

A Communist in the Truest Mould

by Peter Mackintosh

Abram Fischer (Bram as he was always called by his friends) was born on a Free State farm in 1908 – one of five children of one of the most distinguished Afrikaner families in South Africa. His father, J.P. Fischer was a Judge President of the Orange Free State, and his grandfather, Abram Fischer was principal adviser to President M.T. Steyn, the last President of the old Boer Republic of the Free State, and later Prime Minister of the Orange River Colony before the Union of 1910, a member of the National Convention which drew up the Union Constitution, and after Union a member of Botha's first Cabinet for three years until his death in 1913. Bram's mother Ella Fischer also came from an old Afrikaner family and had secretly helped the Boers against the British imperialists during the war of 1899-1902.

In his 3½-hour statement on March 28, 1966 to the court which eventually sentenced him to life imprisonment, Bram Fischer explained how he had changed from being a supporter of the Afrikaner Nationalist Party into becoming one of the outstanding leaders of the South African Communist Party.

“Like many young Afrikaners I grew up on a farm”, he said. “Between the ages of eight and twelve my daily companions were two young Africans of my own age. I can still remember their names. For

four years we were, when I was not at school, always in each other's company. We roamed the farm together, we hunted and played together, we modelled clay oxen and swam. And never can I remember that the colour of our skins affected our fun, or our quarrels or our close friendship in any way.

“Then my family moved to town and I moved back to the normal White South African mode of life where the only relationship with Africans was that of master to servant.”

Bram Fischer told the court that he was a Nationalist Party supporter at the age of six and remained one for the next twenty years. In 1929 he was the first Nationalist Prime Minister of a student parliament.

SEPARATE AMENITIES

One of his main interests while at university was the study of the theory of segregation which seemed to him at the time to provide the only solution to South Africa's problems. To put his theories into practice, he joined the Bloemfontein Joint Council of Europeans and Africans, “a body devoted largely to trying to induce various authorities to provide proper (and separate) amenities for Africans.

“I arrived for my first meeting with other newcomers. I found myself being introduced to leading members of the African community. I found I had to shake hands with them. This, I found, required an enormous effort of will on my part. Could I really, as a White adult, touch the hand of a black man in friendship?

“That night I spent many hours in thought trying to account for my strange revulsion when I remembered I had never had any such feelings towards my boyhood friends. What became abundantly clear was that it was I and not the Blackman who had changed; that despite my growing interest in him, I had developed an antagonism for which I could find no rational basis whatsoever . . . In succeeding years . . . I came to understand that colour prejudice was a wholly irrational phenomenon and that true human friendship could extend across the colour bar once the initial prejudice was overcome. And that I think was lesson No.1. on my way to the Communist Party.”

While at university Fischer applied successfully for a Rhodes Scholar-

ship and studied at New College, Oxford. He returned to South Africa in the period preceding World War Two, when the whole of mankind stood under the threat of Hitlerism. Though the South African Nationalists backed the Nazis, Fischer found the genocidal race theories of the Third Reich unacceptable and was moved to join the anti-fascist forces in Johannesburg where he had opened his practice as a barrister. On September 18, 1937, he married Mollie Krige, also from a well-known Afrikaans family, a niece of Mrs Smuts, the wife of South Africa's war-time Prime Minister. Bram and Mollie both played an outstanding part in progressive causes throughout the rest of their lives.

JOINED THE PARTY

The Fischers eventually joined the Communist Party for two main reasons: 1. because it was the only party in South Africa which stood four-square behind the demand for equal rights for all South Africans, irrespective of race, creed or colour; and 2. because of the outstanding courage of its members and their willingness to work and sacrifice for their ideals. It was after joining the Party that Bram seriously studied its theories and became a convinced Marxist. He soon rose into a leading position in the Party and was elected to its central committee in January 1945.

In 1946 he was one of the members of the Johannesburg District Committee of the Communist Party who were arrested and charged under the Riotous Assemblies Act with causing the strike of 80,000 African miners on the Witwatersrand gold mines. The charge was eventually reduced to aiding an illegal strike after it had broken out, and Fischer and the other accused were fined.

Bram was already an established figure in the legal profession, specialising in mining and water rights. A conviction for an offence of this kind might well have destroyed the career of a lesser man in South Africa, yet Bram was so highly respected and popular a figure that he continued to get briefs from the very mining companies against which he was alleged to have conspired. But events were drawing him steadily deeper and deeper into politics as race and class confrontation in South Africa intensified after the advent of the Nationalist Govern-

ment to power in 1948.

He was a member of the Central Committee of the Communist Party at the time it was banned by the Nationalist Government in 1950 – yet this did not prevent his colleagues from allowing his name to go forward as a Queen's Counsel a few years later. Both as a lawyer and as a man, he won respect not only from his friends but also from his enemies. Had he remained a Nationalist, there is no doubt he would have ended up as a Cabinet Minister. Had he eschewed politics and stuck to law, he would have become a judge, probably a member of the Appeal Court.

But for Bram Fischer there was only one road forward – that set out by the Communist Party to put an end to the race and class confrontation in South Africa which threatened to plunge the country into the horrors of the civil war.

Bram Fischer's greatest legal and political triumphs were achieved during the mammoth treason trial which ran from 1956 to 1961 and in which he was one of the leading counsel defending the 156 men and women of all races charged with treason for propagating the Freedom Charter adopted at the historic Congress of the People at Kliptown, near Johannesburg, in 1955; and the Rivonia sabotage trial of Nelson Mandela and his comrades in 1964. It can safely be said that the brilliant and painstaking work of Bram Fischer and his defence team in the latter case was one of the main factors responsible for saving them from the death sentence.

Exhausted by months of hard work and strain in that case, Bram Fischer and his wife set off the day after sentence was pronounced to enjoy a well-earned rest in the Cape. Driving through the Free State at night, Bram swerved to avoid a cyclist. The car plunged into a river. Bram and a passenger managed to struggle free, but Mollie was drowned, despite their frantic efforts to save her.

In September 1964 Bram Fischer was arrested and charged with 13 others under the Suppression of Communism Act with being a member of the illegal Communist Party, taking part in the activities of the Party and furthering the aims of Communism. Shortly after his arrest he applied for bail to take a case on appeal to the Privy Council in London. The State opposed bail, but prominent members of Bram's profession leapt forward to act as surety for him, guaranteeing, though they did not by any means share his political opinions, that he would

return to South Africa to stand trial. Bram was granted bail of £5,000. He left for London in October 1964, argued and won his case before the Privy Council and then returned to face his trial.

WENT UNDERGROUND

In January 1965, while the case was still in progress, Bram Fischer estreated his bail and went underground to lead the forces of the Communist Party in the resistance movement against the apartheid regime. In a note to a colleague he wrote: "I can no longer serve justice in the way I have attempted to do during the past 30 years . . .

"Cruel, discriminatory laws multiply each year, bitterness and hatred of the Government and its laws are growing daily. Unless this whole intolerable system is changed radically and rapidly disaster must follow. Appalling bloodshed and civil war will become inevitable because, as long as there is oppression of a majority such oppression will be fought with increasing hatred.

"To try to avoid this becomes a supreme duty, particularly for an Afrikaner because it is largely the representatives of my fellow Afrikaners who have been responsible for the worst of these discriminatory laws . . . If by my fight I can encourage even some people to think about, to understand and to abandon the policies they now so blindly follow, I shall not regret any punishment I may incur."

Fischer successfully evaded the police until November 11, 1965 when he was arrested in Johannesburg while driving to an assignment. Convicted on 15 counts of sabotage on the basis of evidence furnished by political detainees who had broken down and made statements to the police, as well as by informers, he was sentenced to life imprisonment.

During the eight years of his incarceration in a Pretoria prison, the South African authorities did everything in their power to break Bram Fischer. At first he was kept in solitary confinement, in a cell with only thin felt matting for his bed, a pot latrine, poor food. Placed in the lowest category, his visits and reading matter were drastically restricted. The warders heaped every possible humiliation on him, forcing him to brush cement floors on his hands and knees, to clean latrines with a toothbrush, treating him as a traitor to the 'volk'.

Despite his failing health, Fischer refused to be broken. One of the white politicals who served with him, David Evans, wrote afterwards: "Characteristically, though younger prisoners tried to shield him from unpleasant or 'undignified' work, he insisted on doing his share – and more – of prison tasks. The difficulty, in fact, was to prevent him doing too much in trying to help others through their day. He encouraged us all – by word, by example, by shafts of satirical humour. And while he took his own treatment impassively he spoke out bluntly and fearlessly about general grievances".

As his health deteriorated, public appeals were voiced nationally and internationally calling for his release on compassionate grounds. But the Government refused to budge. Even when in 1971 Bram's only son, Paul, died suddenly from a heart attack, the authorities refused him permission to attend the funeral.

Eventually, however, when it was realised that Bram Fischer was suffering from the terminal effects of cancer, the Government in March of this year released him from prison into the custody of his brother Paul in Bloemfontein. But even though dying, Bram Fischer was placed under house arrest, and allowed no contact with the outside world except for his immediate family. He died in his sleep at 7 o'clock on the morning of May 8.

INTERNATIONAL HONOURS

Bram Fischer's sacrifice and sufferings have not been in vain. The great man whom the South African racists drove to his death has won a firm place in the annals of history. Both black and white South Africans were profoundly influenced by the course of his career and martyrdom.

Some, at least, of the Afrikaner intellectuals whom Fischer had in mind when making his court speech in 1966 were profoundly affected by his appeal. In the course of a lecture in Johannesburg in February 1973, the Afrikaans novelist Andre Brink, calling for radical social change to eliminate racialism, injustice and exploitation, paid tribute to "that great South African, Bram Fischer, who is slowly dying in jail". It was Fischer's statement from the dock, said Brink, which had revolutionised his own thinking. He was not a communist, but Fischer's ideals of justice and love, in conflict with the apartheid system, had

made him a personal hero of Mr Brink. Earlier this year Brink expressed his regret that he had not met the two men he considered the greatest South Africans of his day – Bram Fischer and Chief Albert Lutuli.

In an obituary statement, the African National Congress said:

“He died as he lived – fighting and sacrificing his all for the liberation of the oppressed peoples in racist South Africa. He sacrificed wealth, fame, comfort, high position, a privileged life in an already privileged white society for the hazardous role of working with our cadres in the underground movement.”

In April 1967, Bram Fischer was awarded the Lenin Peace Prize, a fitting tribute to a great man whose name will live in the minds of all progressive peoples, both in South Africa and abroad, when those who persecuted him have been long forgotten.

Messages of condolence on the death of Bram Fischer have been received by his family in South Africa and Rhodesia and by the South African Communist Party from fraternal parties, liberation movements and progressive organisations and individuals in all parts of the world.