

is separately paged, but this is page 76 of the First Report : "Why is it necessary....."

BY MR. JUSTICE RUMFEE :

Just before you go on, this Report, is it a Report of a speech or a discussion or a document? --- The report I am reading is the Report of the General Secretary of the Comintern to this Congress. The General Secretary was Dimitrov at the time. 5

BY MR. DE VOS :

Is that part of the book indexed under that heading or not, Professor Murray, - as a speech of Dimitrov or not? --- It is given in the index. I am reading from page 76 : 10

"Why it is necessary to recognise the revolutionary overthrow of the bourgeoisie and the establishment of the dictatorship of the proletariat in the form of Soviet power. Because the experience of the victory of the great October Revolution on the one hand, and on the other the bitter lessons learnt in Germany, Austria and Spain during the entire post-war period have confirmed once more that the victory of the proletariat is possibly only by means of the revolutionary overthrow of the bourgeoisie, and that that bourgeoisie would rather drown the labour movement in a sea of blood than allow the proletariat to establish socialism by peaceful means. The experience of the October Revolution has demonstrated patently that the basic content of the proletarian revolution is the question of the proletarian dictatorship, which is called to crush the resistance of the overthrown exploiters. To arm the revolution for struggle against imperialism, and to lead the revolution to the complete victory of socialism. In order to achieve the dictatorship of the proletariat, as a dictatorship of the vast majority over an insignificant 15 20 25 30

minority, over the exploiters, and only as such can it be brought about, for this are embracing all strata of the working class, the basic masses of the peasantry and the rest of the toilers, without the awakening of whom, without the inclusion of whom in the front of the 5 revolutionary struggle the victory of the proletariat cannot be consolidated. Why is the refusal of support to the bourgeoisie in imperialist war a condition of political unity? Because the bourgeoisie wage an imperialist war for its predatory purposes, against the interests of the 10 vast majority of the people, under whatever guise this war may be waged, because all imperialists combine their feverish preparations for war with extremely intensified exploitation and oppression of the toilers in their own country. Support of the bourgeoisie in such a war means 15 treason (?) to the country and the international working class. Why finally is the building of the party on the basis of democratic centralism a condition of unity? Because only a party built on the basis of democratic centralism can ensure unity of will and action, can lead 20 the proletariat to victory over the bourgeoisie, which have at its disposal so powerful a weapon as the centralised state apparatus. The application of the principle of democratic centralism has stood the splendid historical test of the experience of the Russian Bolshevik Party, 25 the Party of Lenin and Stalin. Yes, comrades, we are for a single mass political party of the working class. But this party must be, in the words of Comrade Stalin, a militant party, a revolutionary party, bold enough to lead the proletariat in the struggle for power., with 30 sufficient experience to be able to orientate itself in the complicated problems that arise in the revolutionary

situation, and sufficiently flexible to steer clear of any submerged rocks on the way to its goal. This explains why it is necessary to ascribe for political unity on the basis of the conditions indicated. We are for political unity of the working class. Therefore we are ready to collaborate most closely with all Social Democrats who are for the united front and sincerely support unification on the principles indicated. But precisely because we are for unity, we shall struggle resolutely against all less demagogues who will try to make use of the disillusionment of the Social Democratic workers to create new socialist parties or internationals directed against the Communist movement and thus keep deepening the split in the working class."

BY MR. NICHOLAS :

My Lord, the defence is in some difficulty with this last passage which has just been read by the witness. We would invite my learned friend, My Lord, to indicate for what purpose that extract has been read. As we understand the position, Professor Murray has been called in order to give expert evidence, that is really opinion evidence on the nature of Communism. Now he has read, My Lord, an extract from a speech, what is said to be a speech contained in a book by somebody who spoke in 1935. My Lord, it is not at all clear to us the purpose for which that speech has been read. Is the witness attempting to prove that in fact Dimitrov did make such a speech in 1935? Because if that is the intention, My Lord, in our submission his evidence isn't admissible to prove it, not this evidence in any case.

BY MR. JUSTICE RUMFITT :

It is obviously not the object of the evidence.

Yesterday morning this witness gave his evidence and gave, as it were, a summary. He was on the point of referring to authorities to which he was entitled to as supporting his evidence. Then he was stopped because his notes were in such a position that he couldn't at the time, and it was 5 suggested that he deals then with the reference to the textbooks and authorities at a later stage, at the end of that branch of his evidence. That he started to do, and on that assumption we have been listening to these references to the textbooks and other sources of information on which 10 he relies in support of what he has said.

BY MR. NICHOLAS :

My Lord, reference to the standard works such as the works of Lenin and so on, we can understand, My Lord. But when the witness gives evidence of a speech made in 15 1935 by an individual, we have difficulty My Lord in seeing in what way that is an authority. It is not a textbook, it is a speech made by an individual.

BY MR. JUSTICE RUMFEE :

Do you think that only textbooks are authorities? 20
When one deals with political science?

BY MR. NICHOLAS :

No, My Lord, but there must be standard authorities to which a witness refers either to refresh his memory or to fortify his opinions. 25

BY MR. JUSTICE RUMFEE :

Well, what about the Manifesto?

BY MR. NICHOLAS :

It is part of the basic communist literature, My Lord, the Communist Manifesto. But insofar as speeches 30 made by people are concerned, there....

BY MR. JUSTICE RUMFF :

This is a book containing Reports of the Seventh World Congress of the Communist International.

BY MR. NICHOLAS :

On the face of it containing such a report... 5

BY MR. JUSTICE RUMFF :

Yes, on the face of it, it is all prima facie.

BY MR. NICHOLAS :

But with respect not, My Lord. If the witness wishes to prove that this speech was in fact made by Dimitrov, he cannot do it merely by producing this book. 10

BY MR. JUSTICE RUMFF :

I don't think it is the object to prove that this speech was made by Dimitrov, as such. I think what he refers to is this book called the Seventh World Congress Report, the report of the Communist International Congress. 15

BY MR. NICHOLAS :

My Lord, if he refers to it in the same way as he refers to a textbook, if he seeks to fortify the opinions he gave yesterday by referring to this book, then we understand the position. 20

BY MR. JUSTICE BEAKER :

Isn't that the only basis on which all these matters are being produced?

BY MR. JUSTICE RUMFF :

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When he makes, if I may call it an aside statement that the speech was made by Dimitrov, I take it that there is a reference perhaps in the book to that effect, it is ex parte the book it is said to be a speech of Dimitrov. It is not evidence at all that it is a speech by Dimitrov. 30

BY MR. NICHOLAS :

My Lord, insofar as....

BY MR. JUSTICE RUMIFF :

All these statements of fact so far, there have been a few, we have let that go through, on the basis 5 that he has some knowledge as a political scientist: of the work that he is dealing with. But when he says this, that the speech was made by Mimitrov, it cannot possibly purport to be evidence to prove that there was a speech made by Dimitrov on this occasion. 10

BY MR. NICHOLAS :

Then, My Lord, with respect we are unable to see the value of it. My Lord, unless he can say 'I am referring to a textbook or to a document which is regarded as authoritative...' 15

BY MR. JUSTICE RUMIFF :

Yes, I agree with you that the approach should be in the proper way.

BY MR. NICHOLAS :

Well, we submit My Lord, that that proper 20 approach has not been made. All that the witness has done is to read an extract from a speech, and one doesn't know - the Defence don't know what to do in regard to it.

BY MR. DE VOS :

My Lord, I'll put a further question to 25 Professor Murray on this point. Professor Murray, what to your mind as political scientist is the exact value you place on that book from which you have read now? You have been quoting it as a ground for your opinion expressed as to certain matters of Communist theory.... 30

BY MR. JUSTICE RUMIFF :

Not at all as a ground for his opinions, not at all.

BY MR. DE VOS :

As confirming, My Lord, of as supporting the opinion already expressed....

BY MR. MAISELS :

My Lord, my learned friend can't lead. 5

BY MR. DE VOS :

My Lord, the argument, to my mind, is simply this, if I may leave for a moment the question of the witness' aside. The argument in my submission is simply this, that an expert is entitled to enumerate the grounds 10 for his expert opinion on particular subject matter in scientific terms as he sees it, and quite obviously the grounds cannot always be in the form of competent evidence before the Court in the ordinary sense of the world. He explains to the Court why he comes to certain conclusions, 15 and he gives certain - what could be called book knowledge referred to by Wigmore in a certain passage....

BY MR. JUSTICE RUMIFF :

We all know that, Mr. de Vos. But all the evidence should be put on a proper basis. What you do here 20 is you allow the witness to refer to a book and to a speech made by Dimitrov, so he says, at a certain Congress. That is all we know. How must the Court approach this book, the document? I asked a few questions, but I can't do the leading of the evidence for you. 25

BY MR. DE VOS :

Obviously not, My Lord. As a matter of fact - for the moment I'll leave that out. I was expecting a book under another head. I would have certainly otherwise have given - put the necessary questions to the 30 witness beforehand. But I intend now putting further questions to the witness on the basis of the use he makes

of that particular book. Professor Murray, as a political scientist, what use do you make of that particular authority or book you have quoted now to the Court? --- This book is regarded as a genuine copy of a copy of the Report of the Seventh Congress, there are many copies available, of course. I have known it for a long time, and if I had to say why it was regarded as genuine, I can only say that it corresponds to other versions of what happened at this Congress, and that the whole policy which it announces is in line with the Comintern policy of that time and earlier. In fact, my reply would be that I can see no particular reason to regard this book as hoax.

BY MR. JUSTICE RUMFEE :

Apart from that particular book, does the book purport to deal with Communist policy? --- The book purports to deal with Communist policy.

Is it accepted as such? --- Definitely.

In political science? --- In political science by scientific workers of standard.

BY MR. DE VOS :

As a political scientist, Professor Murray, you consider that you are entitled to make use of that book? --- I do make use of it; we all make use of it.

"We" meaning? --- Workers in political science and in the science of society and so forth. It is regarded as one of our sources.

Is that in accordance with the method of study and of systematic study of political science? --- Of contemporary conditions.

Professor Murray, have you completed the reading of that extract from that particular work? --- Yes.

What further extracts have you under the heading

of democratic centralism? You first of all mentioned at the beginning that you are reading this particular work under two headings, fascism and democratic centralism. Is that so? --- There was a reference to the other problem also.

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And do you intend referring again under the head of fascism further to that book? --- I have flagged passages here referring to fascism and united front policy, the theory of the policy in this text.

For the moment forgetting about the fascism, 10 and continuing under the heading of democratic centralism, will you proceed to the other extracts still available to you in support of your opinion? --- The other reference which I wanted to read to the Court to illustrate my statement of yesterday, occurs in the Programme of the Communist 15 International, I referred to it yesterday. My edition, page 58. It is paragraph 29 of the Fifth Section, about six pages from the conclusion. The heading of the paragraph is "The Fundamental Tasks of Communist Strategy and Tactics". The paragraph begins :

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"The Party is the vanguard of the working class and consists of the best....."

BY MR. MAISELS :

That was read yesterday.

BY MR. DE VOS :

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Are you able to check it, Professor? Is that the same as you read yesterday? --- I have not got a reference to it here, My Lord, but I can't be quite certain because the vocabulary these people use is so very much the same. I would be surprised if I read it yesterday, 30 I don't know in which connection...

BY MR. JUSTICE RUMFEE :

Yes, you have read it, that is you started with

these very same words. I think the last portion of that paragraph which you read was "strategic aims", I am not quite sure.

BY MR. DE VOS :

Professor Murray will you just be sure that 5
the portion you read yesterday included the part that you would like to refer to today, because I am not quite sure that the two overlap completely? --- The paragraph which I have marked here for reading does not conclude with "strategic aims". 10

BY MR. JUSTICE RUMPFER :

My Note may be wrong. Is there a paragraph concluding with "strategic aims"? --- Yes, it is somewhere, but not here. 15

BY MR. DE VOS :

What part did you intend reading now? From where you started till? --- That whole paragraph, it ends "clarified by the experience of the masses themselves".

For the moment, My Lord, I suggest that we leave it and we will check at a later stage. Any further 20 extracts under the same head of democratic centralism, Professor Murray? --- No, I have no further extracts ready.

Have you dealt with the History of the C.I.S.U. under this particular head? --- Yes, I read the paragraph in the History of the C.F.S.U. which also refers to the 25
- no, I am sorry, I have not. I would like to read a paragraph on the History of the C.F.S.U. I am reading from the History of the C.I.S.U., the 1948 edition.

Is that an exhibit in the case? --- This is an exhibit before the Court, R.R. 2 I think you call it. 30
At page 59, this is on the same topic of democratic centralism:

"The Party is an embodiment of the connection of the vanguard of the working class with the working class millions. However fine the guard - the vanguard of the Party may be, and however well it may be organised, it cannot exist and develop without connection with the non-party masses, and without multiplying and strengthening these connections. A party which shuts itself up in its own shell is isolated from the masses and loses or even relaxes its connection with the class, is bound to lose the confidence and support of the masses, and consequently is surely bound to perish. In order to live to the full, and develop, the party must multiply its connections with the masses and win the confidence of the millions of its class. In order to be a social democratic party, Lenin said, 'we must support - we must win the support precisely of the classes'. In order to function properly and to guide the masses, systematically, the party must be organised on the principle of centralism, having one set of rules and uniform party discipline, one leading organ, the party congress; and in the intervals between the Congresses, the Central Committee of the party. The minority must submit to the majority, the various organisations must submit to the centre, and lower organisations to higher organisations. Saving these conditions, the party of the working class cannot be a real party and cannot carry out its task in guiding the class. Of course, as under the tsarist autocracy the party existed illegally, the party organisation could not in those days be built up on the principles of election from below, and as a consequence the party had to be strictly conspiratorial. But Lenin considered that this temporary feature in the life of our party will at once lapse with the elimination of tsardom, when the party would become open and legal, and the party organisation

would be built up on the principle of democratic election, of democratic centralism. 'Formerly,' Lenin wrote, 'our party was not a formally organised whole, but only the sum of separate groups, and therefore no other relations excepting those of ideological influence were possible between these groups. Now we have an organised party, as this implies the establishment of authority, the transformation of the power of ideas into the power of authority, the subordination of the lower party bodies to higher party bodies.'

Proceeding to a further head, that of the dictatorship of the proletariat, will you quote certain documents there in support of your opinion? --- About the dictatorship of the proletariat, I should first like to read from Lenin's work, the Two Tactics, written in 1905, my edition is the Foreign Languages Publishing House, Moscow. I read from page 78 - I'll start from the previous page to get the paragraph connection. I read from page 77 :

"What is the 'decisive victory of the revolution over tsarism.'

I have now to do with the dictatorship of the proletariat.

I am now reading from page 77:

"What is the 'decisive victory of the revolution over tsarism?'

We have already seen that in using this expression the new

Iskra-ists fail to grasp even its immediate political

significance. Still less do they seem to understand the

class essence of this concept. Surely, we Marxists must

not under any circumstances allow ourselves to be deluded

by words, such as 'revolution' or 'the great Russian Revolution'

as do many revolutionary democrats (of the Gapon type).

We must be perfectly clear in our minds as to what real

social forces are opposed to 'tsarism' (which is a real force, perfectly intelligible to all) and are capable of gaining

'a decisive victory' over it. Such a force cannot be the

big bourgeoisie, the landlords, the factory owners, 'society'

which follows the lead of the Osvobozhdentsi.

BY MR. MAISELS :

Please give us the chapter first. The witness didn't give us the chapter, he just said Lenin, page 77. We haven't all got that edition.

BY THE WITNESS :

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Chapter 6, my volume about ten pages from the beginning, the paragraph beginning "What is the decisive victory". I continue :

"We see that these do not even want a decisive victory.

We know that owing to their class position, they are 10

incapable of waging a decisive struggle against tsarism,

they are too heavily fettered by private property, capital

and land to enter into the decisive struggle. They need

tsarism with its bureaucratic belief and military forces

for use against the proletariat and peasantry too much to 15

be able to strive for its destruction. No, the only force

capable of gaining a decisive victory of tsarism is the

people, the proletariat and the peasantry, - the only force

capable of gaining a decisive victory over tsarism is

the people, that is the proletariat and the peasantry. If 20

we take the main big forces and distribute the rural

petty bourgeoisie, also part of the people, between the

two. A decisive victory of the revolution over tsarism

is a revolutionary democratic dictatorship of the prole-

tariat and the peasantry. Our new ~~Iskra-ists~~ cannot escape 25

from this conclusion which Vperyod pointed out long ago.

No one else is capable of gaining a decisive victory over

tsarism, and such a victory will be precisely a dictator-

ship, that is, it must inevitably rely on military force,

on the army of the masses, on an insurrection, and not on 30

institution of one kind or another established in a lawful

or a peaceful way. It can be only a dictatorship for the

realisation of the changes so urgently and absolutely indispensable for the proletariat, and the peasantry will call forth a desperate resistance of the landlord, of the big bourgeoisie and tsarism, Without a dictatorship it is impossible to break down that resistance and to repel the counter-revolutionary attempts. But of course, it will be a democratic, not a socialist dictatorship. It will not be able without a series of intermediary stages of revolutionary development to effect the foundations of capitalism. At best it may bring about a radical redistribution of landed property in favour of the peasantry, Establish consistent and full democracy including the formation of a republic, eradicate all the oppressive features of Asiatic bondage, not only in village but also in factory life; lay the foundations for a thorough improvement in the position of the workers and for a rise in their standard of living. And last, but not least, carry the revolutionary conflagration into Europe. Such a victory will by no means as yet transform our bourgeois revolution into a socialist revolution. The democratic revolution will not directly overstep the bounds of bourgeois-social-economic relationship. Nevertheless, the significance of such a victory for the future development of Russia and of the whole world will be immense. Nothing will raise the revolutionary energy of the world, proletariat, so much; nothing will shorten the paths leading to its complete victory to such an extent as this decisive victory of the revolution that has now started in Russia."

Any further extracts under the same heading for the same purpose, Professor Murray? --- I want to read a passage from the Proletarian Revolution and the

Renegade Kautsky, the Little Lenin Library Edition, page 19. I have quoted once from that ext before, but not this passage. I beg your pardon, My Lord, I have quoted this passage before. I should like instead to read from Stalin's book on Leninism.

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I take it, Professor Murray, you in any event refer to that particular passage under this head, though you are not actually reading it out? --- I read this passage under the Violent Revolution which occurred there. The other point that it made there is the military nature of this dictatorship.

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What work are you reading now?--- I am reading from a work by Stalin entitled "Leninism", which consists - which contains numerous pieces written by Stalin and bound together in this volume called "Leninism".

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What is the status of that book in regard to political science in the eyes of political science? --- I regard this book - it is generally regarded as one of the contemporary classics. It is frequently referred to in the study of Communism, and of Soviet policy. It continues the previous argument and is regarded as one of the basic works which one should know if one wants to know anything about Communism. I read from the ...

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Where was it published and on what date? --- This translation was published by Lawrence and Wishart, and the date - it is the 1942 edition. I am quoting from the 1942 edition. I read from page 32, the first section called "Foundations of Leninism" and the particular heading of the particular section is "The Dictatorship of the Proletariat". Page 32 :

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"The dictatorship of the proletariat arises not on the basis of the bourgeois order, but in the process of the breaking up of this order after the overthrow of the

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bourgeoisie; In the process of the expropriation of the landlord and capitalist; in the process of the socialisation of the principle instruments and means of production; in the process of violent proletarian revolution. The dictatorship of the proletariat is a revolutionary power based on 5 the use of force against the bourgeoisie. The state is a machine in the hands of the ruling class for suppressing the resistance of its class enemies. In this respect the dictatorship of the proletariat does not differ essentially from the dictatorship of any other class, for the proletarian 10 state is a machine for the suppression of the bourgeoisie. But there is one substantial difference. This difference consists in the fact that all hitherto existing class states have been dictatorships of an exploiting minority,, over the exploited majority, whereas the dictatorship of 15 the proletariat is a dictatorship of the exploited majority over the exploiting minority. Briefly, the dictatorship of the proletariat is the rule unrestricted by law and based on force of the proletariat over the bourgeoisie, a rule enjoying the sympathy and support of the labouring 20 and exploited masses."

Is that all under this particular head? ---
That is all.

Now coming to the head of fascism. You have partly or in whole, I am not quite sure, already had one 25 quotation from a set of Reports on the 1935 Congress which you said also referred to fascism. Is there anything left of that particular passage that you would like to read? --- I again want to refer to the text called the Seventh World Congress, in which there are certain 30 references to fascism. I am reading from page 6 of Dimitrov's Reply - the paging does not run through -

Dimitrov's Reply to the Discussion, page 6 and onwards.

I am using the same text as I did earlier :

"It would be a gross mistake to lay down a universal rule of development of fascism, to cover all countries and all people. Such a rule would not help, but hamper us in 5 carrying on a real struggle. Apart from everything else, such a rule would result in indiscriminately thrusting into the camp of fascism those sections of the population which, if properly approached, could at a certain stage of development, be brought into the struggle against fascism, 10 or could at least be neutralised."

I continue six paragraphs further, the paragraph beginning "Even now..." on page 7 :

"Even now we still have survival of a stereotype approach to the question of fascism, when some comrades assert that 15 Roosevelt's New Deal represents an ever clearer and more pronounced form of the development of the bourgeoisie towards fascism than the National Government in Great Britain, for example, is this not a manifestation of such a stereotype approach to the question. One must indeed 20 be a confirmed addict of the use of hackneyed schemes not to see that the most reactionary circle of American finance capital, which are attacking Roosevelt, represent first and foremost the very force which is stimulating and organising the fascist (?) movement in the United 25 States. Not to see the beginnings of real fascism in the United States behind the hypocritical outpourings of these circles 'in defence of the democratic rights of the American citizens' is tantamount to misleading the working class in the struggle against its worst enemy. 30

In the colonial and semi-colonial countries, there can be no question of the kind of fascism that we are accustomed

to see in Germany, Italy and other capitalist countries. Here we must study and take into account the quite different economic, political and historical conditions in accordance to - in accordance with which fascism is assuming and will continue to assume peculiar forms of its own." 5

I should like to read from page 17 of the speech by Dimitrov, the original speech by Dimitrov - I beg your pardon, I gave the wrong information. I want to read page 17 from the Report by Wilhelm Fieck, that is the official title, in the same volume. The paragraph is entitled "The Imperial Bourgeoisie is seeking a way out in war and in fascism", this is at page 17 :

"The Imperialist bourgeoisie cannot confine itself to plundering the toiling masses of its own country and the colonial possessions it had seized. The accentuation of the class struggle, the shrinkage of profits, bankruptcy and the decline of foreign trade, drive the bourgeoisie to make preparations for a war in order to increase their profits by seizing and plundering foreign countries. These preparations are simultaneously and primarily designed for the destruction of the Soviet Union, the home, the base and the bulwark of the proletarian revolution. Thus a frantic race for armaments begins. Japan seized Manchuria in order to create a stepping off place for a war against the Soviet Union. She razes Shanghai to the ground, in order to bring China under her influence. War breaks out between Faraguay and Bolivia." I skip two paragraphs, and I continue :

"Nevertheless the growing revolutionary upsurge and the increasing sympathy of the toiling masses of the Soviet Union on the one hand and the unprecedented plundering of the masses, the frantic arming for a few war and the

organisation of fascist forces by the bourgeoisie and the others, go to show that tremendous class conflicts are impending. At the same time they indicate the weakness of the bourgeoisie."

Still under the same heading, that is fascism...? 5

--- Still under the same heading, I would like to read the paragraph in which the name fascism, the term fascism occurs in the Comintern Programme, which I have used before. The first section or chapter - I beg your pardon, the second section, General Crisis, the third sub-division, the heading 10 is "The Crisis of Capitalism and Fascism", the second main section, the third sub-section. This is 1920-1928:

"The epoch of imperialism, the sharpening of the class struggle and the growth of the elements of civil war, particularly after the imperialist war, led to the bank- 15 ruptcy of parliamentarism. Hence the adoption of new methods and forms of administration. For example the system of inner cabinets; The formation of ilogarchical groups acting behind the scenes; the deterioration and falsification of the function of popular representation; the restriction 20 and annulment of democratic liberties. Under certain special historic conditions the progress of this bourgeois imperialist, reactionary offensive assumes the form of fascism."

Now Professor Murray, going - proceeding to 25 a further head, on Africa Policy of the Communist Party, will you refer to the Comintern Programme again? I think you have an extract there on that point? --- My Lord, there is a reference to the Africa Policy of the Communist International on page 17 of my copy, the same document 30 as before. It is the concluding section of the second main section, called Capitalism and World Revolution.

The paragraph begins, on my page 16 :

"Simultaneously the antagonism between the imperialist home countries and the semi-colonial countries are growing. The relative weakening of European imperialism as a result of the war, of the development of capitalism in the colonies, of the influence of the Soviet Revolution and the centrifugal tendencies revealed in the premier maritime and colonial empire, Great Britain (Canada, Australia, South Africa), has helped to stimulate the movement of rebellion in the colonies and semi-colonies. The great Chinese Revolution which roused hundreds of millions of the Chinese people to action caused an enormous breach in the imperialist system. The unceasing revolutionary ferment among hundreds of millions of Indian workers and peasants is threatening to break the domination of the world citadel of imperialism, Great Britain. The growth of tendencies directed against the powerful imperialism of the United States, in the Latin American countries, threatens to undermine the expansion of North American capital. Thus the revolutionary process in the colonies which is drawing into the struggle against imperialism, the overwhelming majority of the world population that is subjected to the rule of the finance capital oligarchy of a few great powers of imperialism, also expresses the profound general crisis of capitalism. Even in Europe itself, where imperialism has put a number of small nations under its heel, the national question is a factor that intensifies the inherent contradictions of capitalism."

Have you further extracts on this particular point, Professor Murray?.....

BY MR. JUSTICE RUMPF :

Your question was directed in regard to the

Africa Policy, - this may be by inference referable to Africa, but it certainly is not a direct reference to Africa policy. You shouldn't put the question in that form.

BY MR. JUSTICE BEKKER :

Has this witness expressed any independent opinion on Africa policy? 5

BY MR. DE VOS :

My Lord, he mentioned Africa yesterday in connection - that is to the best of my own recollection, I haven't checked the record - he mentioned Africa as one of I think the colonial or semi-colonial states and said that Communism assumed that attitude towards Africa. That was the gist of what he said. 10

BY MR. JUSTICE RUMPFER :

Yes, but the point is your question referred to the Africa Policy of the Communist Party, and as far as I can see the passage quoted, referred to, does not deal with that topic in particular. 15

BY MR. DE VOS :

Professor Murray, what would you infer from that - or rather in support of what statement on the view Communism takes on Africa, is the Court referred to this particular extract from the Comintern which you have just read now? --- I have read this passage for the reference to South Africa - I want to read some others pertaining to Africa - because the analysis of the situation which clearly includes South Africa, follows the Communist line and to that extent the Comintern Programme, accepting that line, have aimed at Great Britain, the various imperialist countries, China and so forth. 20 25 30

You say only in that sense is this particular passage which you have read, quoted? Only with reference to

4771.

(A.H. MURRAY)

that particular opinion as you have expressed it now? ---

Yes, only to show that South Africa is included in this particular analysis of international situation.

CASE REMANDED TO THE 19th OCTOBER, 1959.

COURT ADJOURNS.

COURT RESUMES ON THE 19TH OCTOBER, 1959.APPEARANCES AS BEFORE.

Accused no. 26, J. Nkampani is back in Court.

ANDREW HOWSON MURRAY, under former oath;

EXAMINATION BY MR. DE VOS CONTINUED :

Professor Murray, you were busy reading extracts illustrating - confirming your attitude on the position of the attitude adopted by Communist theory with relation to semi-colonial and colonial countries, including Africa and South Africa. Now will you please continue with 5 the next extract on this particular point? --- I wish to read from the Theses and Resolutions of the Sixth World Congress of the Communist International, held in 1928.

What is the document you have before you? --- The document I have before me is a photostatic copy of the 10 original theses. The original document is rare, I have no copy myself. This copy was made in the Library of Congress, Washington. Professor Bochensky had a copy of this document here last year when he was here, and I used it, and the two 15 documents are the same.

That particular photostat you have in your possession, does it show where it emanates from? Where? --- There is a statement here that it emanates from the Library of Congress, Washington, it is a certified state- 20 ment.

Certified by whom? --- By the Embassy of the Union of South Africa, Theunisson.

Dated? --- Dated August 14, 1957.

From the point of view of political science, Professor, what is the weight you attach to that particular 25 document? --- This document forms part of the Communist

- of the Comintern Programme which was accepted - the Comintern Programme which was accepted in 1928.

You have already referred formerly to the Comintern Programme? You have dealt with that? --- I have read extracts from the Comintern Programme. 5

And what is the relationship of this document to that one with which you have dealt before? --- This document, Theses and Resolutions, contains the principles of the - accepted by the Third Congress in 1928, when they also accepted the Comintern Programme. 10

As far as Communist Theory is concerned, do you consider that an authoritative document? --- I would call this one of the modern classics. It is referred to by scientific workers on Communism on both sides of the Curtain. 15

BY MR. JUSTICE RUMPF :

This document - the contents of this document, are they found anywhere else, in public books? --- Many references are made to it. It has been republished, but I happen not to have an original copy myself. I had one very many years ago. It is referred to and quoted from as one of the standard statements of doctrine. 20

EXAMINATION BY MR. DE VOS CONTINUED :

Could you name any book in which it is quoted? Have you anyone in mind? --- Yes, Niemeyer and Bochenski referred to it in their Weldekommunismus (?) and if I thought a little longer I could give some more references to it. 25

BY MR. JUSTICE RUMPF :

What is the certificate by the representative of the Union Embassy? --- "To whom it may concern : "- It is headed, "Embassy of the Union of South Africa, Washington, 8 December. The undersigned, Wilmot Theunissen Second 30

Secretary of the Embassy of the Union of South Africa in Washington, D.C. United States of America, hereby certify that Donald C. Holmes who signed the attached certificate on the 3rd day of July, 1957, was on that day authorised under the laws of the United States of America to sign a certificate such as the attached certificate." The certificate by Holmes reads : "The Library of Congress, Washington, D.C., I hereby certify that there is now in the Collection of the Library of Congress a copy of the publication which is identified by the page that was used above, and that the present and following pages are true photostat copies of Title Page and pages 160 through 1676 of said copy. In testimony whereof I hereunto subscribe my name and cause the Seal of the Library of Congress to be affixed hereon. This 3rd day of July, 1957. Signed, - Holmes, Chief, Photo Duplication Service."

Have you seen the contents of this document in books? --- I recognise it. I saw Professor Bochenski's copy last year, and it is referred to - as I said, I had a copy of it myself.

What copy is it this man Bochenski has? --- He had a copy of the Theses...

Not a photostatic copy? --- Not a photostatic copy.

A book? --- A book copy.

Do you know what book that was? --- I think it was called the Theses and Resolutions. I referred to it, I didn't read the whole, but I had to use it for various purposes.

EXAMINATION BY MR. DE VOS RESUMED :

Professor Bochensky - Professor Murray, will you shortly explain to the Court what are the qualifications

of Professor Bochenski, very briefly?

BY MR. JUSTICE RUMFF :

Why is it relevant at this stage?

BY MR. DE VOS :

Because he said that it was quoted by Professor 5
Bochenski in a book called Weltdkommunismus which he recog-
nises as a standard authority, and on that score I
thought it would be advisable if he just shortly referred
to the amount of reliance he places on that particular work
by Professor Bochenski. Will you very shortly explain to 10
the Court what it is about and what the authoritativeness
of that book is?

BY MR. MAISELS :

My Lord, is the Crown not calling this man
Professor Bochenski? As far as we know, on notices of 15
documents served on us, it is the intention to call him.
If so, this is a highly improper method of giving evidence,
in addition.

BY MR. JUSTICE RUMFF :

Apart from that, how can it be improper if this 20
- if Professor Murray says that there are political scientists
who have written a book, Niemeyer and Bochenski..

BY MR. MAISELS :

And they have referred to this in their book.
My Lord, I don't object to that. 25

BY MR. JUSTICE RUMFF :

He can be asked who this - He can be asked
why do you consider Bochenski a political scientist of
status?

BY MR. MAISELS :

I understand that, My Lord, that is the normal
way in which it is done. But that is normally done where 30

the witness is not...

BY MR. JUSTICE RUMFF :

Apart from that, at the moment I don't see how this is relevant as far as this particular document is concerned. There is a statement that it has been referred 5
to in a book which apparently the witness accepts as an authority, by Niemeyer and Bochenski. He quotes it as an example, because I asked him I think there ~~are~~ any books in which this document is referred to.

BY MR. DE VOS :

10

As Your Lordship pleases, in that event I won't take this point further, and I'll ask Professor Murray to read from that particular document which is a photostat certified as he says.

BY MR. MAISELS :

15

My Lord, may we see that document, please? (DOCUMENT HANDED TO DEFENCE). My Lord, I would like to ask my learned friend, and I must ask it in this way - Is the Crown tendering this document to prove that in fact these Theses or Resolutions were adopted or passed? 20
Is that the purpose of it?

BY MR. DE VOS :

My Lord, this is tendered as proof of what in Communist theory is the attitude towards colonial - not as proof, I am sorry, My Lord, as illustrating the 25
attitude of Communist theory towards colonial and semi-colonial countries, including the Union of South Africa and Africa.

BY MR. JUSTICE RUMFF :

That is not an answer, if I may say so. 30

BY MR. DE VOS :

My Lord, it is not tendered as proof of that particular Congress, at this stage in any event.

BY MR. JUSTICE BEKKER :

Then what is it tendered for?

BY MR. DE VOS :

It is tendered to illustrate and it is offered
by Professor Murray as a source from which he - one of the 5
sources which he takes into account in coming to an opinion
on the attitude of Communist theory towards colonial and
semi-colonial countries. It explains the grounds for his
opinion that Communist theory adopts a certain attitude, a
certain point of view towards colonial and semi-colonial 10
countries amongst which are included certain particular
countries.

BY MR. JUSTICE RUMFEE :

Is it tendered on the basis of all the other
documents that Professor Murray has been dealing with? 15

BY MR. DE VOS :

Yes, My Lord.

BY MR. JUSTICE RUMFEE :

Then it is not tendered as proof of the fact
that the Theses and Resolutions reflected in this document 20
were in fact adopted on this Congress?

BY MR. DE VOS :

No, My Lord, it is not on that ground.

BY MR. MAISELS :

Well, My Lord, we have our own ideas of the 25
value of it then, and I would still My Lord like to reserve
this question as to whether I will cross-examine Professor
Murray on the whole of this aspect of the matter, but I
would like to consider it, and perhaps ask the Court's
leave at two o'clock to do it. My Lord, would it be terribly 30
inconvenient if that particular document and any others like
it, of that kind, were left over. I don't want to inconvenience

my learned friend, so that in case we cross-examine on the foundation and destroy that, the document doesn't become part of the record.

BY MR. DE VOS :

Does my learned friend expect Professor Murray not to proceed with that document now?

BY MR. MAISELS :

That is what I am asking, just not till two o'clock. I would like to consider it.

EXAMINATION BY MR. DE VOS RESUMED :

Professor Murray, will you proceed to a further document? --- I want to read, under this heading, from a document L.L.M. 79, before the Court, a Speech by V.M. Molotov at the Twentieth Congress of the Communist Party, 1956, published by the Soviet News.

BY MR. JUSTICE RUMIFF :

Do you know this type of publication? --- Yes, very much so.

Is this type of publication being used by political scientists when they study...? --- On current matters, yes. Before these things are published in book form, very often this is the kind of document that comes out.

Have you seen that type of publication before? --- I have seen this type and others like it. After every Congress this type of thing is published.

On the face of the document, where was it published? --- Soviet News, this one was published in London, Soviet News is published in London.

BY MR. DE VOS :

Do you know the publisher? --- I know the publishing firm in London, the Soviet News in London.

What sort of material do they publish, according to your know knowledge? --- They publish documents associated with Russia and they publish a good deal of official documents of this kind, speeches, and documents relating to official affairs in Russia. I am reading from page 10 :

"The world historical significance of the disintegration now taking place in the colonial system should be mentioned in this connection. The formation of independent states in Asia and Africa contribute to the strengthening of peace and international co-operation. / It will be sufficient to recall the five principles of peace which were proclaimed by India, jointly with the Chinese People's Republic, in support of the freedom, independence and peaceful co-existence of nations, and we subsequently have met with such a broad and active response throughout the world. Mention should be made here of the Bandung Conference of 29 Asian and African countries, a conference which shows the extent to which the role of Asian and African people who have thrown off the colonial yoke, although not yet completely everywhere, has grown in international affairs. The developing anti-colonial movement has encompassed the broadest masses of the people of Asia and is spreading more and more in Africa as well. These masses are striving to improve their position, and to make maximum use of the favourable opportunities for this which they have received for the first time. They do not want another war, and moreover they are imbued with the spirit of struggle against imperialism and imperialist wars. Everyone knows that a broad anti-war movement of the masses of the people, the movement of the peace supporters, has developed in the capitalist countries too. Not only all the class conscious workers and sizeable sections of the

ocasantry and intellectuals, but an increasingly large number of people of bourgeois origin are taking part in this movement. Merging with the movement of the peace supporters are the voices of many other people who, although they are not taking part in the movement, recognise the immeasurable danger of another world war. Never before have aggressors been confronted by such big difficulties in implementing their plans, for now they can no longer count on the submissiveness and obedience of the people, while they pursue their policy. But this should not lead to complacency or to counting on things taking their own course. We know that a great variety - we know what a great variety of means the imperialists are still employing to continue the arms drive and intensify war hysteria, so as to hatch new plans for aggressive war in that atmosphere. We know how widely the bourgeois press, radio, cinema and all other propaganda media are being utilised for that purpose. We must not underestimate all this, so that the resistance and rebuff (?) ordered by the people to any new plans for the preparation of war should not be weakened, but on the contrary grow stronger in every way. We must do much more than we have done hitherto, to promote increasing activity and unity of the progressive social forces and broad masses in all countries in preventing another war. We are far from asserting that everything necessary to make another war impossible is now being done. We are still often enslaved by customary and stereotyped ideas having their origin in the past before the second world war, and which now hinder the development of a new, broader and more active forms of combating war. We still often suffer from under-estimation of new possibilities that have opened up before

us in the post-war period. This shortcoming has also been displayed in the work of the Ministry of Foreign Affairs and in the Central Committee of our Party has pointed it out in good time. We must put an end to this, put an end to the underestimation of our immense potentialities, in safeguarding peace and the security of the people; potentialities based on emergence of uninterrupted growth of the forces of a socialist world camp, the unprecedented upsurge in the struggle of the colonial and dependent people for liberation; the militant working-class movement in capitalist countries and international working class solidarity. The broad democratic movement of the peace supporters, the activity of the democratic organisations of women and youth and other forms of the mass struggle in defence of peace and against war. In the sphere of foreign policy our party is guided by the need to take strict account of the concrete conditions, by the need to understand a given situation and the prospects of historical development. Lenin's combination of principle of flexibility in pursuing a course of foreign policy, that is that assures our party success in the solution of international tasks. Our striving to uphold peace and prevent another world war rest on the invincibility of the communist of socialist countries and on the steadily growing support of these non-socialist countries which come up against military blocs, the formation of which is contrary to the interests of peace, and uphold the principle of peaceful co-existence of states regardless of differences in social and political systems. Everyone knows how very important for the strengthening of peace is the stand taken by such countries as India, Burma, Indonesia, Egypt and others. In our struggle to disrupt the plans of the

advocates of war, we must take account, in the Leninist way, of the facts that economic and political contradictions between the participants in the various aggressive blocs exist and are growing, contradictions which are inevitable in conditions when the strongest members of these blocs are endeavouring to strengthen their imperialist position at the expense of their partners. These contradictions weaken the aggressive forces and increase the possibilities of upholding peace. The interests of peace and the struggle against the danger of another war require that both the Communist and the Socialist parties focus their attention on establishing the unity of the working class. The working class cannot fail to draw a lesson from the fact that aggressive forces have already twice taken advantage of the lack of unity in its ranks in order to prepare and precipitate world war. When it is a matter of such vital unity - when it is a matter of such a vital question as freeing the people from the threat of another war, this lack of unity cannot be justified by the fact that differences exist between the Communists and Socialists in their understanding of ways and means of conducting the struggle for socialism. International proletarian solidarity will become the insuperable barrier to the forces of war if the working class ensures the unity of its ranks. There will be no war if the working class really unites its forces and displays to the full its determination to uphold peace."

BY MR. JUSTICE RUMFITT :

Incidentally, did you mention what Congress, according to the document this was? --- The Twentieth Congress of the Communist Party of the Soviet Union, C.I.S.U. February, 18, 1956.

BY MR. DE VOS :

Is that the frontispiece of the document?
Please read the whole? --- "Speech by V.M. Molotov, Member
of the Praesidium of the Central Committee of the C. .S.U."
(Communist Party of Soviet Union, I am inserting) "and 5
Foreign Minister of the U.S.S.R. at the Twentieth Congress
of the Communist Party of the Soviet Union, February 18th,
1956. Soviet News Booklet No. 6."

BY MR. MAISELS :

My Lord, may I make it clear that this was 10
stated to be an exhibit in the case and found in the
possession of one of the Accused, and that is why I have
not said anything.

EXAMINATION BY MR. DE VOS RESUMED :

Professor Murray, under that particular 15
heading, is this the last extract you had in mind? --- Yes.

I am not quite sure whether you have completed
the United Front, the extracts. Is there anything left
under that heading you wanted to bring up again or have you
completed those? --- I read one statement which contains a 20
reference to the United Front, that is on the Comintern
Programme, page 63. I should like to read a later state-
ment. I am reading from the Seventh - the Report of the
Seventh World Congress of the Comintern, the Third
Communist International. 25

Is that a book you have dealt with before?
--- I have read extracts from this book before, from
these reports. I am referring to the United Front.
The book is a volume of reprints of the Reports read at
the Seventh Congress, 1934. I used it before for 30
reference.

You have explained before the authoritativeness

of that book according to your knowledge as a political scientist? --- Yes.

Now From what are you reading now at the moment? --- I am reading from the Speech by Dimitrov.

Is that the heading as it stands in the book? 5

--- The heading is "Dimitrov, the Working Class against Fascism" and the paging is 70 to 71. The paging in this book does not run consecutively. Each report is separately paged. The paging of this speech by Dimitrov is 70 to 71.

The heading of this sub-section is "Consolidation of the Communist Parties and Struggle for the Political Unity of the Proletariat" : 10

"Comrade, in the struggle for the establishment of the united front, the importance of the leading role of the Communist Party increases extraordinarily. Only the Communist Party is at bottom the initiator, the organiser and the driving force of the united front of the working class. The Communist Party can ensure the mobilisation of the broadest masses of the toilers for a united struggle against fascism and the offensive of capital, only if they strengthen 20 their own ranks in every respect, if they develop their initiative, pursue a Marxist Leninist policy and apply correct, flexible tactics which take into account the concrete situation and alignment of class forces.

Consolidation of the Communist Party. 25

In the period between the Sixth and Seventh Congresses our Parties in the capitalist countries have undoubtedly grown in stature and have been considerably sealed. But it would be a most dangerous mistake to rest on this achievement. The more the united front of the working 30 class extends, the more will new, complex problems arise before us and the more will it be necessary for us to work

on a political and organisational consolidation of our party. The united front of the proletariat brings to the fore an army of workers which will be able to carry out its mission if this army is headed by a leading force which will point out its aims and paths. This leading force can only be of strong proletarian revolutionary party. 5

If we Communists exert every effort to establish a united front we do this not with the narrow purpose of recruiting new members for the Communist Party, but we must strengthen the Communist Party in every way and increase its membership 10 for the very reason that we seriously want to strengthen the united front. The strengthening of the Communist Party is not a narrow party concern, but the concern of the entire working class. The unity, revolutionary coherence and fighting preparedness of the Communist parties constitute 15 most valuable capital which belongs not only to us but to the entire working class. We have combined and shall continue to combine our readiness to march jointly with the social democratic parties and organisations to the struggle against fascism, with the irreconcilable struggle against 20 social democracy as the ideology and practice (?) of compromise with the bourgeoisie. Consequently also, against any penetration of this ideology into our own ranks. In boldly and resolutely carrying out the policy of the United Front, we meet in our ranks with obstacles 25 which we must remove at all costs in the shortest possible times."

Now Professor, under the head of the Liberatory Movement, you have a number of passages to deal with. Will you start off on that? --- The first passage I would 30 like to read comes from - is by Lenin, Selected Works, Volume 8, page 334. The particular section is Proposals

Regarding the ...

Is that book you have an exhibit in the case?

--- The Exhibit number is S.D.N. 22.

You could perhaps just give the date of that publication? --- This particular document was published - 5
the particular article I am reading from is 1918.

But the book itself? That particular volume?

--- No, it doesn't give a printing date.

Will you please proceed with the document you intended reading. What was the name of it? --- The particular article from which I am reading is entitled Proposals Regarding the Revision of the Programme of the Party, dated 1918.

Who are the publishers of that book? --- The English translation, - this is a translation from the 15
original is by Lawrence and Wishart, London.

That is a firm you have mentioned before? --- I have mentioned it before as publishing a good deal of Communist literature.

Will you please proceed? --- The note is on 20
International Policy, "Support of the Revolutionary Movement of the Socialist Proletariat in the advanced countries in the first place. Propaganda, agitation, Fraternisation. A ruthless struggle against opportunism and social chauvinism. Support of the democratic and revolutionary 25
movement in all countries in general and particularly in the colonies and dependent countries. Emancipation of the colonies, federation as a transition to voluntary amalgamation."

The next item I wish to read is from Stalin, that is under 30
Liberation Movement. Stalin, Marxism and the National and Colonial Question, Exhibit No. H.B. 62(a), 1947 edition

originally written in 1913.

BY MR. JUSTICE RUMFF :

Do you know this particular publication? ---

Very well indeed.

- Is it standard? --- One of the classics of 5
Marxism, Leninism-Stalinism. Publishers Lawrence and Wishart,
London. I read from page 219.

What is the title of the book? --- Marxism and
the National and Colonial Question.

Who wrote that book? --- Stalin. 10

BY MR. DE VOS :

You have said that it was written in 1913? --

It is one of Stalin's classics. I read from page 219 :

"That is why the unswerving fulfilment of the urgent tasks
of the revolutionary movement in the colonies and dependent 15
countries assume particular importance at the present moment.

In view of all these circumstances, what is the mission of
the universities of the people of the East in relation to
the colonies and dependent countries? Its mission is to take
account of all the specific characteristics of the revolu- 20
tionary development of these countries and to train cadres

coming from these countries in a way that will ensure the
fulfilment of the diverse tasks we have set forth. In
the university of the people of the East there are about
ten different groups of students who have come to us from 25
colonial and dependent countries. We all know that these

comrades thirst for light and knowledge. The task of
the university of the people of the East is to forge
them into genuine revolutionaries, armed with the theory
of Leninism, equipped with the practical experience of 30

Leninism, and capable of conscientiously fulfilling the
immediate task facing liberation movements in the colonies

and dependent countries. In this connection one must not lose sight of two deviations in the of the active workers of the colonial East, which must be combatted if genuinely revolutionary cadres are to be trained. The first deviation consists in underrating the revolutionary 5 possibilities of the liberation movement, and in overrating the idea of a united, all embracing national front in the colonies and dependent countries, without due regard for their state and degree of development of these countries. This is a deviation to the right, which threatens to degrade 10 the revolutionary movement and to submerge the Communist element in the general welter of bourgeois nationalists. It is the direct duty of the university of the peoples of the East to combat this deviation with the utmost determination. The second deviation consists in overrating the 15 revolutionary possibilities of the liberation movement and in underrating the importance of an alliance between the working class and the revolutionary bourgeoisie against imperialism. The Communists in Java who recently erroneously put forward the slogan of the Soviet Government 20 for their country, suffer it, seems, from this deviation. This is a deviation to the left, which stresses to isolate the Communist Party from the masses, and to transform it into a sect. A determined struggle against this deviation is an essential condition for the training of really 25 revolutionary cadres for the colonies and dependent countries of the East. Such, in general, are the political tasks of the university of the people of the East in relation to the people of the Soviet East and the colonial East. Let us hope that the University of the Peoples of 30 the East will fulfil these tasks with credit." The next reference comes from a book by Stalin, which I

have already used. The book is called "Leninism" and was published from 1929-1947 at fairly regular intervals - it was republished at fairly regular intervals.

That particular book, has it got the date on it when it was published? --- 1940. I am using the 1940 edition 5

You have explained before, I think, the value of the book as a source of knowledge on Communism? --- It is one of Stalin's basic statements of Communist doctrine. It contains further expositions of the Marxist-Leninist position. 10

And you are reading now from what part? --- I am reading from the first section called "The Foundations of Leninism" which used to be published separately sometimes, but it is also bound into this book under the general title of "Leninism". I am reading from page 54 :

"Lenin was right in saying that the national movement of the oppressed countries should be appraised not from the point of view of former democracy, but from the point of view of the actual results obtained as shown by the general balance sheet of the struggle against imperialism, that is to say not in isolation but on a world scale. The liberation movement of the oppressed people and the proletarian revolution: In solving the national problem, Leninism proceeds from the following theses : The world is divided into two camps, the camp of a handful of civilised nations which possess finance capital and exploit the vast majority of its population and the camp of the oppressed and exploited people in the colonies and dependent countries who comprise that majority. (b) The colonies and the dependent countries, oppressed and exploited by finance capital, constitute a very large reserve and a very important strength 25 30

)
- source of strength for imperialism. (c) The revolutionary struggle of the oppressed people in the dependent and colonial countries against imperialism is the only road that leads to their emancipation from oppression and exploitation. (d) The most important colonial and dependent countries 5 have already taken the path of the national liberation movement, which cannot but lead to the crisis of world capitalism. (d) The interest of the proletarian movement in the developed countries and of the national liberation movement in the colonies, call for the amalgamation of 10 these two forms of the revolutionary movement into a common front against a common enemy, against imperialism. (f) The victory of the working class in the developed countries and the liberation of the oppressed people from the yoke of imperialism are impossible without the formation and 15 the consolidation of a common revolutionary front. (g) The formation of a common revolutionary front is impossible unless the proletariat of the oppressor nation renders direct and determined support to the liberation movement of the oppressed people, against the imperialism of its 20 own country, for no nation can be free if it oppresses other nations. (h) This support implies the advocacy, defence and carrying out of the slogan of the right of nations to secession, to independent existence as theirs, as states. (i) Unless this slogan is carried out, the 25 union and collaboration of nations within a single world system, economic system which is the material basis for the victory of socialism, cannot be brought about. (j) This union can only be voluntary and can arise only on the basis of a mutual confidence and fraternal 30 relations among nations. Hence the two sides, the two

tendencies in a national problem. The tendency towards political emancipation from the shackles of imperialism and towards the formation of an independent national state. A tendency which arose of the consequence of imperialist oppression and colonial exploitation. And the tendency towards an economic rapprochement (?) among nations which arose as a result of the formation of a world market and a world economic system." 5

I should like to read one more extract from the same volume. 10

When was this written? --- 1927 I believe, this particular section of it. I beg your pardon, 1924. I am reading from the same text..

Do you refer to the same article or just to the same book? --- The same part of the book, it is still Foundations of Leninism, part of the work written in 1924 originally, page 54 - I beg your pardon, page 199. I am reading from another chapter in this book, the International Character of the October Revolution: 15

"The October Revolution..." - the 1917 revolution - "... has shaken imperialism not only in the centres of its domination, not only in the mother country; it has also struck blows at the rear of imperialism, its periphery, having undermined the rule of imperialism in the colonial and dependent countries. Having overthrown the landlord and the capitalists, the October Revolution has broken the chains of national and colonial oppression, and freed from it, without exception, all the oppressed nations of a vast state." 25

Stopping just for a minute, Professor Murray, 30 is the term "October Revolution" used in any particular sense in Communist theory? What does it refer to? --- It

refers to the Revolution, the 1917 Revolution when tsardom was finally abolished, and after the Karensky intermediary period, the Communists - the Bolsheviks took over.

That was in what country? --- Russia.

"The proletariat cannot emancipate itself without emancipating the oppressed nations. It is a characteristic feature of the October Revolution that it accomplished these national colonial revolutions in the U.S.S.R not under the flag of national enmity, and conflict among nations, but under the flag of mutual confidence and fraternal rapprochement of the workers and peasants of the various nationalities in the U.S.S.R. Not in the name of nationalism, but in the name of internationalism. It is precisely because the national colonial revolution took place in our country under the leadership of the proletariat and under the banner of internationalism that slave nations have for the first time in the history of mankind, risen to the position of nations which are really free and really equal, thereby setting a contagious example for the oppressed nations of the whole world. This means that the October Revolution 20 has ushered in a new era, the era of colonial revolution which are being conducted in the oppressed countries of the world in alliance with the proletariat and under the leadership of the proletariat."

I should like to refer to the section I have already read, Speech by Molotov, of the 20th Congress.

Is it the same part you have read already, or is it a different quotation from the same...? --- The same reference will serve for this also.

Now Professor Murray, you are now dealing with - going on to the next extract? --- There is still an extract under the Liberatory Movement.

This extract in the Molotov article that you are referring to, that is the same extract you read under a certain exhibit number, just to get it on the record, under Exhibit No. L.M.N. 79. Will you go on to the next extract? --- I would like to read again from a photostatic 5 copy of a speech made by Stalin in 1952 at the Nineteenth Congress. The photostatic copy is made from the usual way these reports come through, published by Keesings. It is a quotation of the speech, and not a report of the speech.

What is this document that you have in front of 10 you? --- This is a photostatic copy of the publication of a speech by Stalin - of the speech made by Stalin.

It is a copy of Keesings then? --- Yes.

BY MR. JUSTICE RUMFEE :

That is a magazine to which you have referred 15 to? --- No, it is a scientific publication of current statements once a year. I may say I can offer the original Russian, a photostatic copy of the Pravda in which the speech appeared. I can make that available to the Court.

I don't think that is necessary - it may not 20 be necessary. Will you tell us a little more about Keesings? Who are the publishers? --- Keesings is an institution with headquarters in London, Great Britain, and also in Bristol. It publishes or republishes every fortnight important statements made by leading statesmen 25 and recognised accounts of important events. These are then circularised, sent out to the subscribers of this institution, all libraries, all universities, government departments and so forth, they all get these statements. There are of course local copies here. These statements 30 are published under the guidance of people who are supposed to be experts on that particular branch of world politics.

Or experts on Europe, Central Europe or Asia or East Asia, etc. and is then used by scientific workers in their work on current affairs. When a political scientist has to analyse a current situation, he will make use of this document.

5

BY MR. DE VOS :

What is your personal relationship to Keesings?

--- I act as adviser on South Africa and the Rhodesias.

BY MR. JUSTICE RUMIFF :

You haven't got one of the Keesings publications before you, you have a photostatic copy? --- To make work easier in research and so on, one has photostatic copies may. I may say the thing is in the library in Pretoria, and Keesings could easily be obtained.

But who made that copy? --- I had it made by the University of Cape Town for me.

15

BY MR. DE VOS :

Could you make the original available to Court?

BY MR. JUSTICE RUMIFF :

Do you know whether the contents of that copy corresponds with the contents of Keesings? --- I is made from my copy of Keesings and it corresponds.

20

Your private copy? --- My private copy.

BY MR. NICHOLAS :

My Lord, we make the submission that insofar as the sources of Communist theory are concerned, an expert witness is entitled to look at those sources and to tell the Court what in his opinion those sources means, and it is for that reason, My Lord, that a witness giving expert evidence on the nature of Communism, is entitled to look at the acknowledged sources of Communist literature, namely Marx' Das Kapital, the Works of Lenin, the published

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works of Stalin and so on. But in our submission, My Lord, the position in regard to a particular speech is completely different, because when a witness refers to a particular speech, he is asking the Court to rely on the fact that that speech was made by a particular person, and in our submission 5 My Lord, insofar as the Crown wishes to rely upon statements contained in speeches and not recorded or referred to in textbooks, acknowledged authorities, and so on, as forming part of the doctrine, then that speech in our submission, My Lord, must be proved by proper evidence, that is by 10 original evidence.

BY MR. JUSTICE RUMFF :

Why should the manuscript of the original book by Stalin not be proved by original evidence?

BY MR. NICHOLAS :

Because, My Lord, these books are the sources - in the same way when a lawyer refers to the corpus juris, he doesn't ask for the original book. He takes the corpus juris as it is found in libraries. Those are works...

BY MR. JUSTICE RUMFF :

We accept those as correct, although they may not be.

BY MR. NICHOLAS :

We accept those as the sources. But where My Lord, the question is whether a particular decision was 25 made by an English Court in a particular case, no Court would regard as authoritative a report in an ordinary newspaper or in a digest circulated by an insurance company and so on. So that in our submission, My Lord, mere reports 30

BY MR. JUSTICE RUMFF :

An article in the law journal?

BY MR. NICHOLAS :

An article in the law journal would perhaps be regarded as authoritative, because there one has a legal expert discussing a legal decision. But where, My Lord, one gets merely digests which are produced and circulated around the world, in our submission such digests cannot prove the fact that a speech was made by Stalin. 5

BY MR. JUSTICE RUMFF :

It doesn't purport to prove the fact. Professor Murray doesn't say, will never say that he made that speech. 10 He only says, as a political scientist, I assume he made that statement because I see it in this publication.

BY MR. NICHOLAS :

With respect, My Lord, he is not entitled to say that. He is not entitled to assume that a fact exists because it is in Keesing's archives, not in a Court of law, My Lord. 15

BY MR. JUSTICE RUMFF :

? And if I am referred by you to an article by Aquilles in the law journal? Am I entitled to assume that it was written by Aquilles (?)? 20

BY MR. NICHOLAS :

Your Lordship looks at the article by Aquillius in the law journal, in order to see what is the opinion of Aquillius on a matter of law. 25

BY MR. JUSTICE RUMFF :

And I don't know or am not supposed to know who he is?

BY MR. NICHOLAS :

No, My Lord. 30

BY MR. JUSTICE RUMFF :

But I know that there is an article of

persuasive force...

BY MR. NICHOLAS :

With respect, My Lord, Keesings purports to set out facts which have happened. Keesings does not purport to set out opinions, and Professor Murray My Lord, refers to Keesings not in order to show what is Keesings' opinion on a matter of political science, but in order to show as a fact what a particular individual has stated. In our submission that is not admissible in evidence.

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BY MR. JUSTICE RUMIFF :

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Why not?

BY MR. NICHOLAS :

Because, My Lord, facts can't be proved in a Court of law in that way. The fact that Stalin made a speech cannot be proved by producing an extract from a news-15 paper or an extract from an encyclopaedia or from a digest.

BY MR. JUSTICE RUMIFF :

Do I understand the position then wrongly. He is not here to prove that Stalin made this speech. He only says that I as a scientist, a political scientist, worked on certain data. The data which I work on are to be found in textbooks, in certain political publications. We all do, we accept that. If we are wrong, well then we are wrong. But we base our opinion on that, as if that had happened.

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BY MR. NICHOLAS :

With respect, My Lord, that is not permissible in a Court of law. It may be permissible in the University.

BY MR. JUSTICE BEKKER :

But on this basis, if an expert says, if Stalin 30 made this speech, then this is my opinion.

BY MR. NICHOLAS :

Then My Lord, he is giving a hypothetical

opinion and we are entitled to expect that the Crown will undertake to prove this speech properly.

BY MR. JUSTICE BEKKER :

And if that proof is not forthcoming, the opinion falls away?

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BY MR. NICHOLAS :

The opinion would fall away. But, My Lord, insofar as a Court of law is concerned, an expert witness is giving evidence only of opinion, of inference.

BY MR. JUSTICE BEKKER :

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When you deal with a science, to what extent is an expert entitled to look at something like Keesings?

BY MR. NICHOLAS :

In order to find facts, My Lord, he is not entitled - well, he is entitled to look at it, but he is not entitled to give evidence as to what is contained in Keesings at all. My Lord, may we make what is, in our submission, a fundamental submission. When an expert gives evidence, he gives evidence as to opinion or inference. He tells the Court what is the proper inference to be drawn from certain facts. That is his sole role, My Lord. Unless he had personally knowledge of the facts, he is not entitled to refer to any facts which haven't been proved in evidence and which are not matters of common knowledge. He gives evidence of proved or established facts, or gives evidence as to the inference to be drawn from proved or established facts. He is not entitled to give evidence on facts which have come to his knowledge purely by hearsay.

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BY MR. JUSTICE RUMFITT :

Now what is the difference between this publication, for instance Lenin's Selected Works, if that is relied on? --- That, My Lord, we accept as being the

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corpus jurus of Communism.

BY MR. JUSTICE RUMIFF :

You accept it?

BY MR. NICHOLAS :

That is to be accepted as being the corpus 5
jurus of Communism, we are not disputing it.

BY MR. JUSTICE RUMIFF :

Who accepts it?

BY MR. NICHOLAS :

Professor Murray does, and we don't dispute it, 10
My Lord.

BY MR. JUSTICE RUMIFF :

Why not?

BY MR. NICHOLAS :

Because the works of Lenin and the works of 15
Marx and the works of Stalin we know are generally accepted
as containing the basic materials for the study of Communism.

BY MR. JUSTICE RUMIFF :

I am referring to this particular English pub-
lication, published in England. 20

BY MR. NICHOLAS :

My Lord, that might well have been challenged,
we could have challenged it.

BY MR. JUSTICE RUMIFF :

I am not concerned with what might have been. 25
I am asking you what is the difference? What is the dif-
ference in fact between an English publication by this
English firm of supposedly Communist literature, the
authority of which has not been proved, but because Profes-
sor Murray says this is standard material on which we work. 30
What is the difference between that and the Keesings report?

BY MR. NICHOLAS :

The witness says, My Lord, that we who work in

English understand that these English translations are exact translations of the original works of Lenin and Stalin.

BY MR. JUSTICE RUMIFF :

They understand it, they accept it. 5

BY MR. NICHOLAS :

And that hasn't been challenged in this case.

But those, My Lord, are the materials ...

BY MR. JUSTICE RUMIFF :

What is the difference between that and Keesings? 10

BY MR. NICHOLAS :

Keesings, My Lord, is reporting facts. Some reporter has been to a conference and has written down a speech made by Stalin, has transmitted that to Keesings, Keesings has printed it.... 15

BY MR. JUSTICE RUMIFF :

I don't know it.

BY MR. NICHOLAS :

They collect these things, My Lord, from all over the world. But it can't be original evidence, what is 20 contained in Keesings.

BY MR. JUSTICE RUMIFF :

Can't it be a reproduction of the speech made by some Communist leader and published in Russia and translated. 25

BY MR. NICHOLAS :

As such My Lord, it is hearsay, second- third- or fourth-hand, and such it is inadmissible to prove the fact that Stalin made that speech.

BY MR. JUSTICE RUMIFF : 30

What is the difference between these textbooks containing speeches by Lenin or writings by Lenin. What is the difference?

Collection: 1956 Treason Trial
Collection number: AD1812

PUBLISHER:

Publisher:- Historical Papers, The Library, University of the Witwatersrand

Location:- Johannesburg

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