

	<p style="text-align: center;"><b>Joel Joffe in Conversation with the Curator of Manuscripts (Michele Pickover), Historical Papers, about origins of the Mandela/Rivonia papers (A2519), William Cullen Library, 28 April 2010</b></p>
Michele	<p>If you could just let us know what the provenance of the papers are, and background.</p>
Joel	<p>The Rivonia papers which are lodged at the Cullen Library in Johannesburg have an interesting background. I was the attorney for Madiba in the Rivonia Trial and therefore all the papers that he had were given by him to me, after he had been sentenced to life imprisonment, and were retained in my files. I then had decided to leave South Africa, my passport had been taken away and things were getting rather difficult and I didn't have the courage of the real freedom fighters and decided I would leave the country. And the question arose what to do with the papers. Now I selected the key papers which are now lodged at the Cullen Library and took them with me in my hand really, because I didn't want to take any risks with them and was relieved when no-one inspected my luggage and took them to...was very relieved when that plane took off (<i>laughs</i>). I was a very happy man. And we took it off to the UK. And the question then was what to do with them. Because I thought their rightful place one day would be in South Africa. And I expected Madiba and the others to die but I wanted these papers to be there as a tribute to their incredible courage and integrity. And decided the best thing to do was to lodge them at a university in London and I got in touch with a well known South African historian, Professor Shula Marks, and Shula said she would find a home for them and they were lodged in the University of London, Institute of Commonwealth Studies.</p>
Michele	<p>And were they publicly accessible there?</p>
Joel	<p>They were publicly accessible but on the basis that they were lodged there for ultimate return to South Africa when freedom came to South Africa. And they'd been there for some time because I think I lodged them there, I think in...quite late...in 1985, I think, I lodged them there with the Institute of Commonwealth Studies, who acknowledged that on the basis that it would be available for anyone who wanted them but would be retained, sent to South Africa when freedom was achieved. After a number of years the ANC came into power and I got a telephone call from Buckingham Palace, not the queen herself and I'm sure she never knew anything at all about it, but one of the trustees of the university was also one of her personal secretaries, I think perhaps the personal secretary. And he arranged for someone to phone me up and</p>

	<p>say, we've got these papers here, the queen is going on a state visit to South Africa, and it would be rather nice if the queen could take the Mandela papers and personally return them to him, and would I agree to this? And I said, regretfully no, I wouldn't agree to it because I don't think the queen is the right person to give the papers back to Nelson Mandela. And I had another plan for the papers as it happened, and that was to give them to the Legal Resources Centre, which under Justice Arthur Chaskalson had done such extraordinary brilliant work. And I thought it would be a very fine endowment for the Legal Resources Centre if they, as they inevitably, might run out of funds. And the idea was to give it to them as an endowment. So I raised with Madiba and, I can't recall whether it was personally or probably through his office at that time, that I would bring the papers to South Africa and give them to him, because possibly they were his pap...he had ownership of the papers, after all he'd written them. But I wanted them to go to the Legal Resources Centre and I'd looked after them nicely for quite a long time, and therefore could we arrange it on the basis that I gave him the papers back and he would in turn give them to the Legal Resources Centre. And instead, I would give him a bound copy of the papers, which is this copy over here, and he was very happy to do this, because of course...and we...</p>
Michele	When was that?
Joel	And this was, at the time, we'd also then set up a bi-annual lecture called the Bram Fischer Memorial Lecture, and this must have been about 1996 or sometime about that time.
Michele	They came to Wits in March '96, so would it have been...?
Joel	Oh, it might have been shortly before that. And as I say, I remember the ceremony very well, I went...and Madiba agreed to give the first Bram Fischer Memorial lecture at the Market Theatre in Johannesburg and I went up and I think I said a few words, handed the papers, the ones you showed me, Michele, which are beautifully kept, and I handed them over to Madiba, and he looked at them and said, ah, thank you, and I would like to give these to the Legal Resources Centre. And I will give them to the director, Justice Arthur Chaskalson, who was standing over here, he was on the stage as well, and Geoff Budlender was on the stage. So Madiba gave the papers to Arthur and Arthur said, Madiba, I'm not the director of the Legal Resources Centre anymore, you appointed me President of the Constitutional Court. So Madiba turned around, gave the papers to Geoff Budlender, who was the director at that particular time, and then Madiba turned to the audience and said, ha, now you know why I appointed Arthur Chaskalson as President of the Constitutional Court, he always gives me good advice which I always follow. And that's how the papers...and I think what must have happened is that, realising that these

	papers were very precious and they needed to be looked after by professionals...
Michele	Yes, they were worried about who would look after them and their safety.
Joel	And some clerk arrived one day and handed you the pile of papers.
Michele	It was quite a big deal when it came here.
Joel	Do you recall that?
Michele	I do remember.
Joel	Why don't you put that, and I'm very interested.
Michele	I think people were very concerned about the fact that obviously they're priceless and they're a national heritage, and the LRC felt that it was a bit too onerous for them to put them in a safe place within the LRC and they also wanted them to be publicly accessible and we also look after the LRC's papers here as well, so they felt that it was a good place. And it arrived and everybody is counter checking the lists and looking at all the papers and counting them and making sure that we had everything and something wasn't lost on the way and whatever. And we've looked after them ever since.
Joel	I see. I think they've found a very good home. And I'm very pleased that we've had this meeting today and actually showing us all these papers brings back all sorts of memories.
Michele	Yes, Arthur was saying, it just jolted his memory about so many things and people.
Joel	Yes, and I must say it was an extraordinary trial because the courage and integrity of the accused: Madiba, Walter Sisulu, was so impressive, you know, that one felt that it was just a privilege to be there in the trial even you weren't really paid anything ( <i>laughs</i> ), or virtually nothing.
Michele	Well, credit to you that this has survived over time. Because really, it's remarkable, it's absolutely remarkable, and the history of it, that you realised the importance of it at the time. Because often these things just disappear.
Joel	You know, all those other records which Arthur mentioned, must have just been thrown away.
Michele	Yes, sadly it happens.
Joel	It was really, really, really...and as I say, it was meant as a tribute to people who died in jail, so can you imagine what pleasure that they came out of jail ( <i>laughs</i> ), all of them, except the sad story of accused number eleven, was Elias Motsoaledi. And Elias survived twenty-seven years on Robben Island and died just before the inauguration.

Michele	That's very sad.
Joel	And it is no stranger than Detective Sergeant Donald Card, the torturer, becoming the hero of the ANC. Isn't that amazing. The descriptions of his torture, Washington Bonqo...
Michele	Is he still alive?
Joel	I don't know. I hope not. But I remember Washington's evidence was that he was strung up by his arms and lifted off the ground and then hung there for hours and hours, Card beating him all the time. And then taking about a couple of months for the injuries not to be evidenced so that they could come to court. That was cruel society. Michele, thank you, very nice to have had the chance to meet you.
Michele	Thank you very much, I know we've always had things with your name on it all over the place. So it's very nice to meet you. Do you come to South Africa often?
Joel	No. I couldn't come for thirty years also. But then we've been coming for holidays and but as we get older it's...the body is tired, and so we don't travel so much, but of course one has the old friendships with these remarkable people, like Arthur and George. George is a minefield of stories.
Michele	He just remembers everything. Who said what and how they said it.
Joel	I don't know if you...at the launch of his book, Arthur gave a speech and part of his speech he said, George has got an incredible memory, he remembers everything, and he also remembers things which never happened ( <i>laughter</i> ).