

The Nats. have cut another bond with democracy says

ALAN DOYLE

SWART AND THE JUDGES

DIRECTED against the decaying feudal system, the democratic revolutions of the past centuries, led by the propertied middle classes, laid great stress on the equality of citizens before the law. "To none shall justice be sold or denied," was the central theme of Magna Carta. Montesquieu, Locke and others whose political theories laid the theoretical foundations for the French and American constitutions, emphasised the need for the independence of the judiciary from the legislative and administrative arms of the Government.

It was natural for them to place this emphasis, for the corruption, inconsistency and inequity of the feudal Courts intolerably hampered the free development of industry and commerce.

It was equally natural and inevitable that they should totally ignore the central issue of our own times: the inequality of property relations between the haves and the have-nots. Because they did not and could not tackle this issue, the freedom and equality established even in the most advanced of the bourgeois republics were in a substantial measure illusory. To the masses of the people, equality before the law was an empty phrase that could not house the homeless, feed the hungry, or hide the glaring inequality between the workman and his master.

In our own times the former middle classes, now the ruling classes, seeking to preserve in their turn an outworn decaying social order, have turned to destroying the democratic heritage of the past. Everywhere, it is the labour movement, the advanced democrats of today, which seeks to preserve and enlarge the rights won in the eighteenth and nineteenth Centuries. It is easy to see why; for democratic constitutions provide a means for social progress, and a bastion against reaction.

Universal franchise, the cornerstone of a democratic constitution, has never prevailed in South Africa. But our very imperfect constitution, which makes but the barest concessions to the classic principles of democratic theory, does nevertheless provide for a system of permanent judicial appointments which is clearly intended to safeguard the judges against interference from the government of the day. It has been the past practice to select the senior judges from members of the legal profession who have shown the most knowledge and skill in the law, irrespective of their political leanings.

It goes without saying that in a country such as ours this system could not work ideally. For one thing, all the judges are, inevitably, White men in "comfortable" circumstances. Being human, they could not have been expected to divorce themselves from their own background and environment. Again, the judges have of necessity, been guided not by some abstract verities of eternal justice, but by the concrete laws of the Union Parliament: laws both unfair and unjust.

Yet, within these limits, the judges of appeal in this country have set a remarkably high standard of integrity and impartiality. They rejected the Coloured Vote law, made a laughing stock of the High Court of Parliament,

and set aside the Lord High Executioner's ban on Mr. Ngevela because it offended the principles of natural justice.

Members of the Nationalist Cabinet have not hesitated to respond to these actions with violent public attacks on the Appeal Judges. The Nats have decided to play the "democratic" game, but if the rules do not favour them they make new rules, and if the umpires decide against them they'll have new umpires.

It is with this background in mind that the people of South Africa will view the appointment of five new Appeal Court judges. There were no vacancies in the Appellate Division; the Government however created them; the new judges are specifically created in the light of "constitutional changes." Everybody believes that the Appeal Court has now been "packed" to wrangle through the Coloured Franchise legislation.

The Hon. Percy U. Fischer, a former O.F.S. Judge-President, put his finger on the spot when he said that this would "bring a doubt in the mind of the public as to the integrity of the Bench."

Such doubts have been very substantially reinforced by the speeches of Messrs. Swart and Strijdom in the current Assembly debate. They have made it perfectly clear that the reason for the changes in the composition of the Appellate Division is their dissatisfaction with the 1952 judgement on the Coloured Vote Act. It is not necessary to ask the invidious question whether they have received any assurances from the new judges regarding their attitude to the legality of the Act, for the principle is clear enough. The principle is: "If the Court does not rule for us we shall change the Court and go on changing it till we get the decision we want."

Most revealing of all was the Prime Minister's crude bluster in reply to the damning resolution of the Johannesburg Bar. The barristers of Johannesburg, a body of professional men of all shades of political opinion, and of unquestionable integrity had unanimously adopted at a general meeting a devastating criticism of the Appellate Division Quorum Bill, and of Mr. Swart's new appointments, which would have caused any government more sober than that of Strijdom, Swart and Verwoerd to have grave second thoughts. Strijdom's reply was a typical string of invective and untruths. He concluded with a threat. These barristers, he said, could forget any hopes they might have cherished of being appointed as judges.

Could any clearer expression be found of the Government's intention to pack the bench with its own supporters?

As a matter of fact, by tampering in this way with courts, Minister of Justice Swart has put a time-bomb under the foundations of the South African legal system. Its effects may not be noticed immediately, but in the end it can only result in the people having as much confidence in our judges as they now have in our Cabinet Ministers.

Out of the Ogaden

THE skeletal British civil administration, all that remained of the British occupation of the Ogaden Province of Ethiopia, was withdrawn on February 28 and the so-called Reserved Area—25,000 square miles in area and inhabited by about 300,000 people—was handed back to Ethiopia.

This resulted from an agreement reached between the British Government and Haile Selassie I, Emperor of Ethiopia, during the visit paid by the latter to London last October.

The return of the Reserved Area of the Ogaden Province to Ethiopia was, from the Ethiopian point of view, not a day too soon. Indeed, the Ethiopians had expected it back ten years earlier—at the end of the war.

This belated action on the part of the British Government has been treated as if it were some magnanimous gesture or, alternatively, has been regarded as a shabby betrayal of the Somali tribes who use the area for grazing their cattle.

Of magnanimity there is not a iota of evidence, but of shabbiness there is plenty. And it is not only the Somalis who have been treated in this way. The question at issue arises from an old and very familiar cause—the promise by an imperialist power of land which it does not possess to two different peoples at different times.

The story of the Ogaden land dispute goes back to 1884. That year the Somali tribes were said to have placed themselves "voluntarily" under British protection and had undertaken, in return, never to cede their lands to any other government. In 1897, a year after the Emperor Menelik of Ethiopia had decisively defeated the Italians at Adowa, the British Government reached an agreement with Ethiopia on the establishment of a frontier between the British Protectorate of Somaliland and Ethiopia. The treaty recognised the whole of the Ogaden Province, including the area considered as traditional grazing grounds of the Somali tribes, as Ethiopian territory.

TREATY

For almost the whole of the period between 1897 and the war with Italy in 1935, the Ethiopian Govern-

ment exercised little control on the frontier with British Somaliland and British officers used to follow the tribes from Somaliland on their annual migrations over the border to collect taxes and perform other administrative functions. However, despite the apparent lack of control of the Ethiopian Government over the border areas these incursions were not in any way interpreted by the

By

DESMOND BUCKLE

British as compromising Ethiopia's territorial integrity in any way. Indeed, the preamble to an Anglo-French-Italian Treaty signed in London in 1906 declared that it was in the common interest of the three Powers "to maintain intact the integrity of Ethiopia" and the British were bound by it.

Fascist Italy's violation of the 1906 Treaty and the invasion and conquest of Ethiopia in 1935 removed the Ethiopian Government from the field of dispute involving the frontier with Somaliland.

After the liberation of Ethiopia and Somaliland from Italian occupation in 1941 the British Government entered into an Agreement with the Ethiopian Government providing for the occupation by British forces of the Ogaden Province for the duration of the war. To the intense resentment of the Ethiopians full military occupation continued until 1952. The decision of the British to remain in occupation was, without a doubt, influenced by the Sinclair-Ethiopian oil agreement which was signed in 1945. This gave exclusive prospecting rights, oil development and production over the entire territory of Ethiopia with activity centred mainly in the Ogaden Province, to the American company.

SOMALI CLAIM

Meanwhile the Somalis were demanding that the British should secure for them permanent ownership of the Ogaden grazing grounds. They based their claims on the interpretation of their 1884 treaty to mean that British protection extended over all lands which the Somalis regarded

as their own and they had not been without encouragement in this belief.

The first step towards ending the British military occupation of the Ogaden came in 1952. An agreement was reached in this connection after Britain had successfully campaigned in the United Nations for the federation of the former Italian colony of Eritrea with Ethiopia. The British withdrew their military administration from most of the Ogaden on Ethiopia undertaking to pay the British Government the sum of £950,000. This amount was payable in excess of the revenue obtained by the British during their occupation.

However, the British still held on to the Reserved Area and continued to try, as they had done since 1946, to satisfy the Somalis' requirements either by exchanging this tract of land for a corridor at the north-western corner of British Somaliland, and thereby giving Ethiopia the port of Zeila, or alternatively by leasing the area, or by extending the occupation.

The Ethiopians refused to accept any of these alternatives and continued to insist on the return of the Reserved Area and the upholding of their 1897 treaty with Britain.

BAIT TO ETHIOPIA

As Ethiopia was drawn more and more into the U.S. orbit and Britain's strategic position in the Middle East began to assume an increasingly unfavourable aspect, the Emperor's hand was strengthened in bargaining with Britain. When he came to London in October, 1954, Haile Selassie knew the enhanced strategical value of his country as an immediate result of the developments that had recently unfolded in the Suez and in the Sudan. The new strategical importance of Ethiopia was emphasised by *The Times* Addis Ababa correspondent when he wrote on August 17, 1954: "With Britain preparing to evacuate the Suez Canal zone, with the Arab States more or less cool towards co-operation with the west, and with the Sudan headed towards independence, there would seem to be a missing link in the area between the Mediterranean and the Indian Ocean. Only time and subsequent developments will reveal whether Ethiopia intends in future to supply that link."

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THE AFRO-ASIAN CONFERENCE AT BANDUNG

"Without Peace Our Independence Means Little"

said President Soekarno of Indonesia, opening the Conference

WE are of many different nations, we are of many different social backgrounds and cultural patterns. Our ways of life are different. Our national characters or colour or motifs — call it what you will — are different. Our racial stock is different and even the colour of our skins is different. But what does that matter?

All of us, I am certain, are united by more important things than those which superficially divide us, we are united, for instance, by a common detestation of colonialism, in whatever form it appears. We are united by a common detestation of racialism, and we are united by a common determination to preserve and stabilise peace in the world.

I freely confess that in these aims I am not disinterested or driven by purely impressionable motives. How is it possible to be disinterested about colonialism? We have known it in all its ruthlessness. We have seen the immense wastage in the poverty it causes and the heritage it leaves behind when eventually and reluctantly it is driven out by the inevitable march of history.

My people and the peoples of many nations of Asia and Africa know these things for we have experienced them. Indeed we cannot yet say that all parts of our countries are free already. Some parts of our nations are not yet free. That is why all of us cannot yet feel that the journey's end has been reached. No people can feel themselves free so long as part of their motherland is unfree. Like peace, freedom is indivisible. There is no such thing as being half free as there is no such thing as being half alive. We are often told "colonialism is dead." Let us not be deceived or even soothed by that. I say to you, colonialism is not dead. How can we say it is dead so long as vast areas of Asia and Africa are unfree. And I beg of you do not think of

colonialism only in the classic form which we in Indonesia and our brothers in different parts of Asia and Africa knew. Colonialism has also its modern dress in the form of economic control, intellectual control, actual physical control by an alien community within a nation. It is a skilful and determined enemy and it appears in many guises. It does not give up its loot easily. Wherever, whenever and however it appears colonialism is an evil thing and one which must be eradicated from the earth.

I am not disinterested when I speak of the fight against colonialism.

Nor am I disinterested when I speak of the battle for peace. How can any of us be disinterested about peace? Not so very long ago we argued that peace was necessary for us because an outbreak of fighting in our part of the world would imperil our precious independence so recently won at such great cost. Today the picture is more black. War would not only mean a threat to our independence, it may mean the end of civilisation and even of human life.

There is a force loose in the world whose potentiality for evil no man truly knows. Even in practice and rehearsal for war the effects may well

be building up into something of unknown horror.

Not so long ago it was possible to take some little comfort from the idea that the clash if it came could perhaps be settled by what were called "conventional weapons"—bombs, tanks, cannon and men. Today that little grain of comfort is denied us for it has been made clear that the weapons of ultimate horror will certainly be used and the military planning of nations is on that basis. The unconventional has become the conventional and who knows what other examples of misguided and diabolical scientific skill have been

discovered as a plague on humanity. And do not think that the oceans and seas will protect us, the food that we eat, the water that we drink, yes, even the very air that we breathe can be contaminated by poisons originating from thousands of miles away and it could be that even if we ourselves escaped lightly, the unborn generations of our children would bear on their distorted bodies the marks of our failure to control the forces which have been released on the world.

No task is more urgent than that of preserving peace. Without peace our independence means little. The

rehabilitation and up-building of our countries will have little meaning, our revolutions will not be allowed to run their course. What can we do? The peoples of Asia and Africa wield little physical power. Even their economic strength is dispersed and slight. We cannot indulge in power politics. Diplomacy for us is not a matter of the big stick. Our statesmen by and large are not backed up with serried ranks of jet bombers. What can we do? We can do much. We can inject the voice of reason into world affairs, we can mobilise all the spiritual, all the moral, the political strength of Asia and Africa on the side of peace. Yes, we the peoples of Asia and Africa, 1,400 million strong, far more than half the human population of the world, can mobilise what I have called the moral violence of nations in favour of peace. We can demonstrate to the minority of the world that we the majority are for peace, not war, and that whatever strength we have will always be thrown on to the side of peace.

CHOU EN-LAI ON

Seeking Common Ground for Peace

On the second day of the conference the Chinese Premier, Chou En-lai spoke. He dealt at length with the "common desire of the awakened countries and peoples of Africa and Asia to oppose racial discrimination and demand human rights, to oppose colonialism and to demand national independence, to defend their territorial sovereignty." On peace, one of the points he made was the following:

What we Asian and African countries want is peace and independence. It is not our intention to make the Asian and African countries antagonistic to countries in other regions. We want just as well the establishment of peaceful and co-operative relations with countries in other regions.

Peace can only be safeguarded by mutual respect for each other's territorial integrity and sovereignty. Encroachment on the sovereignty and territory of any country and interference in the internal affairs of any country will inevitably endanger peace. If nations give assurances not to commit aggression against each

other, conditions will be created in international relations for peaceful co-existence. If nations give assurances not to interfere in each other's internal affairs, it will then be possible for the people of these countries to choose their own political system and way of life in accordance with their own will. The agreements on the restoration of peace in Indo-China were reached at the Geneva Conference precisely on the basis of the assurance to respect the independence, sovereignty, unity and territorial integrity of the Indo-Chinese states and not to interfere in any way in the internal affairs of those states.

Later after listening to the speeches of some other delegations, the leader of the Chinese delegation supplemented his main speech with some impromptu remarks.

The Chinese delegation has come here to seek common ground, not to create divergence. Is there any basis for seeking common ground among us? Yes, there is. The overwhelming majority of the Asian and African countries and peoples have suffered

and are still suffering from the calamities of colonialism. This is acknowledged by all of us. If we seek common ground in doing away with the sufferings and calamities under colonialism, it will be very easy for us to have mutual understanding and respect, mutual sympathy and support, instead of mutual suspicion and fear, mutual exclusion and antagonism.

As for the tension created solely by the United States in the area of Taiwan, we could have submitted for deliberation by the conference an item such as the proposal made by the Soviet Union for seeking a settlement through an international conference. The will of the Chinese people to liberate their own territory Taiwan and the coastal islands is a just one. It is entirely a matter of our internal affairs and the exercise of our sovereignty. This just demand of ours has won the support of many countries. Again, we could have submitted for deliberation by the conference the question of recognising and restoring the legitimate status of

the People's Republic of China in the United Nations. The Bogor Conference held by the Prime Ministers of the 5 Colombo powers last year supported the restoration of the legitimate status of the People's Republic of China in the United Nations. And so did other countries of Asia and Africa. Besides, we could have also made criticisms here as regards the unfair treatment of China by the United Nations. But we did not do all this, because otherwise our conference would be dragged into disputes about all these problems without any solution.

In our conference we should seek common ground among us, while keeping our differences. As to our common ground, the conference should affirm all our common desires and demands. This is our main task here. As to our differences, none of us is asked to give up his own views, because differences in view-points are an objective reality. But we should not let our differences hinder us from achieving agreement as far as our main task is concerned. On the basis

of our common points, we should try to understand and appreciate the different views that we hold.

We have to admit that among our Asian and African countries, we do have different ideologies and different social systems but this does not prevent us from seeking common ground and being united. Is there any reason why we cannot understand and respect each other and give support and sympathy to each other?

The Chinese people have chosen and support their own government. There is freedom of religious belief in China. China has no intention whatsoever to subvert the governments of its neighbouring countries. On the contrary, it is China that is suffering from the subversive activities which are openly carried out without any disguise by the United States of America. Those who do not believe in this may come to China or send someone there to see for themselves. We take cognisance of the fact that there are doubts in the minds of those who do not yet know the truth. There is a saying in China: "Better seeing once than hearing a hundred times." We welcome the delegates of all the participating countries in this conference to visit China, at any time they like. We have no bamboo curtain.

... In creating Group Areas the Nationalists are dispensing with even the most limited safeguards of democracy and are ...

SIDE-STEPPING THE RULE OF LAW

THE Group Areas Act has now been law for five years.

It is one of the cornerstones of Nationalist rule for its provisions were to make apartheid possible. This year Parliament has before it several Bills to amend the act. The story of the attempted application of the act and now these amending bills is sharp evidence that the time has arrived in South Africa when the Nationalist Government in order to carry out its policies, feels compelled to dispense with even the most limited safeguards of democratic procedures. The rule of law has become outworn. It has proved to be incompatible with the aims of the Group Areas Act, and so it is being cast aside.

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In the 1950 parliamentary session Dr. Dönges gave the Group Areas Act the most flattering introduction. It would be administered, he said, in a fair and equitable way. Dr. Dönges went to great trouble to explain the procedure for the declaration of a group area, and he said repeatedly — answering and anticipating his critics — that all interested parties would be heard before a group area was declared, and that the Land Tenure Board would sit as a judicial body.

Numerous inquiries in terms of the act were held in different parts of the country. All followed an ominously identical pattern. In one country town after another, zoning schemes were produced either by the Nationalist-controlled Town Council or by the organised Nationalist businessmen. The place names were different, the sizes of the population affected varied, but in every instance the proposed group areas demanded the expulsion of long-established Non-European populations from their homes and business sites and their re-settlement in far-off ghettos. "Wolmaransstad Wants Indians out of Town," said the *Star* of 19/10/53; "Carolina Seeks to Move Indians" (*Star* 9/9/53); "Bare Land Proposed for Indians in Glencoe" (*Rand Daily Mail* 13/11/53); "Town for Indians 15 Miles from City Proposed" (*Star* 12/5/53).

In some cases there was not even an attempt to hide the real motive of the zoning proposals: the blatant effort by local businessmen to ruin their Indian competitors.

At one hearing of the Board the representative of the local municipality said:

"We do not look for justice for the Indian alone. We want it for the White man too. And the justice of this arrangement lies in this — the foreign domination of trade in a White town must be ended. That is justice to the White man, to whom the country belongs."

"We find that . . . extravagant demands are made — extravagant demands, Mr. Chairman, to the effect that what they (the Indians) have, they must keep . . ."

The proceedings of the Land Tenure Board dragged on for months without finality being reached in any one centre. The threatened Indian Communities used what rights the Act offered them: they countered the moves to expel them from their properties with figures and facts of the losses they would incur and the injustice they would suffer.

The obviously fraudulent, self-interested nature of the zoning proposals was not difficult to see and became more patent as the Board proceeded. Leading in this legal battle was the South African Indian Congress, the most representative and the most militant organisation of the Indian people to whose credit must go the concerted opposition of Indians to this act. Taking the statements of the Minister of the Interior at their face value and reading the act as it was formulated, the S.A.I.C. asserted its legal rights to be represented and used every opportunity to show that the declaration of group areas would be unjust.

The 1950 Act does not state that group areas *must* be set up. It is the duty of the Board, quoting section 27 of the act, to "inquire into and by means of a written report, advise the Minister in regard to the desirability or otherwise of" recommending group areas.

But the Land Tenure Board chose to characterise the evidence of the South African Indian Congress that group areas would be damaging and unjust as "obstructionist." Here, early on, began the process of listening only to what was acceptable and trying to deny a hearing to those who argue against the inclinations of the Board.

Already in 1952, the Chairman of the Land Tenure Advisory Board, speaking at a SABRA conference, let the first cat out of the bag. He said that a scheme had been approved under which a committee of government officials might be appointed to act at any place where a local authority refused to undertake group planning or could not agree on a plan. This was only a hint of what was to come.

In 1953 the Land Tenure Board illegally took action to silence the representatives of the South African Indian Congress. In opposing the establishment of group areas, said the Board, the representatives of the S.A.I.C. were obstructing, and their representations could not be entertained. The Supreme Court over-ruled this decision. In the course of its application the Land Tenure Board maintained (flatly contradicting Dr. Dönges) that it was not a quasi-judicial body, and that it did not have to follow the principles of natural justice in conducting its inquiries.

In his judgment Mr. Justice de Wet quoted the established precedent that "when a statute empowers a public official to give a decision prejudicially affecting the property or liberty of an individual, that individual has a right to be heard before action is taken against him."

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Short Story

SPEED-UP

By MICHAEL HARMEL

"I WANT 35. They can do 35 and I expect you to make it 35."

"But, Mr. Segal, I already have to chase the boys to get 30. They'll never manage it."

"If they can do 30, they'll do 35." Sam Segal's voice began to rise and he gripped the edge of his desk. Then he remembered he was not to get excited. He eased the chair back from the desk and stared up at the production manager.

Before the old man had agreed to employ Whalley, it had taken his partners — both of them his sons-in-law — several days of hard arguments.

"In the first place you can't learn anything about production in a university. In the second place he's never been inside a factory in the first place," he told them. And:

"I built up this business with my own hands. I didn't need no fancy-shmancy theories."

But Whalley had made good.

Sam Segal had looked on with disgust as the dapper young man stood in his white coat, timing workers with a stop watch. He had grumbled on principle at each innovation: the raising of the height of work-tables, the provision of new seating, the fluorescent lighting, the rearrangement of machinery. He had waxed sarcastic at Whalley's exquisitely neat diagrams, painstakingly shaded and defined in coloured inks.

"What's it now an artist we got to employ?" he demanded.

All the same, Whalley's graphs and diagrams and memoranda produced results. Production went up. The old man lapsed into silence.

A few months previously, Whalley had produced a revolutionary scheme for the knotting department, where seated side by side in parallel rows, African workers fed coils of wire into the steel jaws of their machines. When the coil was properly adjusted the worker brought his foot down smartly on a pedal. This caused the machine to tie the end of the wire into a neat knot, making a completed spring, which the worker then dropped onto an endless belt.

Whalley's revolutionary idea was simply to abolish the foot-pedal, and instead to have the machine operated mechanically at set intervals. Thus instead of the man, the machine set the pace. The operative had to keep up with the new rhythm, or spoil a length of wire.

"You'll have to put up with a lot of spoilt wire for the first week or so, while the knotters get used to it," Whalley had warned.

After two days, ten men were sacked for spoiling wire. The wastage stopped.

When the machines were pedal-operated, the average "score" of the best workers was 10 springs per minute, which Whalley had rated as "ninety per

cent. efficiency." After the first two weeks of mechanical operation, they had the machines clicking over at 20 per minute.

"You know," old Sam told his son-in-law Harry, "that young Whalley is a very clever young man." When Harry repeated this remark later to Jerry, he added, "I could hardly keep a straight face."

The morning the rate was put up to 30, young Sam Zulu caught his finger in his machine, nearly severing the top joint. As if at a signal, all the men stopped work and left their machines. The foreman, De Villiers, couldn't budge them; they demanded to see the boss. Eventually Harry Kling himself, carrying fifty pounds worth of clothes on his back, had to be called down from the directors' office.

"What's all this?" he began loudly and confidently.

An elderly man stepped forward from the group of workers, who had fallen into an uneasy silence at Harry's appearance. His name was Philemon Dhlamini. He had worked for Sam Segal since the days when the present managing director of Paragon Springs (Pty.) Ltd. had been the proprietor of a tiny bicycle shop in Braamfontein.

"Baas Harry," he said, "We don't want this speed-up. We want to work with the foot-pedals like before. To work like this — we can't sleep at night. It is killing us."

Old Philemon's tone was respectful enough, and his comrades stood quiet and still; yet Harry was suddenly filled with the most abject terror. He had to fight with himself, not to look behind him for a path to run away. Then he concentrated on staring at Philemon's torn shirt his patched and repatched overalls. Damn it, he thought, nothing but a lot of black savages. He turned the anger he felt with himself, his cowardice, outwards at the workers.

"Hard work never killed anyone," the old lie came to his rescue. "There's no place here for any boy who doesn't want to work. I'm the boss, and I say how the work's got to be done here." He was shouting now. "You don't like the job? Then take your pass and go! Now! Who wants to go? Those who want their passes stay here. The rest of you get back to your machines."

There was a long pause. Heavy things were being weighed in those minutes. The sick child at home who coughed and coughed. The scores of hungry ragged workers who came every morning to the factory gates looking for jobs. The fierce police, prowling the streets for passes, arresting unemployed workers, sending them away to forced labour on the farms.

Then, one by one, men started slowly back to the machines.

Sam Segal was neither as conservative nor as difficult to persuade as his two young partners, Harry Kling and Jerry Gordon, made him out to be. In fact, since they had joined the firm, he had developed a habit of pretending to be more inflexible than he really was; for he distrusted Jerry's judgement, his facile enthusiasm for every new idea that he got out of the American "efficiency" magazines, and he privately regarded Harry with contempt as a bootlicker and a windbag. But, beneath it, it was he who was the real innovator in the business; once he had satisfied himself of its profitable possibilities he would pursue an innovation with a ruthless and purposeful tenacity of which the others were quite incapable. He was the real boss; he "allowed" Harry and Jerry to "persuade" him much as a shrewd wife manages a conceited husband.

Now he forced the reluctant Whalley to step up the machines still faster. He had it all worked out in his mind. If the pace was too hot, they could always go back to 30 per minute. Meanwhile, it would cost nothing to try — one of his favourite phrases.

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After the scene with Harry, about a dozen of the knotters had quit. But, after remaining nearly to the last with them, Philemon Dhlamini had spat disgustedly on the floor and gone back to work. He had it in his mind that he would soon leave the job; but first he wanted to speak to Sam Segal personally.

Whalley decided not to introduce the 35-per-minute rate too abruptly. He worked out a variable-speed gadget which enabled him to start off at the usual 30 and gradually gain speed without the workers being quite conscious of what was happening.

At the end of that day, Philemon hardly heard the "chayile-time" hooter. Instead of hurrying off to catch his train, he sat a long time on a packing case, his jacket over his arm, dead beat.

When at last he got outside the factory, he saw Segal getting into his car, and went up to him.

"Can I speak to the baas?"

"Yes, Philemon." Segal felt uncomfortable.

"I leave today, oubaas."

"Getting too old for work, eh Philemon. Going back to the farm, eh? Let the umfaans work for you now!"

Philemon could not be put off.

"No boss. I'm not too old for work. I've got no children to work for me — they're all married. I'm leaving — this job no good. Work too much. Work like slaves. No good, baas Sam."

Sam Segal was well under control. The old African's last words did not exist for him, any more than the memory of that same broad honest face sweating by his side in Segal's Bicycle Works, thirty, forty years ago.

"Ya, Philemon, we all get old," said Segal. "Good luck to you now, my boy." He signalled to his chauffeur to drive off, and pressed a coin into Philemon's hand.

The old man stood on the pavement, watching the Cadillac sail down the road, swing round the corner. Then he seemed to realise he was holding something. He opened his hand and looked at the shilling. Then he cursed — a Zulu curse from the depths of his heart — and flung the coin violently against the window of the main office, where it fell with a sliver of broken glass on the managing director's desk.

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THE GROUP AREAS ACT

The first amending Bill to the Group Areas Act this year establishes that this principle of South African law be excluded from the workings of the Group Areas Act. The Land Tenure Board under the amendment, will have the power to decide which representatives it shall hear and which schemes it shall consider. There can be little doubt that in the light of the past attitudes of the Board, the genuine representatives of the Indian people will be denied hearings.

The Johannesburg hearings of the Board witnessed the next flouting of the recognised principles of natural justice. When the proceedings were half heard the Board chairman — in order to assist with the removal of the Western Areas — issued a public statement to the effect that Sophiatown would shortly be proclaimed a White Group Area. He made this announcement despite an undertaking to the representatives of Sophiatown residents that he would hear their detailed representations. Again the Transvaal Supreme Court was called on to decide the issue. Mr. de Vos Hugo and his Board stated that the fate of Sophiatown had been fixed by Cabinet decision and that the Board was under the impression that it therefore had no power to inquire into the area.

The farcical nature of the Act is nowhere better illustrated than by this episode. Here the Union's most intricate and involved Act is completely side-stepped and the government ignores its provisions for the declaration of group areas and arbitrarily and illegally

takes a decision without awaiting the results of the inquiry, as enjoined by the Act.

Here then, step by step, is how the Act has been shaped to suit the purpose of the government. Where democratic procedures hindered its operation they were completely disregarded; where Court decisions set aside the Board's illegalities they were over-ruled by new statutes.

Democratic procedures have no place in the scheme of forced group areas and the government has been compelled to give open recognition to this. More and more the Nationalists are finding that they cannot govern the apartheid way without the gradual elimination of the limited safeguards of rules of "equity" and "justice."

The new emergent forms of reaction are making more and more impossible a struggle which relies mainly on the courts and legal representations. This has been the weakness of the campaigns in the Transvaal against the Group Areas Act. However unbalanced and inadequate this struggle has been in the past, it is totally unreal in the new situation. As legal remedies for opposing the Act are blocked by the legislature it becomes imperative that the people transform the fight against the Group Areas Act into mass agitation leading to united political action of all sections of the people.

J.S.

PARDON MY BOTTLENECK

By VIC EDDY

THE one feather in the cap credited to a modern police state is that of efficiency. The now silent apologists of Benito Mussolini used smugly to tell us that "at least he made the Italian trains run on time." And so he did, even if the vast majority of civilians in that unfortunate country couldn't afford a decent train ride. In this connection, the link between fascism and efficiency, our own South Africa is more akin to some obscure South American republic where dictatorship is characterised by a permanent state of government siesta.

The South African civil service is like an unserviceable weighing-machine, whose shiny exterior deludes passers-by into dropping their pennies into it. The victim mounts the platform, inserts the coin and waits. The needle on the scale doesn't move an inch, but the little flap in front hovers for a moment, then drops smartly down, revealing the legend "You will go far." How like the telegraph counter at a city post office, into whose voracious interior we feed hundreds of paid-up and filled-in telegram forms, only to have them passed on to a gigantic bottleneck further down the line.

It's pretty much the same story throughout the Service. Only the creative imagination of a Lewis Carroll could have devised a situation where letters to Johannesburg addresses have to be railed to Pretoria, sorted there and sent back to Johannesburg for distribution. But that, by the admission of the Minister himself, is precisely what is happening. Not, one gathers, that he loves Johannesburg less, but that he loves Postal Communications more.

Who but a Witwatersrand telephone subscriber has ever experienced the exquisite torture practised on him through the medium of the Telephone Account? Possessed with a cunning of its own, this piece of paper has developed the knack of appearing as promptly as an "engaged" signal, if you should happen to be remiss with your payment one month. But once the account is paid and your phone has nevertheless been suspended, it disappears for ever, leaving you with the alternative of using your neighbour's phone (his turn has yet to

come), or pitching a tent at the Complaints Department. "The trouble," explained the girl at the counter to me, "is the shortage of staff. It's really terrible how understaffed we are, isn't that so, girls?" And a dozen girls looked up from their tea and scones and chorused a bilingual affirmative. With justice one should remember the one honourable exception in this top-heavy bureaucracy of ours—the Department of Inland Revenue, whose slogan of "Many Happy Returns" works like a devilish charm.

Unfortunately, like everything connected with the Nationalist Government, the lighter side is far outweighed by the grimmer aspects of its misrule. The plain facts as mentioned by a correspondent of "The Star" on 5th April, 1955, is that the Civil Service is heading for a breakdown. To quote this correspondent, himself ex-civil service:—

"This policy (of promotion) is one whereby members of a certain organisation and their friends are placed in controlling positions in all departments of the public service, and this organisation is . . . the Broederbond. . . . These people do not scruple to throw their weight about and they issue instructions in the name of the department to officials much senior to them."

Yes, when one can wade through the tangle of red tape, inefficiency, worthless insistence on bilingualism, irrelevant discipline, petty bribery and worse, one will establish contact with the unwholesome hand of the Broederbond. This hand will continue to manipulate the public service until all "unnational" elements have been routed out—until the civil service becomes in fact the inflexible instrument of the Christian National Republic. The methods adopted towards this end, and the growing number of resignations from the civil service, will certainly not lead to "a smaller, more efficient and better paid civil service" so wistfully described by the Under-Secretary for Justice.

All government services are, to a larger or smaller degree, characterised by the same cumbersome bureaucracy. Each department contains a large number of jobs for a large number of pals.

The solutions offered by our politicians do nothing to dispel the forebodings with which we view this fantastic set-up. The United Party's parrot-cry of "more immigrants" is a specimen bit of opportunism. As if people will come all the way to South Africa to fill the positions of junior clerk in the Wireless Licence Department! Immigrants are invariably realists.

The only lasting answer to this problem is so obvious that our anti-Government parliamentarians have to crane their necks in an effort to avoid it. But until they, and all of us, learn to accept the Non-Europeans as equal partners in every walk of life, including the civil service—all talk of finding solutions is so much quixotic nonsense.

OUT OF THE OGADEN

(Continued from page 7)

So the British Government decided on November 29, 1954, to withdraw its administration from the Reserved Area and to give full recognition to the 1897 treaty with Ethiopia. But the Somalis were not told about this. It was only on January 5 this year that they were in fact told that Britain intended to stand by her treaty obligations towards Ethiopia and that this meant the Somalis would have only grazing rights in the Ogaden. A Somali delegation which came to London to protest against Britain's agreement to withdraw from the Reserved Area and to secure a postponement of its implementation were told by the Secretary of State for the Colonies, Mr. Lennox-Boyd, that Her Majesty's Government must abide by her obligations in international law.

The Somalis quite naturally feel sore. Seeking a let-out for the Government, "The Economist" (March 5, 1955) says that the core of the trouble is that the original promises to the Somalis never specified to what area they applied. It adds, however, that "this defect of the 1880's does not reduce the 'shabby' aspect of the story" and concludes: "It is one the Somalis, who are a seagoing people, are bound to carry into awkward corners of Africa and Arabia."

A TEACHER'S STORY

By
JOBE JAMES HADEBE

I FIND myself deeply urged to write down, though briefly, something of my endeavours among the people of my community, where I was born a little over thirty years ago.

In the last ten years I have been an active and progressive teacher, with a great love for my people. I have done all I could to uplift and inspire them towards a fuller life, and for many years I enjoyed the support of many leading White citizens in our town. One could almost not believe that in a small platteland town, F—— in the Free State, there could be so many endeavours. But there we are, we have had all that, and whoever doubts the truth of these matters is at liberty to find out for himself, as the place is only about two and a half hours journey by car from the city here.

Most unfortunately for all of us, way back in 1947 a certain Nationalist Extremist bitterly attacked, through the local newspaper there, the attendance by the mayor and mayoress, the magistrate and his wife, the principal of the European High School, at one of the usual functions I organised at the Location hall. White and Black would meet at these cultural gatherings. This particular function was of special importance: it was the official opening of the school for adult Africans, which was to be subsidised by the Union Department of Education, and which I had just started with an opening enrolment of over 120 students.

In his congratulatory speech the Mayor had promised that if the Africans continued to seek knowledge and to fight against ignorance, his council would soon grant trading rights in the location. Great political capital was made out of these promises, the Nationalist Extremist, also a town councillor, demanding the immediate resignation of the mayor. At first people took this onslaught lightly, but so much pressure was brought to bear on the mayor and such stiff tension created against him that ultimately he said he was misreported (after consulting me, though, not to contradict him) and that he had meant that we would achieve these things in our own Native

Reserves, and not as we took him to mean, in the location. The Extremist was satisfied with the explanation, and withdrew the stinging words against the mayor.

The matter was then supposed to be over. But not as far as I was concerned. The Nationalist, in his final article on the controversy, said that whenever I applied for anything in future the Council should refuse my request. I was not much bothered by this attack, since the Extremist was a new arrival there, and I thought he would soon learn our way of life.

I was grossly mistaken. However, I continued with my attempts to get all I thought my people needed, and as I am now writing this, trading rights are being granted there in the location (not in the Reserves!). Above all, a community centre sponsored and built at my initiative, was built and carried on activities for some time, before the spread of the evil spirit to hinder and obstruct these works.

Secret and open attempts were made to brake all my efforts and halt me, even while I was working for the extension of the primary school to the secondary school.

During the six years, from 1947 to 1953, the adult school progressed well, despite ever-increasing opposition and interference from many quarters, including the Location Superintendent, an ex-police sergeant, of course. I mourned the sudden transfer of the Magistrate-Native Commissioner who assisted over the years with our upliftment activities.

I feel it will not be easy for human imagination to comprehend the mental and spiritual suffering I underwent, from about the end of 1952. My heart melted when I read the tragedy of Dreyfus at the hands of the authorities who were prepared to crush the Jews at all costs and all corners to maintain their so-called superiority. I clung to Christianity until I, too, became a stone unwanted by the builders. I struggled to keep my soul above the ever-rising tide of framed allegations based on fear, hatred, jealousy and envy.

I must tell you of my tragedies.

Suddenly I was dismissed from my

teaching post, and the adult school I managed was closed down and the grant withdrawn. I was employed on the permanent staff of the Free State Education Department and the adult school was under the Union Education Department. Both attacked simultaneously, or by arrangement, in June, 1953, both without giving reasons. I had also started a farm school. The school was closed down after nine months. There were also two other farm schools I was planning, but the obstruction put an end to these.

The community centre, the only such place among our people, built at great sacrifice and expense, even of my own funds, and used for various youth activities, was ordered to close down and the Location Superintendent put a stop to all its activities, including even a creche that had been started. The application for registration and a subsidy was opposed by the Town Clerk, though other members of the Council said they knew of no such decision being taken by the Council.

I was openly accused of being "communistically inclined," though I took no part in any political movement. People were made to believe I was a lunatic. All this did not much move me until something else happened . . .

Suddenly I found a criminal charge laid against me. After nine months of investigation and preliminaries, I was ultimately sentenced to a term of three months' imprisonment without the option of a fine. I served the term on a farm. I, and my people, were so surprised and confused that they appealed only when I was already serving my term, and then it was too late. I say to this day that I am innocent of the crime with which I was charged. Whilst in prison I was isolated from the other prisoners. I was once severely assaulted by the warders, assisted by four other prisoners. Two sticks and a knobkerrie were broken on my head and body during the severe beating. When I laid a charge on the magistrate's visiting day, I was charged instead, and a special court sat in prison.

(Continued on next page)

BOOKS

SCIENCE IN HISTORY, by J. D. BERNAL, F.R.S. Watts (London), 1954. 967 pp., 42s.

THIS book is the first organised coherent review of the relation of science to society. Many books have been written on the history of science and about the history of society but nobody has attempted to describe the mutual interactions of science and society throughout their history.

This book has not been written specifically for scientists. It is clear and understandable to a non-scientist, and it achieves a high standard of accuracy. After reading the chapter on twentieth century biology it becomes very clear what all the fuss about the antibiotics, penicillin and sulphonamide, is about. The prospective reader should not be daunted by the size of the book or by previous experience of "scientific" books. They will find this one stimulating and easily readable. They will discover that science does not deal with subjects of no concern to the reader, but on the contrary, that science discusses houses, jobs, land, health, financial security, peace and prosperity.

"Science in History" shows how science has been and can be utilized for human happiness. This is without doubt Bernal's most significant contribution. Every Congress man should read this book because it supplies two very valuable weapons which can be used in the fight for peace and democracy in South Africa. Firstly, it gives an armoury of facts about

(Continued from previous page)

The prosecutor later declined to prosecute.

My old father, who worked for the Council for thirty years as a clerk, was also shamefully abused. Then his services were dispensed with on the grounds that he was too old. But a man of his age was taken on in his place.

But there are also triumphs to relate.

The greatest triumph of all is that I have come through this ordeal, and am now writing with such enthusiasm to the readers of *Fighting Talk*. I may be eating mud today for telling the truth, but we shall yet use the pen to conquer.

science and human history that instils supreme confidence and optimism in our future. Secondly, Bernal has demonstrated the use of a scientific outlook which is impressive in its power. This outlook combines a consistent reference to actual, real situations with a careful analysis of their relationships and the changes which they undergo. Bernal illustrates the use of this method in aiding the advance of the natural sciences and more particularly of the social sciences.

The theme of the book is the directing effect which social history has had on science. The influence of social conditions on the progress of science is shown to be mediated by that economic class which dominates the given period. In slave-owning society it was the development of the slave-owning class and its conflicts with the slaves that determined the character and progress of science. For example, agricultural slave-labourers did not have the incentive to develop agricultural implements, while the slave-owners rarely had adequate first-hand knowledge. Were any advances made, however, the slaves tended to destroy the new implements by deliberate or disinterested carelessness. Bernal discusses and demonstrates in some detail how science has always had this class character—from its very beginnings right up to socialist science.

This class character is reflected in the periods of rapid advance which coincided with the progressive development of a dominant class, and in the restriction of science during the periods when the particular dominant class was a brake on human evolution.

The development of mathematics in Ancient Egypt is shown to be a consequence of the dealings in land which required means of measuring. During the early development of capitalism owners of industry needed machines to which they could set men to work, and because of this steam engines, looms etc. were rapidly developed.

The class character of science is seen in the essentially class ideologies of the theories of science. Darwin's theory of the survival of the fittest was merely the political attitude of the capitalist class in the nineteenth century. Waddington's theory of the changelessness of heredity is merely the theory that the present imperialist system will last a thousand

years. Lepeshinskaya's theory of the origin of living cells is a manifestation of the temporary character of all racial systems.

The organisation of science also reflects its class nature. Each dominant class uses science for its own development and protection. Since all societies up to imperialism have been divided into classes in which the dominant one has been the minority, science has always served a minority of the community. Bernal maintains that it is only in the socialist system where the dominant class is the workers and peasants that science can be adequately and efficiently organised for the benefit of the whole population.

Bernal has fallen short in two respects. There are some inaccuracies in detail and some omissions which are unfortunate. On page 19 the author says that the reason why social science failed to gain "the status of a true science" was that it performed little or no experiment. But surely the main reason is connected with its class character, a fact which Bernal himself stresses in other parts of the book.

Also, the author has not given a detailed enough analysis of class ideologies on physical and biological scientific theories. Many current theories such as those of Schrödinger, Virchow and Morgan are maintained more because they are in accord with imperialist ideology than because of their relation to facts, and this ought to be shown in some detail.

Showing what science means for the people, Bernal overcomes the separation of the different sciences one from another which is characteristic of capitalism, and demonstrates their true unity. This unity is realised in the common development and common use of all the sciences for the purpose of satisfying human needs, of carrying forward man's conquest of nature, and establishing a social organisation which will make it possible to do these things.

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