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--- Yes.

In other words, they say that the real masters of the government and the country are the capitalists? --- Yes.

I think you made it clear, however, I would like to - I sometimes have to repeat your evidence, that communists according to you, also are persons who criticise and denigrate parliamentary system, the British parliamentary system? --- Yes.

They say that this has become a means of power in the hands of organised capitalists. And I think, I don't know, whether you said it or not, I think you did, that the capitalists control the press which is therefore not a free press, and that the capitalist press uses its influence or its power to influence public opinion. That is a common thing said by communists? --- By Communists.

Would I be correct then if I were to put it in this way, that according to you, communists say that our economic interests should be based not on clashing interests, but in such a way that everyone will receive a legitimate award or reward for his labour? Is that what the communists would say? --- They say two things, either a legitimate reward for his labour, or a reward according to his needs.

And, of course, they also go onto say, it is a very common thing, that persons must be protected against exploitation. Exploitation is one of the words that rings throughout communist parlance? --- Yes.

And they say that an end must be put to the storing of riches in the hands of a few whilst the people themselves are impoverished? --- Yes.

That is the sort of thing that the Communists say? --- Yes.

And it follows from that that they say that when the capitalist system falls, as they say inevitably it will fall, the riches of the land will be there for the people. That is the sort of thing they also say? --- Yes.

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Going back a bit earlier, I think that one of the teachings of communists is that as the result of the growth in industrial life, scientific discovery, introduction of machinery, the individual hand workers has disappeared; the smaller capitals have amalgamated, and I think 9 this is more or less the sort of thing that you indicated to us - amalgamated in the hands of companies and the workers have become therefore more concentrated in factories? --- Are becoming, yes.

Are becoming or have become. I think they make it clear, that the rate of production and the wealth of the world has thereby been increased, but that the condition of the workers has not advanced in proportion to the increase in wealth and the increase in the rate of production. That is one of the things they also say? --- Yes, I am not happy about the use of the word 'wealth', but there has been an increase in production.

Well, that is the sort of thing that they would say? --- Yes.

And they indicate that the gulf between wealth and poverty has become ever greater and the distinctions are now becoming more and more marked? --- Yes.

And communists also say that as a result of capitalists being in possession of the means of production, the financial and industrial groups are in the minority, but with the wealth and power entrusted to them, and in order to serve their own interests, not those of the people, they endeavour to get control of government. That is a common communist statement, is it not? --- Yes.

According to you? --- Yes.

And I think they also say - I think I dealt with this a moment ago - that one of the things they do, one of the things that these financial and industrial groups do, is to set up a propaganda machine in order to sow discord amongst the people, mislead the people. In other words, to use an

old expression, they gang up against the people's liberties. That is a good communistic expression? --- Is it? I haven't come across that word 'gang up'. I thought it was an American expression.

Well, American communists still exist also, don't they? --- So I am told, I haven't been there.

But you would agree that that is the sort of thing they say. That they set up a propaganda machine which is for the purpose of sowing discord amongst the people and generally mislead them? --- My difficulty there is to what extent they set it up consciously and to what extent this is a process of growth, even in the minds of the communists, so that the press promotes the capitalist interests, simply as a natural matter, because the capitalists happen to be in power and ...

Control the press? --- Almost unconsciously, I should imagine. I can't remember a communist statement saying that the capitalist consciously sets up a press of that sort. There may be such a statement.

Have you never heard of the capitalist press? --- I have heard of the capitalist but...

Mentioned by communists? --- But did the capitalist press grow automatically or was it set up consciously. That is my point.

You are worrying about whether it grew as a result of capitalism, the fact of them seizing the means of production and therefore seizing all the..? --- Yes.

I see. That is whether it grew, or whether they did it consciously? --- Yes.

Communists also say, they make it quite clear, that in their view the existing order is doomed and that powers of reaction cannot stop the changing world? --- Yes.

That is a true communist statement. And that to try and introduce a new economic system and to retain our present

state and government apparatus, would be impossible? --- Yes.

These are all the sort of things, if I understand you correctly, you said it several times, that the communists say, and I want to read you certain statements based upon that which I have already been summarising for you, and I wonder if you would be so good, if you can of course - you have done so much reading, probably you can - whether you would be so good as to give us the names of the authors of the quotations based on the type of thing which I have just indicated? Can you tell us who it was that wrote the following : "The facts of the situation amount to this, that a comparatively small number of men control the raw material of this country; that a comparatively small number of men control the water powers; that the same number of men largely control the railroads; that by agreements handed around among themselves they control prices, and that that same group of men control the larger credits of the country. The masters of the government of the United States are the combined capitalists and manufacturers of the United States". Can you tell us the author? --- No, I can't give you the author. I have heard that statement made frequently.

As you have already told us, that is the sort of statements that communists make. Perhaps I can give you something that you might be able to help us with rather more easily. I am quoting : "Whatever may be said in favour of the British parliamentary system in other parts of the world, it has in every instance been a failure in South Africa when viewed from the nation's point of view. It has become the means of power in the hands of organised capitalism which through its own press, manipulates public opinion for its own benefit, as well as for the sake of British imperialistic interests". And then again : "Capitalism is organised and rules our country. It is in a position to lay hands on

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the machinery of government. Time after time in our country we have had capitalism dominating and dictating. We have a state of affairs that a portion of the population is dependent through poverty. How is public opinion formed? Especially by means of the press, the school for adults. That press is not free. It has been called into being by certain monetary interests. The press must serve its master and in this way public opinion in South Africa is manipulated by capitalism. Where such is the case, democracy has become a caricature and that kind of democracy must be wiped out". - "An end will be put to the storing up of riches in the hands of individuals, whilst the great majority are perishing in poverty. If the capitalistic system falls, it will mean that the riches are there for the people". Are you able to place the author of that? --- No.

Pity. Perhaps this one might assist you. "The remarkable phenomenon that socialism is strongest in the most prosperous and best educated countries". I think I should give you the full context to assist you. "The roots of socialism can be traced to a three fold change which has taken place in all civilised lands. Hence the remarkable phenomenon that socialism is strongest in the most prosperous and best educated countries. The first is the unparalleled growth of industrial life and the consequent change in the general condition of society, and more especially of the working classes. As a result of scientific discovery and the introduction of machinery, the individual hand worker has disappeared, smaller capitals have amalgamated in the hands of companies and labour has been concentrated in the factories, while the rate of production and consequently the wealth of the world was by this means immensely increased, the condition of the labouring classes was not by any means improved at the same rate. On the contrary, while the gulf

between wealth and poverty became wider, and class distinctions more marked, the deadening, brutalising influence of factory life has become increasingly apparent". Are you able to...? --- No.

You can't tell us the author of that.

BY THE COURT :

Are all these quotations from the same author?

BY MR. BERRANGE :

I shall indicate in due course where they come from. They are not from the same author. "The financial and industrial groups.." - perhaps you can help us with this one - "... steal the livery of the great national constitutional ideals to serve discredited special interests. As guardians and trustees the great groups of individual stockholders, they wrongfully seek to carry the property and interests entrusted to them into the arena of partisan politics. They seek, this minority and business and industry, to control and often do control, and use for their own purposes, legitimate and highly honoured business associations. They engage in vast propaganda to spread fear and discord among the people; they would gang up against the people's liberties". That is obviously an American. Can you give us the author? --- No.

"But history has always taught that no revolution can be checked by reaction. The mere fact that a spirit of revolution is surging is sufficient proof that the existing order is doomed. Otherwise such a revolutionary spirit could not have arisen. To fight for a new economic world at the same time retaining the old state of affairs is futile and merely patchwork". Now that, I am sure, you can give us the author of? --- No, I recognise it, but I can't give you the author.

Anyway, you told us earlier in your evidence that these sort of things are the sort of things that communists

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say because they have really - and I think I am not putting it too highly - they have emphasised the following things : The denigration and criticism of the British Parliamentary system; the statement that a few people have secured the control of the instruments of production, they speak about the exploitation of the workers; they speak about the ever widening gulf between the very rich and the poor, and generally as you have indicated to us, is the sort of thing that communists say. That is so? --- Yes, it is the sort of thing that communists would say.

Now I am going to tell you who the author was of the first quotation I read to you. The one that you were unable to give us. I'll read it again : "The facts of the situation amount to this, that a comparatively small number of men control the raw material of this country, that a comparatively small number control the water powers, etc... by agreements they control prices and they control the credits of the country ... the masters of the government of the United States are the combined capitalists and manufacturers of the United States". Would you dispute it if I was to suggest to you that this was a statement written by the President of the United States, Woodrow Wilson, in 1913? --- Communists aren't the only people who criticise the capitalist system and the parliamentary system...

That is the one answer I have been waiting for from you the whole day on which I sat and listened to your evidence on the last occasion. And you never came out with it. My question was, would you dispute it if I was to say that that was written by the President of the United States, Woodrow Wilson, in 1913? --- I have no evidence either way before me.

You have done some reading, have you not? --- A bit.

A lot, much more than I have, I can assure you. Is it the sort of thing that you can imagine Woodrow Wilson as

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having said having regard to your reading of him and history?  
--- He could have said it, yes.

The last quotation which I quoted to you beginning with "They, the financial and industrial groups steal the livery of the great national constitutional ideals to serve discredited special interests" and finishing up with the truly American statement "they would gang up against the people's liberties", I suggest to you was written by Franklin D. Roosevelt in his annual message to Congress on January 3rd, 1936? Would you dispute that? --- No.

And the quotation that I read to you starting "Whatever may be said in favour of the British parliamentary system" and finishing up with the statement that "it manipulates public opinion for its own benefit as well as for the sake of British imperialistic interests" and as also the quotation stating that "Capitalism is organised and rules in our country and it is in a position to lay hands on the machinery of government" as also the quotation that "Our economic life must be arranged not on clashing interests, but on interests which will co-operate and will allow everyone to receive a legitimate reward for his labour" and which finishes with the statement that "An end will be put to the storing up of riches in the hands of individuals whilst the great majority are perishing in poverty and if this capitalistic system falls, it will mean that the riches are there for the people". I want to suggest to you were all made by Dr. Malan. You might well smile, but do you dispute it? --- Not in the least, not in the least.

These attacks on capitalism, the suggestion that capitalism is there to serve the interests of a few and not the minority, the suggestion that it has become concentrated into the hands of a few, the suggestion that the British parliamentary system should be upset, is the sort of thing



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that you would have expected Dr. Malan to say - not so - from your reading? --- He might have said it.

Would you have expected it from your reading? That is my question? --- I don't know whether I would have expected it, but he wouldn't fall outside of his general position I should imagine, to say it.

So these are the sort of things that are said by communists and by American Presidents? And the statement that "The roots of socialism can be traced to a three fold change which has taken place in all civilised lands, hence the remarkable phenomenon that socialism is strongest in the most prosperous and best educated countries", and finishing up with the words "On the contrary, whilst the gulf between wealth and poverty became wider, and class distinctions more marked, the deadening brutalising influence of factory life has become increasingly apparent", I want to suggest to you was also made by Dr. Malan in a lecture delivered by him before the Graaff-Reinet Literary Society. Can you dispute it? --- No, I do not dispute it. That lecture was delivered in about 1913, wasn't it?

Yes, that is so. Does it matter? --- No, no.

It is the sort of language that the communists use? Not so? --- Are you asking for my agreement that the last quoted statement is the sort of language which communists use?

Yes? --- It may be the sort of sentiments the communists express, but I think they would have expressed it in a different vocabulary and language.

Does one find the word..? --- I thought you were asking me a question when you said the sort of language the communists use. That is why...

Yes, that is exactly what I do. Exactly what I am asking you, a question. Perhaps you would like to paraphrase this into communistic language? --- Partly, I think, that if a communist expressed those sentiments, as they do when they

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express those ideas, they express them in terms which show the antagonism inherent in the society rather more strongly than those writers did. They would refer it I think, to the class struggle and very soon to a revolution.

There is nothing about the class struggle or the revolution in what I have read out to you. I am asking you whether you want to paraphrase that? I am not suggesting that this is the whole of Dr. Malan's speech, was I? --- No.

I gave you a quotation. You don't know whether he spoke about the class struggle later on in this lecture do you? --- I am limiting myself to that one paragraph.

Then why do you raise that point? --- I don't think a communist would have used that particular form of language. I thought you asked me a question, and I have to give my opinion on it.

What has it got to do with the fact that the class struggle has been eliminated? --- Because in a short statement even like that, the communist would have used, I think, a different form of statement. That is all I am saying.

What has that got to do with the fact that there has been no mention of a class struggle, is my question? --- It has this to do with that fact. If a communist had made that statement, he would have used a type of vocabulary which might immediately have introduced the class struggle or the idea of a sharp antagonism in the statement. I could have told you from the beginning that none..

What are you trying to do? Are you trying to confuse content with language deliberately? --- You identified content with language, and I am separating them very clearly.

Now then you pointed out to me that a communist, if he had said this, he would have spoken about the class struggle? --- Not necessarily the class struggle, but in similar terms.

But why should you mention the class struggle at that

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stage at all in the speech? --- I don't know why he should, but he often does. His language ...

He often does, I see. Does the communist speak of exploitation? --- He uses the term.

Of the oppressed people? --- Yes.

Of reaction? --- Yes.

All those words and expressions are to be found in the stuff I have read to you, are they not? --- Yes.

That is communistic language, according to you, is it not? --- Yes.

But, as you say, not only used by communists? --- Yes.

I was going to put to you the statement that "history has always taught that no revolution can be checked by reaction", finishing with the sentence "to fight for a new economic world and at the same time retaining the old state of affairs is futile and merely patchwork" was made by Dr. van Rensburg of the Ossewa Brandwag. Do you dispute that? --- No.

You couldn't find one more virulently anti-communist, could you? --- No, not easily.

Well, I don't know. However, I am happy that you weren't able to assist us by giving us the authors. Perhaps you can give us the author of the following quotation : It deals with the question of capitalism; it deals with the instruments of production coming into the hands of a few people and what happens as the result thereof. It reads as follows : "In the industrialised state the instruments of production are usually in the hands of a dominating group and are usually situated in his territory. This has a three-fold result. Firstly, it appears that the backward groups and their territories are drained of their wealth making forces. Secondly it appears that little money flows to such territories and little wealth is made there. Thirdly it appears that

the backward groups, being wage earning groups, not having ownership of the instruments of production, are excluded to a considerable extent from a share in the increasing national profits in proportion to their labour". Now that expresses very much the same theme as that which was expressed by Franklin Roosevelt, you will remember I read that out to you, does it not? --- Yes.

Can you give us the author of that? --- No.

You can't? Well, you would be very surprised to hear that you are the author of that. Do you deny it? --- Not if you say so. (Laughter).

I will tell you where it comes from "Parliament ..... state...

BY THE COURT : I am sorry to interrupt you again. I have on several occasions now warned certain of the Accused persons not to laugh and I must warn them again. If I detect this sort of thing again, I will ask those Accused who do it to step forward and I will have to deal with them.

BY MR. BERRANGE : Sir, I must on behalf of my clients make this observation - that there is such a thing as spontaneity of expression. The Accused who allowed themselves to smile somewhat audibly - if I may use the expression - did so and in doing so only followed the example of the witness so I want to suggest, Sir, that..

BY THE COURT : I have the strong feeling that the laugh is very often raised at the expense of the witness and I think that that was deliberate here, too, on your part, Mr. Berrange..

BY MR. BERRANGE : What was deliberate?

BY THE COURT : That you raised this laugh at the expense of the witness obviously.

BY MR. BERRANGE : I raised this laugh at the expense of the witness in what way?

BY THE COURT : That is so - and I have warned you against it.

BY MR. BERRANGE : In what way?

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BY THE COURT : I am not trying to explain in what way. I must..

BY MR. BERRANGE : I resent the implication. I resent any suggestion that my cross-examination is not legitimate.

BY THE COURT : You do this deliberately and you are putting us in this difficult position that I shall have to deal with that.

BY MR. BERRANGE :

If there is anything in my question that I have put to this witness then it is for Your Worship - if it is an offensive or objectionable question - to object to it. I noticed no objection falling from Your Worship's lips at the time I put my question. I submit to this Court that my question was perfectly legitimate and I resent the suggestion that I tried to get a laugh out of the witness.

BY THE COURT : I want to say this again, Mr. Berrange, that you are making it extremely difficult. If you want to make these suggestions that seem funny to the accused...

BY MR. BERRANGE : And the witness...

BY THE COURT : And to the witness - I don't know whether it was so funny to him....

BY MR. BERRANGE : I pointed out to Your Worship that the laughter emanated as a result of the witness laughing. He was the first to laugh. I noticed no rebuke falling from Your Worship's lips in regard to the witness.

BY THE COURT : I didn't see the witness laugh.

BY MR. BERRANGE : Well, I did.

BY THE COURT : It was the laughter that was raised in the body of the hall here...

BY MR. BERRANGE : I hope Your Worship is not for a moment suggesting that my statement that the witness laughed is not consistent with fact.

BY THE COURT : I am not suggesting that it is not but it is the way that you....

BY MR. BERRANGE : I pointed out one very simple thing in this

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