela-sold-out-south-africa.

23 'How Mandela sold out blacks', *News24*, 17 July 2012. https://www.news24.com/news24/MyNews24/How-Mandela-sold-out-blacks-20120717.

24 British Broadcasting Corporation. *South Africa: Does race matter in the 'rainbow nation'?* https://www.bbc.co.uk/news/world-africa-19326263.

25 Jon Herskovitz, 'Inequality poses "grave threat" to South Africa: Zuma'. *Reuters.* https://www.reuters.com/article/us-safrica-zuma/inequality-poses-grave-threat-to-south-africa-zuma-idUSBRE85S1BC20120629.

26 Calland and Sithole. *The Presidents from Mandela to Ramaphosa*, pp. 205, 209.

27 Josephine Lucy Fisher. (2010). *Pioneers, Settlers, Aliens and Exiles: The Decolonisation of White Identity in Zimbabwe.* ANU Press, p. 28.

28 Shona word 'Gukurahundi', translated as 'the rain that washes away chaff from the last harvest before the spring', used to refer to the civil conflict in Matabeleland province that led to an estimated twenty thousand deaths between 1982 and 1987.

29 Andrew Norman. (2008). *Mugabe: Teacher, Revolutionary, Tyrant*. The History Press Ltd. pp. 83–86; Bran Raftopoulos, 'The Crisis in Zimbabwe, 1998–2008', in Brian Raftopoulos and Alois Mlambo, *Becoming Zimbabwe, A History from the Pre-Colonial Period to 2008*. Weaver Press, p. 215.

30 Ibid., p. 218.

31 Ibid.

32 Ibid.

33 Sifiso Mxolisi Ndlovu. (2009). 'The Western Super-Powers and the Liberation Struggle in Africa: The Politics of Imperialism, Domination and Resistance, 1948–1980s'. *Afrika Zamani* 17: 145–184.

34 Chester Crocker. (1992). *High Noon in Southern Africa, Making Peace in a Rough Neighbourhood*. Jonathan Ball Publishers, pp. 34–37.

35 Ibid.

36 Ibid.
37 Chester Crocker, *High Noon in Southern Africa* pp. 34–37; Sifiso Mxolisi Ndlovu, *The Western Super-Powers and the Liberation Struggle in Africa,* pp. 145–184.
38 Timothy Scarnecchia. (2011). 'Rationalizing Gukurahundi: Cold War and South African Foreign Relations with Zimbabwe, 1981–1983'. *Kronos* 37: 87–103.
39 Ibid.
40 Ibid.
41 Quote in Scarnecchia, 'Rationalizing Gukurahundi'.
42 Francis Lukhele. (2012). 'Post-prison Nelson Mandela: A "Made-in-America Hero"'. *Canadian Journal of African Studies* 46: 289–301.
43 Colin Chasi and Neil Levy. (2016). 'Mandela and Excellent African Leadership: Theory and Lessons for Practice from an Appreciative Thematic Analysis'. *International Journal of African Renaissance Studies* 11: 8–23.
44 Willie Esterhuyse. (2012). *Endgame: Secret Talks and the End of Apartheid*. Tafelberg.
45 Betty Glad and Robert Blanton. (1997). 'F. W. de Klerk and Nelson Mandela: A Study in Cooperative Transformational Leadership'. *Presidential Studies Quarterly* 27: 565–590.
46 Robin Renwick. (1997). *Unconventional Diplomacy in Southern Africa*. St. Martin's Press.
47 Ibid., p. 10.
48 Martin Meredith. (2002). *Mugabe: Power, Plunder, and the Struggle for Zimbabwe's Future*. Public Affairs, p. 8.
49 Renwick, *Unconventional Diplomacy*, p. 61.
50 Meredith. *Mugabe: Power, Plunder*, p. 8.
51 Christopher Roy Zembe. (2018). *Zimbabwean Communities in Britain: Imperial and Post-Colonial Identities and Legacies*. Palgrave Macmillan.
52 Quote from Neil H. Thomas. (2003).'Land Reform in Zimbabwe'. *Third World Quarterly* 24: 691–712.
53 Sabelo J. Ndlovu-Gatsheni. (2014). 'From a "Terrorist" to Global Icon: A Critical Decolonial Ethical Tribute to Nelson Rolihlahla Mandela of South Africa'. *Third World Quarterly* 35: 905–921.

Bibliography

Bhebe, Ngwabi M. and Mazarire, Gerald Chikozho. (2013). 'Paying the ultimate price: Zimbabwe and the liberation of South Africa, 1980–1994'. *The Road to Democracy in South Africa*, Vol. 5, pp. 443–467.

British Broadcasting Corporation. (2012). 'South Africa: Does race matter in the "rainbow nation"?' https://www.bbc.co.uk/news/world-africa-19326263.

British Broadcasting Corporation. (2018). 'Nelson Mandela: Why some young South Africans think he "sold out"'. https://www.bbc.co.uk/news/av/world-africa-44861138.

Bundy, Colin. (2009). 'Editorial: The challenge of rethinking Mandela'. *Journal of Southern African Studie*s 45: 997–1012.

Burke, Jason. (2019). 'Struggling South Africans lose faith in Nelson Mandela's legacy', *The Guardian*, https://www.theguardian.com/world/2019/may/05/south-africa-reaches-new-crossroads-25-years-after-free-elections.

Calland, Richard and Sithole, Mabel. (2022). *The Presidents from Mandela to Ramaphosa, Leadership in the Age of Crisis*. Penguin Books.

CBS News. (2018). 'Many say South Africa "still White male-dominant," and they blame Nelson Mandela'. https://www.cbsnews.com/news/south-africa-still-white-male-dominant-after-nelson-mandela-won-democracy-africawatch.

Chasi, Colin and Levy, Neil. (2016). 'Mandela and excellent African leadership: Theory and lessons for practice from an appreciative thematic analysis'. *International Journal of African Renaissance Studies* 11: 8–23.

Chéry, Masango Tshepo. (2017). 'Beyond the elder statesman: Reflections on teaching about Mandela and South Africa in neo-liberal times'. *The Black World Foundation The Black Scholar* 47: 54–69.

Chiwanza, Takudzwa Hillary. (2019). The African Exponent, 'Did Nelson Mandela Sell Out the Black South Africans?' https://www.africanexponent.com/post/8556-some-people-have-suggested-that-mandela-sold-out-south-africa.

Crocker, Chester. (1992). *High Noon in Southern Africa, Making Peace in a Rough Neighbourhood*. Johannesburg. Jonathan Ball Publishers, pp. 34–37.

Dashwood, Hevina. (2002). 'Mugabe, Zimbabwe, and Southern Africa: The struggle for leadership'. *International Journal* 57: 78–100.

Esterhuyse, Willie. (2012). *Endgame: Secret Talks and the End of Apartheid*. Tafelberg.

Fisher, Josephine Lucy. (2010). *Pioneers, Settlers, Aliens and Exiles: The Decolonisation of White Identity in Zimbabwe*. Australian National University Press.

Friedman, Daniel. (2018). 'Malema one of many who feel Mandela sold out to white interests'. https://citizen.co.za/news/south-africa/1982695/malema-one-of-many-who-feel-mandela-sold-out-to-white-interests.

Glad, Betty and Blanton, Robert. (1997). 'F. W. de Klerk and Nelson Mandela: A study in cooperative transformational leadership'. *Presidential Studies Quarterly* 27: 565–590.

Green, Harold. (2013). 'South Africa and Zimbabwe: A tale of two land reforms'. *Black Agenda Report*. https://blackagendareport.com/content/south-africa-and-zimbabwe-tale-two-land-reforms.

Herskovitz, Jon. (2019). 'Inequality poses "grave threat" to South Africa: Zuma'. https://www.reuters.com/article/us-safrica-zuma/inequality-poses-grave-threat-to-south-africa-zuma-idUSBRE85S1BC20120629.

Holland, Heidi. (2008). *Dinner with Mugabe, The untold story of a freedom fighter who became a tyrant*. Penguin Books.

Lukhele, Francis. (2012). 'Post-prison Nelson Mandela: A "made-in-America hero"'. *Canadian Journal of African Studies* 46: 289–301.

Malisa Malisa and Nhengeze, Phillippa. (2018).'Pan-Africanism: A quest for liberation and the pursuit of a united Africa'. *Genealogy* 2: 10–11.

Mda, Zakes. (2013). 'Nelson Mandela: Neither sell-out nor saint'. https://www.theguardian.com/commentisfree/2013/dec/06/nelson-mandela-statesman-saved-south-africa-economic-reform.

Meredith, Martin. (2002). *Mugabe: Power, Plunder, and the Struggle for Zimbabwe's Future*. Public Affairs.

Naipaul, Nadira. (2010). 'How Nelson Mandela betrayed us, says ex-wife Winnie'. https://www.standard.co.uk/news/how-nelson-mandela-betrayed-us-says-ex-wife-winnie-6734116.html.

Ndlovu, Sifiso Mxolisi. (2009). 'The Western super-powers and the liberation struggle in Africa: The politics of imperialism, domination and resistance, 1948–1980s'. *Afrika Zamani* 17: 145–184.

Ndlovu-Gatsheni, Sabelo. (2014). 'From a "terrorist" to global icon: A critical decolonial ethical tribute to Nelson Rolihlahla Mandela of South Africa'. *Third World Quarterly* 35: 905–921.

News 24. (2012). 'How Mandela sold out Blacks'. https://www.news24.com/news24/MyNews24/How-Mandela-sold-out-blacks-20120717.

Norman, Andrew. (2008). *Mugabe Teacher, Revolutionary, Tyrant*. The History Press Ltd.

Renwick, Robin. (1997). *Unconventional Diplomacy in Southern Africa*. St. Martin's Press.

Reuters (2013). *No tears but grudging respect Mandela in White Afrikaner Enclave*. https://www.reuters.com/article/idUSBRE9B608Y.

Scarnecchia, Timothy. (2011). 'Rationalizing Gukurahundi: Cold War and South African foreign relations with Zimbabwe, 1981–1983'. *Kronos* 37: 87–103.

Suttner, Raymond. (2015). ' The Freedom Charter @60: Rethinking its democratic qualities'. *Historia* 2 : 1–23.

The Irish Times. (1998). 'Mugabe and Mandela divided by personalities and policies'. https://www.irishtimes.com/news/mugabe-and-mandela-divided-by-personalities-and-policies-1.185048.

Thomas, Neil H. (2003). 'Land reform in Zimbabwe'. *Third World Quarterly* 24: 691–712.

Zembe, Christopher Roy. (2018). *Zimbabwean Communities in Britain Imperial and Post-Colonial Identities and Legacies*. Palgrave Macmillan.

Part Six

Mandela for Contemporary Times

8

Rhodes Less Travelled: On Mandela, Rhodes, and Safe Space

James Noel

In 1934, a statue of Cecil Rhodes was erected on the University of Cape Town's (UCT) campus (UCT News, 2015). Standing on one of the university's rugby fields, the Rhodes figure became a well-known part of the institution for decades. Many of us are familiar with the prestigious Rhodes scholarship offered to a handful of Oxford University postgraduate students. However, the statue's presence at the university was not welcomed by all who attended the university. People protested, declaring that the figure encroached upon Black students' psychological and physical sense of safety. The sizable statue was finally removed in 2015. As the incident encourages us to rethink and examine how universities define safety, removing the Rhodes statue at the UCT has been central to the recent debate around safe space rhetoric in academia.

Interestingly, to mark 100 years after Rhodes' death, the Rhodes Trust approached Nelson Mandela to help the trust's efforts to provide academic scholarships for poor South Africans. Mandela agreed, and when he visited the Rhodes' house and was asked to take a photograph with a portrait of Cecil Rhodes, he did so, but not before he wagged his finger and said, 'Cecil, now you and I are going to work together' (Moore, 2015). This incident, coupled with Mandela's response to the Rhodes Trust, has always stayed with me and means more now than it ever did. As a Black British educator who teaches in an environment where I continuously examine my safety, Mandela's gentlemanly conduct in a discriminatory society informs even the ways that I navigate academia. In this chapter, I will explore how the Rhodes–Mandela incident illustrates an aspect of Madiba's complexity and depth that is exceptionally relevant for educators in an age when safe space rhetoric is prevalent.

Separated into four sections, this chapter will primarily explore Nelson Mandela and the safe space debate. Chiefly, I succinctly reflect on Cecil Rhodes' legacy to lay the groundwork for this chapter. Then, I will explore the unrest that ensued as a result of the memorialization of Rhodes on university campuses. Then I will introduce and explore Mandela's decision to work with the Rhodes trust, despite being aware of Rhodes' problematic legacy. I will then examine where Mandela's actions situate him in the safe space debate. Finally, towards the end of the chapter, I will wrestle with the effectiveness of statue removal or erection as an act of decolonization, while also pointing out what Mandela's willingness to work with the Rhodes Trust may mean for educators today. Ultimately, in this chapter, I inquire: what is the nature of the memorialization of Cecil Rhodes in South Africa? What effect has this memorialization had on the safe space debate? What was the motivation of Mandela to work with the Rhodes' Trust? Where do those actions stand in relation to discussions about safety? In what ways can the removal or erection of a statue be an effective method of decolonization? What lessons, if any, can we learn from Mandela's efforts to work alongside those entangled amongst Rhodes' legacy?

Dangerous Rhodes

After the first Matabele War in 1883, Leander Jameson placed a flagpole in the ground and hoisted the Union Jack. This victory, however, was the result of lies, deceit and betrayal. Jameson was one of Rhodes' men, and they, along with a group of mercenaries and the Maxim gun, defeated Lobengula Khumalo's army in Matabele. When Lobengula, the king of Matabele, authorized the Rudd Concession, he had no idea what the consequences would be. Seeing what the British army had done to Zulus informed Lobengula's decision to first enter into a treaty with Britain, and then agree to the Rudd Concession. In a single year, 1888, Lobengula's decision to grant mining rights to British settlers in exchange for weaponry and money would change the country forever.

In 1871, Rhodes, the son of a clergyman, moved from England to South Africa when he was seventeen and worked on his brother's cotton farm. He soon developed a healthy rapport with the residents and was often ridiculed for his decision to give the labourers who assisted him their wages before they started work. However, Rhodes noticed that the people in the Umkonazi Valley championed trust, and by paying his workers early he ultimately showed them, through this single act, that he could trust them.

When his brother's cotton farm undertaking failed, both Rhodes and his brother decided to move to Kimberly in Northern Cape with the hopes of joining the diamond trade, a move that would eventually pay dividends. After partnering with Diamond syndicate, Rhodes started to dominate the diamond trade, and he soon formed the De Beer Company, a company that would control over ninety percent of the market long after Rhodes had died (*Guardian*, 1902). Rhodes' managed not only to garner the support of the monarchy and the British public, but he also managed to receive help in South Africa as well.

He clearly understood the link between power and politics, and he decided to be an active political participant in 1880. Within ten years, he was the prime minister of the Cape Colony, and he used his political power to displace and disempower Black residents in the region. When he initially participated in the colony's political sphere, Black residents had a considerable amount of power. For instance, they could vote and some could own enterprises that were competitive and occupied significant portions of the labour market. To gain more control and shift the balance of power, Rhodes wanted to develop policies that would restrict Black rights. The trusting teenager who worked on his brother's cotton farm was long gone, and he openly used racist rhetoric to justify his intentions. On 23 June 1887, during the second reading of the Parliamentary Registration Bill, Rhodes stood before his constituents and offered his policies on native affairs. Rhodes stated:

> Treat the natives as a subject people as long as they continue in a state of barbarism and communal tenure; be the lords over them, and let them be a subject race, and keep the liquor from them. If the honourable member for the Grahamstown was not utterly demoralized by the promises held out to him by Government, he would stick to his motion for the retention and extension of the liquor areas; and I would be with him. The native is to be treated as a child and denied the franchise; he is to be denied liquor also; and upon the principle of the honourable member for Stellenbosch himself, I call on him to go with me in this, and I appeal to the honourable member for Grahamstown not to withdraw that motion. (Vindex, 1900, 159)

Here, Rhodes does not dilute his views about Black residents in the Cape Colony, and his words provide insight into the mind of who established the Glen Grey Act, an Act that would displace many Black families in the area. His emphasis upon preventing Blacks from consuming liquor was not made because he was concerned about the health of Black people. Instead, he wanted to 'keep the liquor from them' because he wanted to preserve the corporal Black body for

labour. His rhetoric is reminiscent of Stephen A. Douglas when he ran against Abraham Lincoln for a seat in the US Senate in 1858. Douglas argued:

> For one, I am opposed to negro citizenship in any and every form. I believe this government was made on the White basis. I believe it was made by White men, for the benefit of White men and their posterity forever, and I am in favour of confining citizenship to White men, men of European birth and descent, instead of conferring it upon negroes, Indians, and other inferior race. (Political Rhetoric Archive, n.d.)

The likeness is striking and equally as striking is that Rhodes had come from a country that had outlawed slavery in 1807 and whose Navy were freeing slaves in the Atlantic. Douglas' words come from an American who lived in a nation where chattel slavery was central to their labour force. Though almost a decade apart, both accounts endorse White supremacy.

Rhodes used Social Darwinism to support his racist agenda. He proposed that Whites were the master race, especially those who were from Britain. This, according to Rhodes, was a result of evolution. More clearly, Rhodes believed that Whites had evolved into the dominant race, and Rhodes used this belief to justify controlling and displacing Black people (Gross, 1966, 61). He believed that Black people's sole purpose was to power the labour force of the Cape Colony. As a result, he established legislature such as the Glen Grey Act to create an unyielding racial hierarchy.

Rhodes, as he had done in the diamond trade, began to gain more control politically. Nonetheless, his political success was not enough to satisfy his appetite for power. He turned his sights to Matabele in an attempt to expand the territory that he oversaw. Rhodes decided that he would be able to capture Matabele if he could gain Lobengula's trust. He decided to send one of his companions, Jameson, who had developed a positive relationship with Matabele's leader. Jameson was accompanied by several of Rhodes' agents and John Smith Moffat. Rhodes sent Moffat because he believed that Moffat's reputation, as a missionary and David Livingstone's brother-in-law, would make it easier to secure Lobengula's trust. Moreover, John Moffat was the son of Robert Moffat, and Robert Moffat had signed an earlier friendship treaty in 1836 that allowed White settlers to live in Zimbabwean district. Rhodes suspected that this would also bring Lobengula some reassurance.

After some hesitancy, Lobengula agreed to meet with Rhodes' representatives and he eventually signed a treaty with Great Britain. The treaty is often referred to as the second Moffat treaty, and it gave more power to British settlers.

Frustrated with the Gobler Treaty of 1887 that was made between Lobengula's people and the Boers, Lobengula gave exclusive rights to the British in exchange for protection from the British Empire. Rhodes then used the treaty to receive more support from the British government and eventually formed the British South Africa Company (BSAC). Despite the objections of many, Rhodes' company received a Royal Charter. With the support of the British government, Rhodes eventually overthrew Lobengula. The Royal Charter gave Rhodes access to advanced weaponry; he used the Maxim gun to defeat Lobengula's military. Rhodes named his newly acquired territory after himself; Southern Rhodesia.

Rhodes' victory filled John Moffat with great regret. He didn't foresee the bloodshed that took place in Matabele. At this point, he realized that he, along with his name, had been used to swindle Lobengula and he was disgusted by the way Rhodes paraded around after the battle. However, he remarked, 'I suppose there will be a crash someday … and men will suddenly recollect that there is still such a thing as justice even to niggers' (Moffat, 1969, 279). His use of the racial epithet is disturbing, especially, when considering his background; however, his prediction is very intriguing. It was as if he knew that there was something to come for Rhodes.

Memorializing Rhodes and the Safe Space Debate

Rhodes' legacy is problematic; some hail him for all of his imperialist achievements, whilst others are reminded of the ways that he exploited people whenever they hear his name (Roberts and Radziwill, 1969, 1). Although views about Rhodes during and after his life were mixed, monuments were erected to honor him, especially in South Africa. There is the memorial built by Herbert Baker in 1912 that overlooked Rosebank, inaugurated ten years after Rhodes' death. The architect was also responsible for an earlier bronze statue that stands outside of the Iziko South African Museum. In 1934, close to the Rhodes memorial, another statue was erected, this time it stood on one of the university's rugby fields. The statue is a depiction of Rhodes sitting, with his chin resting on his right palm, looking out over the field.

However, South Africa wasn't the only country where Rhodes was memorialized. As Rhodes was born in England and maintained a strong relationship with Britain when he moved to South Africa, monuments memorializing him can be found in Britain as well. After leaving Oriel College a generous donation in his will, the college built the Rhodes building. The building

included a tall statue of Rhodes with the words 'E Larga MVNnIFICENTIA CAECILII RHODES' (by means of the generous munificence of Cecil Rhodes). Another memorial was also erected on King Edward Street. The plaque reads 'This memorial is erected by Alfred Mosely in recognition of the great services rendered by Cecil Rhodes to his country'. His birthplace, in Bishop's Stortford and a part of the town's museum, has also been recognized with a plaque. Engraved on the plaque are the words 'The Right Honorable, Cecil Rhodes, The Founder OF Rhodesia, was born In The Room Within July 5th 1853'.

These efforts to memorialize or monumentalize Rhodes angered many who felt that his imperialist actions should not be celebrated. In 2015, protests calling for the removal of the Rhodes statue had reached its height. The protesters formed a movement known to many as 'Rhodes Must Fall'. As a result of some of the protests, the statue had been vandalized several times with paint, graffiti, and excrement. One protester wrote 'Fuck Your Dream of Empire'. The student protests caught the attention of the university, and the university's administration eventually agreed to remove the statue from the fields.

On 9 March, 2016, about one hundred students gathered in protest under the Cecil Rhodes statue on Oxford University's campus. Following the South African students' lead, Oxford students congregated near Oriel College and attempted to draw attention to Oxford University's imperialist past. Moreover, the student protesters were calling for the removal of the Rhodes statue, perceiving it as a disturbing marker of the academic institution's affiliation with colonialism and racial discrimination. However, the students on Oxford University's campus were not as successful as the protesters in Cape Town. Oxford University's administration refused to remove the statue from its campus, explaining that there are many students both past and present who would like the statue to remain erect. Some suspected that the sizable financial contribution that Rhodes had made to the university, and continued to make through the Rhodes' scholarship, also played a role in their decision. However, interestingly, the college contacted the city council about the bust in King Edward Street because the university found Alfred Mosely's adoration for Rhodes beneath the bust problematic.

Indeed, Rhodes' legacy has been a problematic one. Some uphold him for his imperial ambition while others despise him for the very same thing. Undoubtedly, Rhodes used fraudulent methods to overthrow African leaders in South Africa. It is difficult to celebrate Rhodes in the face of what he did to the King of Matabele. But this was only one of the things that Rhodes did to expand and develop British colonies in South Africa. Although some were grateful for aspects of British culture that Rhodes brought to South Africa, many were, and

still are, disturbed by the methods that Rhodes employed to expand British colonies. Ultimately, Rhodes wanted to build a railroad from Cairo to Cape Town. That dream, however, never became a reality for Rhodes. The railroad was important to Rhodes because it would have made trade and commerce easier, especially with the United Kingdom. His methods were questionable and eventually challenged. Despite his company, BSAC, receiving a Royal Charter as a result of Queen Victoria's fondness of Rhodes, many perceived Rhodes' actions as questionable, and many people from younger generations perceive celebrating Rhodes as an act of 'disillusionment'.

Mandela and the Rhodes Trust

For some, it might be difficult to understand why Mandela agreed to work alongside the Rhodes' Trust, as there are distinct differences between the two. Rhodes in many ways is the last major imperialist that colonized significant amounts of South Africa. He used deceptive schemes and violence to displace many tribes in South Africa. Mandela, on the other hand, seems to be on the other end of the spectrum. Whereas Rhodes' efforts established strong colonial roots in South Africa, Mandela spent most of his life trying to dig up the roots that European imperialists, such as Rhodes, planted.

The finger-wagging incident is primarily bewildering because many cannot comprehend why Mandela would work with affiliates who brought so much turmoil to South Africa. Also, one could perceive the foundation's decision to approach Mandela as a manipulative move. Mandela never approached the Rhodes' Trust; they approached him. Moreover, when we consider Rhodes' perception of Black people in South Africa, it is plausible to conclude that Rhodes never intended for Black people to be the recipients of his scholarship. He openly stated that he wanted to use Black people to sustain South Africa's labour force. This was the ultimate reason behind Rhodes wanting to prohibit alcohol from Black communities. It had little to do with caring about their wellbeing and more to do with keeping them healthy so that they could work. If Mandela and Rhodes lived at the same time, one could be fairly certain that Rhodes would have treated Mandela poorly. This also problematizes the Trust's decision to approach Mandela.

Equally as problematic is the Trust's request for Mandela to be photographed next to Rhodes' picture. Mandela wasn't moved to be photographed next to Rhodes. This request may also be deemed as deceptive and manipulative, using

Mandela's image to cleanse their own. It seems as if his agreement to aid the Trust was not enough for those from the Trust who asked Mandela to take that photograph that day. Crucially, perhaps if Rhodes were alive, he would have declined to take a picture with a man who decided to push back against the legacy he left behind; perhaps he would have been angered by Mandela's attempt to eradicate the fruits of White supremacy from South African colonies.

Thus, with Rhodes' past in mind, it is indeed understandable why many would find it difficult to comprehend why Mandela agreed to work alongside the Rhodes Trust. However, there are perhaps two clear answers to this quandary. Firstly, Mandela greatly valued his education, and his passion for education was evident throughout his entire life. Mandela witnessed firsthand how education was used to reinforce the racial hierarchy in South Africa. Education was often used as a tool to exclude groups from positions of power. However, Mandela managed to gain adequate access to learning from a young age. He attended school in Qunu and went on to Clarkebury Boarding Institute. Once he finished his primary and secondary education, Mandela attended the University of Fort Hare, a predominantly Black institution, where he would eventually receive a degree.

However, Mandela's education was not without obstacles. When he was pursuing his degree at the University of Fort Hare, he stopped attending for a significant amount of time after protesting some of the university's policies. Nonetheless, it was during his pursuit of an LLB at Witwastersrand (Wits) that Mandela would face one of the most significant obstacles in his academic career. Unlike the University of Fort Hare, Witwatersrand was a predominantly White school, and Mandela was the first Black student to enroll in their LLB program. Being the only Black person in a law program may not necessarily mean that an individual will be subjected to significant amounts of racism. However, for Mandela, it did. In Mandela's notable Wits University class photograph, a young Mandela stands on the back row with another student of colour. More could be made of his position in the picture when we consider the relationship that Mandela had with some of his instructors. Standing in the first row of the photograph is Herman Robert Halho, one of Mandela's instructors. On one occasion, in an effort to dissuade Mandela from pursuing his LLB, he explicitly informed Mandela that 'law was a social science and that women and Africans were not disciplined enough to master its intricacies' (Mandela, 1995, 78). Learning in an environment with instructors who viewed women and Africans in this way must have created a barrier that Mandela had

to overcome. But even his instructor's views pale in comparison to some of the other obstacles that he faced.

After failing his exams, Mandela would leave Wits University in 1952, and within ten years, he was arrested for treason through the Suppression of Communism Act. He would also, while in prison, make several attempts to pass his LLB at Wits University. Significantly, as Mandela attempted to retake exams for the degree, the instructor, who once told Mandela that the degree was not for Africans and women, was overseeing the department. Perhaps Mandela struggled with the course material, but the systemic racism that was prevalent at the university did create issues for a young Mandela. As well as Halho overseeing the program, governmental officials used the apartheid to make it harder for Mandela to access resources. After failing his exams several times at Wits, Mandela attempted his LLB at the University of London.

After the tribulations of the Treason Trial ended, Mandela's charges were elevated after South African law enforcement raided an ANC base. He would be eventually sent to Robben Island to serve life in prison. However, despite the changing charges against Mandela, he continued to pursue his LLB at the University of London. For Mandela, studying for his exams before he was sentenced helped him to escape his reality. He recalls that it was a way to 'prevent him from thinking negatively' despite the long prison sentence that awaited (Mandela, 1995, 358). The wardens heckled Mandela for studying for exams during his trial, declaring that he 'would not need a law degree' for prison (Mandela, 1995, 358). However, taking his examinations was for Mandela about survival.

Although he passed some of his exams at the University of London, studying in prison became increasingly difficult for Mandela. Books were often difficult to access. In Mandela's autobiography, he explains that the 'remoteness of the island,' coupled with the spite of those working at the prison, made it very difficult for him to access the correct reading material. Sometimes the books that Mandela requested would take so long to arrive that by the time they reached the prison, their borrowing date had already expired. Ultimately, this made studying for his LLB very difficult.

To make matters worse, those who ran the prison took issue with the sort of books that Mandela was reading. Mandela recalls that pursuing his education at a British academic institution had positive and negative consequences for him. On the one hand, he was exposed to 'the sorts of stimulating books that would not have been on a South African reading list' (Mandela, 1995, 398). However,

many of the books were banned by South African authorities who deemed them unsuitable reading material. According to those who oversaw the prison, those books were not on South African university reading lists for a reason, and they did not want to give such a high-profile prisoner access to books that contained ideas that threatened and undermined the South African government.

But Mandela's woes did not end there, and after the Rivonia Trial that began in 1963, Mandela's studying privileges were revoked for several years when prison staff discovered that Mandela was writing a book about his life. This discovery would eventually mean that Mandela would be prohibited from completing his LLB at the University of London. This banning, however, did not dissuade Mandela from pursuing an LLB, and he lightly reflects on having his studying rights taken away in his autobiography. Mandela reflects 'I had started studying for the LL.B. during the Rivonia Trial and the suspension of study privileges for four years would undoubtedly assure me of the university record for the most number of years pursuing that degree' (Mandela, 1995, 478). Here we witness Mandela's resolve, as suspending his studies is not enough to deter him from his education.

Mandela's remarkable determination would be the very thing that prevented him from suffering from the psychological effects that many incur when they are incarcerated. The labour and psychological warfare that the wardens on Robben Island subjected their prisoners to was not enough to unsettle Mandela. His education played a significant role in preserving Mandela's sanity, and it appeared that none of the restrictions or suspensions that were placed on Mandela would ever prevent him from learning. As well as pursuing his degree, Mandela also was secretly writing his autobiography in prison. This, like the pursuit of LLB, was not without its obstacle, as the wardens punished him when they discovered that he was writing a book. However, Mandela was eventually able to complete the book chronicling his life, and he secretly sent the manuscript to London where it would be eventually published.

Mandela's life displayed his love, passion and pursuit of education. He showed incredible resolve to learn, especially when he was in prison. There was no punishment severe enough to prevent Mandela from studying, and in 1989, after forty-six years, he was eventually awarded an LLB from the University of South Africa. However, Mandela pursued education not solely for personal development purposes; he believed that education had this transformative quality that could significantly improve the quality of life in South Africa. He believed that it was powerful enough to reverse the ills laid by the apartheid. Mandela writes 'No one is born hating another person because of the colour

of his skin, or his background, or his religion. People must learn to hate, and if they can learn to hate, they can be taught to love' (Mandela, 1995, 615). For Mandela, the systemic racism in South Africa had learning at its core. Mandela is suggesting here that through teaching people could learn to be more accepting. He displayed similar sentiment on 22 November 1997 when, during a public address at the Presidential and Premier Education Awards, Mandela declares:

> The power of education extends beyond the development of skills we need for economic success. It can contribute to nation-building and reconciliation. Our previous system emphasized the physical and other differences of South Africans with devastating effects. We are steadily but surely introducing education that enables our children to exploit their similarities and common goals, while appreciating the strength in their diversity. We need to educate our young people to become adults who cherish the values of respect for women and children proclaimed in the National Men's March today.

Thus, for Mandela, education was central not only for his own life but it was also a part of the reconciliatory vision that he possessed for the country. According to Mandela, education was responsible for the racial hierarchy in South Africa, but it could also be responsible for tearing that hierarchy down.

Such a perspective on education might be too lofty or hopeful for some, but this perspective, nonetheless, occupied such a large part of Mandela's vision. The importance that Mandela placed on education, then, makes it no surprise why he was prepared to perhaps overlook Rhodes past to offer scholarships to those from impoverished backgrounds. When you consider the obstacles that he faced both before and during his prison sentence, the finger-wagging, the agreement to take a picture next to a photograph of Rhodes may seem rather small next to the forty-six years that it took for him to complete his LLB or his determination to continue his studies even after having his studies suspended. Once released, Mandela could have loosened his grip on education because it was undoubtedly a mode to survive psychologically in prison. However, it was much more to him. It was a part of his vision and a vital part of human development.

The other factor that makes Mandela's actions easy to understand is his radical ability to forgive. Forgiveness is an arduous work, much harder than violence or revenge. Mandela demonstrated radical forgiveness on so many levels, and I've always found his ability to forgive to be profound; there was profundity in the ways that he forgave. The forgiveness that he demonstrated towards those who imprisoned him for twenty-seven and a half years captures the scope of his radical forgiveness. Mandela actively tried to develop relationships with the

prison guards and warders. In *Long Walk to Freedom* (1995), Mandela writes, 'Men like Swart, Gregory, Warrant Officer Brand reinforced my belief in the essential humanity even of those who had kept me behind bars' (Mandela, 1995, 552). It would seem warranted to some to seek revenge after being imprisoned for twenty-seven years, but when he was eventually elected to be the president of South Africa, he wanted to work with those who had imprisoned him. He believed that he would only be free when everybody else was.

What Mandela was attempting to rebuild was the relationships between White and Black South Africans. Surprisingly, he made an appearance during a South African rugby match in the World Cup. He went to watch the very sport that colonialism had shaped in his country and that was very racialized in South Africa. Nonetheless, in an effort to develop solidarity between Whites and Blacks, he showed up and supported the South African team during the game, and this act meant a lot to many of the players, and many of them were overwhelmed at the sight of Madiba wearing a South African rugby shirt and baseball cap. Mandela's forgiveness might be considered as strategic at times, but ultimately, it was very powerful.

His courageous ability to forgive inspires many and has encouraged many. The Truth and Reconciliation Commission seems to exist only as a result of Mandela's ability to forgive. Mandela was willing to forgive but not forget. He wanted people who 'violated' during apartheid to come forward, but he also wanted perpetrators to give their testimony and come forward as well. This, to me, is both terrifying and perhaps one of the only ways that restoration can be achieved. It isn't only about forgiveness, but it is important to address and confess what needs to be forgiven. This seems very difficult in America. It seems difficult for people in that country to forgive and to acknowledge what precisely what is being forgiven. There isn't a monumentalization of a difficult past like we see in Germany.

Although for some, Mandela's decision to work with the Rhodes Trust may never be excusable, his ability to forgive along with the importance that he placed on education makes it easier to understand why Mandela agreed to work with the Rhodes' foundation. Education, for Mandela, was transformative, and if he could improve the education of poorer South Africans, regardless of where the funding came from, he would be prepared to work with the very people who were responsible for, or in some way entangled with, South Africa's imperialist legacy. As mentioned previously, this willingness (along with his ability to forgive) is evident in his relationship with those who imprisoned him. His relationship with Christo Brand, a prison guard on Robben Island, is demonstrative of

Mandela's radical forgiveness. While in prison, Mandela became good friends with the young warden, then eighteen. Brand showed clear signs that he supported the apartheid, but Mandela made a significant impression on the young warden, and he marvelled at the way that Mandela treated him, so much so that the warden became friends with Mandela and would smuggle food into the prison for him. Moreover, Mandela stressed the importance of education to Brand. Brand recollects that Mandela sent a letter to his wife encouraging him to continue with his education. After Mandela was released, he awarded Brand's son a scholarship from his own education trust. The bursary was originally to study engineering, but when his son explained to his father that he wanted to be a diver, Mandela allowed him to use the bursary for diving, explaining to Brand that it is important to follow his son's wishes. This act demonstrates Mandela's ability to forgive while also showing his commitment to education. These acts also served to underscore the shortcomings of apartheid.

Although Brand was holding Mandela captive, he encouraged him to educate himself. Mandela was not dissuaded by Brand's initial pro-apartheid views; he continued to develop a relationship with him and didn't want Brand to stop learning. Moreover, by offering Brand's son a scholarship, we witness the extent of Mandela's level of forgiveness and commitment on the other end of the spectrum. More clearly, in his partnership with Rhodes, we see him partnering with a Trust connected with imperialism to provide scholarships for people of colour. On the other hand, in his relationship with Brand, we see a post-apartheid Trust assisting a family that benefitted from apartheid. In both cases, Mandela's radical forgiveness is central. If Mandela was capable of offering a scholarship to the son of a warden on Robben's Island, working with the Rhodes' Trust does not seem beyond Mandela's actions.

Mandela is such a significant figure in South African history that it is imperative to consider, or even situate him when we consider discussions about safety. In many ways, he is a forgotten piece in this debate, but it is important to recognize him, given his willingness to work with Rhodes' Trust and the centrality of Rhodes in the safe space debate. It is difficult to know what Mandela's stance on safety or monument removal would have been. However, both of these things didn't seem like priorities to him. His position on safety seems strikingly different from the ways that it is defined and used in the safe space debate. Mandela disregarded his safety for the equality of his people. This was as true for Mandela as a young student as it was for Mandela on Robben Island. During his time at Fort Hare, Mandela shows us the lengths that he is prepared to go when he disagreed with the ways that he and his peers are

being treated. Even at a predominantly Black school, Mandela was prepared to challenge the administrators because he disagreed with the institution's policies. Unafraid by the threat of suspension, he was prepared to risk his studies to improve the lives of his peers. This commitment to the quality of people's lives is evident throughout Mandela's life, and sometimes, he sacrificed his education to focus on equity.

Mandela was prepared to make sacrifices even if it meant risking his life. At the end of the Rivonia Trial, Mandela declares:

> During my lifetime I have dedicated myself to this struggle of the African people. I have fought against White domination, and I have fought against Black domination. I have cherished the ideal of a democratic and free society in which all persons live together in harmony and with equal opportunities. It is an ideal which I hope to live for and to achieve. But if needs be, it is an ideal for which I am prepared to die. (Mandela, 1995, 354)

Here, Mandela shows us the lengths that he is prepared to go to achieve a 'free society'. Safety doesn't appear as necessary to Mandela, even as he is being sentenced during the Rivonia Trial. In other words, Mandela doesn't value safety as much as he values democracy and equality, and in order to preserve these sorts of societal ideals he was prepared to die for them.

Perhaps the vandalism of a Mahatma Gandhi statue provides the most insight into how Mandela would have viewed the safe space debate. A bronze Gandhi statue that was erected in Johannesburg in 2003 celebrating the twenty years that he resided in the country was vandalized by Moslese Maile. The twenty-one-year-old threw paint across the statue during a protest in which a sizable group was chanting 'Gandhi must fall'. The statue had caused a stir before because many believed that Gandhi should not be granted a statue. Although Gandhi had resided in South Africa and was a pivotal figure in India's fight for independence from Britain, Gandhi has been accused of endorsing the caste system in India. Moreover, critics also cite Gandhi's use of 'Kaffirs' in his early writings. The term is a racial epithet, used to demean Black people. There were several instances in his writings when he strategically juxtaposed Indians and Africans in order to improve the rights of Indians people. In one of his early writings, Gandhi writes, 'Ours is one continual struggle against a degradation sought to be inflicted upon us by the Europeans, who desire to degrade us to the level of the raw kaffir whose occupation is hunting, and whose sole ambition is to collect a certain number of cattle to buy a wife with and then pass his life in indolence and nakedness' (Gandhi, 1958).

It was passages like this that caused people to object to the placement of Gandhi's statue in Johannesburg.

The statue in Johannesburg was not the only statue that people objected to. In 2016, a statue of Gandhi was placed on the University of Ghana campus in June. By September, faculty members had started a petition, calling for the removal of the statue, and soon after, the Ghanian government agreed to remove it. The protestors in Johannesburg, however, were not as successful as those in Ghana, and Maile was sent to court. Interestingly, many of the protestors were wearing ANC caps, and after the incident, the ANC made it clear that they had nothing to do with the incident. The ANC's decision to distance itself from the vandalism possibly provides insight into Mandela's views on the racist statue must go movement that stemmed from the protests of the Rhodes statue on the UCT's campus. Perhaps Mandela would have taken a similar stance.

Mandela didn't show any disdain for Gandhi during his lifetime, and he even noted that Gandhi and some of his followers openly helped Africans in South Africa. Critics have also noted Gandhi's influence on Mandela and those fighting for the rights of people of colour in Africa. Mandela was attracted to the non-violent methods that Gandhi employed when he was fighting for India's independence from Britain, and some of the methods that Mandela used once he was released from prison reflect Gandhi's. It is highly likely that Mandela was aware of some of the disparaging comments that Gandhi had made about 'kaffirs.' However, he never condemned him publicly. Perhaps Mandela's feelings towards Gandhi were like Ghana's foreign secretary. After the petition calling for the removal of the statue in Ghana, a statement coming from the foreign secretary read, 'While acknowledging that, human as he was, Mahatma Gandhi may have had his flaws, we must remember that people evolve'. The Ghanaian government decided to relocate the statue to avoid any risk of damage to the statue and felt that the protestors should pay attention to Gandhi's development over the course of his life.

However, perhaps the most significant thing that provides an idea of Mandela's views on removing monuments comes from his silence. During his life, Mandela never called for the removal of any statues, and these statues were not all erected after his death. Most of the statues were erected during his lifetime. Even some of the disputes that took place, like the dispute that took place when the Gandhi statue was initially placed in Johannesburg, occurred during Mandela's lifetime, and he did very little and even praised Gandhi. The bond between Mandela and Gandhi was truly cemented in 1999 when Mandela was awarded The Gandhi/

King Award for Non-violence. The award was presented by Ela Gandhi, Gandhi's granddaughter. When she introduced him, she said that Mandela was 'the man who completed the anti-colonial movement began by Mahatma Gandhi'. She also referred to him as the living legacy of her grandfather. There were other occasions when individuals publicly linked Mandela's achievements with Gandhi's, and Mandela never objected. Thus, he probably wouldn't have called for the removal of Gandhi's statue, and although he would have probably supported students' right to protest, he may have disagreed with the statues that they were trying to remove. Perhaps he would argue that there were things that were more important that would need to be removed, especially since South Africa is still riddled with problems.

Dead End?

When the safe space debate is considered, monumentalization and memorialization seem to be central components. Specifically, the removal of statues appears central to discussions around and protests for safe spaces, especially when it comes to higher education. As discussed earlier, the Rhodes Must Fall movement has become a reference point for those who support and those who abhor the concept of safe space. In some way, protestors, like the faculty in Ghana or students in Cape Town, consider statue removal as a form of decolonization. In other words, they believe that by somehow removing a statue, they are essentially uprooting portions of the hierarchy created by colonialism or imperialism. In some cases, protestors haven't called for complete removal or for a statue to be demolished. Some demonstrators have merely asked for statues to be moved, like the students in Cape Town. Some asked that the statue be moved to a museum, like Bristol's Edward Colston statue. When the foreign secretary responded to the petition calling for Gandhi's statue to be removed, the letter explained that the government would agree to remove it but would agree to move it to an, ironically, 'safer location'.

Before calling into question the effectiveness of statue removal, perhaps one will question what it means to call for a statue's relocation. In short, does moving a statue from one location to the next provide a sufficient solution for protestors? Those who call for statue relocation often cite the importance of history being remembered, thus would consider the relocation of the Rhodes statue to a museum to be sufficient because there it will be remembered. However, why is it okay in a museum perhaps only miles away from the university like the

Rhodes memorial but not okay on the UCT's rugby field? Wouldn't its role as a memory wrapped in bronze work just as well there? The faculty members at the University of Ghana suggested the statue be removed from the campus because 'it is better to stand up for our dignity than to kowtow to the wishes of a burgeoning Eurasian super power' (Parmar, 2016). In other words, they considered their petition as an act of dignity, a way of fighting back, fighting back against Europe and India.

The faculty at the University of Ghana went one step further, however, calling for the statue not only to be removed, but they also called for it to be replaced. The petition demanded that the Gandhi statue be replaced with important African figures. Thus, as well as relocation, replacement is a significant issue here. More clearly, what might be useful to think about is whether or not statues can be replaced with a statue that individuals perceive as more important or heroic to fight for, to borrow from the faculty's petition, 'dignity'. Will replacing a Rhodes statue with a Mandela statue, for example, make the university somehow safer? Perhaps facing such a question is terrifying in and of itself.

Questions like these force us to look at, think about and grapple with the question that lies at the core of protests calling for statue removal: in what ways can the removal, relocation, or erection of a statue be an effective method of decolonization? Answering this question is both difficult and frightening. What if statue removal doesn't provide us with the solutions that we think it will? Are there other issues that need to be tended to before we start removing statues? Though important, could removing statues be what protestors should aim to do last? Could statue removal be the icing on the cake as it were? Or perhaps is it an appropriate first move, a way of laying a new foundation for the future?

The answers to these questions lay in the progress, if any, that has taken place in South Africa. More clearly, if statue removal is considered as a useful measure to decolonize a space, then there should be other signs of progress within that space after a statue has been removed. In the case of the UCT, there have been notable signs of improvement if we take diversity as a marker of success. UCT's growth in this area has been noted. Firstly, it was often referred to as 'Moscow on the Hill' for its strong stance against apartheid. Secondly, it has managed to successfully diversify its student population. In the early part of the twentieth century, UCT started to admit Black students. However, these groups remained small up until the end of the twentieth century when there were almost as many Black students as there were White students who attended the university. If diversity is the barometer for decolonization in South Africa, then UCT has successfully managed to loosen colonialism's grip on the academic institution.

However, it would be erroneous to solely look at the figures to determine whether UCT is managing to weed out the deep roots that colonialism has left behind in South Africa. The amount of students of colour on the university's campus perhaps only tells a small portion of the story. The rest of the story could lie elsewhere, in places such as the curriculum, support services, or even tuition fees. If one shines a light, on some of these other areas, they will discover that those roots of colonialism are far from gone. At a similar time that the Rhodes statue protests occurred, a #Feesmustfall movement also started, and this movement called for the lowering of tuition fees. The rally began at Wits University (the university that Mandela attended), but UCT students also protested. Many protestors involved in this movement thought the high tuition fees were a product of colonialism and were another way of keeping South Africa's racial hierarchy in place. Interestingly, the protestors from the Rhodes Must Fall movement helped the students involved from Fees Must Fall to occupy buildings at Wits University. Although the demonstrators managed to secure a bursary for poorer students in 2016, the protests led to Sharpeville Massacre-like tensions between students and police, tensions that reminded us of South Africa *during* the apartheid.

Receiving a bursary or diversifying a student population may not be enough, though, and strikingly, UCT administrators have given us that impression. After the student-led protests at UCT, then vice-chancellor, Max Price, oversaw a report that cited student concerns. Price and his task force aimed to use the concerns that students raised to improve, and in some ways decolonize, the institution's environment. The issues that the students raised, however, are deep-rooted and, unlike the Rhodes Statues, may take longer to remove. Students cited that the Eurocentric curriculum caused significant problems. Price's report states 'In the arts curriculum … African genres and art forms occupied a fringe status in the curriculum, while the Global North was reflected powerfully in how texts, scripts and bodies of knowledge were selected and enacted. Students expressed the need to transcend Eurocentric theorizing and locate themselves in a national and regional context that centres African knowledge and practices'. Students also felt there were problems outside of the classroom as well, explaining to Price's team that Black students would often be mistaken for janitors. These issues illustrate that racism and colonialism still haunt UCT's campus despite students' efforts in both the Rhodes Must Fall and Fees Must Fall movements.

Nonetheless, what happens beyond the classroom walls is just as important as students who attend schools such as UCT do not live in isolation. They are impacted by South African society before, during, and after their enrollment

at the university. One thing that is strikingly clear is that the remnants of colonialism are still very visible in South African society. There is still undefiled violence, racism, xenophobia, and Afrophobia, and these issues run deep and are violently entangled with colonialism's bitter legacy. South Africa's finance is probably the easiest way to understand how apartheid, in many ways, amplified the disparities between the have and have nots, disparities that intersect with race. Despite South Africa's Black government's wealth, the country's wealth is still dominated by White people, and after apartheid, it was the most affluent who benefited the most. The poorest people in South Africa saw very little change in their lives after apartheid. These clear differences have led to countless problems and probably won't be solved by the removal of a statue or a bursary. Many, including the ANC, are calling for economic equity.

I'm not sure where this leaves us then. It's difficult to quantify the success of movements such as Rhodes Must Fall and protestors who fight for safe spaces when we have not entirely solved the problems that these groups attempt to eradicate. Their actions are admirable as at the centre of their efforts is a will to improve the fabric of our society. Just like Mandela searched for the gold in the wardens who imprisoned him, I am sure he would see the gold in the eyes of the student protestors, and would probably not have to look as hard. Besides, perhaps Mandela felt that signing the Constitution of South Africa on the site where the Sharpeville Massacre took place would be transformative. However, I am not sure how he would evaluate the success of the Rhodes Must Fall protestors. If there's one thing about Mandela, it would be that he was not safe and was prepared to risk his life to better the lives of others. This, at times, gets lost in the T-shirts we make with his name on them, gets lost in the bridges we name after him, and gets lost in the statues that we erect in his name. Perhaps there is more than simply ontological difference in the names Madiba and Mandela. We cannot forget Madiba's death; he was more than a jovial Black man with a nice smile and impressionable voice, more than a face on a mug or a cover on a book. At a point in his life, he was responsible for a wing of the ANC who set off bombs. This part of Mandela seems distinctively different for those who call for safety.

However, Mandela was never stagnant either; he never stood still, always striving for something new. The statues of him that are peppered around the world fail to capture the essence of the man for that very reason; he never stood still. That could be the problems with statues. Perhaps the erection or removal of them does very little because we need to keep moving in order to improve our lives; perhaps death occurs before we stop breathing, perhaps it occurs when we

keep still. When Mandela stood on stage in 2008 before 50,000 people in Hyde Park during his 46664 celebration, he urged the sizable group to keep moving. He said:

> Twenty years ago, London hosted an historic concert which called for our freedom … Your voices carried across the water to inspire us in our prison cells far away. Tonight, we can stand before you free. We are honored to be back in London for this wonderful occasion, celebration. But even as we celebrate let us remind ourselves that our work is far from complete.

While praising the crowd for their support, he also acknowledged that his work was far from complete. He also went on to say 'After nearly 90 years of life, it is time for new hands to lift the burdens. It is in your hands now. I thank you'. Immediately after, he acknowledges that there is more to do, and he passes the burden that he carried for nearly a century to the people before him. Perhaps he knew that he would be dead in five years; perhaps he knew that it was his time to stop moving, and perhaps he always knew that this day would come; perhaps that's why he opted to serve as prime minister for only one term.

I am still not completely sure where Mandela would have stood in debates around safety, but I do know that he was unafraid to look at the world in a way that scares many of us. His ability to radically forgive and his determination to fight for what he believed in are both inspiring and useful for many of us who struggle to meaningfully change systems in which we do not feel safe, as I do, as a Black instructor who taught in America during the Trump administration. Perhaps some opt for safety because it's easier; it's daunting to look at South Africa after the apartheid and still see sizable disparities in wealth and a racial hierarchy that is in many ways colonial. It might be easier to remove a statue than face the current state of post-apartheid South Africa. Perhaps we see this tension in Joshua Nott, a student who accepted a £40,000 scholarship to Oxford after being significantly involved in Rhodes Must Fall protests. If Nott was really wrestling with the weight of Rhodes' legacy, accepting the Rhodes' scholarship would have been harder.

To create change – long-lasting, substantial change – we may need to go beyond the large pieces of stone and bronze used to memorialize our past, for the weight of our pasts often outweigh our statues. Though terrifying, Mandela understood the truth and so did Bongani Mayosi. Mayosi was a successful professor at the UCT. When the protests started in 2015, he joined the students in an attempt to disentangle the matrices of power that had been laid down by colonialism. Over the next three years, those close to him noted that he suffered

from severe depression. On the 27 July 2018, he took his own life; his heart stopped moving.

Bibliography

Blake, Robert. (1997). *A History of Rhodesia*. Alfred A. Knopf, Inc.

Fage, J. D. (1997). *A History of Africa*, 3rd ed. Routledge.

Gandhi. (1958). *The Collected Works of Mahatma Gandhi*. Publications Division, Ministry of Information and Broadcasting, Govt. of India.

Gross, Felix. (1966). *Rhodes of Africa*. Cassell.

Hawksley, Rupert. 'Nelson Mandela Birthday Tribute Concerts: How They Helped Change the World'. *The Telegraph*. www.telegraph.co.uk/news/worldnews/nelson-mandela/10155341/Nelson-Mandela-birthday-tribute-concerts-how-they-helped-change-the-world.html.

Keppel-Jones, Arthur. (1983). *Rhodes and Rhodesia: The White Conquest of Zimbabwe 1884–1902*. McGill-Queen's University Press.

Macupe, Bongekile. (2018). 'Black Students "undervalued" at UCT'. *The Mail & Guardian*. mg.co.za/article/2018-07-13-00-black-students-undervalued-at-uct.

Mandela, Nelson. (1995). *Long Walk to Freedom: The Autobiography of Nelson Mandela*. Back Bay Books.

Moffat, John Smith. (1969). *John Smith Moffat, C.M.G. Missionary; a Memoir*. Negro Universities Press.

Moore, Charles. (2015). 'If Nelson Mandela Could Tolerate Cecil Rhodes, Why Can't Oxford University?' *The Telegraph*. www.telegraph.co.uk/education/universityeducation/universities-and-colleges/12061144/If-Nelson-Mandela-could-tolerate-Cecil-Rhodes-why-cant-Oxford-University.html.

Parkinson, Justin. (2015). 'Why Is Cecil Rhodes Such a Controversial Figure?' *BBC News*. www.bbc.com/news/magazine-32131829.

Parmar, Tekendra. (2016). 'Protesters at University of Ghana Want Gandhi Statue Removed'. *Time*, 23 September 2016. https://time.com/4505357/university-ghana-racist-gandhi-statue.

Political Rhetoric Archive. (n.d.). 'Lincoln-Douglas Debate One (Ottawa); Stephen Douglas Opening Remarks'. politicalrhetoricarchive.wcu.edu/speech/lincoln-douglas-debate-one-ottawa-stephen-douglas-opening-remarks.

UCT News. (2015), 'Reflections on Rhodes: A Story of Time.' www.news.uct.ac.za/article/-2015-03-19-reflections-on-rhodes-a-story-of-time.

Roberts, Brian and Radziwill, Catherine Maria. (1969). *Cecil Rhodes and the Princess*. Hamilton.

Rotberg, Robert I. (1988). *The Founder Cecil Rhodes and the Pursuit of Power*. Oxford University Press.

The Guardian. (1902). https://www.theguardian.com/century/1899-1909/Story/0,,126334,00.html.

Thomas, Anthony. (1996). *Rhodes*. BBC Books.

Vindex. (1900). *Cecil Rhodes, His Political Life and Speeches 1881–1900*. Chapman and Hall.

Walker, Eric A. (1957). *A History of Southern Africa*. Longmans, Green and Co. Ltd.

Conclusion: Mandela a Contextual View

Sifiso Mxolisi Ndlovu and Elizabeth M. Williams

In this concluding chapter we set in broader context the attraction of Mandela's legacy and his thought leadership in particular, which continues to have potency years after his death. Mandela's symbolism, even before death transcended race, significantly for Africans in the diaspora dealing with the stubborn entrenchment of racism in all its multifaceted twenty-first century off-shoots (same common denominator of challenging discriminatory privilege and power), the relevancy of his actions and related life lessons shared never loses relevancy. Whether in traits of the private yet flawed man to be admired, or as spiritual, cultural, legal and ethical inspiration for young and old, facing the challenges of contemporary times, his personhood remains relevant. Adversaries can be found at every stage of life in many forms; it is how the person deals with challenge and setback that defines the human character and captures the attention of observers hungry for hope, inspiration and meaning while navigating the human condition on planet Earth.

As a conclusion to this publication on Rolihlahla, Dalibhunga, Nelson Mandela, we are compelled to answer the question of why are the authors committed to keeping alive the intellectual ideas and the spirit of human solidarity propagated by Mandela in this unjust world wherein the majority of the people, regardless of race, colour or creed, remain poor.[1] The answers are to be found in Mandela's engaging ideas as a thought leader and these ideas are showcased in various forms of intellectual arguments in every chapter of this book.

We must understand Mandela's thought leadership because if we systematically study Rolihlahla Nelson Mandela's everyday life we will realize that he consistently believed that the struggle is not over. This is because, as part of his legacy, he consistently dug deep into the emancipatory spiritual world of

his African ancestors (and the existing ancient pool of knowledge) to discover and consolidate his engaging humanity. As an example, expanding ideas about communalism and collectivism, Mandela rationalized:

> 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 no exploitation of man by man.[2]

In simplistic terms this means that through his ancestral memory, Dalibhunga Mandela acknowledged that Africa had a tradition in which unemployment was unacceptable and land could not be privately owned by an individual or sold. Also, communally owned resources were not for export, but for use in the existing industry, pastoral and agricultural life – involving every living adult in gainful work. It, therefore, meant that shared prosperity, including social justice and social rights, provided the building blocks for communal life and collective responsibility to thrive in ancient African societies or what Mandela refers to as early African societies in his writings. Mandela continued to emphasize this point about freedom, collective governance, democracy and decision making in ancient times:

> 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, Pitso, or Kgotla (or iBhunga), which govern 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 any importance could ever be taken by the tribe without reference to it.[3]

Thus, according to Rolihlahla, Dalibhunga, Nelson Mandela, there was no absolute decision to be adopted when ibhunga convened and discussed, among other matters, legal matters that affected the community at large. Ibhunga as parliament did not consist of the king's blood relations, but rather of people selected based on possessing particular expertise regardless of their class or background. This system of governance was based on the belief in consultation, consensual and collective decision making; compromise was encouraged to address a stalemate. However, in certain circumstances, the devolution of power to members of the council to maintain law and order was open to abuse by powerful members of the council of elders and such abuses usually led to

conflict. But if such a situation arose the matter had to be openly discussed until a consensual solution is reached. Mandela's ancestral memory also included wars of resistance carried out throughout the African continent. Although the apartheid military machinery was strong, and promptly suppressed any sign of resistance, the victory of Menelik II at Adwa during the late nineteenth century remained profound in terms of South Africa's liberation cause.

But when Mandela took power in 1994, new conflicts emerged in the African continent such as the Rwanda genocide of 1994, conflicts in Sierra Leone, Angola, Liberia, Cote d'Ivoire, Ethiopia and Eritrea, the Democratic Republic of the Congo, Zimbabwe, Lesotho, Burundi, Madagascar, Uganda and Sudan. Thus, Mandela's idealist worldview about freedom, collective governance, democracy and decision making in the African continent, which dated back to ancient times, were challenged. That the role of consensual conflict resolution traditions are now downplayed in contemporary African societies is a tribute to the pervasive influence of western values for which what matters are either White or Black conflict situations, without pragmatic grey areas. One is either completely right or wrong, an approach that may be counter-production and unsatisfying for the pragmatic diplomacy of conflict management. These mindless wars lead Africans, specifically the youth, to migrate to other parts of the world in search of a better life. To a large extent, Mandela did adopt pragmatic, consensual diplomacy of conflict management and prevention to broker peace. But Mandela needed extreme patience to adopt this approach as the persistent violence in KwaZulu-Natal drove the myriads of peace-loving and concerned South Africans to a breaking point. This point refutes the attempts in western epistemological discourses aimed at otherizing Africa, as the epicentre of conflict, endemic diseases, unending warfare and primitive, barbarous rituals including religious belief in ancestors. Mandela spearheaded conflict mediation and facilitation to prevent disputes and conflict through preventive diplomacy and negotiations, except in Lesotho where for the first and last time South Africa intervened militarily to roll back *a coup d'etat* in September 1998. He observed the following when accepting the Africa Peace Award on 18 March 1995:

> Last weekend at the United Nations Social Summit, leaders of Southern African states had the opportunity to consult on matters regional. Even in those exalted surroundings of global discourse, the stark reality was obvious to us, that charity begins at home … the fact that there is relative peace and stability is heartening. But we are all too aware that peace is more than just the absence of war. The dark clouds still hovering above our landscape, particularly in Lesotho and Angola,

> are matters of serious concern … One could go further to refer to political conflict in other parts of Africa; or even the deaths, though on a much smaller scale, that continues to plague this province of KwaZulu-Natal … In promoting peace and preventing conflict, South Africa will work hand-in-hand with our neighbours and through multilateral forums such as the SADC and the OAU. In this regard, we welcome and are part of the OAU initiative for an early-warning mechanism and the shift from conflict management to conflict prevention.[4]

To rationalize the fact that he was the first commander of Umkhonto we Sizwe who also supported the liberation movement's turn to the armed struggle, Mandela acknowledged that the Ethiopian victory at Adwa during the late nineteenth century planted the seeds of African nationalism in South Africa; according to him, this victory dispelled the myth that colonial rule in the African continent was invincible. Rolihlahla Mandela did not mine this important African archive solely for the content about the wars of resistance. He was also particularly conscious about the fact that this archive was central as far as the production of knowledge in Africa was concerned. This became evident when he narrated the following about his short trip to Egypt in 1962:

> As a student, I had fantasized about Egypt, the cradle of African civilization … My chief interest was to find out the type of men who founded the high civilisation of olden times that thrived in the Nile Valley as far back as 5000 BC. This was not merely a question of archaeological interest but one of cardinal importance to African thinkers … concerned with the collection of evidence to explore the fictitious claim that civilisation began in Europe and Africans have no rich past that can compete with theirs.[5]

Love Your Bitter Enemy

An important factor that defines the love and hate relationship between the liberation movement and the USA is highlighted by the politics of the Cold War. This is linked to the question of why did the US government officially list Mandela's beloved African National Congress (ANC) as a terrorist organization and also barred ANC leaders such as Nelson Mandela and Oliver Tambo from entering the USA as early as the 1960s. They needed special clearance for them to be able to enter the USA. It is important to belabour the fact that when the government of the USA took this decision against Mandela, it was influenced by the fact that he was a founder member and the first commander of Umkhonto we Sizwe,

its military wing. In addition, the liberation movement had a strong working relationship with the South African Communist Party and the government of the Soviet Union. Mandela's profile was unacceptable to the western powers because to stand up to the might of the apartheid regime which was supplied with military weapons by western superpowers, he underwent military training in Algeria, Morocco and Ethiopia during the early 1960s. This was immediately after the Algerians had waged a successful military resistance and revolution against their French colonial masters – a notable western superpower. Therefore, it became obvious that Mandela would be listed as one of the most dangerous people who should not be granted entry into the United States.

Even though the US government officially took this political stance, it is worth pointing out that through the worldwide Anti-Apartheid Movement the ordinary citizens of the US including various church congregations, civil rights movements, universities, lecturers and students, as activists, supported the liberation struggle in South Africa.[6] Mandela confirmed this important point during his visit to the USA after his release from prison in 1990. He did this by paying homage to the ANC's work in keeping the liberation movement intact by consolidating its harmonious fraternal relationship with a range of anti-apartheid movements, civil society, social movements and non-governmental organizations in the US. This is what he said about the work of Tambo, the then president of the ANC:

> I was tremendously impressed by the warmth [exhibited] by the [American] people towards the African National Congress … I thought that people like Oliver Tambo and … others had done remarkable work in bringing the ANC to the notice of the American people. Because … of the work that had been done by the [ANC, working together with the anti-apartheid movement in America] … people were so aware of who I was. Although it interfered with my [official schedule in the US] … I liked that, you see because it was an expression of warmth, kindness and love [expressed by the American people] … And then the speech by Clinton covered everything, it was global and very brief … He said what was necessary; I admired that.[7]

Mandela expressed these positive views about the American people and President Bill Clinton despite the fact he officially remained classified as a 'dangerous terrorist and communist' by the US. He needed special permission to enter the country even though he was then the state president of a democratic South Africa. The irony was that the leaders of apartheid South Africa were not defined in such terms by the United States even though they committed what

the UN aptly and correctly defined as a crime against humanity. All the authors of this book do not recognize Mandela and the liberation movement he led in South Africa as terrorists. They consider Rolihlahla Nelson Mandela as one of the greatest freedom fighters in the world.

This engaging book, written by scholars, intellectuals and researchers – some of whom form part of the African Diaspora – proves the point that the South African struggle for national liberation captured the hearts, minds and inspired the political actions of the masses across the globe. Through the contributions of Rolihlahla Nelson Mandela, we understand that the South African revolution was an integral part of the African revolution, which is still continuing in various forms. But the African revolution is not homogenous because there exist national and regional specifics, which cannot be ignored, as activism from various parts of the African continent and beyond highlights. When one reads various chapters of this book, it becomes obvious that for this revolution to succeed and sustain itself, the role of human solidarity, understanding of global dynamics, internationalism and intersecting themes, all have a part to play. This is one of the many strengths that flows through the chapters of this book.

Notes

1 See, for example, S. M. Ndlovu, 'Ritual Archives and Ancestral Memory of Nelson Mandela'. In M. E. Sontusa and A. Borah (Eds). (2020). *Imagining Vernacular Histories: Essays in Honor of Toyin Falola*. Rowman & Littlefield, chapter 10; S. M. Ndlovu. (2019). 'Nelson Mandela as the Public Face of the African National Congress and the International Solidarity Movement'. *The Road to Democracy in South Africa, Volume 4, Part 3*. Pan African University Press, chapter 42. Mandela has two official signatures; the one is Nelson Rolihlahla and the other gives Nelson Dalibhunga.

2 N. Mandela. (2003). 'Posterity will Prove that I was Innocent'. In K. Asmal, D. Chidester and W. James. (Eds). *Nelson Mandela: From Freedom to the Future: Tributes and Speeches*. Jonathan Ball Publishers, p. 20.

3 Ibid. The author notes Mandela's use of the term 'tribe' which is ideologically loaded and unacceptable. Also, African societies were not necessarily classless as communities were stratified with kings, queens, commoners, traders, highly skilled ironsmiths and other innovators who spearheaded technological development. As members of umphakathi, they were all represented at iBhunga, Imbizo, or Lekgotla.

4 N. Mandela, 'African Peace'. In Asmal et al., *Nelson Mandela*, p. 540.

5 N. Mandela. (1994). *Long Walk to Freedom: The Autobiography of Nelson Mandela*. Macdonald Purnell, p. 285.

6 W. Minter and S. Hill. (2008). 'Anti-apartheid Solidarity in the United States-South Africa Relations: From Margins to the Mainstream'. In South African Democracy Education Trust (SADET), *The Road to Democracy in South Africa, Volume 3, Part 2*, *International Solidarity*, Unisa Press, chapter 9.

7 K. Asmal, D. Chidester and W. James. (Eds). (2003). *Nelson Mandela: From Freedom to the Future: Tributes and Speeches*, p. 379.

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