History of the FREEDOM CHARTER

At the Cape provincial congress of the African National Congress (ANC) in August 1953, Cape ANC president Professor Z.K. Matthews called for a “national convention at which all groups might be represented to consider our national problems on an all-inclusive basis (to) draw up a Freedom Charter for the democratic South Africa of the future”. Little did he realise that in less than two years, on a dusty playing field on the edge of what is now Soweto, the Congress of the People (CoP) would occur. It was held in an open field owned by a sympathetic Indian congress supporter, in the heart of Kliptown, one of the few areas in the country where Black people could own property in an urban area. In June 1955 over three thousand delegates and observers met to concretise and democratically adopt the Freedom Charter.

ANC president Chief Albert Luthuli urged people to get involved in organising the CoP. He underlined its importance by saying “why will this assembly be significant and unique? Its size, I hope, will make it unique. But above all its multi-racial nature and its noble objectives will make it unique because it will be the first time in the history of our multi-racial nation that its people from all walks of life will meet as equals, irrespective of race, colour and creed, to formulate a Freedom Charter for all people in the country.”

ANC president and thousands of Congress supporters recognised the historic significance of the adoption of the Freedom Charter, they could not know of its future. After inspiring activists through four decades of bitter struggle, the key clauses of the Charter came to guide the delegates of a Constituent Assembly in the drawing up of a new Constitution for a newly democratic, non-racial, non-sexist, free South Africa.

The Congress of the People – 25 June 1955

The CoP was scheduled to begin shortly after lunch on Saturday 25 June 1955. Some of the delegates, like Ellen Lambert, the Transvaal standing member of the outlawed communist party, Eli Weinberg. Prof Z. K. Matthews 1901 – 1968

The CoP started late on Saturday afternoon largely due to the organisers waiting for countrywide delegates to arrive. The proceedings opened with a prayer and the reading of messages from the Indian, Chinese and other progressive governments and organisations. A recorded speech by Chief Albert Luthuli was played to the conference and the Congress then conferred the newly created listwandle/Seaparkon award on Luthuli, Dadoo and Father Trevor Huddleston. The first day ended with the public reading of the draft Freedom Charter. This had to be done largely in the dark, as the conference lights did not function. The second day the delegates had the opportunity to discuss and vote on clauses of the draft Charter by a simple show of hands.

Some people, like “Lion of the East” Gert Sibande, attended the congress in disguise because of banning orders. When Sibande’s turn came to address the crowd he walked up to the podium and removed his disguise, Officers of the South African Police Special Branch at the meeting immediately surrounded him, but they were ordered to step down in order to maintain the peace. The proceedings on the first day of the CoP continued until the evening. Present that day was ANC President General Chief Albert Luthuli, Dr. Dadoo,
The police have seized thousands of the copies of draft charter but they could not touch the charter itself. Its ideas and message were now enshrined in the hearts and minds of the delegates, who would carry it far and wide to the people of South Africa for them to make it their own.”

Nelson Mandela, Walter Sisulu, Moses Kotane and Rusty Bernstein and more than two hundred other key leaders and activists were banned from attending gatherings or participating in liberation organisation and trade union movement activities. Notwithstanding their banings, their leaders played an active role underground in the planning of the CoP. Some like Mandela, Sisulu, Kathrada and Bernstein stood at vantage points around the conference venue and observed and directed operations. There were also a few hundred delegates, many from the Cape, who were stopped at police roadblocks where anyone suspected of going to Kliptown was detained.

As the late afternoon winter sun began fading on Sunday 26 June 1955, and the CoP delegates deliberated on the last clause of the draft Freedom Charter, “there shall be peace and friendship”, the police began moving menacingly in on the gathering and searched the delegates. The organisers sensed growing anger at this provocation and sought to avoid confrontation. Hurriedly the Congress discussed the draft of the last clause and declared the Charter adopted. Then, as one, the delegates stood to close the conference by singing of the Congress anthem Nkosi Sikelelwa Africa.

As the police blocked all the exits, 3000 people waited silently and allowed themselves to be searched, photographed and to have their names and addresses taken. As it grew dark this continued in the light of police hurricane lamps and torches. The last of the delegates was released around 9 o’clock that night. An impressive display of organisation and discipline, the delegates and observers that they had achieved what they set out to do. Delegate and women Congress leader Helen Joseph wrote, “The police have seized thousands of copies of draft charter but they could not touch the charter itself. Its ideas and message were now enshrined in the hearts and minds of the delegates, who would carry it far and wide to the people of South Africa for them to make it their own.”

In June 1955 an announcement was made at the historic Congress of the People that Dadoo, Luthuli and Father Huddleston had been awarded the traditional African decoration of Isitwalandwe-Seaparankoe. Dadoo was banned and imprisoned many times before escaping to Britain in 1960, where he continued his anti-apartheid activities.

Dadoo lived through the 1922 miners’ revolt and passive resistance, and was inspired by Indian nationalism and Gandhi. He became a Marxist, where he became a Marxist activist. In 1936 Dadoo returned to South Africa to finish the national liberation and working class movements in disarray. He then joined the SACP and became a leader within its structures.

Moses M. Kotane (1905 – 1978)

University, SA Communist Party and ANC leader, Kotane combined his Marxist convictions and commitment to the goals of African nationalism through promoting the struggle for equal rights. In 1943 he served on the Atlantic Charter committee to advance African Claims, and in 1946 he was elected to the ANC executive committee, a position he held until he was forced to resign his membership in 1952. Following the 1944 mass strike he spoke out in support of the 1952 Defiance Campaign. He was a Treason Trialist and was banned and imprisoned many times. He had an underground leadership role in the adoption of the Freedom Charter.
7

9 August 1956

156 leaders of the Congress movement are arrested on treason charges. After a 4 year trial they are found not guilty and discharged in March 1961.

1957

South African Women march to the Union Buildings in Pretoria to protest against the pass law, led by Lillian Ngoyi.

5 December 1956

Immorality Amendment Act, Act No 21 of 1950; Amended in 1957 (Act 23) is passed.

break with the past traditions of the South African struggle. This was no longer a civil rights movement seeking to be accommodated in the existing socio-economic and political structures of society. It called for a fundamental restructuring of all aspects of South African society. The CoP had placed the question of social transformation squarely on the agenda of the liberation movement in South Africa. The 1950s became witness to a dramatic change in the intensification of the struggle for freedom among ‘non-White’ South Africans. This was the adoption of militant, mass-based but peaceful campaigns against the Nationalist Party government’s aggressive implementation of its apartheid policies.

Both the CoP and the drawing up of the Freedom Charter were initiated by the ANC-led Congress Alliance. The alliance was established in 1949 when a pact between the ANC and South African Indian Congress (SAIC) was signed. On the eve of the Defiance Campaign in 1953, this was expanded to include the SACPO, the South African Congress of Trade Unions (SACTU), the Federation of South African Women (FEDSAW) and the South African Congress of Democrats (SACOD).

Father Trevor Huddleston (1913 – 1998)

English born, this Anglo priest and human rights campaigner ministered to Black people of Transvaal [now Gauteng] townships between 1943 and 1956. He passionately opposed the forced removals from Sophiatown by writing ‘Naught for your Comfort’ in 1956. At the 1955 Congress of the People at Kliptown, where the Freedom Charter was adopted, Huddleston became the first recipient, along with Luthuli and Dadoo, of the Isitwalandwe/Seaparankoe, the highest award given by the ANC to people who have made an outstanding contribution to the liberation struggle of South Africa. Later, in Britain he chaired the Anti-Apartheid Movement. In 1987 he organised the Marare conference, which brought together leaders of the South African Liberation Movement.

President-General of the ANC from December 1952 until his death in 1967, Christian and recipient of the Nobel Peace Prize in 1960, Luthuli was the most widely known and respected African leader of his era. Over the course of his political career his attitudes grew progressively more militant. His public support for the 1952 Defiance Campaign cost him his chieftainship. In response, Luthuli issued the Road to Freedom is via the Cross, his famous statement of his principles—a belief in non-violence, a conviction that apartheid degrades. He was tried for treason and because of his banning he was unable to attend the 1955 Congress of the People. A speech of his was however read out to an appreciative multitude. After the 1960 Sharpeville emergency Luthuli publicly burnt his pass in Pretoria as part of a defiance campaign.

Chief Albert Luthuli (1898 – 1967)

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A-Pound-a-Day national minimum wage campaign is launched following the 1957 African bus boycott lasting ten weeks is initiated in Johannesburg and Pretoria.

This very nearly resulted in the destruction of the anti-apartheid movement. Organisations hurriedly launched what proved to be ill-prepared sabotage campaigns. This very nearly resulted in the destruction of the anti-apartheid movement.

Following the Sharpeville Massacre in April 1960, and the subsequent banning of the Indian National Congress, it did so by not directly confronting the state but by undertaking painstaking political work, by building non-racial unity and by creating amongst all South Africans an alternative social order to apartheid and racism.

The formal adoption of the Freedom Charter by the ANC in the following year, and the sudden removal of its key leadership from branch activities provided an opportunity for its Africanist wing. It renewed its efforts to disengage the ANC from its non-racial alliance by embarking on a violent anti-Communist, anti-White and anti-Indian campaign.

The biggest crisis facing the entire anti-apartheid movement was yet to come. Following the Sharpeville Massacre in April 1960, and the subsequent banning of many organisations, the liberation movement was forced underground and many organisations hurriedly launched what proved to be ill-prepared sabotage campaigns. This very nearly resulted in the destruction of the anti-apartheid movement.

The treason trialists were accused of being part of a "countrywide conspiracy", inspired by communism, to overthrow the state through violence. The Chief Prosecutor, Crawford Prow, stated that "the essence of the crime of high treason was hostile intent", and said that such intent was evident in the Freedom Charter. He argued that because of the radical social change demanded by the Charter, the Congress alliance would have to violently overthrow the South African state to achieve its aims. Although the Treason Trial provided international publicity for the liberation movement and an opportunity for leaders to confer, it absorbed political energies, disrupted the momentum of popular mobilisation and created a serious power vacuum. Over the next 5 years the Apartheid state tried to prove its case, but eventually it dropped charges against all 156 activists.

The Freedom Charter is adopted by the ANC and its allies. It is the most important political document of the period. It is the first document to envisage a state where all South Africans could live together as equals. The Charter represents the aspirations of a non-racial and non-sexist society and sets out a blueprint for national liberation.

The Freedom Charter, National liberation and the new democracy

The Freedom Charter is a humanitarian document that might well represent the natural reaction and aspirations of 'non-whites' to the harsh conditions in South Africa” - The Crowsns expert witness on Communism at the Treason Trial

The Charter on Trail 1956 - 1961

On the night of the 5th of December 1956 hundreds of police conducted a countrywide crackdown on the Congress Alliance and its members. Leading anti-apartheid activists were arrested, 156 of whom were placed on trial for treason. The Apartheid state viewed the Congress of the People’s Freedom Charter campaign as an act of treason. The treason trialists were accused of being part of a "countrywide conspiracy", inspired by communism, to overthrow the state through violence. The Chief Prosecutor, Crawford Prow, stated that "the essence of the crime of high treason was hostile intent", and said that such intent was evident in the Freedom Charter. He argued that because of the radical social change demanded by the Charter, the Congress alliance would have to violently overthrow the South African state to achieve its aims. Although the Treason Trial provided international publicity for the liberation movement and an opportunity for leaders to confer, it absorbed political energies, disrupted the momentum of popular mobilisation and created a serious power vacuum. Over the next 5 years the Apartheid state tried to prove its case, but eventually it dropped charges against all 156 activists.

The Freedom Charter, National liberation and the new democracy

The decolonising struggle against the apartheid regime in the 1950’s and the adoption of the Freedom Charter helped forged one of the most remarkable struggles of the 20th century. One which kept the vision of a free, non-racial South Africa alive and inspired generations of youth of all races to struggle for a South Africa that belonged to all.

The 2005 celebration by the country to mark the 50th anniversary of the Charter and the adoption of the Freedom Charter poses a new challenge. The generation of South Africans born after 1994 are charged with ensuring that the new democracy takes firm root and the dreams of a just, non-racial, non-sexist and democratic society is realised.

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The freedom fighters who joined the Treason Trialists, many of whom were black, were arrested and imprisoned frequently, and were banned. He became ANC Secretary-General and played a leading role in organizing the 1955 Congress of the People at which the Freedom Charter was adopted. In 1956 he was unsuccessfully tried for High Treason with 156 others. In 1963 he joined the underground armed wing of the ANC and after his arrest and the Rivonia Treason Trial, was sent to Robben Island for life. Released in 1989, Sisulu resumed ANC leadership roles again until his death.
Women on the march

Women in the Congress of the People

The 1940s saw a marked increase in women’s involvement in trade union and national anti-apartheid organisations. Women activists ran some of the key trade unions. The passing of the P鄼gging Act and other discriminatory legislation directed at the Indian and Coloured community was the catalyst that saw hundreds of Indian and Coloured women participating in the mainstream organisations and campaigns. Hundreds of women participated in the 1946 Passive Resistance Campaign and many were imprisoned with hard labour for up to six months, some on more than one occasion.

1950-60 was the decade of mass campaigns on a national level, and it would be fair to say that it was the decade of the women. The 1950’s saw the growth of the ANC as a national organization, which was made possible partly by African women being organised into the nascent ANC Women’s League (ANCWL).

The 1952 Defiance Campaign concentrated against six unjust laws. Opposition to the extension of Pass Laws to Black women provided the focus for the growth of progressive women’s organisations amongst all race groups, and for women to mount one of the most successful campaigns of the decade. The impetus for the creation of national women’s organisations came from women trade union leaders like Ray Alexander and Annie Sillings. In October 1955 2000 women marched to the Union Buildings in Pretoria. A year was spent building the women’s structures and on 9 August 1956 the Federation of South African Women (FEDSAW) organised thousands of women from across the country to March on Pretoria. 20,000 women led by Lilian Ngoyi, Albertina Sisulu, Winnie Mandela, Phyllis Naidoo, Helen Joseph, Mamphela Rampela and hundreds of others spent years banned, banished or otherwise restricted. Many women were killed at Sharpeville, Langal and Cato Manor and thousands went into exile, continuing the struggle outside our borders.

It was the organising of the Congress of the People that brought thousands more women of all races into the liberation struggle, and it inspired women to draw up their own charters.

In the 1950’s women were in the forefront of community struggles, the struggle against Bantu Education; and leaders in FEDSAW and the ANCWL were accused in the 1956 Treason Trial. Dorothy Nyembe who spent 15 years in prison for her underground activities as a member of MK (the ANC’s armed wing) was one of many women oppressed by the apartheid state for their stand for freedom. Lilian Ngoyi, Albertina Sisulu, Winnie Mandela, Phyllis Naidoo, Helen Joseph, Mamphela Rampela and hundreds of others spend years banned, banished or otherwise restricted. Many women were killed at Sharpeville, Langal and Cato Manor, and thousands went into exile, continuing the struggle outside our borders.

Chronology of the Women’s Struggle 1912 -1956

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
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<tbody>
<tr>
<td>1913</td>
<td>Women in the Free State led by Charlotte Maxeke mount campaign against pass laws.</td>
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<tr>
<td>1913</td>
<td>127 women participate in Gandhi’s Passive Resistance Campaign and many go to prison.</td>
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<tr>
<td>1918</td>
<td>The Bantu Women’s League of the SA Native National Congress is formed.</td>
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<tr>
<td>1930</td>
<td>White women get the vote.</td>
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<tr>
<td>1933</td>
<td>Florence Matomela one of the first women volunteers is arrested and spends six weeks in prison. Patma Meer is banned. Lilian Ngoyi joins ANC and is arrested for her involvement in the Defence Campaign.</td>
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<tr>
<td>1934</td>
<td>The Federation of South African women is formed - uniting women from the ANC, South African Indian Congress, Trade unions and self-help groups.</td>
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<tr>
<td>1935</td>
<td>Francis Baard is involved with the drafting of the Freedom Charter. Sonja Bunting is the platform speaker at Congress of the People in Kliptown. The Women’s Defence of the Constitution League (commonly known as the Black Sash) is formed.</td>
</tr>
<tr>
<td>1936</td>
<td>Leading women activists are part of the 156 accused in the Treason Trial. August 9th – 20,000 women march to Union Buildings to protest against the carrying of passes.</td>
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The Freedom Charter

Adopted at the Congress of the People, Kliptown, on 26 June 1955

We, the People of South Africa, declare for all our country and the world to know: that South Africa belongs to all who live in it, black and white, and that no government can justify clamour against it as a basis for all the people;

that our people have been robbed of their birthright to land, liberty and peace by a form of government founded on injustice and inequality;

that our country will never be prosperous or free until all our people live in brotherhood, enjoying equal rights and opportunities;

that only a democratic state, based on the will of all the people, can secure to all their birthright without distinction of colour, race, sex or belief;

And therefore, we, the people of South Africa, black and white together equals, countrymen and brothers adopt this Freedom Charter;

And we pledge ourselves to strive together, sparing neither strength nor courage, until the democratic changes here set out have been won.

The People Shall Govern!

Every man and woman shall have the right to vote for and to stand as a candidate for all bodies which make laws;

All people shall be entitled to take part in the administration of the country;

The rights of the people shall be the same, regardless of race, colour or sex;

All bodies of minority rule, advisory boards, councils and authorities shall be replaced by democratic organs of self-government.

All National Groups Shall have Equal Rights!

There shall be equal status in the bodies of state, in the courts and in the schools for all national groups and races;

All people shall have equal right to use their own languages, and to develop their own folk culture and customs;

All national groups shall be protected by law against insults to their race and national pride;

The preaching and practice of national, race or colour discrimination and contempt shall be a punishable crime;

All apartheid laws and practices shall be set aside.

The People Shall Share in the Country’s Wealth!

The national wealth of our country, the heritage of South Africans, shall be restored to the people;

The mineral wealth beneath the soil, the Banks and monopoly industry shall be transferred to the ownership of the people as a whole;

All other industry and trade shall be controlled to assist the wellbeing of the people;

All people shall have equal rights to trade where they choose, to manufacture and to enter all trades, crafts and professions.

The Land Shall be Shared Among Those Who Work It!

Restrictions of land ownership on a racial basis shall be ended, and all the land redivided amongst those who work it to LIS farms and land hunger;

The state shall help the peasants with implements, seed, tractors and dams to save the soil and assist the tillers;

Freedom of movement shall be guaranteed to all who work on the land;

All shall have the right to occupy land whenever they choose;

People shall not be robbed of their cattle, and forced labour and farm prisons shall be abolished.

All shall be Equal Before the Law!

No-one shall be imprisoned, deported or restricted without a fair trial; No-one shall be condemned by the order of any Government official;

The courts shall be representative of all the people;

Imprisonment shall be only for serious crimes against the people, and shall aim at re-education, not vengeance;

The police force and army shall be open to all on an equal basis and shall be the helpers and protectors of the people;

All laws which discriminate on grounds of race, colour or belief shall be repealed. All Shall Enjoy Equal Human Rights;

The law shall guarantee to all their right to speak, to organise, to meet together, to publish, to preach, to worship and to educate their children;

The privacy of the house from police raids shall be protected by law;

All shall be free to travel without restriction from countryside to town, from province to province, and from South Africa abroad;

The law shall guarantee to all their right to marry, to found families, and to rear children in comfort and safety;

All other industry and trade shall be controlled to assist the wellbeing of the people;

The mineral wealth beneath the soil, the Banks and monopoly industry shall be transferred to the ownership of the people as a whole;

All people shall have equal rights to trade where they choose, to manufacture and to enter all trades, crafts and professions.

The Doors of Learning and Culture Shall be Opened!

The government shall discover, develop and encourage national talent for the enhancement of our cultural life;

The cultural treasures of mankind shall be open to all, by free exchange of books, ideas and contact with other lands;

The aim of education shall be to teach the youth to love their people and their culture, to honour human brotherhood, liberty and peace;

Education shall be free, compulsory, universal and equal for all children; Higher education and technical training shall be opened to all by means of state allowances and scholarships awarded on the basis of merit;

Adult literacy shall be ended by a mass state education plan;

Teachers shall have all the rights of other citizens;

The colour bar in cultural life, in sport and in education shall be abolished.

There Shall be Work and Security!

All who work shall be free to form trade unions, to elect their officers and to make wage agreements with their employers;

The state shall recognise the right and duty of all to work, and to draw full unemployment benefits;

Men and women of all races shall receive equal pay for equal work;

There shall be a forty-hour working week, a national minimum wage, paid annual leave, and sick leave for all workers, and maternity leave on full pay for all working mothers;

Miners, domestic workers, farm workers and civil servants shall have the same rights as all others who work;

Child labour, compound labour, the lot system and contract labour shall be abolished.

There Shall be Houses, Security and Comfort!

All people shall have the right to live where they choose, be decently housed, and to bring up their families in comfort and security;

Unused housing space to be made available to the people;

Rent and prices shall be lowered, food plentiful and no-one shall go hungry;

A preventive health scheme shall be run by the state;

Free medical care and hospitalisation shall be provided for all, with special care for mothers and young children;

Slums shall be demolished, and new suburbs built where all have transport, roads, lighting, playing fields, creches and social centres;

The aged, the orphans, the disabled and the sick shall be cared for by the state;

Rest, leisure and recreation shall be the right of all;

Fenced locations and ghettos shall be abolished, and laws which break up families shall be repealed.

There Shall be Peace and Friendship!

South Africa shall be a fully independent state which respects the rights and sovereignty of all nations;

South Africa stands to maintain world peace and the settlement of all international disputes by negotiation - not war;

Peace and friendship amongst all our people shall be secured by upholding the equal rights, opportunities and status of all;

The people of the protectorates Basutoland, Bechuanaland and Swaziland shall be free to decide for themselves their own future;

The right of all peoples of Africa to independence and self-government shall be recognised, and shall be the basis of close co-operation.

Let all people who love their people and their country say, as we say here:

THESE FREEDOMS WE WILL FIGHT FOR, SIDE BY SIDE, THROUGHOUT OUR LIVES, UNTIL WE HAVE WON OUR LIBERTY.
Preamble to the 1996 South African Constitution

We, the people of South Africa,
Recognise the injustices of our past;
Honour those who suffered for justice and freedom in our land;
Respect those who have worked to build and develop our country; and
Believe that South Africa belongs to all who live in it, united in our diversity.

We therefore, through our freely elected representatives, adopt this
Constitution as the supreme law of the Republic so as to ú
Heal the divisions of the past and establish a society based on democratic
values, social justice and fundamental human rights;
Lay the foundations for a democratic and open society in which government
is based on the will of the people and every citizen is equally protected by law;
Improve the quality of life of all citizens and free the potential of each
person; and
Build a united and democratic South Africa able to take its rightful place as
a sovereign state in the family of nations.

May God protect our people.
Nkosi Sikelel’iAfrika. Morena boloka setjhaba sa heso.
God seeën Suid-Afrika. God bless South Africa.
Mudzimu fhatutshedza Afurika. Hosi katekisa Afrika.