

it has been suggested already that this is an endeavour on your part to smear the police or an after thought, is it a fact that you from prison were able to smuggle a note out that reached the hands of your wife ultimately? --- Yes, I did.

And as a result of this note which dealt with the treatment that you had been receiving in making a statement, was an application brought to Court by your wife for the purpose of interdicting them and having you produced? --- I found all that out after I was released from 90 days, yes.

The matter was ultimately settled by an undertaking being given by Counsel on behalf of the State that no further interrogation would take place? --- Yes.

And is this the text of the note which you smuggled out, and it was part of the petition - that was attached to your wife's petition she made to the Court - to the Supreme Court? --- Yes.

"I was taken for questioning to the Grays yesterday at lunch-time. When I refused to make any statement, I was told to stand in one place and then the questioning started. Anything between two to six of them around you all the time. I stood for 28 hours without moving an inch from 12 p.m. yesterday until 4 p.m. this afternoon. It is quite clear that many, many people have made full statements. I fell twice. Had cold water thrown over me and was pulled to my feet. It seems that most of the men detainees here have been kept standing on their feet continuously for anything from between 12 hours to 36 hours, and that most have broken at one stage? --- Yes.

"I nearly committed bloody suicide by jumping out of the window, but instead, I have made a short statement. Questioning under these conditions is the most terrible and cruel form of torture. The language, curses, threats are too horrible, but the main thing is that I don't think that /any....

any one can stand on their feet for more than 36 continuous hours and not break down. This is torture good and solid. They laugh and almost bump you about when you complain. You must see (there is a portion blotted out) - You must see what can be done, or a mighty row should be kicked up, but how? I doubt if many will be able to take the standing. One has got to collapse. They threatened to keep me standing for four days and nights or even longer. They are at their most savage, make no mistake about it. What a terrible thing to fall down senseless after 20 hours continuous, get water thrown over you and up for another session. I can hardly move. I am so stiff and sore. It is just about the end of the road. My fondest love to all of you, my darling, and don't judge people too quickly or harshly. This is real terror. I am convinced that shortly Whites will be assaulted by the S.P., and officers are the worst. If I am not here tomorrow I will be bloody standing again." Just one question. When you said "Don't judge people too harshly," what were you referring to? --- I am referring to the fact that people might have been forced into making statements about which there might have been a lot of criticism.

And you wanted to indicate that the conditions as such - that the outside world musn't judge people who might be regarded as traitors too harshly? --- Yes.

NO FURTHER QUESTIONS BY MR. BERRANGE.

MR. BERRANGE CALLS ACCUSED No. 3:

ELI WEINBERG, Affirms his evidence:

EXAMINED BY MR. BERRANGE:

Well, I think that that being the case, I can put the question to you directly. Are you a Communist in your beliefs? --- Yes.

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Well, I think that that being the case, I can put the question to you directly. Are you a Communist in your beliefs? --- Yes.

/Were...

Were you a member of the Communist Party before it's - before 1950 when it was a legal organization? --- I was.

Have you ever had any occasion to change your views about Communism? --- No.

Did you become a member of the Communist Party after it had been declared an illegal organization - that is subsequent to 1950? --- No.

Let's get on with your evidence, your background. You were born, I believe, on the 28th of August, 1908 in Latvia? --- That is correct.

And you were 6 years of age when the first world war broke out, and as a result of the exigencies of war, I believe that you were torn from your parents, and you wandered around the countryside more or less as a waif? --- Well, I was separated from my parents for about four years. During a portion of that time I was a waif and stray.

And this was in the Baltic? --- That is correct.

I think you were ultimately adopted, were you not? --- No, I found my way back to my parents.

No, I don't mean in that sense. I am talking about...? --- Yes, during that period I was a waif and stray, I was being carted around for part of the time by a troupe of Russian soldiers. I was their mascot.

You were their mascot? 'Cotact?' --- That's right.

Now during this period what sort of impression did you receive about the effects and the consequences of war? --- Well, war made a terrible impression on me. Even in that time I remember well, chiefly, a lot of shooting, mud, blood. I saw bodies, I saw bombardments. I was in places which were being bombarded. It wasn't a very pleasant /experience...

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experience.

Have you ever forgotten it? --- Never.

Has it made a lasting impression upon your mind? --- Yes.

And what are your present views in regard to war and violence? --- Well, I hate war naturally. I don't think anybody loves war, and I also hate violence.

Now, you were reunited with your family in 1918, that is after the war had concluded? --- That is correct.

And you later on went to school and you matriculated in 1923 at the local high school? --- Yes, it was either in 1923 or 1924.

And there after you started work, 1924/25? --- That's right.

And what did then become your main interests at that stage? --- Well, I was chiefly - I read a lot. I was member of the cultural club.

Of a cultural club? --- That is correct.

Yes? --- I did a great deal of reading particularly, and in those days...

What sort of reading? --- Well, in those days there was a flood of anti-war literature because people in Europe were still suffering of the revolutions of the war, effect of the war.

Yes? -- And as a result of that reading I found a great deal of socialist literature. I began to see that war - in order to really abolish wars, one had to build better society.

In order to abolish wars you had to build a better society, yes? --- And...

How did you think that could be brought about?

/How...

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In order to abolish wars you had to build a better society, yes? --- And...

How did you think that could be brought about?

/How...

How did you come to think that could be brought about? ---

That is how I became a Communist.

That is when you first became attracted to the idea of Communism? --- That is correct.

When you say you became a Communist, I take it you don't mean that you joined any party at that time? --- Well, I was too young for that. I was only 16.

And, as you have already told us, you have maintained this point of view ever since throughout the whole of your life? --- I have.

I would be glad if you would endeavour to explain to His Worship how this very anti powerful - very powerful anti-war movement which swept throughout Europe after the first world war and your own horror of war, your own desire to establish a society which - in which wars would become unnecessary, how did that make you become interested in Communism. What is the link between the two of them in your mind? --- Well, I read a great deal of socialist literature, as I said, and the teaching of Marx were to the effect that war is a result of a competitive society. Of society in which exploitation exists of man by man, nation by nation, and as a result of which wars arise between nations, and I felt, as I learnt it from that literature, and as I still believe today, that war can be eradicated by a society in which exploitation of man by man and nation by nation is abolished. In which domination of one nation over another - one race over another is abolished and destroyed.

Now, in about 1925/26, I believe you joined the Metal Workers Union? --- Yes.

And did you soon begin to take an active part in its work? --- Yes, I became very interested in Trade Unions.

And how old were you then? --- About 18.

/About...

About 19. And you say you then became interested in Trade Unions and Trade Union work? --- Yes.

At that early age? --- Yes.

Has that been your interest ever since? --- Yes, it has dominated practically my whole life.

Now, later on, two or three years later, - I don't want to go into it in full, but some type of legislation was being threatened to declare the Trade Union Movement illegal in the Republic of Latvia? --- Correct.

And the Trade Union Congress, to which your Union was affiliated determined to call a general strike? --- Yes.

On the day on which the proposed banning bill was to be discussed in Parliament? --- That is correct.

And in the course of this you were arrested in preparations for the strike? --- I was arrested

And you were later on released without being charged? --- Yes.

And on your return from gaol you were re-employed by your organization? --- By the firm for which I was working, yes.

In due course the general strike took place, and you were arrested whilst addressing a meeting of workers? --- On the morning of the strike, yes.

This is all Trade Union work? --- That is correct.

Later on this bill was withdrawn? --- Yes.

And you were brought to trial later on with a large number of other people, and you were acquitted? --- That is correct.

As a result of all this, did your parents persuade you that it was time for you to leave the country? --- Well, chiefly because I lost my job after that.

You lost your job as a result of having been /in...

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You lost your job as a result of having been /in...

in gaol? --- For four months, yes. My job wasn't kept open and I lost my job, and my parents then persuaded me to leave the country.

And you arrived in South Africa then in 1929, did you not? --- December, 1929.

At the age of 22? 22/23 some where around there? --- That is correct, yes.

Now, prior to your arrival here, had you also taken an interest in photography? --- Yes.

And when you arrived in South Africa did you obtain employment? --- Yes, I took up a job as a photographic worker in Kroonstad in the Free State.

You worked there for six or seven months, I believe, and then you moved to Natal? --- That is correct.

And you worked on some stores on the coal mines in Natal? --- That is correct.

Did you travel around the country a lot? --- Yes, I broke my employment on quite a few occasions in order to travel around the country and to get acquainted.

You were a stranger to this land? --- Yes, I was.

And you wanted to find out, I take it, something more about the country to which you had now come? --- Yes.

And since your arrival in South Africa, and ever since, what has been your reaction to the way in which the non-White is treated in this country? --- Well, I was horrified at the outset at the treatment of Non-Europeans.

Yes? --- I was particularly horrified at things which I very often saw of callousness and brutality, on the part of Whites towards non-Whites. They occurred very often in my experience, and with the background that I had of the upbringing and the things that I had learnt of human ~~inhumanism~~, these things...

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In your own country? --- These things shook me.

They shook you? --- They hurt me.

They hurt you. In other words, I take it you found it impossible to equate these attitudes with the Liberal and the humanitarian positions in which you had been brought up?

--- That is correct.

And what about racialism. What was your reaction to that? You are a Jew, are you not? --- I am. Yes, well, I have always been opposed to racialism in any kind of form. I dislike the theories of racial superiority of one man over another. I think they are barbarian, and savage, and they have nothing to do with humane ideas.

Did you have any experience of racial discrimination as a Jew, or did you see any racial discrimination as a Jew in the countries in Europe? --- Yes, I have seen. I have experienced that myself naturally, and I had heard a great deal of the persecution of the Jews during the (?) in Russia and so on.

Now, did you make it your business to study the history of South Africa? --- Yes, I took a great interest in it. I learnt to speak Zulu. I read a great deal about the history of South Africa. Many books, I spent a lot of money on books at the time in order to acquaint myself with the background of the country, with the policies. With per.... history etc.

And in the early 1930's some where around '31 or '32, did you meet anybody who made a deep impression upon you? --- I met Mr. Champion, who was - I think his initials are ...

W.A.? --- W.A.G. or something like that. I met him in about 1932, and he was an official of the - I think of the I.C.U. and also associated with the African National Congress.

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/I....

I think you should explain to His Worship the position of the I.C.U. what it was, what it ...? -- The I.C.U. was an organization of African Workers which started off largely as a Trade Union Organization.

Yes?--- A sort of general workers Union. And, Mr. Champion was, as I say associated with the I.C.U., and also with the A.N.C. and I met him and he - I questioned him a great deal about the political aspirations of the African people, and he gave me a very interesting picture of the feelings of political conscious Africans.

THE COURT ADJOURNS.

THE COURT RESUMES - APPEARANCES AS BEFORE.

ELI WEINBERG (Still under his former affirmation):

EXAMINATION BY MR. BERRANGE (CONTD.).:

Before the adjournment we were talking about your meeting and your discussions with Mr. Champion?--- That's correct.

He was a prominent African leader in those days, was he not?--- Yes. I believe he is still a prominent leader today.

No, I haven't heard of him for a long time. And as a result of this interview with Mr. Champion, what did you do? --- Well, he ...

Or the interviews I should say? --- No, it was a short interview. I met him for about two or three hours. He gave me a list of African news-papers and suggested that I might get information about African politics from those papers.

Yes?--- And as a result I subscribed to a number of these papers.

Yes? --- Amongst them was a paper called "Umzebenzi,"

/ which...

which at the time was being published in Johannesburg by the Communist Party.

Now I believe that towards the middle of 1932, you moved to Johannesburg? --- I did.

And then you worked for about nine months as a secretary to a Jewish organization? --- That is so..

What did it have as it's object? --- It was a committee actually whose purpose was to raise funds for the rehabilitation of Jews in Russia.

And was it during this time that you joined the Communist Party of South Africa? --- I think in about July or August, 1932.

And did you remain a member until it was dissolved in 1950? --- That is correct.

Now, early in 1933 did you move again? --- Early in 1933 I moved to Capetown, and - where I worked for a number of years. For about 6 or seven years.

And did you act as a secretary for any committee? --- I was secretary of the committee for the relief of victims of German Nazism. That was a committee consisting of ...

It was a very broad committee, wasn't it? --- It was a very broad committee. It consisted of representatives of church organizations, the Labour Party, the Trade Unions, Communist Party and various other organizations. I can't remember them all.

And you say that your interests have always been in Trade Union Work? --- Yes.

And towards the end of '33, did you take up another post? --- I think it was towards the end of '33 or the beginning of '34, I took up a post as secretary to the Garment Workers Union in Capetown.

In Capetown? --- And later also I became secretary /of...

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In Capetown? --- And later also I became secretary /of...

of the Sweet Workers Union when that organization was formed.

I am afraid I didn't hear you?--- I said later I became secretary of the Sweet Workers Union when that Union was formed. I helped to organize it.

And you thereafter became involved in Trade Union Work? --- For the next 20 years.

And I believe that you have devoted all your political work in the Trade Union field ever since?--- That is correct.

This has been your speciality, your life?--- Yes, it was my profession. I was a Trade Union Secretary for 20 years for various organizations.

Well, this is not contentious, I will just lead you on it. From 1933 to 1939, I believe you were secretary of the Garment Workers Union in Capetown as also Secretary of the Sweet Workers Union in Capetown?--- That is correct.

And, from 1939 to 1940, you were secretary of the Garment Workers and the Sweet Workers Union in Port Elizabeth?-- That is correct.

And from 1940 to 1943, you then became an agent of the clothing and industrial council for the Transvaal?--- That is correct.

And from 1943 to 1953, you were secretary of the National Union of Commercial Travellers?--- Yes.

And have you served on many Trade Union committees? --- Yes, I was also a member of the national executive committee of the S.A. Trades and Labour Council.

For about how many years?--- For about 7 years. And many other committees.

Now, you have told us that in 1950 the Communist Party was dissolved, and you ceased to be a member?--- That is correct.

/So....

So far as you can remember were you ever an official or an office bearer of the Party, in the Party? --- I don't think so. I can't remember exactly, but I have no recollection of having served as an officer.

Your work was confined mainly to Trade Union Work? --- If I did at any time serve perhaps for a short period I wouldn't deny it, but I don't think I was an official.

And in due course you were placed on the liquidators list; that was after the introduction of the Suppression of Communism Act? --- Yes.

Now, in 1953, I believe you received certain banning notices, if we may call them that? --- Yes, in 1953 I received a notice ordering me to resign from the National Union of Commercial Travellers, and from the S.A. Trades and Labour Council, and also banning me from attending gatherings.

Well, how did you then endeavour to make a living? --- And then I became a professional photographer.

And have you continued with this profession or occupation up to the present date? --- Until today, yes.

And I think it was in about July, 1953, that your first banning notice became invalid as a result of some Supreme Court decision, was it not so? --- Well, I am not sure of the date. No I think my ban was issued in July, '53, but the ban was made invalid shortly after that by some Supreme Court decision. I can't remember what case it was, but it made the ban invalid.

So for a short time you were thereafter no longer on the list of banned people? --- No.

And in 1956 I believe you were served with a further banning notice? --- Yes, well, now there again I am not sure of the date. It might have been '55, but thereabouts, in '55 or 1956, I was issued with another notice banning me from /attending...

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attending gatherings.

And can you remember when the - when this notice expired? --- Well, approximately 1960 or 1961.

And thereafter you were served with new banning orders, were you not? --- Then I was served with a new order on the 1st or 2nd of November, 1963.

So there again between 1961 or '62 until 1963, you were again without...? --- Without restriction.

Now the last order that was served on you in November 1963 was an order which also confined you to the magisterial area of Johannesburg? --- Yes.

And required you to report to the police once a week? --- That's correct.

Now although you became a professional photographer round about 1953 or '54, between that period, '53 until 1963, did you devote/a deal of time to assisting Trade Unions? --- Yes.

Of what nature? --- Well, I did a lot of work for - in connection with African Trade Unions.

Yes? --- I helped African Trade Unionists to draw up representations to lawyers, to wage boards, Industrial Councils, I helped them draw up various memoranda in similar representations to the Government.

Yes? --- I also advised them in negotiations. I advised them what steps to take in order to secure for themselves better conditions.

Yes? --- I did quite a lot of writing at the time too for the official organ of the S.A. Congress of Trade Unions, the Workers Unity.

That is what has been referred to in this trial as S.A.C.T.U.? --- That is correct. Also towards the end of -

/I....

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Now although you became a professional photographer round about 1953 or '54, between that period, '53 until 1963, did you devote/a deal of time to assisting Trade Unions? --- Yes.

Of what nature? --- Well, I did a lot of work for - in connection with African Trade Unions.

Yes? --- I helped African Trade Unionists to draw up representations to lawyers, to wage boards, Industrial Councils, I helped them draw up various memoranda in similar representations to the Government.

Yes? --- I also advised them in negotiations. I advised them what steps to take in order to secure for themselves better conditions.

Yes? --- I did quite a lot of writing at the time too for the official organ of the S.A. Congress of Trade Unions, the Workers Unity.

That is what has been referred to in this trial as S.A.C.T.U.? --- That is correct. Also towards the end of -

/I....

I beg your pardon, at the beginning of '63, I accepted a position of representative of the Laundry Workers Union on the Industrial Council for the Laundering Industry in order to assist them to negotiate a new agreement.

A new wage agreement? --- A new wage agreement.

And you generally gave advice and assisted the Trade Unions constantly where ever and as often as you could? --- Yes.

Did you get into contact with Mr. Beyleveldt during the period that you were assisting the S.A. Congress of Trade Unions? --- Yes, he was at one stage President of the Congress of Trade Unions. He was also secretary of the Textile Workers Union, but in addition to that, I had business dealings with his wife. I took photographs for his wife's firm, and in the process I saw quite a lot of him as his offices.

Were you ever asked to join - shall we call it the new Communist Party, the Communist Party that was an illegal organization? --- Yes, I was approached in - I think 1953 to join the - well, I was told it was a newly formed Communist Party and I was asked whether I would be prepared to join.

Who asked you to join? --- Mr. Harold Wolpe.

And did you have a discussion with him in regard to the advisability of your so joining this party? --- Yes, I did not agree to join because I pointed out to him that in the first place I had just lost my job, and that I was fully occupied with building up a profession for myself, a practise which took up a lot of my time. Also I said to him that I was chiefly interested in Trade Union Work, as I had been all my life, and that if I had any free time, I would want to devote it to that, particularly so as there were very few experienced Trade Unionists left at the time who could assist in this work.

/And...

and particularly Trade Unionists who could assist the African workers with their problems, is that correct? — Yes.

Yes? — I also felt, as I told him at the time, that my joining would not assist anybody neither the Party, nor myself, because I would still be doing the same Trade Union Work and on the other hand, if I joined, it might endanger the work I was doing, and endanger the people with whom I was working in the African Trade Union.

So, it really wouldn't assist either you or the Party if you were to join it? — That is correct.

And by this time, I take it that you had got married? — I...

And you had a family to support? — Yes. I had been married for 25 years.

And as you say, you were building up a practise in order to be able to support your family at that time? — That is correct.

Had you joined the Communist Party as requested by Mr. Wolpe, would you have been able to do any other work other than that which you were already doing? — No, my profession took up a very extensive portion of my time. My free time I had was devoted to assisting African Trade Unions.

And if you joined an illegal organization, what did you think would happen to you so far as your work with African Trade Unions was concerned? — Well, it would either endanger that work, or at any rate, it would reduce my usefulness in that...

Your effectiveness? — That is correct.

And you had a discussion with him about this? — I had, yes.

And you put your point of view to him? — Yes,

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And you put your point of view to him? — Yes,

I told him - he pressed me a little on the subject - I gave him my reasons and

Did he / immediately express agreement or did he mean with your point of view? - Well, I can't say. He left me alone. He didn't come back to me again.

You were never approached again? - The next day he approached again, yes.

Have you ever made a secret of your views? - No.

I understand that you are particularly opposed to the Government's policies in regard to race? - Yes.

I wonder whether you would care to elaborate upon that, and indicate why you feel so strongly about that? - Well, I am opposed to any form of racialism, any form of discrimination of one race over another. I happen to be a Jew, and have something to do with that too, apart from my general background and education and upbringing. I was taught by my parents that I have to love my neighbour as I love myself. I also had a very severe personal experience which confirmed me in my attitude to racialism. My mother and my sister and some other members of my family were murdered in a Nazi concentration camp, and I feel that race hatred, racial domination, those things must lead to this sort of thing, to Nazism and ultimately to genocide.

And to work - and to war.

And you have, as you said, never made a secret of these views of yours and you have openly and publicly declared your opposition? - I have done so.

To the Nationalist policies? - Yes.

As a result of that you have been banned? - Yes.

Your house has been raided on many occasions. That is correct.

And you have on occasions been arrested and persecuted

--- Yes. Unsuccessfully prosecuted.

Yes, well, I will deal with that in a moment.
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And the raids on our house for instance, books and gramophone records and all sorts of things, I take it were taken away by the police? --- Yes.

And what happened to them? --- Well, these things were taken away over several raids, but after a period I instructed my attorneys to demand the return of these things, and I was then phoned by an officer from The Grays to come and fetch it, and I got...

And they were ultimately returned? --- Well, there were a few things missing, and some gramophone records were broken, but I didn't make a fuss about it. I just accepted it so.

And in 1955/56 I think you were twice charged with illegally attending gatherings in contravention of your ban? --- Yes, I think those were the years. I can't remember exact dates. I am vague, but somewhere around there.

What happened on the occasion of the first charge? --- I was acquitted and in the - in passing his verdict, the Court commented on the fabrications of the police witnesses. Very scarily.

In rather scarily terms? --- Yes.

That was purely an issue of fact as between you and the police witnesses? --- That is correct.

And on the second occasion? --- I think on the second occasion the State withdrew the case ultimately.

And during the state of emergency in 1960, were you detained? --- Yes, my wife and I. Both of us.

For how long? -- For about three months.

And were any charges ever preferred against you?

--- No.

/Ind...

And was any literature, or were any articles ever found in your house of an incriminatory nature, which would justify the bringing of a prosecution against you in terms of the Suppression of Communism Act? --- Well, with the exception of the things that were found, that were taken away in the early raids and which were returned to me?

Yes? --- Nothing whatsoever.

Now, these were particularly severe restrictions which had been imposed upon you in November, 1963; were they not? --- Yes.

You were still interested in your Trade Union work to which you devoted your life? --- Yes.

And how were you able to, or how did you think of carrying on this sort of work, because after all, you can't carry on work in a vacuum, you have got to meet people? --- Well, like many other people at the time who found themselves in that position, I looked around for a place where to have meetings, where I could have meetings unobserved by the police.

Meetings with whom? --- Well, with Trade Unionists, Trade Union officials.

Yes? --- And I asked some of my friends for - whether they could help me with a places likely.

Were you the only person, after all, you knew what was happening during these years, were you the only person who found yourself in this difficulty of not being able to meet people unless you were able to find secret places in which to do so? --- No, I believe that was going on all the time. I was being asked whether I could help somebody with a place very often.

This was common throughout the whole of the Movement? --- That is correct.

To use Mr. Ludi's expression, in the wider sense? --- Yes. Well, it was certainly common amongst Trade Unionists.

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We had that difficulty.

Well, take for instance S.A.C.T.U., the South African Congress of Trade Unions, what was their position?-- Well, at that stage, I think something like 30 or 35 officials of the S.A. Congress of Trade Unions had been banned, and were unable to conduct their work openly.

The organization itself was a completely legal organization?--- Yes.

And still is?--- Still is, yes.

But you say there were about 30 or 35 officials who were banned and couldn't meet, and if they were to carry on, how would they have to carry on? --- Well, they only could discuss the problems and meet with each other and with myself in secret.

With others and with yourself in secret?--- Yes.

So you say you were looking around, as so many other people were, for places in which you so could meet in secret?--- Yes.

Now, one of the people who you approached, I understand was Mr. Julius Meyerson?--- Yes, that was correct. I asked Mr. Meyerson whether he could lend me his home for a meeting.

Now, where did you know him from?--- Mr. Meyerson used to be an (?) member of the National Union of Commercial Travellers.

Yes, he used to be?--- Yes, well, that is at the time when I was secretary. I don't think he is a member any more. As I say, I asked him whether he would let me meet one or two people at his home.

At his home, yes?--- Yes.

What did he tell you?--- Well, he said that that would not be convenient, or rather, that his wife might not

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At his home, yes?--- Yes.

What did he tell you?--- Well, he said that that would not be convenient, or rather, that his wife might not

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like the idea, but he said that he had a flat and that he would be prepared to lend me the flat on occasions.

From time to time?--- Yes.

And did you meet any persons in this flat?--- I think I met some people there on two occasions.

Now I take it you knew Mrs. Hilda Bernstein?
--- Yes, I did.

Did she ever make any request of you? ---Mrs. Bernstein, like others, asked me whether I could suggest a place to her where she could meet some women. She said that she was interested to meet some members of the S.I. Federation of Women, and they were persons who were banned from attending gatherings.

Yes? --- And she said that could I suggest a place where she could have such a meeting.

Yes? --- Well, I gave - I arranged to give her the key of that place. I gave her the key of the place.

That is of Mr. Meyerson's flat? --- That is correct, yes.

That is at 82 Twickenham Court, I believe the address is? --- That is correct.

Now, you have heard Mr. Beyleveldt's evidence to the effect that you were a member of the illegal Communist Party; that you were on the central committee, and that you attended several central committee meetings with him and with others. Is there any truth in that story of Mr. Beyleveldt? ---There isn't a title of truth in that. Not a word of truth.

When were you arrested? --- I am afraid dates are rather vague, but I think it was the 23rd or the 24th of September last year.

Yes, I don't think it is necessary to bring it out, you were a member of the Communist Party until 1950, as you have told us? --- Yes.

But when the Communist Party dissolved itself, did it dissolve itself completely so far as you knew? --- Well, the procedure was that we had legal advice on the question. It was before the passing of the Suppression of Communism Act and as I remember it on the advice of legal Counsel, we had a general meeting at which the decision was taken to dissolve the Party.

And, the new organization of which we have been told, was that a continuation of the old Party, or was it..? --- Not as far as I know.

As far as you are aware the old party was dissolved completely? --- That is correct.

NO FURTHER QUESTIONS BY MR. BERRANGE.

BY MESSRS. KUNY AND MOHAMED : No questions.

CROSS-EXAMINED BY THE STATE PROSECUTOR:

Mr. Weinberg, I notice you did not take the oath. I take it that is in line with your Communist beliefs? --- Well, I affirmed. I affirmed because I think this is an occasion when I have to undertake to undertake the truth, and I have...

Yes, I am concerned more with your not having taken the oath? --- Yes, I am an atheist.

Yes, that is in line with the Communist teaching? --- Well, I suppose so. Many people who are atheists are not Communists.

Yes, but I mean Marx certainly advocated that religion was the opium of the people and that it should be eradicated? --- I don't think he advocated that it was the opium of the people. He said it was - I mean it is a quotation, he said it was a means of dulling the minds of the masses,

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a remnant of the past which would die out with the advance of mankind.

Yes, but reason of the dialectical materialist outlook all beliefs in shall we call them Gods and all beliefs in God and in religion and such matters should be eliminated?

--- No, I think the point is that he regarded it is necessary for a Communist to have his mind freed of these remnants of outlook, and he did not think, and I don't think anybody would think that one can eradicate religions which are thousands of years old with the wipe of a pen.

Yes, but he did suggest that religion was one of the superstitious elements that had to be done away with?--- It had to be eradicated from the minds of Communists.

By process of education and so on?--- That is correct.

I notice that you were a member of the old Party from 1932 to 1950? --- Yes.

So you had quite a long spell in that Party?--- Yes.

And I take it in the course of the years you rose to a position of seniority, didn't you? --- I was a rank and filer practically all the time.

Yes, but in your field of activity with the Trade Unions, I take it you became a very prominent member?--- Well, I was appointed to quite important positions in the Trade Union Movement by the Trade Unions.

And your task was to organize the Trade Unions? --- Yes, that was my profession.

And you had to do it along the Communist lines? --- I had to do it along the lines laid down by the members of the Unions who employed me, which very often was against

/Communist...

Communist lines? ---

Yes, but then you would have had a special task of educating them in regard to the merits of Communism? --- Yes, I always tried to educate the members of the Trade Unions, that is true.

I don't want to go into too many details, but basically it is the Communist teaching that the workers should really adopt the leading role in the fight for liberation to effect the change over from the Capitalist system to the socialist system? --- I believe in that, yes.

And in that sense your position in the Trade Unions was a very important one, because you had to assist in the mobilizing and training and teaching of the workers? --- Yes, it was important.

And I take it you must have subscribed to the basic analysis of capitalism as an evil? --- I subscribed to the Communist doctrine.

And I think you said you hold those views and still do? --- Today, yes.

But what I want to ask you is do you regard yourself as an authority on Trade Unionism in South Africa? --- Well, perhaps not at first but after some years - I wouldn't say an authority, but I had a great deal of experience. --- Yes,

Yes, and a great deal of knowledge? --- Yes, I think so, one accumulates that.

And I take it that - well, the banning or the dissolution of the Communist Party did not affect your views in any way? --- In what direction?

Your political views? --- No, as I said I retained those views all my life.

And you have His Worship, I think a bit of

/information...

information about the I.C.U. Movement, but you did not deal with the later Trade Union Movement. I think it is called the non-European Trade Union Movement? --- Well, there were several non-European Trade Union Organizations. There was at one time, when I first came to Johannesburg, there was still an organization called the African Federation of Labour, and then later during the war - during the second world war, there was an organization that grew up in Johannesburg particularly, called the non-European Trade Union Council.

Yes, but I am thinking of..?--- Sorry, it was called the Transvaal Council of Non-European Trade Unions.

Yes, but which was the fore runner of the S.A. Congress of Trade Unions? --- Well, that history is a little involved. The Transvaal Council of non-European Trade Unions continued a short while after the S.A. Congress of Trade Unions came into being. The S.A. Congress of Trade Unions came into being as a result of the dissolution of the S.A. Trades and Labour Council, which was a multi racial body of Trade Unions.

Yes?--- That body was dissolved because of pressure from White Trade Unions who wanted to eliminate the African Trade Unions, and a group of 13 unions, I think it was 13 unions, then proceeded to form amongst themselves the S.A. Congress of Trade Unions, which the Transvaal Council of non-European Trade Unions then joined.

Yes, and when the S.A. Congress of Trade Unions was formed, did you become a member of it?--- No.

Did you have some affiliation?--- Well, I acted as an advisor.

Yes?--- I was consulted. Very often people came to me with problems, with various questions.

Yes. Can you tell us what was the purpose of /forming....

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And to unite the old bodies of the old movements that had existed before? --- To bring together all those Trade Unions who approved of the principle of non racialism.

Now, you say you were an advisor to the S.A. Congress of Trade Unions? --- Well, perhaps I chose the wrong word. I wasn't appointed as such, but I was acting in that capacity. I was asked for advice from time to time and I was asked to assist from time to time in various activities.

Yes, I mean apart from having written articles for the Workers Unity, did you also help with the lecturing and so on? --- No.

Drawing up of lectures? --- No.

Why not? --- I wasn't asked to do that.

Yes, but did you ever see lectures drawn up by the S.A. Congress of Trade Unions? --- I think I did, yes.

And did you ever make use of them? --- No, I had no occasion to make use of them.

Didn't you hold classes to schools? --- I didn't run any classes.

Weren't you ever invited to lecture at such classes? --- I think there were one or two occasions when I was invited to speak to groups of people on specific problems. I didn't regard them as classes. Well, for instance, on one occasion I was asked to speak to a group of people on the relationship between the S.A. Trade Unions and the I.L.O., and things like that.

I.L.O. was the International Labour Organization? --- Yes, that is correct.

Yes, and the other occasions? --- Well, I am afraid I can't remember really. This is over a long period, but /there...

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You didn't? --- No.

Never? --- Not on the East Rand.

Germiston some where? --- No.

Why not? --- I have never been there.

Now I see that you used to write articles for the S.A. Worker? --- For the Workers Union?

The S.A. Worker, that was an old publication before the Communist Party was banned. Do you remember that? --- It is possible. I don't remember.

Who was responsible for the publication? --- I am afraid I don't remember. You may have the information and if you give it to me I will be able to confirm.

Wasn't it a Communist Party publication? --- The South African Worker?

Yes? --- I think I know what you are talking about, The South African Worker was a publication of - I may be wrong, I am not sure, I am speaking without any notes, I think it was a publication of the old International Socialist League which was published long before I arrived in this country. I don't know. That is the only thing that comes to my mind.

But what was the name of the Communist Party publication? --- Umzebenzi.

And before that? Is that the first one that you..? --- Well, it may be The South African Worker, but that is before

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I arrived in this country.

Now, apart from being a member of the Communist Party, did you also support the organization called The Friends of the Soviet Union? --- Yes.

And I think you are in a better position to tell us what the purpose of that movement was? -- Well, as I remember, it was an organization to foster friendship between South Africa and the Union of the Socialist ... Republics, to acquaint the peoples of both countries with each other's point of view, with opinions prevailing to exchange cultural - to have cultural exchanges and so on. I think it was the purpose largely to create an atmosphere of friendship and understanding.

Yes, and wasn't it also it's object to always to put forward the point of view of Russia in order to create sympathy for its views? --- Well, their purpose was to acquaint the S.African public with the point of view of the people of the Soviet Union.

Yes, but my point is that the Friends of the Soviet Union didn't really adopt an entirely neutral attitude. They adopted a positive attitude of stating constantly and positively the Soviet Union's stand point? --- Well, in my view that was their purpose. They were to present to the people of South Africa the point of view and the attitude of the people of the Soviet Union.

Yes, now that organization...? -- May I say conversely they also endeavoured to present the various points of view prevailing in this country to the people in the Soviet Union. If I remember rightly ther were exchanges. They sent publications from here, they sent some pamphlets, booklets all kinds of things.

When was that movement or organization formed? --- I am afraid I don't remember that.

And when did it change its name to South African Society for Peace and Friendship with the Soviet Union? --- Well,

/I...

I arrived in this country.

Now, apart from being a member of the Communist Party, did you also support the organization called The Friends of the Soviet Union? --- Yes.

And I think you are in a better position to tell us what the purpose of that movement was? -- Well, as I remember, it was an organization to foster friendship between South Africa and the Union of the Socialist ... Republics, to acquaint the peoples of both countries with each other's point of view, with opinions prevailing to exchange cultural - to have cultural exchanges and so on. I think it was the purpose largely to create an atmosphere of friendship and understanding.

Yes, and wasn't it also it's object to always to put forward the point of view of Russia in order to create sympathy for its views? --- Well, their purpose was to acquaint the S.African public with the point of view of the people of the Soviet Union.

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I don't like to be held down to dates, but I think it was during the war. During the second world war.

And did you remain a member of that society?

--- I think I did. I know that I was asked for donations from time to time, and I gave them willingly, and well, some how or other I wasn't very active in it at any time. I wasn't active in it at all, and I don't know. I mean in the end nothing happened any further.

Didn't you also attend the annual celebrations, you know celebrating the...?--- You, know those referred to in Mr. Schermbrucker's evidence?

Yes?--- I think I went to Pretoria on one occasion and I think I attended a celebration at the Consulate in Cape-town on one occasion.

Wasn't it the object on these occasions to put forward the October revolution as a good example to the workers in this country? They should follow the same lines in order to get freedom and liberation? --- Well, I don't know. The object of these celebrations which were formal official celebrations of the representatives of the Soviet Government, I assumed were to celebrate an event of great importance to the Soviet people. My own object in attending was because I believe in socialism, and I am interested in the advances and the progress of socialist countries.

No, I don't dispute that. What I have in mind is that there were certain conventions or meetings, say, arranged in Johannesburg, in those years from say 1951 to '55, '56? Well, I think even up to '62 meetings were held annually at which speakers addressed audiences?--- You mean to celebrate the anniversary of the Russian Revolution?

Yes?--- Yes, I assume there were quite a number of people who celebrated it.

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Didn't you ever attend any of those?--- Probably I did, yes.

I mean the Rev. Thompson for instance is the Chairman and Mrs. Barsel was the Secretary?--- Yes, I think I probably did attend. As I say I was interested.

They used to get Trade Union leaders like Piet Beyleveldt and other people to address these gatherings and explain the merits of the October revolution to the people?--- Yes.

And saying that that was a good example and how the workers had succeeded in achieving socialism against the members odds?--- Well, I can't remember what they were saying, I really couldn't say either aye or nay to that.

Yes. Now, then I think you had something to do with Advance and New Age papers as a photographer?--- Yes.

And in the course of your taking 'photos, you used attend most of these big meetings, big events of the Congress Movement, and you used to take photos? --- Well, with this reservation that I attended when I was not restricted from attending gatherings.

Yes, but on the occasions when you were restricted I think you took up a safe vantage point from a distance, didn't you?--- Yes. I took photographs from roofs of buildings.

Yes, I mean they couldn't very well charge you with attending the gathering, but you were at a convenient place in the neighbourhood? --- Yes, that is correct.

And you used to take 'photos of the - all these - for instance, important meetings in Sophiatown? --- Yes, some meetings in Sophiatown. May I add this that although I undertook the responsibility for that, I didn't always take the photographs myself. I had a man who went out and did the job for me. I used to do the printing and processing.

/Yes...

Yes, but I think that at the Congress of the People Conference at Kliptown in 1955, you were present yourself?--- No, not - I was on a roof.

Yes, on a roof?--- Some 100 or 150 yards away.

As I say you were..?--- Yes, that is correct.

Yes, you were wide awake you knew of the possibility?--- Yes, I may add that Mr. Spangler asked me to leave, and I left when he told me to leave.

Yes, but apart from the fact that you were taking photographs for the papers, I take it you also had a keen interest in what was happening on these occasions? --- Yes.

And I suggest that although the Communist Party was banned, you still maintained your interest in the struggle for liberation?--- That is correct.

As by the various Congress bodies?--- Yes.

And the Congress of the People were quite a momentus event?--- I was very interested in that.

Where the Freedom Charter was adopted?--- Yes.

Now, you as a Communist, I take it, wouldn't label the Freedom Charter as a Communist document?--- Definitely not.

But did you see in the acceptance of the Freedom Charter a step towards the ultimate goal that you yourself had in mind?--- Yes. I saw a step in the direction of achieving certain immediate objectives?

Yes? --- Which were very important.

Yes. I mean for instance the Freedom Charter would be the means of getting all the people together and getting, say, universal franchise, that would be part of the national democratic revolution that you had in mind?--- Yes, you are putting a label to a thing which doesn't deserve that label. This wasn't a national democratic revolution . It

/was...

was the achievement of ordinary democracy which prevailed in every part of the world excepting in South Africa.

Except that in South Africa the achievement of universal franchise - the achievement of a measure of, shall we call it, transferring the means of production, or the control of the banks, the mines, to the people, redistribution of land, all those things which the Freedom Charter envisage, would be elements also existing in the national democratic revolution. That is all I am saying? --- Yes, there would be elements of progress.

And, you as a Communist, of course, wouldn't have stopped short with the objectives aimed at by the Freedom Charter? --- You mean ... that has been achieved?

Yes? --- No, I mean that one must go further than that.

I mean that is the sort of sentiment expressed by Lionel Forman in New Age on one occasion when he analysed the national question? --- Well, I can't remember it.

And I think even in the Workers Unity the same idea was expressed? --- I don't...

Those lectures, the Trade Union lectures? --- The Trade Union lectures were not published in the Workers Unity.

No, they were a separate set of lectures which the South African Congress of Trade Union issued for use by people? --- That may be, I don't know. I haven't seen it.

But what I do suggest is that in those lectures the idea of the Freedom Charter was propagated with a view to establishing a peoples democracy in South Africa, you wouldn't dispute that? --- I am sorry, would you repeat your question?

I say what they propagated in relation to the Freedom Charter was that a peoples democracy should be established /in....

in South Africa? --- A democratic State, yes.

Yes? --- A democratic form of Government.

Yes, but they actually called it a peoples democracy? --- Who called it a peoples democracy?

In the lectures? --- I didn't see those lectures so I don't know.

I thought just a moment ago you said you had seen them, or you may have seen them? --- No, I didn't say so.

You may have seen them? --- I don't remember. If you show me the lectures I may be able to...

Yes, I will try and get them. It was a set of eight lectures starting off with our modern society and how it arose. Trade Unions in general? --- I am afraid I can't remember them.

I will try and refresh your memory? --- If I see those documents I may be able to be more conservative.

Yes, I will have to get them. What I am driving at is that the people who had a knowledge of Communist theory would have seen in the Freedom Charter a useful step? --- Yes.

Towards the ultimate objective? --- Sure.

And for instance, did you see the lectures that were issued in connection with the Freedom Charter just before the Charter was accepted, called "The World we live in," "The Country we live in," and "A change is needed?" --- I am sorry, I don't want to hedge, but I just can't remember things like these unless I see them. I probably saw them but I am not sure.

For instance "In the World we Live in"? -- It is a familiar title, I have heard it before.

Yes, to use the analysis of the various economic systems throughout the world, throughout the history? --- Yes, well, if I could see the document, I would be able to judge.

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I can't judge without.

Yes, I will get them. So you can't remember them?

--- Well, you know, my memory is not very good, I am not a young man, particularly things that happened 2,3,4,5,6 years ago, go vague. When I see a thing I remember it, but just like that I....

But if I suggest to you that in the lectures which preceded the acceptance of the Freedom Charter, the idea of the peoples democracy was propagated in the Communist sense, would you deny that or dispute it?--- I am afraid I can't say that unless I see the document.

Yes. ~~But~~ ~~am~~ I put it this way that it was in your circles, amongst your friends it was a matter of general knowledge at the time that the Freedom Charter would only be a step in the right direction?--- Well, let me put it to you this way: I felt then, as I feel now, that if South Africa becomes a democratic State the opportunity would be open for people like myself and others to advocate further advances. It would be open for us to convince the people, and it would be possible for a majority of people to support us. That is why we favour a democracy.

You see, you were at Kliptown when this Congress of the people took place? --- For part of the time, yes. Not at the meeting. I hope you are not tying me down to that.

No, but they had loudspeakers there. Couldn't you have heard?--- Yes, I could hear some of it. I was at the back and the wind was blowing the other way, but at times something came through.

Yes, Ben Turok made a rather important speech there on that occasion, where he dealt with the economic aspects of the Freedom Charter?--- Yes, there were a lot of speakers.

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And he spoke along these lines that the workers committee should run the mines and the banks and so on? Do you remember that?--- You have an advantage on me. I don't remember it.

I will show you those...?--- Yes, if I see that I will.

I would like you to refresh your memory. The point that I am trying to make is that the non-Communists might not have understood where the whole organization was going, but the Communists had a very good idea, a very good understanding of the situation, and he knew that ultimately once having achieved the basic requirements of the Freedom Charter, there would be a good chance of achieving the ultimate goal?--- I am not quite sure what you are suggesting. Are you suggesting that the members of the A.N.C., of the Indian National Congress, the other organizations involved, the leaders of these organizations did not know where they were going. I can't quite...

No, I am not suggesting that. You heard Mr. Schermbrucker say yesterday that he would have been content with the Freedom Charter?--- Yes.

Now I suggest to you that with your knowledge of the Communist theory, and with your knowledge of the ultimate objective that you were driving towards, this was just one step in that direction? --- In my own mind, yes.

And I take it that other Communists with the - view the thing in the same light?--- I suppose so. I suppose many Communists felt like I do today.

Yes, like the Bernsteins, the Slovo's, I don't want to go through all that list again?--- Yes, I think so.

The people who were members with you in the old Communist Party?--- Yes, I think we all felt, everybody felt

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that it was necessary to establish democracy in South Africa in order for this country to advance and to go further. Some of us may have had differences of opinion about where we would go further or how we would go further. I held certain views, but that does not follow that everybody agreed with those views. Not everybody in the Liberation Movement.

Yes, but the Congress Movement consisted of a lot of people who were Communists and non-Communists? --- Yes.

People who would have been content with the vote. Others might have been content with some other issue that the Freedom Charter dealt with? --- Yes.

But I am speaking of the body of men who had a definite theory and a definite policy? --- Well, I personally have always taken the line, I still take the line, that in order for the ideas which I am dreaming of, which I would like to achieve, in order for them to be materialized, to be brought into reality, it is necessary to have a democratic State. It is necessary to have democracy so that we should be free to express our opinions. So we could be given a chance to convince people. I have always believed that.

When you speak of democracy you mean the vote should be granted to non-Whites? --- To all people yes, to all citizens.

Now, the Freedom Charter is a very negative document except for stating the objectives of general democracy? --- Well, it is a document which in relationship to South Africa goes quite far.

It does? --- Yes.

I mean it does deal with a bit of the economic aspect, does it? --- Yes, I suppose it does.

Where it - I read yesterday - yes, this third paragraph which deals with the national wealth that should restorted to the people, rather vague statement? --- Yes.

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The mineral wealth? --- I should imagine the meaning of that is that the whole of the people should have some say in the administration of national wealth. The Government in other words.

Yes, the mineral wealth beneath the soil, the banks and monopoly industries shall be transferred to the ownership of the people as a whole? --- Yes, I suppose they visualized, and at any rate I think so, it was visualized to have some kind of nationalization of major industries.

And if one, of course, attaches to the term people here, the definition which Mao Tse Tung gave to it, namely comprising the workers and peasants, this would assume a totally different character? --- Well, you appear to be a better Marxist than I am. I don't know that.

Well, I can put it to you....? --- People to me he means the people of South Africa. All the people of South Africa.

Yes, but I am saying that if one attaches to the word "People" what Mao Tse Tung described as who are the people? --- Yes, but Mao Tse Tung did not draw up this document.

I know? --- So he did not refer to people in that sense.

No, I know, but Mao Tse Tung certainly had his Freedom Charter in 1949, and he also had his Congress of the People in 1949? --- Well, something similar, yes. Well, not quite on the same lines, a different situation.

Yes, well, different conditions prevailed in his country. But you agree that in so far as this Freedom Charter advocates the transfer of the control of the banks, the monopoly industries to the people this is rather revolutionary doctrine?

--- I would like you to define what you mean by revolutionary. I think it is a document which goes very far in relationship to the present situation in South Africa. Not far enough in

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my view, I agree with that. But it goes far, very far.

And if one reads this in the light of the statement of Tourok that I will show you when I can lay my hands on it, that a workers committee should be set up to control the mineral wealth, the monopoly industries and so on, then this document assumes even a further socialist character? --- Yes, I don't know what Mr. Bennie Tourok said there, but - I mean, he might have expressed his own opinion, and it might not have been the opinion of the Congress of the People organisors, or of the African National Congress.

I am concerned purely with the socialist idea?

--- Yes. If I had - let me put it this way: If I had been asked to make a speech on that occasion, I might have made a speech on Communist lines, if I had been permitted to do so.

No, I am concerned with the idea of a workers committee? --- Yes, but that is surely the personal view of Mr. Tourok.

Yes, but..? --- I don't know that that is the - that is not mentioned in this document.

No, I know, but I am asking you - don't misunderstand me, many of us don't know the Communist theory. I am not suggesting I am an expert on it. The idea of setting up workers committees to control the industry, is that a Communist notion? --- Not altogether.

Once you have established a Communist..? --- No, the idea of having worker's committees is gradually gaining ground in many parts of the world. In England I believe there are some factories run on that basis. We have read ... about it here.

• That is where the industries are nationalized? --- No, I don't mean that. I mean there are some employers who have drawn in workers into the management of the factories.

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Even sharing profits with them. There are these things.

Workers committees are not specifically a Communist feature.

I approve of them, I must say that.

Yes, but it is also an idea, or a method of organization which is followed in Russia to set up, to have workers committess running factories and so?--- In the management of industry?

Yes?--- In the early days of Russian industry I think that was a feature, but the system of organization that exists in the factories in Russia now is quite different.

How does it operate today? --- I believe that today they have what they call a sort of triangle of the representative of the factory, representative of the Trade Unions and - or representatives, as the case may be, and representatives of the Communist Party, and it is this sort of committee, triangular committee that runs individual sections of industry subject to the control and direction of a manager.

In other words, what would be the purpose of the presence of the Communist Party there, to look after the political side or what?--- Well, the Communist Party is the political organization of the Soviet People, yes.

And the Trade Unions? --- The Trade Unions are the organization of the workers in the factories.

And the other body that you mentioned?--- Well, those are the technicians, the managerial side and so on.

So - but it still operates very much on the basis of committees then? --- Yes, I think that that is roughly the structure, but there is a manager in control, these committees are subject to his direction and his control.

And the manager would be responsible to whom? --- To the State I suppose. I am not sure, I think so.

/Now...

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Now the other aspect of this Freedom Charter that I want to refer to is the question of land ownership. The Freedom Charter framed it rather vaguely again. "The "Restriction of land ownership shall be ended and all shall have the right to occupy wherever they choose." I am trying to find the section which deals with the redivision of land. This paragraph 4 which deals with "The land shall be shared among those who work it." In other words, the Freedom Charter envisaged a redivision of land?--- That is correct.

But the Communist theory does not regard it as such, does it? --- Doesn't the Communist theory teach that there should be a confiscation of land and then redivision should follow? --- No, that is not so. The Communist theory is that ultimately all wealth will belong to the people as a whole, but there may be stages of development where land as an example, apart from other properties, apart from other wealth, that the land might belong (a) to individual owners, or (b) to collectives, to large co-operative organizations and so on. It depends entirely on the circumstances prevailing in given conditions. That is the stages of Agrarian reform which would differ in every country, they are not the same in every country.

Yes, I accept that, but I am speaking now of these large land ownerships. You get - what do they call them, large estates owned by landlords. Now for argument's sake, the Communists take over. Isn't the first step to expropriate those owners in order to effect a redivision of land?--- Well, I think there have been similar instances in other parts of Africa where land was expropriated. I think compensation was paid.

No, I am concerned now with the national question. You know, where, I think Stalin devoted a lot of writing to /the...

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the national question. How the Agrarian reform should take place?--- Well, he was probably speaking in relationship to Russia.

Yes?--- But this isn't Russia, this is South Africa.

Yes, I realize that? --- It doesn't necessarily follow that that is the same!

But I am speaking now of the Communist theory? --- Yes, but let me make the point clear. Stalin was expounding Communist theory in relationship to Russia. I don't accept that what Stalin said in relationship to Russia is valid for South Africa.

No, but that is the type of teaching that you have to apply to concrete conditions?--- You mean just like that because it was done in Russia.

No, you analysed the situation in the country today and you find yourself, and you see to what extent you can apply the teaching, or to what extent you have to adapt it to conditions?--- Well, basically their teaching is as I say that land should belong to the people as a whole, but there may be different stages which have to be adopted in order to deal with that problem.

Yes, but now the first stage would be to..?

--- Expropriate the land?

Yes. Expropriate land in order to ..?--- That is my opinion, yes.

To remove the contradiction that existed between the land owner and the surf, or whatever you would like to call it?--- Yes, I agree with the thesis, but that the big land holdings should be expropriated and distributed amongst the people.

Now can you see that in South Africa re-

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Yes, I am suggesting that even the Freedom Charter, the draftsman of the....?--- Yes, but you are asking me for my opinion, not for the opinion of the people who drafted the Freedom Charter.

Yes, but I am saying that it is a reasonable possibility that the draftsman of the Freedom Charter also envisaged the possibility of expropriation?--- Well, I don't know. If they haven't expressed it there then I can't assume anything, isn't it?

I mean you, I take it, realized that expropriation would have to take place in regard to the monopoly industries?--- Some industries, yes.

And the banks and such financial institutions? --- They might have to be nationalized. It depends a great deal on the circumstances prevailing at the time of the change, but I think generally speaking that I would be in favour of nationalizing the banks.

Yes. But first of all you have to arrive at the stage where you get democratic rights for all? --- That is the most important thing.

But that still doesn't solve the economic question, the real problem how getting control of the monopoly industries of the land and so on? --- Well, I agree with this thesis that the most important thing is the achievement of democratic rights, and if democratic rights are achieved, then the people by Parliamentary rule, by methods of democracy will solve the other problems.

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Yes, but now don't you...?--- They can't solve them without democratic rights.

If the draftsman of the Freedom Charter had left this document purely, let's say with the preamble, setting out how there should be universal franchise for all, then there would be no quibble with it, but the moment they start introducing these elements of doing away with large land ownership, with monopoly industries, then I suggest they go a bit far? --- Well, I have no quarrel with this document. I don't quibble with it. I think it is an acceptable, if that is - that is a formulation of opinions gathered amongst thousands and thousands of people, and if that is the wish of these people it should be acceptable.

Now, did you see for instance, I think you have already said it that once the Freedom Charter's demands have been realized , it would be an easy matter to go further towards the establishment of a peoples democracy?--- I didn't say it would be an easy matter. I said it would be possible for us, for people like me to come forward and put forward the things that we believe in.

Yes, that makes me think about it. Do you see any difference between the people's democracy and the dictatorship of the proletariat as is referred to in the....?
--- Yes.

What difference do you see?--- Well, there are vastly different forms of political organizations, and the - to give an example, in the - in certain countries in eastern Europe for instance, after the second world war, those countries became socialist democracies, or peoples democracies as you may call it, but the position there was that to a large extent capitalism continued in existence, many features of capitalism continued in existence. Many... /Upset....

Upset parties? Political parties?-- Many political parties, yes, and so on. And that is a peoples democracy, but the dictatorship of the proletariat is a stage which is reached when the overwhelming majority of the people line up in support of the working class party, of the political party of the working class. An Alliance, as it is called in terms of socialism, an Alliance between the workers, peasants, intellectuals, students, every-body. As an example if I may add to this, in China for instance - I think China is a peoples democracy, because large elements of capitalism have remained, and there are still capitalists operating and they support the Government, through their own - I believe, I am not sure of that, of course, but I believe even through their own types of organizations.

Yes, but that is the small capitalists?--- Yes.

And the constitution envisages that in course of time they will just die out and ...?--- Well, in course of time the socialist sector of the economy will take over all production, and it will all become socialist. That I believe is the general trend everywhere.

But I mean to effect a development from the peoples democracy to the dictatorship of the proletariat it would be necessary to eliminate all the other political parties and for the Communist Party to take the lead in order to effect this change over?--- You put it in terms which are not acceptable to me. You say "eliminate." I don't like the implications of that. What is happening is that when a democracy is established Communists make and endeavour to convince everybody of the correctness of the policy.

Look, I am referring to the eastern European peoples democracy?--- I am speaking of them too. In the course of time they convince all the people that the policy that they are aiming at, that the policy of socialism - a policy

/of....

of an advance towards Communism is the acceptable policy to everybody. Then you get the (?) . For instance in Germany you had the merger of two big working class parties into what is now called the - I think the Unity Party, I am not sure of the exact title, which was a merger of two large parties in several smaller groups into a new party supporting the policy of advance towards socialism, and that was the result of a long democratic process of convin..... I can see that happening perhaps in the not very distant future in countries like Italy, where the Communist Party is - I am not sure of my facts now, but I think either the largest or the second largest party in the country, and they are using the democratic process of convincing people of the correctness of their policy.

Yes, but I mean to reach the stage of the dictatorship of the proletariat, it will be necessary for them to overcome, some how or other overcome the other opposing political parties?--- By persuasion, by convincing them or by majority decisions.

Yes, gradually effecting a merger or else an elimination?--- Well, in some cases it would be merger, in some cases it would be persuasion, in some cases it would be a series of acts of agreement, and so on. The point I want to make is that a transition from the ordinary form of social democracy or peoples democracy to a real socialist state is a process of - a democratic process in those cases.

That I accept, but I am referring to the notion of a dictatorship of the proletariat, which in it self connotes the idea of a dictatorship. In other words, where the workers have the sole political power? --- It connotes a dictatorship of the overwhelming majority of the people?

Yes?--- Yes, in alliance of workers, peasants,

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ELI WEINBERG: Sworn, States:

MR. LIEBENBERG: CROSS EXAMINES: Mr. Weinberg, I have not been able to trace the original documents, but I traced the indictment which quoted those three lectures 'The world we live in', 'The country we live in', and 'A change is needed in toto'. Would you like to peruse them? ---May I?

And then, I've marked them, they appear on page 17 up to page 39 of this loose Schedule "D", and on page 93 there are extracts from the 'Sagpu' (?) lectures, 'A modern society and how it arose', 'Short history of the international trade union movement', 'Trade union as a weapon in the struggle of workers', 'Trade unions in the struggle for liberation in South Africa'. And then, lecture No.6, 'How to organize unorganized workers'. Would you like to look at them? And while I'm giving you these to peruse, the speech of Mr. Turok, which he made at the Kliptown Conference on the 25th or 26th of June, 1955, appears on page 117 of this Schedule "C"? ---I don't know how long this will take?

No, I will come back to them later. I shall hand them to you and you can peruse them say, over the adjournment? ---Let me make sure .. the pages are marked here?

Yes. -- Yes, thank you.

I'll come back to those lectures once you have had a look at them. Now, what I put to you yesterday was, that the , if the draughtsman of the 'Freedom Charter' wanted to draw up a document with a purely democratic objective, in other words, to ensure universal franchise, they could have contented themselves with the preamble to the 'Freedom Charter'. It wouldn't have been necessary to

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go further and detail agrarian reforms and nationalization of industries and so on? ---Yes, I suppose they could have but they must have had some reason for giving some more details. I think it was due to the fact, -now, I'm not speaking for the people who drafted it., I'm just expressing an opinion about it - I think it was due to the fact that the Freedom Charter was arrived at after a lot of discussion. Meetings took place all over the country, as I remember, discussing what should be put forward at the Congress of the People and then, finally, all these discussions and proposals were merged together in one document. And I assume that because there was this general demand for these things, it was included in this document.

Yes. Did you , were you ever consulted in regard to the Freedom Charter or in regard to anything connected with that campaign? ---No. I wasn't allowed to attend meetings at all.

Yes. And did you know that certain committees , provincial committees were created at the time to collect the demands of people and to propogate the idea of the Freedom Charter? ---Yes, I have an idea of what was going on because there were reports in the papers; there were reports in New Age and so I could see what was being done.

Yes. I, did you for instance come across a - they called themselves 'The Transvaal Provincial Committee of the Congress of the People', then th I think there was later a consultative committee of the Congress of the People? ---Yes, that may be so.

All these committees were working towards the implementation of the Freedom Charter? ---Yes, that is possible. That committee actually issued , distributed the

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free lectures, 'The world we live in', 'A change is needed' and so on? ---I see.

Didn't you get a copy of, or set of those lectures? ---I can't say off-hand. I'd like to see - I have a vague recollection of that sort of thing but I can't tie it up with anything in particular. I seem to remember that sort of lectures mentioned.

By the way, when did you first come across Mr. Turok? ---Well, I've known his parents since I was a child. They come from the same town as I do.

Yes. But did you ever meet him in the old Communist Party? ---I don't think so.

Was he a member? ---I don't think so, I'm not sure but I hardly think so, he was a very young man then.

Now, you seemed to disagree with me yesterday when I put to you that the Freedom Charter envisaged the first revolution, called the 'National Democratic Revolution'? You didn't agree with that? ---Well, no, what I feel is that the Freedom Charter is a document drawn up by people who might not think in terms of what I would call a National Democratic Revolution. They may think in much simpler terms. They, surely, the people who drew that up, are not people who are communists? Most of them are not communists?

Yes - no, I think we must distinguish here between communists and non-communists? ---Yes, that's what I'm trying to do.

Now, I'm concerned purely with the communists theory. In other words, with the communists. Is there anything in the Freedom Charter which would have clashed with the communist idea of achieving the National Democratic Revolution?

--- No, I don't think so. I think, speaking for myself, that the Freedom Charter is a document which outlines

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clearly enough what the immediate future should be, the immediate demands.

Yes. For instance the agrarian reform that it set out and the nationalization of the bigger industries? ---Yes.

And the financial monopolies and so on? ---Yes. Chiefly the franchise, the democratic rights.

Yes. And, - incidentally, you know the programme of the Communist Party? ---Yes, I saw it. I've seen it here.

And I think on page 53 it says the following about the Freedom Charter..? ---I have my own copy here, if You don't mind?

Well, if you will look at the top of page 53 - perhaps we should start at the bottom of page 52 , which starts with the - "The Freedom Charter is not a programme for socialism, it is a common programme for a free democratic South Africa agreed on by socialists and non-socialists.' --- That is correct.

".. at the same time in order to guarantee the abolition of racial oppression and White minority domination the Freedom Charter necessarily and realistically calls for profound economic changes. Drastic agrarian reform and to restore the land to the people, widespread nationalization of key industries to break the grip of White monopoly capital on the main centres of the countries economy; radical improvements in the conditions of the standards of living for the working people. The Communist Party pledges it's unqualified support for the Freedom Charter, it considers that the achievement of it's aims will answer the pressing and immediate needs of the people and lay the indispensable basis for the advance of our country along non-capitalist lines to communist and socialist future, to win these aims is the immediate task of all the

/oppressed...

oppressed and democratic people of South Africa headed by the working class and it's party, the Communist Party'. You agree with that view? ---Well, I'm glad to see that my views do fall in with the views of the Communist Party.

Yes, now, there's another passage on page 55, also I want to put to you. It's the second paragraph there which reads: "It is in this situation that the Communist Party advances it's immediate proposals before the workers and democratic people of South Africa. These are not proposals for a socialist State, they are proposals for the building of a national democratic State. These proposals are put forward within the framework of the Freedom Charter which the party considers to be suitable as a general statement of the aims of a State of national democracy. Our proposals are not directed towards communists and socialists alone but are submitted as the basis for discussion for all democratic and patriotic people and in particular for members and supporters of the national liberation and trade union movements." So you agree that as the party programme states it here, it regarded the Freedom Charter really as the basis for this national democratic revolution? ---Well, what I can say is that the way it is stated here probably puts it much better than I could do it. I agree with this.

Yes. You were never consulted about the draughting of this programme? ---No. The first time I saw this was in Court, here.

Yes. But I mean as far as, I take it, you perused it? ---I have read through it, yes.

And I've heard, we've had it in evidence here that it was regarded as a very excellent exposition of the basic situation in South Africa? ---I think I agree with /that..

that on the whole, yes.

Yes. I mean, from a theoretical point of view, it was very well drawn up, very carefully set out? ---Yes, I think so.

And it clearly deals with the first stage of the revolution, viz., the National Democratic Revolution on page 49, that whole chapter. It was in that context that the reference was made to the Freedom Charter? ---On page 49?

The chapter starts at page 49 but I say, in that chapter the programme deals with the part that the Freedom Charter plays in this campaign? ---Yes, well, it's a long chapter but I don't want to go into detail, but on the whole it's perfectly in accord with what I think.

And where it sets out the inevitability of the revolution, the inevitability of the success of socialism, of capitalism, in the first portion of this programme, I take it you don't disagree with that either? Where it deals with the philosophical aspect, the dialectical materialism and the qualitative leap that would be taken, the historical development from a lower stage to the other?

---Yes.

And as communists see the position, it is inevitable that socialism would follow capitalism? ---Yes, I believe that

And that this might be attended by a violent revolution? ---Might or might not be.

Yes, but now in this programme the party stated it's views very positively that non-violence was not it's policy any more. If the transition could be effected by means of non-violence...? ---I don't agree with you.

On page 53, but it starts off on the principle really, on the hypothesis that the ruling classes would use violence

/first...

first and that the peoples would only retaliate, or rather, that they would use defensive violence? ---Yes. I'd like to refer you to on what is said on page 54, which states the party's attitude and I think I can say that is my attitude too. It rejects theories 'that all non-violent methods of struggle are useless or impossible, and we'll continue to advocate and work for the use of all forms of struggle by the people, including non-collaborations, strikes, boycotts and demonstrations.'

Yes, .--- That is the , as I see it at any rate, the immediate needs of the movement. The immediate methods of struggle of the movement.

Yes, but I really have in mind this passage on the bottom of page 53, which continues over on page 54, which says that 'In the face of these provocations, the liberation movement has had to reconsider it's attitude towards non-violence as a universal principle. The patience of the people is not endless, they are determined to win freedom in our lifetime. They would prefer to achieve their liberation by non-violent means but today they are left with no alternative but to defend themselves and hit back. To meet violence with violence. The Nationalists are forcing a solution upon South Africa, in which patriots and democrats will take up arms to defend themselves, organize guerilla armies and undertake various acts of armed resistance, culminating in mass insurrection against the White domination. In such a conflict however long and costly, the fighters for freedom must win for they will enjoy the support of the overwhelming majority of the people of our country and the white world.'? --- Well, I'm a little at variance with this. I don't think that the things that are discussed here, are

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matters of the immediate moment. I think that at the moment and for some time to come, - well, that I couldn't say for how long to come, - but at the moment at any rate, violent methods of struggle are neither advisable nor necessary. I think there are many non-violent methods of opposition and protest and demonstrations available to the people today which they can make use of and which I think should be made use of, long before this sort of thing takes effect. I'm not denying that that maybe possible at some stage or other, that it may be necessary. What is says, this is an assessment of the attitude of the people in the liberation movement. It says 'The liberation movement has had to re-consider it's attitude'.

Yes? --- But I don't think that the moment has come for violent methods of struggle. I think there are still many, many ways open to influence the White public opinion, to influence the Government in the direction of changes.

Yes, but I mean the Communist theory is that if violence becomes necessary, it will have to be used? --- If it is forced on them, yes.

Yes. But you see, in this programme one gets the impression that they were rather detailing the forms of violence that will have to be resorted to? --- Yes, I suppose a political party who is engaged in a struggle for freedom would think ahead and they would think of the terms, the means, the methods that would have to be adopted at some stage or another, in order to bring it about.

If they had left it, say, just with a blank statement that violence might be necessary, you know, then I can understand the possibility of leaving that over for the, to the last resort, as it were? But here they go further and they say that 'the nationalists are forcing a solution

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solution upon South Africa, where they will have to take up arms, where they will have to organize guerilla armies and undertake various acts of arms resistance, culminating in a mass insurrection'. In other words, they say that the policies of the Government are forcing the masses eventually to mass insurrection? ---Yes.

And various intermediate stages of violence, guerilla armies, acts of resistance and then finally, the armed insurrection? --- Well, they are a political party, they have to think ahead I assume, and therefore, they must think if that situation was to arise they would probably have to consider what methods of struggle they would use then. And it's no use having that situation sprung on them at the last moment. That's why they are thinking ahead, I assume, that is how I interpret it.

Yes, I mean, at the bottom of page 54, it says - you know, the last paragraph on page 54 - 'whether it's end is brought about through such a peaceful transition or by insurrection, the vicious type of colonialism embodied in the present Republic of South Africa, we cannot longer endure. It's downfall and the victory of the South African Democratic revolution are certainly in the near future'? ---Yes, I think that is so.

So, you also see the political scene in South Africa in this light, that if there's no relenting on the part of the authorities of the Nationalist Party policies, there are no concessions, there are no negotiations, then the situation would arise where the people would have to resort to mass insurrection? ---Well, could I put my view of this thing, in my own terms?

Yes? ---I can't say that on that point, I maybe at, a little at variance with this programme. But the way I

/see...

see it, the picture that is allegedly presented to us of the South African situation is of a Government immensely powerful with immense military strength, with an extraordinary powerful economic base, with the overwhelming support of the electorate, the White population and we are told 'well, this is what you are facing'. My assessment of the situation is not like that at all. I think that we are facing a Government that is jittery, a Government that is afraid of the future, a Government that has no confidence, no faith in the future and I only have to go by the developments that I myself have experienced over the last few years. This Government has had to, over a number of years, go from one emergency state to another. We started in 1956, with the arrest of 156 leaders of the Liberation Movement and protracted abortive trial -(I'm sorry to refer to that Mr. Liebenberg, but I'm just dealing with the facts) - an abortive trial which lasted four and a half years in an attempt to suppress the opposition. Now, that wasn't enough. I should imagine that if in London, in England, 156 people were arrested in one swoop, in a democratic country, it would have caused a terrible stir. It passed over in South Africa because we get accustomed to this sort of thing. That was nine years ago and since then we had the state of emergency in 1960; we had Sharpsville; we had the arrest of 2,000 people then two years later, 1962/1963, we have the 90 day clause, we have the arrest of 3,000 people, the numbers keep rising. The opposition apparently keeps getting stronger, not weaker because the Government has to take more and more intensive measures. The 90 day clause is a state of emergency in my opinion. It's the abrogation of ordinary processes of law and the Government has to use these measures. Now, in my opinion..

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opinion the South African Government cannot afford another Sharpville. They cannot afford to use those military weapons that they are using, because it would hit back at them. It would hit back at them in such an avalanche of protests from all over the world, that they would have great difficulty in recovering from it. They suffered great damages as a result of the state of emergency in 1960, and I think they will suffer even greater damage if there was anything like that again in this country. Now, that is on the use of military weapons by the Government. I don't think they can afford to use it. On the question of the powerful economic base of the country, I think there the Government is sitting on the horns of a dilemma; they are faced with the situation where the developing economy of the country forces them into, either relinquishing their ideological measures of apartheid, of job reservation and all these other things, or, reducing the temple of economic development and as I see it, as I see the developments nowadays as I read the financial pages, I see that they are slowly beginning to restrict economic development in order to keep up with their ideological programme. Now, that indicates to me that the economy too, is not as stable as it should be because of these apartheid laws. And then, allow me to finish on this question of the White population, the support of the White people. I think that too is a factor which is a diminishing factor of strength. It is true that the overwhelming majority of the White people today support the Government. But there is this tremendous pressure that is coming onto South Africa from overseas; the pressure of public opinion in the whole of the world, in the whole of the world. And it is a pressure which Whites are

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finding more and more difficult to resist and it is evident in this country for instance, we have had in recent years political parties arising of which there were none fifteen or twenty years ago. There is the Liberal Party, there's the Progressive Party, they are symptom of White opinion that is opposing the current ideas of the public. Now, then as against all that, there is also the whole field of external pressures, it is an immense field. I tried to think of that whilst you were questioning Mr. Schermbrucker yesterday and he dealt quite inadequately with it, I think, because he only mentioned three or four points - the boycott, - but there are many others. There are factors such as the tremendous growth in strength and popularity of the African States; there is the factor that within the immediately foreseeable future the Republic will be surrounded by independent African States, within the immediately foreseeable future? I think it's undeniable? Everybody knows that. There is(?) which is coming up in the very near future, South West Africa, on which South Africa has to make a stand and South Africa's moral position in the world on these questions is indefensible, it is indefensible, the world does not agree with them. Even the allies of South Africa, what you term the Western countries - I don't draw such distinctions, - but you term them the Western countries. Even the Western countries are finding it increasingly difficult to support any stand in favour of the South African Government. Now, I think that all these points, all these things indicate to me, at any rate, that there is still the possibility of changes as a result of these pressures, as a result of these developments. And I feel, that long before one thinks of violent struggles of

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violent opposition, one should exploit these things and see whether they will bring about a change. I am not saying that ultimately when these fail to bring about a change, that a violent struggle will not come about. But I think it will come about as a result of the stand of the South African Government and the responsibility will be on them and if it does come the people who are opposing the South African Government here, will undoubtedly have the support of the whole world, there's no question about that, whatsoever. That is my attitude.

I understand it. What I really had in mind was that if there was no relenting or no concessions made, then the only alternative would be a violent revolution? ---That might happen, yes.

And you say that you see possibilities of that not happening? ---I think there are still many, many possibilities open to prevent it, to avoid it. And I think it is the duty of people to work towards preventing it.

But now, when you get people like Mandela saying, incidentally, I take it you have heard or read his report of his speech in 1961 where he said that 'the liberation movement will need people who were forced to use violent methods,' do you remember that? ---I've read most of his speeches and most of his statements, yes, I think so.

Yes. Now, in terms of the Communist theory, the party is told 'not to remain passive or to stand aloof of the struggle', do you agree with that? The Communist Party is supposed to be the vanguard of the struggle, supposed to lead them ... ---Yes, it is supposed to think ahead.

Yes, supposed to lead the masses and shouldn't allow the masses to flounder around as they see fit. The Party should guide, should hold up a positive theory, a positive /mind..

mind to the masses which they should follow? --- Well, that's the role of all political parties.

Yes. But I mean, in the Communist theory, that is a very well emphasized .. if you would like me to show you the fundamentals of Marxism and Leninism, substantial portions are devoted to the role of the party in the general struggle for liberation. But what I'm after is this, you have elements overseas operating in favour of the liberation struggle. Those that you have mentioned? ---Yes.

But as I see the position, the communists are not expected to stand by idly and wait for things to develop. They are supposed to take some positive action here. Isn't that the position? I mean, the, wasn't it Lenin who said and I think Kroetsjof reiterated it that 'revolution is not for export, but every country, every people in every country had to make it's own revolution'? ---Yes, I suppose a political party must lead, it must advance programmes, it must advance a policy, it must state what it wants to do, where it wants to go and so on. Otherwise it is hardly a political party?

Yes, and then it should fulfil it's function of leading the masses , of organizing them, of mobilizing them? ---I agree.

The very secret of the success of the socialist revolution in Russia was due to the fact that the close contact was maintained with the masses, that the party was able to mobilise the masses and get them to move in the right direction? ---Correct.

Now, in order to fulfil that function and to do something useful, in this country, the Communist Party had to do something positive. Now, we have reached the situation where the party was banned, had to go underground. How do

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you conceive the position now, what is this party to do in order to maintain it's contact with the masses? ---Well, it's a difficult question to answer because I'm not in the councils of the party and I don't know all the factors surrounding the party organization and numbers of members and the extent of influence and those sort of things has to be taken into account. I suppose, I really find it very difficult to answer this question. Do you mean what kind of steps the party should take? I'm not sure what I'm being asked to answer.

Yes, what I really have in mind is the type of activity which the 'Umkonto we Zizwe' started a few years ago? ---Yes.

Now, now there is a document before the Court called 'The revolutionary way out'? ---Yes.

Which I would suggest an authoritative statement by the central committee in which it dealt with outbreaks of violence in the country organized by the Poqo movement? --- Well, I notice - you read that to Mr. Schermbrucker?

Yes? ---But I can't recollect the details. If I could see the document.

Yes, I will show it to you also - it's exhibit 6 - it's called 'The revolutionary way out, statement by the central committee of the South African Communist Party'. Now, would you bear in mind how that document deals with the sabotage, outbreaks of violence and with the role of the 'Umkonto we Zizwe' , as distinct from that of the Poqo movement. I want to suggest to you that that document seem to favour the type of activity which the 'Umkonto we Zizwe' started and they regarded that as more organized , more principled, whereas the Poqo outbreaks were

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more irresponsible and unorganized? --- Well, do you want me to read this now .. or?

You can read it when you look through the other documents. We can come back to that.

Were you never consulted about the later activities, in the later, latter years? --- Which activities?

The activities of the masses? --- Well, I was never consulted. The only contract I had was the, what you might call the liberation movement or progressive movement, were the trade unions and I've had consultations often on various questions with officials of the unions.

Yes, but the South African Congress of Trade Unions continued to exist? ---Yes.

And I take it, you had close association with that? ---I did, yes. Fairly close, yes.

Yes. ---I was not an official of that organization.

Yes, but that may be, but you were accepted as a person of standing, a person who could speak with authority on trade union matters? ---Yes, I assume so.

Because I see in the document before the Court, called 'Time for re-assessment', which was issued by the central committee, according to the evidence? ---Yes.

There reference is made to the South African Congress of Trade Unions, that it should be contacted and ways of organization should be canvassed. Do you remember that? --- I've read the document.

Yes. Perhaps I ought to read to you that passage - yes, on page 12 of this document, it says: "Organization - present tasks. From this brief outline certain tasks emerge (a) organization on the economic front is a primary task.

How this can be accomplished with Sactu on the constant and

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crippling attack must be carefully discussed by all units. A combination of open and underground activity is necessary. Those most concerned must immediately come forward with practical suggestions. Now, were you ever consulted in regard to that aspect? ---No.

But you were, I take it, in close contact with various people like Beyleveld, Mrs. Bernstein? ---I was in contact with Beyleveld on trade union questions until about, I think until about 1960. But not much since then.

And Mrs. Bernstein? ---Well, I know Mrs. Bernstein, but I have, apart from being friends, I had no other dealings with her.

And Mr. Schermbrucker? ---Yes, Mr. Schermbrucker is a friend of mine too.

Mr. Fischer? ---Mr. Fischer is a friend of mine.

You see, if those people - I'm putting a hypothetical question - were people on the central committee of the Communist Party, and they were issuing a document entitled 'Time for re-assessment', showing that something has to be done in regard to the economic aspects of the struggle, then it would be natural for them to approach you for views or suggestions? --- Well, I don't know who issued that statement, 'Time for reassessment'. And I can only say that neither Fischer nor Schermbrucker ever spoke to me about 'Time for re-assessment' or anything like that.

Yes, but to whom would they speak? ---I don't know?

How did you fit into the scheme of things then? - As far as the - as Sactu was concerned? --- Well, I assisted trade union officials with drawing up memoranda for negotiations. I took part in negotiations. I drafted various memoranda; I drafted memoranda for wage board

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representations; I wrote articles for their paper. There were numerous activities, I can't remember them all, but people came to me from time to time to ask me to help them.

Yes, that I can understand. But the whole idea of the liberatory struggle was to co-ordinate all it's activities? Otherwise you would have had chaos? ---Yes.

I suggest that it was for reasons of convenience that the congress movement was split up into various bodies in 1950 - or say after the dissolution of the Communist Party in order to ensure contact with the various sections of the population? ---I can't quite see that concept. How do you mean? The Congress movement was split up into sections?

When the Communist Party was dissolved in 1950, you found greater concentration in the African National Congress, The Indian Congress, the Coloured People's Organization? ---These organizations existed before the Communist Party.

Yes, but their real activity only started in 1952, with the defiance campaign? Or say, 1950, with the May-day .. ---I can't accept that. There's a long, long history of the A.N.C., long before the Communist Party, and a long history of the African Trade Unions, long before the Communist Party.

Yes, the A.N.C. was useless? ---That may be your concept, but I think they played a very important part ...

Yes, their leaders were of very little use? They didn't have revolutionary leaders until people like Sisulu and Katana that took over in --- That is due to the fact that the situation in South Africa developed further.

In 1910 or 1912 you had leaders of the African National Congress going to Britain on deputations to object to Union and all they asked then was that there should be no pass laws, but there was a development. People became more

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militant and more revolutionary. That is essential, that that happens in history.

Yes, but my point is that the real revolutionary activity only started after 1950? ---That may have been due to the fact that the Nationalist Government came into power.

You had all those flare-ups, you know, throughout the country from then on? ---Yes, it was due to the fact that apartheid regulations and apartheid laws were being intensified that oppression was being intensified and people started objecting more.

Yes, but the defiance campaign, for instance, came into being in 1952, 1953? ---Yes.

And I suggest indirectly that led to all those outbreaks of violence in East London, Port Elizabeth, Kimberley? --- You know, these things don't happen because somebody sits in an office and wishes it. These things had happened because there are natural historical forces at work and because people become discontented and because there is a demand for these things. That's why they happen.

Yes, but you see, there too I, as I understand the communist theory, it is the duty of the leaders to organize, to direct the course of the struggle. I'm not suggesting that they were necessarily behind all the violent outbreaks but I'm suggesting that they played their role in directing the struggle along certain lines to make it more effective, to ensure a maximum participation of the masses in those struggles? ---Yes, no doubt. There were leaders in these struggles of course.

Yes. I mean, Joe Matthews, for argument's sake, was fanning the flames in Kimberley and Port Elizabeth, he was doing a very useful job at that time? I don't know whether you ever heard of that? ---Joe Matthews? Is that

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Prof. Matthews' son?

Yes, the communist? --- Well, I'm afraid I don't know much about him.

Don't you know him? --- I know him, but I don't know much about him.

Don't you know that he is the leader in the Communist Party, or one of the leaders in Basutoland today? --- He may be, I don't know. I know the secretary of the party in Basutoland is Mr. John Motlahalwa. But ..

Yes, Joe Matthews, according to the papers...? --- It may be, I'm, I can't say, I haven't associated him with that.

What I'm trying to show you, is that when the party was disbanded in 1950, you found organizations like the Peace Council coming into being, the South African Congress of Democrats being formed, South African Congress of Trade Unions being formed? --- No, the South African Congress of Trade Unions was formed in 1955 or 1954, somewhere around there.

Yes. But the idea.. --- That wasn't a new trend.

The idea being to concentrate in specific fields of political and economic activity? --- Now, as far as the South African Congress of Trade Unions was concerned, it was formed as a result of a development which nobody could really foresee. It was formed because the South African Trades and Labour Council was dissolved and some unions who were members of the Trades and Labour Council, felt that it was necessary to perpetuate the same type of organization as the Trades and Labour Council, a multi racial trade union organization. And that is why it was formed, that is not any, it wasn't a plan which could have been devised years before, it was something which arose because the trades and labour council was dissolved.

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campaign for the acceptance of a freedom charter was started in 1954, it was a natural consideration that attention should be given to the economic aspects of the struggle?

Principally, for the purpose of organizing the workers you know, in a certain line and to educate them politically in a more concentrated form than before? ---Yes.

And that is why The South African Congress of Trade Unions was formed and was immediately linked up with the Freedom Charter? ---No, I don't agree with that. It wasn't formed for that reason, it was in existence and because it was in existence, the leaders in the National Liberation Movement decided to have an alliance with these people and to work together with them for an objective with which they agreed. But the Congress of Trade Unions was not formed for the purposes of having a Congress of the People.

No, it was not, it was formed to concentrate more specifically and seriously on the economic question? ---No, I told you why it was formed. I don't want to be detracted from that. It was formed because it was considered necessary, when the Trade and Labour Council Was dissolved the Trade and Labour Council was a body which had a principle of multi-racialists and when it was dissolved, it was considered necessary that, by some unions who were members of the Trade and Labour Council, that such a body should continue in existence. And that is why it was formed. That was it's primary purpose to continue the principle of multi-racial trade unions.

Yes. Now, when the Freedom Charter was accepted, adopted in 1955, you found that the people who supported the Congress of the People at the time, were the A.N.C., the Indian Congresses, Congress of Democrats, Coloured People's Organization...

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Organization and the Trade Unions, South African Congress of Trade Unions? ---Yes, that is correct.

Those bodies, the Peace Council and The Society of.. were two propaganda machines on the side, weren't they? ---I don't think they had anything to do with the Congress of the People at all.

Except that they also issued documents in which they tried to link the struggle for peace with the struggle for liberation? ---I don't know. That may be.

But the main bodies really were these five that I have mentioned to you? ---Yes.

And from then on they co-ordinated all their activities around the Freedom Charter? ---Yes, I think that is correct.

The one supporting the other throughout the years if one cares to remember. A close knit organization which calls itself The Congress Alliance? ---Yes. I think that is correct, yes.

Yes. And this position developed until 1960 or 1961 when the A.N.C. was banned? ---Yes, I suppose so. I think it's correct.

Now, then, from then on, the Communist party started issuing leaflets and so on, openly? ---I don't know.

When did you first see literature issued by the present Communist Party? ---I think the first thing that I saw of any public evidence of the existence of the Communist Party, was some, it was a news item in the papers - I can't remember the exact details but I think it was something about a leaflet having been distributed or something like that. I'm not sure. But that was the, as far as I remember, the first public evidence that I ever saw

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of the existence of the party.

That was in what year? ---I'm afraid I don't remember.

Before 1960? ---I really can't say. I'm not sure.

Could it be after 1960? ---I'm afraid it would be pure guess-work if I tried to fix a date on that. I just don't remember. You must have that information sir, you probably know better than I do?

No, I'm asking you, because I find it difficult to believe that you would have been left in the dark in connection with the Communist Party activities? ---Well, I was approached at one stage to join the party and I assume that after I refused, they surely wouldn't come and tell me stories about themselves.

No, Mr. Weinberg, a man with your experience and background, and association with the old party, were too useful just to be left out in the cold? --- Well, that may be so, but nobody came to talk to me about the Communist Party after Mr. Wolpe had spoken to me about joining it.

I suggest that's an untruth? ---I suggest you are not being fair in calling me a liar, sir?

I suggest that you, with your knowledge, your excellent knowledge of communist theory, and experience in trade union matters, will be the very first person they would approach to come and assist to direct the struggle from now on, especially when the party had to go underground? --- Well, I don't know about that. I think there are many people who are perhaps far more advanced than I am politically, in their understanding and so on. And I don't think they had any cause to consult me or, I don't know? Nobody came to me, that is the point. I don't know what is in the minds of these people and they didn't, they just didn't discuss it with me.

/Yesterday..

of the existence of the party.

That was in what year? ---I'm afraid I don't remember.

Before 1960? ---I really can't say. I'm not sure.

Could it be after 1960? ---I'm afraid it would be pure guess-work if I tried to fix a date on that. I just don't remember. You must have that information sir, you probably know better than I do?

No, I'm asking you, because I find it difficult to believe that you would have been left in the dark in connection with the Communist Party activities? ---Well, I was approached at one stage to join the party and I assume that after I refused, they surely wouldn't come and tell me stories about themselves.

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/Yesterday..

Yesterday I think you made a slip of the tongue when you said that you were purely employed as an advisor to these trade unions. Then you corrected it afterwards? ---No, I didn't say I was employed as an advisor. I wasn't employed at any time.

You were regarded or you were approached? ---I think so, yes.

Yes. ---I think that's the way they looked at me.

Yes. Now, are you suggesting that the people in the Communist Party never approached you for advice? ---I don't know whether the people in the Communist Party ever approached me for advice. People came to me for advice very often. I don't always ask them what their political views are or whether they are communists or what they are. In fact, if I had suspected that they were members of the Communist Party, I would most certainly not have asked them in order not to embarrass them.

Yes, but you know the old adage 'once a Communist you are always a Communist'? --- That doesn't follow. It is so in my case and I'm proud to say so. But it doesn't follow. You saw the evidence of one man standing here.

Who was he? ---Mr. Beyleveld.

What about him? ---I don't regard his attitude as that of a.. well, I don't know? I don't know what to make of him.

No, but I don't think you understand what I'm driving at? ---Yes.

Mr. Beyleveld stood there and he said that 'I still hold those views'? ---Yes.

He hasn't retracted from his communist ... --- Well, I can't make the man out? I can't understand him? I would not behave like this and I don't know what he has in mind?

What is your objection to Mr. Beyleveld? ---I have

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What is your objection to Mr. Beyleveld? ---I have

/a...

a grievance against him. I'm prejudiced against him.

Yes, that I can understand? ---Yes.

You don't like the idea of his having given evidence against you? ---Of course not. He told lying, he gave lying evidence. He told a pack of lies.

Mr. Weinberg, or else, you? Either he is telling the truth or you are telling the truth? ---Mr. Beyleveld told a pack of lies from beginning to end. There isn't any doubt about it, whatsoever. It is very difficult for me, it is easy for Mr. Beyleveld to come into the Box and make all kinds of allegations like these. I'm presented with what? I'm presented with the statements that I attended meetings in the middle of July, at 3 o'clock in the afternoon. How can I protect myself against these statements? How can I defend myself? If he fixed a date or a time I would look up my diary, I would be able to say 'well, I was at another place'. I have no defence. The man comes and tells a story here and I don't know what to say in reply to that because he is lying?

And was that, there was that Meyerson's place where you all gathered together? ---I beg your pardon?

And was that Meyerson's flat where you say you, where you, the flat that you had or used, the flat that you got permission from your friend to use? ---I was never at that place with Beyleveld.

Well, you say you were there with trade union people? ---Yes, I was.

Which people? ---Well, I can't remember exactly, On one occasion there was a person called - I don't know her surname, Emily, she is on the staff of Sactu., and well, there were two other people on another occasion.

Who were they? ---They were banned people,

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Who were they? ---They were banned people,

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Who were they? ---I'm afraid I'm not prepared to give their names.

Why not? ---Because I might be incriminated then, they are people who trusted me and I don't want to incriminate them.

I don't understand that? ---Well, maybe you don't understand that.

And that was how many times that you gathered there with them? ---I had two meetings at that flat. Not necessarily with, there was one with the young lady called Emily, I am afraid I don't remember her surname.

Is she a non-White person? ---Yes.

Yes, and the other two, were they also non-Whites? ---Yes. Banned officials of Sactu.

You were taking these non-Whites to the White residential flat? ---Is there a crime in that?

I'm asking? ---Yes, I was yes.

Yes. And Mr. Meyerson told his Worship that you came to borrow the key everytime you needed the flat? ---That is correct.

And he says that you came there about three -four times? ---Well, I think, as far as I can remember, I borrowed the key three times from him, yes.

The last occasion you never bothered to return the key? ---That is correct.

Is that when you were caught? ---I beg your pardon?

Is that when you were arrested? ---It was shortly before I was arrested, yes.

Were you still in possession of the key when you were arrested? ---Yes, I was in possession of the key when I was arrested.

Now, you say you went there for the purpose of discussin

/trade...

trade union matters? ---Yes.

And how many meetings did you have there? ---As I said, twice. Two meetings.

Just two meetings? ---Yes.

And how did it come about then that you allowed Mrs. Bernstein to use the flat? ---Well, she asked me whether I could help her to find a place where she could have a meeting.

Where she could have a meeting. What sort of meeting? For whom? ---She wanted to have a meeting with banned persons who were, well, women, who were members of the South African Federation of Women.

Which persons did she want to meet there? ---I couldn't tell you.

How many times did she borrow the key from you? --Once.

Did you tell Mr. Meyerson that you wanted the flat to be used by Mrs. Bernstein? ---No, I did not.

Why not? ---Well, I didn't consider it necessary.

Did you think it was right to mislead Mr. Meyerson about the purpose of the use of the flat? ---Well, I'm on fairly friendly basis with Mr. Meyerson, I think he would trust me, I don't think I have to tell him everything I do.

Yes, but why couldn't you tell him that actually there were some ladies who wanted the use of the flat? ---I didn't consider it necessary.

Supposing he had gone to the flat and found them there, what would have happened? ---He was hardly likely to go to the flat if he didn't have the key.

No, but supposing he had gone there, expecting to find you there and he found the women there? ---It would have been bad luck.

Is this a furnished flat? ---Yes.

/A..

A big one? ---No, it's a bachelor flat.

On what dates did you have meetings at this flat? --- I think I had one meeting sometime in April or May, I'm not too sure of that and another meeting about the middle of September.

What year did you first start using the flat? ---

Last year, 1964.

The first meeting was in? ---About April or May, I think That was with Emily? ---Yes.

The next one? ---That was about the, I think the beginning or middle of September.

No, but then you were already in custody? ---No. I was arrested on the 23rd or 24th of September.

So, was the meeting in September with these two non-White banned persons? ---Yes.

Now, when did Mrs. Bernstein borrow the key? ---I think it was somewhere around June, beginning of June, something like that.

No, but this man told us that up to July you had borrowed the key about four times? So there obviously you are making a mistake? ---Well, I think he is mistaken. I borrowed the key altogether, three times.

But now why couldn't you return the key to him in July? ---I did return the key.

He says you never returned the key? ---I didn't return the key to him after, it was after September. I used the place again in September.

Now, you say you did not have a meeting at that flat with Beyleveld? ---Yes; I say that, quite definitely.

Now, where did Beyleveld get then to know that you had got the key, that you had any say about the right to the use of the flat? ---I don't know, I suppose he got it from

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Mrs. Bernstein.

Why would Mrs. Bernstein go and broadcast things about you and risk your being involved in a thing..? ---I think it is obvious, because he was apparently involved in some activities with Mrs. Bernstein.

But why would Mrs. Bernstein go and say to him 'look, I got the use of this flat through Mr. Weinberg'? ---I don't know. She may have said it.

Do you think Mrs. Bernstein would have been as in-cautious as that? ---Possibly, I don't know.

For how many years have you known Mrs. Bernstein? --- It's difficult to say, I suppose about 12 - 15 years.

And you know that these meetings were held in strict secrecy? ---Yes, I suppose so.

The whole idea was to avoid detection? ---I suppose so.

And that for that reason, the one was expected not to say anything to the other? Not to reveal any information that could lead to the detection of these places? ---Well, that is possible. I can only assume , I mean, I don't really know what happened, I can't say. But it is obvious to me that Beyleveld knew of the existence of, about the use of that flat.

Because he was there with you? ---No, he was not there with me. I never was there with him.

I suggest to you that it's most unlikely that Mrs. Bernstein would have gone and broadcast the fact that you'd arrange for the use of that flat if you hadn't been there with them? - --He may have asked her 'whose flat is this' and she may have told him, I don't know.

Now, you have been longer in the Communist Party than Beyleveld ever was? ---I beg your pardon?

You were longer connected with the Communist Party

/than..

than Beyleveld? ---I don't know.

Much more experienced than he was? ---Well, I don't really know because I left the Communist Party in 1950 and he apparently was a member until he came here.

Yes, you see, Beyleveld doesn't say that you only had a meeting at 82 Twickenham Court? ---Yes.

He says you also had a meeting at Westminster Hall? --- I don't even know where the place is?

Sure of it? ---I don't know? I was never there.

And Cyril Jones? Do you know him? ---I know Cyril Jones yes.

And his house in Cooper Street, Cyrildene? ---I don't know his house in Cooper Street.

Beyleveld says you also had a meeting there? ---I was never at his house in Cooper Street.

And the empty house near the water tower in Bellevue? ---I don't know what that is.

And the 705 Concordia in Berea? ---I don't know the place.

And 8 Trewellyan Court in Noord Street? ---I don't know the place. I've seen all these places. I wish I knew a little more about them, perhaps I could get some evidence to show that I wasn't there.

And he says you were on the central committee with him? ---That is not true.

And you discussed various questions on these occasions? ---I never discussed such questions with him and I never was there on these occasions that he speaks of.

On one occasion you were supposed to bring along certain non-White central committee members? And you didn't turn up? ---I don't know what he is talking about.

You didn't turn up with those people? ---I don't know what he is talking about.

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But you heard him say that? ---I heard him say that.

Yes. Why would he introduce these little details unless that was the truth? ---Well, I find it difficult to reconcile this man with what he has been saying.

But this man doesn't say that you were at the one meeting. He says that in regard to the one meeting you were supposed to come there with certain non-Whites but you didn't turn up? ---That is not true. That is absolutely untrue.

Are you suggesting that he was making up this story? ---I think so.

Do you know Matthews? A man by the name of 'Mac' or 'Solly Matthews'? ---No.

John Matthews? ---I think I know him.

You know John Matthews? ---Yes.

Who is he? ---Well, he is an oldish man - isn't he the man involved in this kitchen case?

Yes, he was.. ---I have known him.

Yes, he was convicted there, I think? ---Yes. I know him.

Yes. And Paul Joseph? ---I know Paul Joseph.

And Dan Thloome? ---I know Dan Thloome. I worked with him in the South African Congress of Trade Unions.

And also in the earlier Communist Parties? ---I don't remember that but it is not impossible.

Yes. But Beyleveld says that Thloome also attended some of these meetings? - central committee meetings? ---He may, I don't know.

I beg your pardon - The district committee? ---I don't know about that.

Beyleveld was supposed to re-organize the district committee and for that purpose he got in touch with Thloome?

---It's no use sir, I don't know anything about the district

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committee or central committee or whatever committee you are talking about. I just don't know about these things.

Yes, yes. But a man like Thloome was a great trade unionist?---Yes, at one time.

Until when? ---Well, I think he was chairman of the Non-European Trade Union Council during the war or shortly after the war.

Yes? --- And I don't know exactly his history after that but for a time he took an interest in trade unions and then he was banned. And then I lost sight of him.

Wasn't he also associated with the South African Congress of Trade Unions? ---Yes, at one time, that is correct.

In what capacity?---I can't remember. I remember having discussions with him about trade union work.

Now, ideologically speaking, there was no hindrance to you to join the Communist Party when it was resuscitated in 1953? ---Well, I had personal and political considerations.

Incidentally, before I go further, the programme seems to make it clear that there was, that the present Communist Party was formed to carry forward and raise still higher the banner of the Communist Movement under the new and testing conditions of illegality and further, that the South African Communist Party is the heir to the tradition created by the Communist Party of South Africa - on page 47, the second paragraph? -- Yes, I see that.

And those documents that you have in front of you there, also deal with the same idea that the present Communist Party was merely a continuation of the old one. Perhaps I should show you 'Our new draft programme'. Will you look at this document called : "Our new draft programme". Did you ever see that document? It seems to have been issued after 1961. "A message from the Central Committee, South

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African Communist Party"? ---I haven't seen this document.

On page 1, paragraph 4, it says that the 'Since our 1953 programme the World Communist Movement, of which the South African Communist Party is an integral part,' and it goes on to say certain other things? ---Yes, I see that.

Yes, now, are you in a position to express any opinion in regard to the similarity or otherwise between the two parties, the old one that was dissolved in 1950 and the present one? Or would you say this is merely a continuation of the old party? ---Well, it is not a continuation because it seems to me that not all the old members rejoined. So I can't regard it as a continuation.

Yes, and as regards the policy? --- And as regards the policy, I think there have been some advances in thinking and in attitudes.

Yes. Well, to take account of.. ---I'm judging by this document which I have read carefully, I think there are advances in thinking there.

Yes, but as you understood the, as you understand and you know this communist theory, there's really no difference between the present party's objectives, policy? --- Well, the basic principles and the basic ideas of communism have remained unchanged for something like 150 years.

Yes, but I mean, it starts off here in the beginning by saying that it's whole theory is based on Marxism and Leninism? ---Yes.

That was also the theory of the old Communist Party? ---Yes.

Now, you made it clear yesterday that as a dedicated communist you would regard it your duty to propagate your views wherever you could? ---Well, I've always expressed my

/views..

views freely, yes.

And when an organization was formed like the present South African Communist Party, you wouldn't have had any qualms of conscience to join it? ---Well, I gave it some thought. But, well, one is often put into that position, one has to take decisions sometimes on one devise because of the pressure of personal considerations and political considerations. I felt that I couldn't do any good by joining. I was also at that stage in a rather difficult position financially. I had just lost a job and yes, well, the point is that I thought over these things carefully and I would have joined probably at some time or other but I did not join because at the time I was approached I thought over it carefully and I came to the conclusion that I wouldn't do any good to anybody.

No, but were you approached? ---I was approached, yes.

Yes, but were you approached to take charge of a particular job or what? ---No. I was asked whether I would join, whether I would become a member of the new party.

Yes, and that fact wouldn't have been published in the Government Gazette? ---I beg your pardon?

If you joined as a member, that fact would not have been published in the Government Gazette? ---I'm sure it wouldn't have been published.

It wouldn't have been broadcast to the world? ---I don't follow the impact of your question? I'm not sure what you mean?

Yes, this whole organization was a secret one? ---Yes.

And it follows that your membership would have been kept secret? ---Yes. But that wasn't the main consideration why I didn't join. I felt that I would have by joining, I would take on an additional responsibility with which I

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couldn't cope. It would hinder the work that I was doing and it would not help me in my work and it wouldn't help anybody in my work if I joined.

No, but what responsibility would you have been taking on if you joined? --- Well, I assume that when you join an organization you'll have to do some work for it? You'll have to attend meetings; you have to - all kind of things and I felt that I just couldn't ..

But they wouldn't have been unreasonable if you were engaged on other work? --- Well, I don't know whether they would have been or wouldn't have been. But I thought about it very carefully and that was my decision.

And you have already said that you were not asked to fulfil any specific task, you were merely asked to join as a member? --- Yes, but I suppose that includes obligations, some kind of obligations and activities. I would have included obligations, it wouldn't have helped me in the work that I was setting myself out to do. But as I say, one sometimes has to take decisions. I considered this thing very carefully and in my own mind I felt that I was doing the best I could in the way I was carrying on.

What I don't understand, is that you wouldn't have objected to giving a bit of financial support if necessary? A few pounds here and there? --- Yes, if I had been asked.

I mean, you as a dedicated communist would have regarded it as part of your own philosophy and outlook in life to support a body which work towards your own views, your own objectives? --- I probably would have been very proud if they had asked me for money.

I suggest you would have gone further, you would have volunteered --- to give money?

To assist them wherever you could? --- Well, I couldn't /think..

couldn't cope. It would hinder the work that I was doing and it would not help me in my work and it wouldn't help anybody in my work if I joined.

No, but what responsibility would you have been taking on if you joined? --- Well, I assume that when you join an organization you'll have to do some work for it? You'll have to attend meetings; you have to - all kind of things and I felt that I just couldn't ..

But they wouldn't have been unreasonable if you were engaged on other work? --- Well, I don't know whether they would have been or wouldn't have been. But I thought about it very carefully and that was my decision.

And you have already said that you were not asked to fulfil any specific task, you were merely asked to join as a member? --- Yes, but I suppose that includes obligations, some kind of obligations and activities. I would have included obligations, it wouldn't have helped me in the work that I was setting myself out to do. But as I say, one sometimes has to take decisions. I considered this thing very carefully and in my own mind I felt that I was doing the best I could in the way I was carrying on.

What I don't understand, is that you wouldn't have objected to giving a bit of financial support if necessary? A few pounds here and there? --- Yes, if I had been asked.

I mean, you as a dedicated communist would have regarded it as part of your own philosophy and outlook in life to support a body which work towards your own views, your own objectives? --- I probably would have been very proud if they had asked me for money.

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Well, not necessarily money then, but you would have assisted them in every way you could? ---I felt that I was doing a job which was useful in the movement and that was the best assistance that I could give.

COURT: Would you mind repeating that please? ---I felt that I was doing a job in the movement, in the Trade Union Movement and that that was the best contribution that I could make in any circumstances. But I couldn't do anymore than that.

MR. LIEBENBERG: You mean that your job in the liberation Movement, in the Trade Union Movement was assisting the Communist Party? --- Well, it was assisting the Trade Union Movement in the first place. That is the movement that I was interested in. I've spent a whole life in that movement. That is what I was concerned with. That was incidentally naturally assisting the progress of the whole movement. I was concerned with that too, yes.

Yes, but it would be assisting the Communist Party? ---It might have assisted them; my work might have been of assistance to them.

No, but Mr. Weinberg, as I understand the position, this Communist Party or the old one rather, was declared unlawful in 1950. And for reasons which you probably shared, it was regarded as necessary to start something again. To keep that Communist Party functioning at all costs? ---Yes.

And now, I suggest that you as a dedicated person, would have felt that it was vital to see that that body was kept going? --- Well, I felt that other people could do that. I had other considerations, I had other things to do.

Yes, but how many other people were there? ---I don't know?

How do you know then that other people could have

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done it? --- Well, there was Mr. Wolpe who was speaking to me.

Yes, but who else? ---I don't know.

From of the evidence we have heard in this Court, there were very few communist groups and cells? ---I don't know about that.

Or was it your policy to leave certain members in the background for practical reasons? --- Was it my policy?

Was it the party's policy? To leave certain members in the background for practical purposes? ---I don't know.

When you were still a member of the party? --- Apparently not because they did ask me to join.

Yes, they probably had a specific task for you? ---That wasn't discussed.

Well now, then, I can't see...? --- The only task that I suggested that I could do at any time, and I suggested it to Wolpe, was trade union work and I said that I can do that much better without being a member, without being in the organization. And I felt that I could do my work without endangering other people, without endangering myself by not belonging to an illegal organization. I realised that that is perhaps a decision which partly conflicted with my own thinking. But one has to take such decisions sometimes, I couldn't help it. I was in that situation that that is the way I felt and that is the decision I took.

But what I want to know from you is, that you could have agreed to becoming a member of the party. You could have agreed to continuing your work in the trade union without any inconvenience, without any risk of this exposure? --- The fact is, that I didn't agree. Possibly, if you had approached me then, as you approached me now, I might have

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joined but Mr. Wolpe never put any other considerations against my consideration, he didn't succeed in breaking my ideas down and he in fact left it at that.

So you were prepared to meet banned people in the flat unlawfully? ---Well, I reached the situation where I had no alternative at one stage. I had to do certain things and..

And you were prepared to meet, or to allow Mrs. Hilda Bernstein to meet people unlawfully? ---Yes, I think it was a small contribution to make.

So on those occasions you were prepared to act unlawfully? ---Yes, that is of course 14 - 15 years later and I still didn't go to the extent to which you are suggesting

I don't want to go into the theory again, but you know how, in the chapter of 'Strategy and tactics', you were taught to use all sorts of methods, legal or illegal, whatever was necessary in given circumstances in order to achieve your ultimate goal? That was regarded as members who had joined, to resort to all sorts of methods if it, provided it furthered the objective? ---Yes. My attitude was that the best way that I could serve my purpose, was by not joining? That was my attitude.

No, but then, who would have been any the wiser? --- I'm not sure, I don't know whether that is any consideration at all.

Yes? As I suggested to you, it isn't a fact that would have been published in the paper or in the gazette or anywhere. It's not anything that would have been circulated amongst people. It's a fact that would have been kept secret within the ranks of those members? ---Yes, that wasn't my main consideration. It was one of the considerations, I suppose. But my main consideration was that I felt I had a job to do and I didn't want to endanger

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I see even this programme of the first Party states that principle clearly? ---Yes.

"That a member has no right to refuse to carry out instructions"? ---I don't agree with that.

He is subjected to strict Party discipline? ---Yes. But is a voluntary discipline.

Yes. Now, isn't the truth of the position that the Communist Party was disbanded in 1950 purely for practical reasons? ---I think it was disbanded on the legal advice,

And because the law would have imposed sanctions because there would have been a risk of prosecution if the Party continued to function? - after that Act came into operation? ---I can't remember the details of the legal advice, but it might have been due to that, yes.

Yes, but my point is that no law or legislation by any capitalist country would have persuaded the Communist members of that old Party, to forsake their views and abandon their ideas? Isn't that so? ---Well, I never changed my views, I agreed to that.

That's what applied to everybody? ---Well, I can't speak for other people but I speak for myself, I did not change my views.

As a matter of fact, any effort to stultify the ideas of these people would have intensified their beliefs? Would have made them more determined to achieve their objective? ---Well, if one can be more determined, yes, I suppose so.

Now, I can't see why you would have felt scared just because there was a remote risk of Harold Wolpe telling somebody else that you had become a member? ---No, I didn't say at any stage that I was scared. The reason why I didn't re-join the Communist Party was because I had a certain amount of time available for certain political work. I considered

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Trade Union Work my field and I was going to work with some people, certain people and I felt that if I was also a member of the secret organization, that I might endanger my work, not myself, but my work and the people that I was working with. I had responsibility towards them too. That was the uppermost in my mind.

Now, of what sections was the old Party composed? How was it, what was it's structure? What sections were there, how ..? --- Well, I think it's pretty much the way Mr. Beyleveld described it. There was a National Conference which was the highest authority; there was a central committee which carried out the decisions of the National Conference and policies of the National Conference. And there were, if I remember rightly, branch committees, in the various areas.

Yes, I have a document called here 'Rules' of the South African Communist Party as revised by the sixth National Conference.' I want to know whether - it's not dated - whether this structure was any different from the old one. Firstly, the highest authority in the Party was the National Conference? ---Yes, that is correct.

And then the central committee was elected by the Conference and it had the right to go up to members and appoint it's own officers and between conferences it was to be the highest authority in the Party? ---I think that is correct, as far as I remember, the policy making body was the National Conference and the central committee would carry out policies decided by the Conference.

Yes, and then.. --- If they had to change major policies, if there was any idea of changing them they would have to call a National Conference.

Yes, but then the central committee had the right to

/appoint..

appoint district committees? --- Yes.

In districts there where there were sufficient members? --- I suppose so, yes. I thought they were called 'branch committees', I am sorry.

Yes, then the district committees were sub-committees of the central committee, they were appointed by the central committee to carry out such functions as the central committee would allocate from time to time to them and including the establishment and erection of groups, sub-committees and other Party organizations? --- Yes, I suppose so.

Exactly the same as the old Party functioned? --- That sounds like the structure that I remember, yes.

Yes. There is an interesting passage here in the last paragraph 9, about 'discipline', which says 'in the present conditions of fascism, it is the imperative duty of every member to preserve the continued existence and functioning of the Party and the safety of his comrades. Every member shall observe the rules of Party secrecy and security as shall be laid down from time to time by the central committee. I take it, that was also the position in the old Party? --- I don't remember that sort of clause in the old Party.

No, I'm asking you whether that wasn't the same policy of the old Party, that every member had a duty to preserve the continued existence and functioning of the party and the safety of his comrades? --- Well, I think that is correct, yes. I don't remember it having been specifically stated in any rules but I think it was probably an unwritten law.

Yes? --- Yes, it was, that was the general idea, yes.

And that every member shall observe the rules of Party secrecy and security as shall be laid down from time to time by the central committee? --- Well, I can't remember

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any rules of secrecy. I - the Party at that time was functioning openly and ..

Were you entitled to go and disclose to the outside world what was decided? --- We did disclose what was decided. Party general meetings were public meetings, practically. There were open discussions of everything. We had that publication which published our point of view and there were no rules of secrecy as far as I know. I can't remember any such thing.

Yes. But I mean, in the later organization, that would be a very essential requirement? --- In the new Party?

Yes? --- Possibly, I don't know.

What precisely was your position in the old Party, in what committee did you serve? --- Well, to the best of my knowledge, I was just a - I was a member of the group, the Trade Union group at one time and I think that is all. I have a very vague recollection of having attended meetings of the Johannesburg District Committee, but I don't think I was a member - on the other hand, I'm not sure of that. It's quite possible that I was. I don't think I was. I'm thinking very hard about this but I can't recollect it, I can't remember ever having been an official or office bearer of the Communist Party.

Did you address public meetings arranged by the district committee? --- I did address public meetings, yes.

Yes. At the City Hall? --- Well, various places.

Frequently? --- Quite frequently, yes.

I take it you were rated as a good speaker? --- I don't know about that, that was for others to say.

I mean, in the general.. ? --- Well, I think I could express myself, yes. I was frequently called upon to speak, every Sunday night, for instance on the City Hall steps,

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quite often.

Yes. So then a situation developed in this country which made the opening functioning of this Party impossible? Now, I want to know from you why you couldn't indicate your willingness to assist the new organization and for reasons of your own, decide to work in the background, the excuse from attending meetings, the excuse from holding specific offices? --- Well, I gave you my reasons. I can only repeat them.

You've given the reasons which I suggest is not the truth? --- I'm telling the truth, sir.

And it was your duty as much as any of the other members of the old Party to see that this movement did not die, did not go out of existence, it was as much your responsibility. You would have had an internal .. of conscience if you had neglected your duty in that regard? --- That may be true.

As much, this was a life-long dedicated outlook that you had accepted, it's your whole life, your whole energy, all your energies were directed towards achieving that, and here the South African Government saw fit to pass a piece of legislation which debarred you from open action. I suggest that you would not have been deterred by that, you would have made it your business to achieve your objects as you already indicated, you certainly did propagate your views wherever you could? --- Yes.

But that was one aspect of your activity. The other aspect was the keep the organization in existence? --- There's a great deal of truth in what you say, but I didn't see it that way and I decided not to try it.

I'll suggest to his Worship eventually that it's a strange thing that you, such a convinced dedicated man, /would..

would be allowed to roam at large, to do as you like, work in this trade union and operate there wherever you like without having that connection, that link with the Party organization. And I suggest to you that is very unlikely? --- Well, I told you what my position was, that is all I can say.

I'm not criticising you for holding those views? --- Yes.

I'm not criticising you? --- Which views? Your Communist views - I'm not criticising them. But what I suggest is that you have as much a responsibility as any of the other members of the old Party to see that the present Party was functioning and that it was effective? --- You are criticising my decision not to join the Communist Party. There may be something in that. It may be a criticism well deserved, but at the time when I considered that I felt that I couldn't do it, that it wasn't wise for me to do it, that it wasn't the right thing to do, and I did not join. I may have changed my mind later, I don't know, possibly. But at the time I didn't and I was never approached again.

Yes, but that's not the question of whether you were approached. The question is whether you wouldn't have gone yourself? --- Where could I go.

To the people who were in charge and organizing and directing the new Party? --- I don't know who they are.

Because you reached the stage where practically all the activities, all the bodies were hampered, were restricted by legislation? --- Not in my case. I could still do quite a lot of work in the Trade Union field,

Yes, look, after a little wrong and a bit of problem here and a problem there, you solved that sort of thing.. --- Well, that was my field and that is where I worked.

/And...

And I could do a lot of work there and I did.

You had no scope for any large scale political activities? --- Well, I've never been a large scale political worker. I've been, my attitude has been clear but I've never been a large scale political worker, never in my life.

Isn't the position this that towards 1960-1961, the Congress Movement found itself in a real crisis, organizationally? --- You mean the African National Congress?

Yes? --- Well the Congress was banned after 1960.

The Congress of Democrats was banned all the other..

--- The African National Congress was banned after 1960?

Yes, the Congress of Democrats was banned? --- Yes, well, that was banned, I don't know when, I think in 1962 or 1963.

Yes? - The opportunities of working openly were considerably restricted? --- Yes.

Now, you as a dedicated Communist, found yourself to a large extent cut off so far as open public activities was concerned? --- I was still able to do Trade Union work. Right up to the moment of my arrest, practically, I was able to do that sort of work and I did it.

Purely economic aspects, economic work? --- Yes. I consider that very important.

What about the political part? --- Well, I consider that a part of the political part. It is a part of the work that is needed.

Didn't you think that the time had come for you to.. --- In fact, if I may say so, I considered the Trade Union work at one stage far more important than others, because one, in order for the movement to advance, one has to have industrial background, one has to have contact with the workers.

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Yes, but now, didn't you think the time had come for you to re-organize your forces, take stock of the position and see what was left out of all these stringent measures adopted, passed by Parliament? ---Well, that's what we kept doing all the time in the Trade Union. Particularly when officials of the movement were being banned, one after the other, we had to think of new people, we had to meet new workers from the factories in order to ask them whether they would come on to the executive committee and whether they would step in to help. That had to be done all the time?

COURT ADJOURNS: (Witness to peruse documents).

ON RESUMPTION: Appearances as before:

WITNESS WEINBERG: Still under Oath: Continues evidence.

MR. LIEBENBERG : XXD: Continues: Mr. Weinberg, I want to put some passages to you from this book 'Fundamentals of Marxism and Leninism', this incidentally, is an authoritative work on the theory of Communism. Now, on page 411, the book has this to say about Communists: "They are in no way peculiar people, they are plain workers, peasants, intellectual in a word, ordinary people, but they are distinguished by their greater class conscious, ideological steadfastness and consequently, more intense revolutionary character and readiness to face any ordeal for the sake of the lofty idea which they have united to realise. Their life is bound up with the interests of the people and they are deeply concerned with everything that agitates the people's minds." Do you agree with that description of the true Communist? ---Yes.

And it goes on to say that "History shows us that before becoming real vanguards, the Revolutionary Party usually pass through a number of stages of political and organizational development. At the outset they are more often than not propagandist groups and their work is conducted

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And then here on page 411, it says that 'The duties of a Party member constitute the corner-stone of all Party activity, since the Communist Party is called upon to carry out the great tasks of radically re-organizing society. It cannot consider a mere agreement of it's members with the Party programme, sufficient. A Communist is one who actively helps to carry out the programme of the party and necessarily works in one of it's organizations under it's leadership and control. Do you agree with that? --- Yes, I agree with that.

And as I understand the position, before a person is accepted as a member, he has to undergo a period of training? ---Well, I don't know what the position is now. In the olden days when I was a member of the Party, the procedure was to enrol a man into a group and to give him training in the group, once he was a member.

Yes, but now, would a member be accepted as such before he has a good knowledge of the theory? ---That might be one of the conditions, yes. There are of course, other things that would apply to a good party member.

Yes, and would he for instance, then first of all be

/placed...

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Yes, but now, would a member be accepted as such before he has a good knowledge of the theory? ---That might be one of the conditions, yes. There are of course, other things that would apply to a good party member.

Yes, and would he for instance, then first of all be

/placed...

placed in propagandist groups first and then later on allowed to progress to more important work? ---I don't think that is what this means at all. This gives a historical perspective of how the Communist Party arises, how it grows. It starts off with little groups and then becomes a Party. But ..

No, it deals with the functions of the Communist Party? It starts off with, the title is 'Vanguard of the working class and all the working people'. Then it deals with the peculiarities, or shall I say, characteristics of the Communists themselves? ---Of the individual communist.

Of the individual, yes. ---Yes.

Now, what I'm trying to suggest is that you wouldn't have put a beginner onto important mass work, for instance? You would have allowed him first to find his feet as it were in the early stages and gradually when he has shown himself you would allow him to , or assign more important tasks to him? ---I suppose so, yes.

Now, for instance, in your position, and I take it that what is said here 'that the Communist must be ready to face any ordeal for the sake of the lofty idea which they - well, he speaks of 'Communists ' in the plural - 'they must be ready to face any ordeal for the sake of the lofty idea which they have united to realise.' That applies to all Communists who have devoted their whole lives to the cause of Communism? - Do you agree with me? ---Yes.

Now, you found yourselves in a similar situation, working in a Party which had that object of achieving socialism in South Africa or Communism, shall I say? --- When did I find myself in that position?

At the time when you were still in the old Party? --- That is correct, yes.

And then, through circumstances outside your control, /this..

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At the time when you were still in the old Party? --- That is correct, yes.

And then, through circumstances outside your control, /this..

this Party became banned? ---Yes.

That I suggest, didn't, in a way, in the least interfere or prevent you from working , you know, for your own views and objectives? ---Yes, I worked for it according to my own views, yes.

Yes, but I take it that whatever you undertook, was always linked up with the achievements of the Communist ideal? ---I think I had that in mind, yes.

I mean, whatever activities in the Trade Unions , for instance, you undertook , was always linked up with your own ..? --- To help along the working class struggle, yes.

Yes. And to achieve Communism in South Africa? Now, when communication became severed and difficult between the various groups, I take it you, yourself, saw to it that you maintained contact with the other people? - in the Congress Alliance? Didn't you? ---I maintained contact with a lot of people , yes, who were in the movement. Many people.

Yes, but I mean, to make sure that you weren't going off on a track on your own, and lose touch with the great movement..? ---Well, I kept in touch , I read the papers, I read the New Age, I had sometimes discussions with people who visited me and sometimes I visited other people and had discussions. Sure, I kept in touch with various people who hold similar views as I did.

And for instance, would you keep touch with people who were in the Communist Party with you, before?-- Yes.

Like the Bernstein's for instance? ---I kept in touch with them, they were friends of mine.

Slovo ? - yes. But you made sure that your part of the work was following the general pattern of the Congress Movement? ---Along the lines that I thought right, yes.

/Yes..

Yes. Now, and I take it, where you saw fit to offer advice, you did so? For argument's sake, if you found in a certain concrete situation that an explosive situation had arisen, for instance, that it would be opportune to lead the workers in a certain campaign, you would naturally have made suggestions along those lines? --- Well, if people asked me for advice I would voice my opinions, most certainly, yes.

Yes. But you know, in the course of the years there was always the May-Day celebrations, do you remember that? ---Yes.

That is a general labour day observed throughout the world? ---Yes.

And the Trade Unions that you worked in also supported the May-Day event? --- Well, not in recent years, as far as I remember.

Up to when? Say, up to 1956? --- Well, I'm not sure but I think so, yes.

The idea was to effect a greater unity amongst the workers on that day? --- Yes. It is International Labour Day.

Yes. And I suppose you also clamoured or agitated for higher wages for the workers? --- Yes, I did my best in that direction. I, for instance, took part in discussions about the campaign for R2 a day. In fact, I helped to draft some of the representations in that connection.

Yes, I , there is a document before the Court called 'For higher wages' - 'land and equality' or something? - 'Freedom, land and equality'? A document issued by the Communist Party? --- I don't remember it. (Could I have a look at it?)

Yes, you can have a look, I think it's Exhibit 2. I should have shown it to you earlier but - I think it's Exhibit 4 - on the reverse side there's the same pamphlet

/appears...

appears in Sesotho? I can summarise it for you? ---Well, I've never seen this document, I don't know it.

You know nothing about such a document having been issued, agitating for higher wages and at the same time extolling the virtues of socialism to the people, I think, linking, they are finishing off there by reference to the socialist revolution in Russia? ---I've never seen this document. I don't know it.

Yes, but I find it strange that you would be agitating for the same ideas as the Communist Party, without your knowledge of what they were doing? ---Well, apparently that happened? I notice for instance that one of the documents in here that you gave me to read in the break, deals with some questions, I admit, far in advance of what I'm thinking. I hadn't thought along those lines at all, it's a new trend of thinking, apparently.

Yes, but I'm concerned now about this economic aspect, the demand for higher wages was not new? ---No, it's not new.

The demand for equality is not new? ---Yes, but I don't see this dealing with higher wages? It deals with a variety of questions, as far as I can see, it deals with the Russia Revolution.

Yes? --- Apparently with the anniversary of the Russian Revolution.

That is right. What I am suggesting to you all morning, is that there was a, a conscious effort was made throughout the years to co-ordinate the activities of the various organizations, sections of the Congress Alliance. Do you remember that? ---Yes.

And now.. --- As I say, I used to see New Age, I used to see publications issued in the time when the A.N.C. was allowed. I also saw their documents very often. Recently

/I...

I haven't seen much of that stuff at all, and I also used to get, not so very long ago, some publications through the post.

Yes, well, that's what I'm driving at? Weren't you ever supplied with...? ---No, not this, I'm quite certain I never saw that. I saw a publication called 'The African Communist', that came to me through the post.

'The Freedom Fighter'? ---I don't remember seeing it, I saw it in Court.

Did you receive most of 'The African Communist' issues? ---I don't know, there are most, I received a number, yes.

'The Revolutionary way out', which I asked you to read? ---Yes, I read that, I never saw that at all.

That was actually published in the South African Communist? --- Well, then I must have missed it, because that's an entirely new document to me.

I think about the first part of 1963? --- Well, U must have missed it then.

On one occasion you, I think you were, or your house was searched and various documents were found there, like 'The Marxist Review'? ---Yes, I used to get that through the post on occasions.

And there was a booklet was found called 'Economic conditions of problems', 'Economic problems of Socialism in the U.S.S.R.'? --- That is possible, I don't remember that. I think I received all these things back from the police and I probably still have them.

Yes but now, where would these people have got your address in order to send you these publications? ---I don't know but I get a lot of publications sent to me.

Anyhow, you can't explain why you were left in the /dark..

dark about communists publications? - Why you did not receive Communist publications? ---Why I did not receive them?

Why you did not receive them? ---Well, I received some. I received 'The African Communist'.

'The South African Communist' we have been told was published by this present Communist Party? ---Yes, I think so. It was sent to me from England. It used to arrive in a wrap-up from London.

Did you ever contribute articles? ---No.

So you maintained contact with Communists by discussions, by visits and through the agency of publications by 'New Age', 'The South African Communist'? ---I maintained contact with a lot of people. Some may have been communists, some not. I didn't ask them. I don't think it would have been wise to ask.

But although you were - I wouldn't say - yes, here I have this "South African Communist", April - June, 1963, Exh. G.L. 10. which contains this article called 'The revolutionary way out!?' The one I asked you to read this morning? ---I don't remember this issue. I don't think I received it.

But I can put it this way that, although you say you did not join at the request of Wolpe, you certainly knew of the existence of this present party? ---Well, I had this sort of indication of it, yes.

Yes? --- And as I say, there were some indications of it in the newspapers and so on.

Yes. But did it occur to you to find out who the office bearers were, who the leaders were of the new Party, to make sure that the right persons were in charge? ---It did not occur to me to do that sir, because I didn't want to embarrass anybody. They may not have wanted me to be in

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touch with them. They may not have wanted me to ask them, I don't know?

No, but on the other hand, as a devoted Communist, didn't you regard it as your duty to make sure that this present party was progressing along the right lines? And offer whatever assistance you felt you could offer then?

---Well, if they had wanted my advice or if they wanted my assistance, they might have decided to come to me. I left it to them. I wouldn't go crying where I wasn't wanted.

Is there a single member of the present party that you can mention as having been a member of the present party? ---

No. I don't know anybody who is a member of the present Party.

COURT: Except Wolpe? --- Except Wolpe, yes, that is correct.

MR. LIEBENBERG: You never bothered to enquire? ---No.

Never questioned any of the people that you met? ---

No. I might have had my ideas about it, but I never questioned anybody.

See, that is the part that worries me about your evidence. Because for instance, you, in relation to that flat of Meyerson that you made use of from time to time, you told his Worship that Hilda Bernstein came to you and asked you for the use of the flat for the purpose of Federation of South African Women work? --- That is right.

Beyelveld wasn't even a member of that body? ---I don't know what he was a member of.

He wouldn't be? ---No, most certainly not. He is not a woman.

No. Now, how would Beyleveld come to attend meetings at Meyerson's flat which were held for the Federation of South African Women? ---I don't know. I wasn't at that meeting, I can't tell you.

Unless Mrs. Hilda Bernstein was telling you a lie

/again?...

again? --- That is possible. I don't know. I can't tell you. All I know is what I'm telling you.

I'm trying to find out wherethe truth lies, but the whole things seems to be wrapped up in a series of falsehoods? ---Well, I'm not telling a falsehood. This is what happened.

Well, would you agree with me that Beyleveld wouldn't be there in his capacity as a member of the Federation of South African Women? ---I don't know? I don't know?

He wouldn't have been there? ---Maybe not, maybe he could have been. I couldn't tell you.

But you never spoke to any person that you can today mention as being a member of the present Party? ---Of course not. They wouldn't tell me. Is it conceivable that they would say to me 'I'M a member of an illegal organization'? Of course they would not.

Yes. People that you had been working with for 18 - 20 years like Braan Fischer would have told you : "Mr. Weinberg, we have now started a new Party and It's functioning along these lines. We are still holding the old views"? ---I don't think that is logical at all. I think that these people who are members of that party, would probably be extremely cautious about telling anybody anything about it.

You were one of the old trusted members of the old Party? --- They didn't trust me enought to ask me again to become a member.

That's part of your evidence that's contentious. But you were one of the old hands for 18 years, 19 years, you were a member of the old Party? ---Yes.

Yes, and you rendered very good, faithful service in those years? ---Yes.

You made many sacrifices, personal sacrifices?

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Yes, and you rendered very good, faithful service in those years? ---Yes.

You made many sacrifices, personal sacrifices?

Hadn't you? ---Well, I hope so?

Yes. Now, you certainly contributed your share and I think to all intents and purposes you showed everybody that you were to be trusted as a dedicated member of their Party? Isn't that so? ---I think I did, yes.

Yes. Now, 1953, a new organization started again and as far as the evidence is heard in this Court, goes, we are told that the same or many of the old people who were in the old Party were here again? Why would they leave you in the dark about the activities? ---Well, I can only suggest because I refused to join, at first and they did not approach me again. They didn't consider it necessary.

To go further, why wouldn't they rope you in, to come and assist them on Trade Union issues? --- I am afraid, I can't tell you what is in the mind of the people.

Incidentally, you think that Communism is making headway amongst the Non-Whites in this country? ---I don't know. It's very difficult to say. I think that ultimately Communism will prevail and people will be convinced of it's correctness, but it is difficult to say what progress these ideas are making now because, well, I'm out of touch, I just don't know.

No, but now with this Pan-Africanist Movement, Poqo, as they call themselves, do you think they are making more headway than you do? Than the Communists do? ---Well, it's difficult to assess at this stage, I think both the P.A.C. and the A.N.C. and probably the Communist Party and all the other illegal organizations had had severe set-backs and I can't tell you what their position is now.

Yes, but .. ---I've not seen any evidence lately of what the position is. Particularly not as I've been in gaol for four months.

/Yes....

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Yes, but I'm not speaking of this time, I'm speaking of the time when you were still closely associated with the Non-Whites and in your Trade Union activity? ---Yes.

Now, can you give us an idea..? ---I found that there was a considerable growth of - well, shall I call it, practically an anti-White attitude amongst Africans.

Yes, that is the point I want to question you about? Did you feel that --- An attitude that is certainly very strongly...

Yes, because in your propaganda against capitalists and against imperialists, the emphasis was on the White people being the oppressor? ---I don't think - you mean in my propaganda? I don't think I will ever have taken up that attitude.

No, in the course of the years, the type of propaganda that the Communist movement put out was that the White people were the imperialists, capitalists who came to this country to exploit the races, the cheap labour, the cheap raw materials and so on? --- I think the Communists always discriminated very strongly between the White working class and the White capitalist class. I think they made it clear that the White workers might be one over to the cause.

Yes, but in the course of the years, oppression became associated with the White rule, didn't it? ---Yes. That is so. Because, increasingly the White workers were taking an anti-African attitude.

Yes. --- That is correct, yes.

Now, I'm asking you whether you think that Communism has made some progress amongst them in the light of .. --- Amongst the Whites?

Amongst the Non-Whites? ---Amongst the non-Whites?

Yes? --- You mean, in the direction of race hatred?

/Seeking..

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Yes? --- You mean, in the direction of race hatred?

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Seeking generally in the direction of their acceptance of the Communist theory? --- Well, I think that over the years there are many, many more people in this country today who believe in Communism than there were before? Certainly. I'm thinking back when I came to Johannesburg in 1932, the movement was small, insignificant, didn't have much influence. The Communist Party at that time was the only organization which advocated the franchise, for instance. The only organization which advocated unity between Black and White. Nowadays we have many, many more organizations who do that sort of thing. The Liberal Party advocates that, the Progressive Party and in addition to that, I mean, the ideas that we were advocating, in addition to that there are many, many more people I'm convinced of that, today, who are thinking along socialist lines than they were 20 years ago, say.

Yes, but I'm concerned with the Non-Whites. Would you say that there are thousands today which, who would endorse the Communist theories? --- Well, I had never conducted a vote, I can't say whether there are thousands or hundreds, but I think there are many, many people.

Hundreds or thousands? --- I'm sorry, sir, I'd be giving you a guess. I don't know how to assess that.

COURT: Are you talking about non-Europeans? -

MR. LIEBENBERG: Non-Whites, yes. And can I put it this way that the type of propaganda that was put out in the course of the years, certainly had it's effect on the non-White? --- The propaganda which the Communist Party put out in the earlier days, yes, I think so.

It had a distinct appeal to the worker from the point of view of his being exploited and oppressed by capitalists? --- I think many people became converted to the Communist point...

point of view, yes.

Yes. Now, you read / that document, 'Revolutionary way out'? ---Yes.

Where the author seem to differentiate between Poqo and the Umkonto we Zizze movements? ---Yes.

And expressing a sympathetic attitude towards the Umkonto? type of sabotage? ---Well, as I read this during the break, it gives me a picture of that the Communist Party - this is a Communist Party document, that it advocates well reasoned, organized, carefully planned military activities as against the sporadic and dangerous and irresponsible activities of Poqo. I think that is the picture and I think that in that respect I would like to say that this document I mentioned earlier, this document is an advance on my own thinking.

This document certainly supports the view I put to you this morning that the Communist Party programme envisages a positive action in this country as distinct from a situation of waiting for events to develop outside the borders which might bring about changes here? ---Well, as I read that document, they do that, but they do say that there are still, it is there, I can't remember the exact phrases, they do say that it is still possible to conduct other activities. And in fact, in the latter part of the document they detail these other activities. But it is said, it is correct, it is said that it is necessary to prepare or something to that effect, on these lines for the eventuality of more militant opposition.

Yes, they do mention the necessity for preparation for sabotage, violence, guerilla operations, culminating..? --- Yes, could I read these exact phrases..

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/ON RESUMPTION..

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COURT ADJOURNS:

/ON RESUMPTION..

ON RESUMPTION: Appearances as before:

WITNESS WEINBERG: still under Oath.

MR. BERRANGE: As your Worship pleases. I have just been informed by - a note that has been passed to me, that during the lunch interval Mr. Weinberg has been separated and isolated from his co-accused with whom, up till now, he has always been together, as have all the witnesses, Mr. Schermbrucker, for instance, when he was under examination, during the time of the luncheon interval.

I might mention sir, that this was a similar thing as was the position in the Rivonia Trial in which I appeared where , when one or other of the Defence witnesses - or the Defence Accused were giving evidence, the Special Branch themselves gave instructions to the authorities there that the Accused in question, who was in the witness-box at that time, should be isolated from his co-accused. I raised this matter with His Lordship, the Judge President and His Lorship expressed himself in somewhat scathing terms about this behaviour and ordered that this should not happen again.

I'm going to ask your Worship also to adopt the same attitude as that adopted by His Lordship, the Judge President, and give orders sir, that Mr. Weinberg or any of the Accused who may be giving evidence, should not be isolated from their fellow accused during the few moments that they do have the opportunity of being together and talking to one another, together. I see no reason for it, sir, If the Accused were out on bail then of course, he couldn't obviously mix with his fellow accused. The fact that he is not out on bail is no reason why he shouldn't be given the same facilities as are ordinarily given when he doesn't happen to be a witness.

/Mr. Liebenberg...

MR. LIEBENBERG: Your Worship, I have no knowledge of the arrangement that are made when these people are detained. I am unable to express any opinion one way or the other.

COURT: This is another administrative matter that I have to go into and give a decision later, Mr. Berrange.

MR. WEINBERG: Still under Oath: Continues Evidence.

MR. LIEBENBERG: XXD: Continues: Mr. Weinberg, I want to deal with this document, 'The revolutionary way out', which, according to the issue of April - June, 1963, of 'The South African Communist, published in that early part of 1963. I take it you will agree with me that this document which is a statement of the central committee of the Party, speaks in very favourable terms of the African National Congress? ---Yes, I think it does.

And for instance, it says on page 4, 'that the best guarantee of the speedy victory of the South African revolution is that the seasoned and devoted leaders of the most representative and influential liberation organization, The African National Congress, have grasped the essentials of this situation and courageously advanced a correct policy' - and then it goes on - 'In this hard task the A.N.C. can count as in the past, on the unqualified support of our Party and all it's members.' (Page 4 - the fourth paragraph). It's just before, in the section which deals with the 'Balance of forces within'? Mr. Weinberg, you have listened to the passage that I've read out to you? ---I haven't found it yet..

Well, to save time, let me try and find it for you.. ---You say it is under the heading 'The balance of forces within'?

Yes. Let's start at the beginning. You have - do

/you...

MR. LIEBENBERG: Your Worship, I have no knowledge of the arrangement that are made when these people are detained. I am unable to express any opinion one way or the other.

COURT: This is another administrative matter that I have to go into and give a decision later, Mr. Berrange.

MR. WEINBERG: Still under Oath: Continues Evidence.

MR. LIEBENBERG: XXD: Continues: Mr. Weinberg, I want to deal with this document, 'The revolutionary way out', which, according to the issue of April - June, 1963, of 'The South African Communist, published in that early part of 1963. I take it you will agree with me that this document which is a statement of the central committee of the Party, speaks in very favourable terms of the African National Congress? ---Yes, I think it does.

And for instance, it says on page 4, 'that the best guarantee of the speedy victory of the South African revolution is that the seasoned and devoted leaders of the most representative and influential liberation organization, The African National Congress, have grasped the essentials of this situation and courageously advanced a correct policy' - and then it goes on - 'In this hard task the A.N.C. can count as in the past, on the unqualified support of our Party and all it's members.' (Page 4 - the fourth paragraph). It's just before, in the section which deals with the 'Balance of forces within'? Mr. Weinberg, you have listened to the passage that I've read out to you? ---I haven't found it yet..

Well, to save time, let me try and find it for you.. ---You say it is under the heading 'The balance of forces within'?

Yes. Let's start at the beginning. You have - do

/you...

do you have the chapter which deals with South Africa and the World? ---Yes.

After that follows the 'Balance of forces within'? ---Yes.

And then you come to the 'Pass Laws a new round of struggle'? --- Oh, yes.

Now, just before you come to the 'Pass Laws', there's a paragraph which begins with 'The best guarantee'? ---Yes, I see that.

Yes. That is the passage I read to you - or rather, portion of which I read? ---Yes.

Yes. Now, I take it this represents your view as well, although you say you weren't a member of the Party. Did you also hold the view, do you hold the view today that The African National Congress leaders have grasped the essentials of the situation and have been able to advance a correct policy? ---Yes, I hold that view.

And that, in that respect, the African National Congress can count on your support, also? Where possible? Moral support or otherwise? ---I think this is a trick question? The African National Congress is an illegal organization and you are asking me to support it? Isn't it a criminal offence.

No, I'm asking you, this document says that.. -- Yes, I agree with the formulation that is placed here. I agree with that, yes.

Yes. Now, the document says that 'in this hard task the A.N.C. can count as in the past, on the unqualified support of our Party and all it's members'. Now, I'm asking you whether insofar as you are able to give any support, morally or otherwise, you would do so? Would you?

/Supposing..

Supposing you were free...? ---Isn't this an incriminating question? I want to know? I want to know my position?

Is that what you are afraid of? ---Yes. Because I believe it is illegal to support it, the illegal organizations.

Yes. But insofar as the , this organization was analysing the situation in South Africa? ---I would be prepared to go as far as to say that I agree that the leaders of the African National Congress are politically - perhaps the most advanced , Africans in the country. And that they are , could be regarded as the leaders of the African people. I agree with that.

Yes. But you see, what I want to find out from you is this, the African National Congress have made a certain assessment of the political situation in South Africa? ---

Yes.

The African National Congress came to the conclusion say, in 1961, that non-violent methods would no longer be applicable or suitable in the situation in South Africa?

--- I don't know whether that is their final or only conclusion?

That was an expression by Mandela? --- Well, I'm afraid I don't - I haven't heard it, I haven't been able to see it's context, I don't know.

Can I ask you this - you know that the 'Umkonto we Zizee' was being assisted, supported by the African National Congress? ---I don't know.

Acts of sabotage were committed by the Umkonto we Zizee? ---I heard about that, yes.

And that the AN.C. was supporting that movement, that activity? ---I don't know about that.

You don't know? ---No.

But you as a Communist, I take it, specialize in the

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assessment of political change and political situations from time to time. Don't you? ---I try to do that.

Yes. And it is important from the theoretical point of view to be able to advance the correct slogans as the struggle develops? ---Yes, I suppose if one were a political party or a political organization, then one would have to do that. I .. yes..

I mean, more so, with the Communist Party? The Communist Party would not lag behind the other movements or other bodies? Would it? ---I don't know. It might. It can happen, I don't know.

It could happen but when one looks at this policy statement, 'The revolutionary way out', you will agree with me that it is rather worded in strong language? ---Yes. It, as I said before, it goes a good way further than my own way of thinking. In many respects, not in all respects.

Yes. When you say 'your way of thinking', are you referring to any particular time in your career or are you thinking of the present situation? ---I'm thinking of the, say, the period of the last six months, eight months, or so.

Yes. but as you see the situation developing in South Africa, would you personally, disagree with an analysis of this kind? --- Well, some of it goes further than I agree with.

Yes. In what respect does it go further than your views? --- Well, the greater emphasis that is placed there on the more militant forms of action. I don't think the time - I said before, I don't think that the time, at this moment it is either advisable or necessary to adopt the more militant methods that are advocated in some portions of that document.

/Where...

can only succeed in making that struggle more bitter and bloody.. Should they persist in this course, the only effect can be that the present outbreaks of sabotage, of violence, will develop into full scale civil war beginning with guerilla operations in various parts of the countryside and culminating in an armed insurrection of the whole oppressed peoples of the country." Now, what is there that you don't agree with? ---Well, first of all I don't agree with the assessment that this is something that is likely to happen immediately, with the point that it is immediately culminating in such a clash. I think that it is correct to say that the people should organize and fight back on every front against pass laws, Bantustans, Group Areas, against starvation wages, against mass evictions, against police state terrorism. I agree with all that. And the local grievances, all these things that are mentioned here, I agree with all that.

Yes, but what consideration.. --- I agree that ultimately sometime probably in the future, I don't know how distant, the position may arise where there may be the need for the sort of outbreaks of sabotage and violence, that that may develop, that may take place. In fact, it is something that is, that one could reasonably assume will take place if it is not prevented in time.

Yes, but what I'm really concerned about is your ability to assess a political situation? --- Well, my assessment is that this situation has not yet arisen. There is plenty of room still to avert it, to avoid it? That one should fight in order to avoid it. I believe that very sincerely. I believe that very sincerely.

No, but what I have in mind is this, that if we take the events over the last two or three years, all the outbreaks

/of..

of sabotage that were committed throughout the country? ---
Yes.

All the numerous trials that had come to Court; all suggesting a mass uprising, or shall I say, an illegal violent activity that started in this country? --- Well, there are organizations apparently that are conducting these sort of activities, yes.

Yes. ---And I suggest that these organizations arise and these activities arise because of the frustration which the many people are feeling at their inability to make progress.

Would you categorise these activities as mass activities? Mass action? ---No, I don't think I would.

What would you say, are they spontaneous outbreaks as a result of conditions? --- Well, I feel that some of them are spontaneous outbreaks. We've seen some very stupid acts and some of them are probably organized, I don't really know, but I'm speaking..

No, but I'm assuming for the moment that the A.N.C. and the Umkonto we Zizee were organizing, planning sabotage acts on an organized basis? -

MR. BERRANGE: (Would you allow me to interrupt at this stage?)

My learned friend is assuming something in regard to which there is no evidence and the witness' attention should be drawn to that fact. In fact, this is a matter that was canvassed at great length over many months at the Rivonia Trial, of which I was one of the counsel. And evidence was given over and over and over again there, which is contrary to the assumption made by my learned friend, viz., that there was an organizational link between the A.N.C. and the Umkonto we Zizze, or that the African National Congress was assisting the Umkonto we Zizee. This

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is the second time my learned friend has put this question to the witness on an assumption. If my learned friend wants to put such a question to the witness and I think first of all he should lay the foundation by establishing that that which he assumes, is in fact the true position. Because if he does do so, I shall very much contend and contest the correctness of any such evidence if it were ever endeavoured to be led.

MR. LIEBENBERG: I don't know what my learned friend is driving at, your Worship. I did not make the assumption that he is suggesting I'm making. I'm asking you, Mr. Weinberg, and please listen, and I'd like my learned friend to listen also -

XXD: That it is the duty of the Party to assess developments in the country - to assess the political developments in the country and it is the duty of the party to see that it advances the correct slogans in a given situation. That you have agreed with? ---I agree that that is so.

Yes, that is pure theory? ---I agree that is their duty, yes.

Yes? Now, I'm putting this position, and I don't care now who was responsible for the outbreaks of violence, I'm assuming that the non-White masses were embarking on violent action in this country. Now, I'm asking you from a theoretical point of view, what would be your, if you were a member of the party, what would be your attitude in regard to maintaining the lead of the masses? Would you trail behind and allow them to roan on and wander about aimlessly and conduct as much illegal activity as they like or would you step in and try and maintain a lead, try and canalise their revolutionary activities along a certain line? ---I'm

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afraid it was a very, very long question and there are many passages inbetween to which I could take exception. So, could you perhaps summarise it in a form that I can answer?

Then I'll start again? ---Please. But not, allright, may I interrupt you when something is not clear?

Yes? ---Yes?

"It is the duty of the party, in terms of a theory, to see that it remains at the lead, in the lead of the masses?" --- Yes, correct.

And it should not allow the masses to wander about and commit acts of any description on their own? ---Yes.

Now, when a situation arises which indicates that the masses are inclined and are in favour of strong and violent action - --- May I stop you there?

Yes? --- You are putting to me a situation that may arise but that has to be assessed. You mean to say 'if such a situation arise'?

Yes? --- 'And if the party really believes that that is the situation'?

Yes? --- Yes, carry on, sir?

Now, now, I say what would the party do in those circumstances? --- That's very difficult for me to answer. Because surely, they would have to assess a lot of other facts, a lot of other circumstances. One doesn't assess a political situation merely on the basis of one factor, on the basis, the masses are now beginning to take militant action. Are there not other factors to be considered? What is - let me just give you the other factors. What is the strength of the opposition? What is the strength of the support for these activities of the masses. To what extent

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is it a basic thing, to what extent is it not perhaps a temporary phenomenon, something that may pass away, something that will not last? One has to assess all these things and it's very difficult to answer a hypothetical question like that, without having regard to all these other factors.

Yes. I want you first of all to answer this question in terms of a theory. If a revolutionary tide is rising in a country, what is the party's duty? ---I assume that if the general situation is such, that there is, what you might call 'a revolution situation', the Party would take the lead.

Yes, what would it do in those circumstances? --- Well, it's difficult for me to say. I'm not a member of the Party and I can't say.

Now, what sort of slogan would.. ---I'm sorry, you are asking me a very hypothetical question. You know, revolutionary situations have arisen in many countries from time to time and the Communist Parties in those countries have advanced in different circumstances, different slogans, different strategies, different tactics, depending on circumstances.

No, but take --- I'm afraid I can't answer your question? Because you are not giving me all the other factors surrounding it?

No, I'm asking you a theoretical.: ---It's a purely hypothetical question?

Yes? Take any island in the South Seas, as far as I'm concerned. You are there in your capacity as a theoretician, as a leader of a Communist Party? ---Yes.

You want to mobilise those masses? You want to maintain their lead, don't you? ---Yes.

Now, a situation arises, which indicates that a

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Now, a situation arises, which indicates that a

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revolutionary situation has developed? ---Yes.

What would you do? ---Well, let me think of an example. For instance, at the end of the war, there was a situation arising in Czechoslovakia, let us say as an example, where the people were coming out of the factories, marching in the streets demanding a new government. I think the Communist Party adopted the slogan then 'Support the people, not just support the people, arm them, arm the workers from the factories, let them go out and let them decide the issue'. And the result was that within 24 hours there was a change of Government in Czechoslovakia. That was a situation in Czechoslovakia. It may be arising differently somewhere else. I can't say. I could give another example where, in Latvia for instance, 1940, the Communist Party of Latvia took over political power without a single drop of blood being shed; without any military effort at all?

Yes, but I'm concerned with the situation that may arise where you find that the masses are ready for any type of action? ---Well, it would depend on the circumstances. What does 'any type of action' mean? One could succeed in changing the Government by let us take as an example, 20,000 or 30,000 people marching on Parliament. That happened in 1960, they could have taken power then if they had wanted to? They didn't. But that could happen, then you would do one thing, whereas if you found that the people were prepared to take action and they were opposed by military forces of immense strata, and the people were not armed, they were not sufficiently armed, one would have to hold them back. One would have to say to them 'no, this is not the time'. It depends on a series of factors and a whole situation /which...

which is never as simple as you are putting it. It is always complexed. I can't commit myself to an answer to that. Please?

Yes, no, I'm asking you if you were to find in South Africa that the non-White masses become ready for any type of action, you find that your assessment of the situation that there was a possibility of their succeeding, for instance. And let's say, the direction of organizing a general strike throughout the country paralysing all sorts of industries and services? ---You mean if the people are prepared to take general strike action?

Yes? ---Yes, and if the probabilities are that such action would be - would succeed?

Yes? ---I would call upon the people to take strike action, that is correct.

Yes. But your whole idea is all the time to stay in advance of the people, to be in the vanguard of the people? ---To be with the people, as far as the people are prepared to go, yes. And to lead them, yes.

Now, if a body like the African National Congress were to decide to take strong violent action, how would you as a member of the party decide to act in those circumstances? ---Well, I would have to ask myself first of all whether the African National Congress really has the support of all the masses. Also, I would have to ask myself 'how strong is the opposition against the African National Congress', I would have to ask myself 'how much support can the African National Congress muster, apart from it's own forces; who would be it's allies. I have to think of all those things. And if - I mean, all that on the assumption if I were a member of the Communist Party - I'm speaking merely as a man who is thinking politically. That is the way I would think. I would have to investigate it, I would have to look at every angle

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of the problem before making up my mind. Not merely on the assumption that because one man or a group of men or a committee of The African National Congress say that the masses are now ready for action. That does not convince me that that is the position. I still have to know what other factors are operating.

Yes, but now, as you were able to appraise the situation in this country, do you ever think that a revolutionary situation has arisen in the last few years? ---No.

You don't agree with that? ---No, I don't agree with that. A revolutionary situation is a very complex situation. One of the factors in a revolutionary situation is that is, if one studies history very carefully one can see that in a real revolutionary situation, the ruling forces are unable to govern, when they reach a stage when they are unable to govern, that is one of the requisites of a revolutionary situation. And I do not think that we have at any time yet had a revolutionary situation in South Africa.

But are you in favour of this view which says that 'The Nationalist Government cannot succeed in its attempt to check the awakened people of our country in their irresistible drive to freedom?' ---I agree with that.

Yes. 'They can only succeed in making the struggle more bitter and bloody' ---Yes. And I think that it should be prevented and I think this document says too 'that stage should be prevented by means of pressure other than military pressure'. That is how I feel about it. And if they then persist, as this document says, 'should they persist in this course, the only effect can be that the present outbreaks of sabotage and violence will develop in full scale civil war.' A thing that I'd hate to see. But to think that, it stands to reason, you can't hold people back, you have got a

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/majority..

majority of the people here and you not only have the majority of the people who want these rights, but people who are supported by the entire , by the rest of humanity. By everybody. You can never hold them back.

~~Yes, but this document puts only one other alternative, to the alternative solution to the problem, and it says that 'the only way out of the misery and bloodshed of Nationalist rule and White domination, the revolutionary way out'.~~ - the word 'is' is missing from my document - I take it, that is how it's supposed to read? 'There's only one alternative to the Nationalist rule , that is the revolutionary way out'?

---Yes.

I take it that 'revolutionary way out' in this context would mean 'eventual bloodshed and armed insurrection'? --- No. I don't agree with that. A revolution is not necessarily accompanied by bloodshed. It is not always accompanied by insurrection. Revolutions have taken place without bloodshed.

Yes, I know that. --- A revolution means a change. It means a change which can be forced by many things. It can be forced sometimes by a resignation of the Government which is incapable of governing any longer. It doesn't have to be accompanied by bloodshed.

I don't see why we should differ in regard to our construction of this document? ---This is what this document says. I'm trying to interpret my view of this document. I'm trying to give you my view there.

No, I'm speaking of this document as it stands. It seems to pose two alternatives to the - to South Africa. Either the Nationalist rule continues as inexorably as it has done, or else, changes come about and concessions are made? ---That sir, is your interpretation of this. I am giving you my interpretation of that. And you can't make me

/say...

say that your interpretation is the right one.

Yes, no, I'm asking you how you understand this document? ---I'm telling you how I understand it.

How do you understand it? --- That is what I said. A revolutionary situation means a change. A revolutionary way out, that is, that a complete radical change in the Government of South Africa. And that change in my view can be brought about many methods.

Yes?--- It can be brought about by peaceful methods. It would be regrettable if it can't be brought about peacefully.

Yes, you said that? --- That is my interpretation of this.

You said that but when the changes cannot be brought about by peaceful methods, then this document seems to suggest that the struggle would become more bitter and bloody and violence, sabotage and civil war, guerilla operations and eventual armed insurrection would result? ---I think it is bound to happen, but my interpretation is that although that is not impossible, it is still possible to avoid that sort of thing.

Yes, that maybe, but then as it states this position it is possibly in line with the Communist theory? In regard to revolutionary action? ---This position?

Yes? ---Yes, I think it is in line with Communist theory.

Now, I want to hear your views about the Freedom Charter very briefly. Have you perused those three lectures? 'The world we live in', 'The country we live in', 'A change is needed'? ---Yes.

And those three lectures analyse the economic situation, the political situation in South Africa in the typical Communist line? ---May I ask who issued those three lectures?

/I...

say that your interpretation is the right one.

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Yes?--- It can be brought about by peaceful methods. It would be regrettable if it can't be brought about peacefully.

Yes, you said that? --- That is my interpretation of this.

You said that but when the changes cannot be brought about by peaceful methods, then this document seems to suggest that the struggle would become more bitter and bloody and violence, sabotage and civil war, guerilla operations and eventual armed insurrection would result? ---I think it is bound to happen, but my interpretation is that although that is not impossible, it is still possible to avoid that sort of thing.

Yes, that maybe, but then as it states this position it is possibly in line with the Communist theory? In regard to revolutionary action? ---This position?

Yes? ---Yes, I think it is in line with Communist theory.

Now, I want to hear your views about the Freedom Charter very briefly. Have you perused those three lectures? 'The world we live in', 'The country we live in', 'A change is needed'? ---Yes.

And those three lectures analyse the economic situation, the political situation in South Africa in the typical Communist line? ---May I ask who issued those three lectures?

/I...

I had not seen them before.

You had not seen them? ---No, I saw them now in this file that you showed me.

The Transvaal Provincial Committee of the Congress of The People issued them? --- Well, I am afraid I hadn't seen it before.

Yes, but I'm asking you whether you agree that those three lectures agree with the Communist teaching in regard to capitalism .. ? ---I think they are perhaps a socialist way of looking at things, yes. They are not Communist documents. I don't agree with that. They are a socialist interpretation of the situation in the country.

Yes, but they also indicate the inevitability of the success of socialism over capitalism..? ---Yes, that's what I said, a socialist interpretation.

Yes, now , they indicate how in the course of the historical development over the years in history, the one phase succeeded the other as a result of struggle? ---Yes.

And they indicate how certain political changes , economic changes would have to take place in South Africa? ---Yes, I think they do, yes.

And that the Freedom Charter envisage those changes? ---Yes.

And the stepping up of a people's democracy, a general people's democracy in South Africa, which would aim at the elimination of exploitation of man by man, completely? --- Yes, well, that conclusion is correct, but it is not a conclusion to be reached in relation to the Freedom Charter.

Yes, but if you read , if you assess the Freedom Charter in the light of those lectures, would you agree with me that the Freedom Charter would be in line with the aim at socialism? In South Africa? ---No. The Freedom Charter

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is a basis for a democratic government, as you would term, as you had been terming it all the time, a national democratic change. A national democratic revolution. That is not socialism, yet. Socialism is another matter, altogether

No, but I used the words 'in line with it', In other words, one of the steps in that direction? --- Well, in the sense, as I said it earlier on - in the sense that in order to bring about socialism, one has to have democracy.

Yes? -- One has to have democratic forms of government. It is not possible to bring about socialism without that.

Yes, but I think you agreed with me yesterday that The Freedom Charter would be a step in that direction? ---Yes, in the direction of a democratic government.

Yes, and people reading those three lectures in the Freedom Charter, in the light of them, would feel that The Freedom Charter objects were really steps in that direction, too? ---Possibly, yes. I don't know. I don't know how the two are related at all.

Yes. Then did you read the speech of Turok at the Congress of the People? ---Yes, I read that.

What do you think of that? ---I don't think very much of it.

Why not? ---I think it's a very dis-jointed and inco-herent speech, I was surprised that a man of his education could make a speech like that.

No, but I'm thinking of the ideas that he expressed there? ---They are very inco-herent.

The need - yes, but no, what you can understand.. --- The speech seems to have been made in broken sections. It doesn't hang together. There's one statement that starts and the next statement has no relationship with the other. It seems like a series of sentences, probably there were interpretations...

interpretations inbetween and translations and it sort of doesn't hang together. Frankly, it doesn't make much sense to me.

No, but as it analyses the economic aspects of the Freedom Charter, and deals , it deals with the need for the abolition of big monopolies? ---Yes, that is mentioned there. But he also goes on to say that something to the effect, that 'the workers committees would take over factories'. Well, I don't think that there's anything like that in the Freedom Charter, I think it is a personal opinion of Mr. Turok?

Yes, but again, it is clear that Mr. Turok wanted to interpret, he was interpreting that section or that clause in the Freedom Charter which deals with the economic aspects? ---Yes, that is his interpretation, his opinion.

Yes. I don't know why you are finding fault with his speech? He says here that 'Mr. Chairman and friends, it is right that the Congress of the People are being held here in Johannesburg , it is right....' --- This is not the sort of language that Mr. Turok would use. I'm surprised to hear him say 'the Congress of the People are right..' or something like that. That doesn't sound like him?

No, 'that it is right, that the Congress of the People are being held here in Johannesburg' --- 'The Congress of the People are being held'?

Yes? ---I don't know..

This speech I may tell you, was taken down in shorthand by ... ---No doubt yes, there seems to be something wrong with it, I can't make that out. It's not the only thing. There are whole sequences there which don't link together.

Yes, but let's go on. Don't let's quibble about the

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grammatical mistakes. 'It is right because Johannesburg has seen the beginning of a rotten South Africa'? --- Well, does that make any sense?

Well, Johannesburg is where the gold mines started, isn't that the big ~~evil~~ that you complain about? ---I'm afraid my mind is not as subtle as that as to follow this sentence on those lines. It is very far fetched.

And it goes on to say 'you know that here in Johannesburg the greatest contrast exist, a contrast between the rich and a contrast between the poor'? ---Yes.

'We know that in Johannesburg exploitation of the workers have always gone hand in hand with their oppression'? ---Yes.

That's fair enough? --- That is right, yes.

'And we know that oppression is something that is familiar to all the African people, we also know that exploitation is something that's known throughout the world'? ---Yes.

That's also reasonable. 'Friends, when you enter Johannesburg, you are met by those ugly things, the gold mines. They are not only ugly to the eye but they are ugly to the minds'. Mentally he was speaking to people that had to appreciate these things? ---Yes, but I can't quite follow it, I'm not sure what he means.

If he had spoken to these people in terms of Marxist.. ---I think he would have spoken to them in a manner in which he would.. you know, would have explained things easily. I think that is very subtle.

Isn't that what he is trying to convey to these people that the gold mines were not good things? They are not, he says, we say that the gold mines means the

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robbery of the people of this country? Isn't that the basic idea about the gold mines, the working of the gold mines, employment of ... ---It's a very rough statement, I don't know?

Yes, well, I don't think we will get very far by analysing his speech. ---I don't think so either. I don't know.

All I can suggest to you is that Mr. Turok was certainly trying to deal there with the idea of oppression of the workers which results from these big monopolies? --- Yes, well, if that is what Mr. Turok said, I don't know whether he did, but if that is what he said it was an expression of his opinion. I'm afraid he expressed it very poorly but does that amount to, if he expressed his opinion?

Didn't you hear him say, didn't you hear his speech? ---No, I could hardly hear anything where I was.

Now, then I want to ask you again about your discussions with Emily and the unnamed persons. Let's deal firstly with the meeting of Emily, with Emily at Meyerson's flat. What did you discuss with her? ---She brought me some letters as I remember, from an employer's organization, I can't remember what it was and asked me to draft a reply for her.

Now, why was it necessary, where is the employer's organization? ---In Johannesburg, I think so, yes.

Which place in Johannesburg? ---I think it was the Chamber of Commerce, I'm not quite sure.

Where's the address? ---I don't remember that. It's well, it's the South African Association of Chambers of Commerce, I think their address is - I'm not sure - I think it's Shakespeare House, I'm not quite sure.

Did you have a business at that time? ---I'm a

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