

## GEORGE BIZOS

We do well in these troubled times to remind ourselves that the great lawyer who stands before us today arrived in this country as a penniless teenager, without a matriculation certificate and quite unable to speak any South African language. He was the ultimate useless refugee: *makwerekwere*.

He stands in that long tradition of great human beings who although not born in this country did so much to contribute to its well-being. Think only of Ray Alexander-Simons from Latvia, Clements Kadalie from Malawi or Mohandas Gandhi from India.

George Bizos was born in a small coastal village of Greece. The 1930's were a volatile time in Greek politics with a sharp dividing line between democrats and fascist royalists. Needless to say the Bizos family were democrats and after the fascist coup Antonios Bizos (George's father), popular village mayor, installer of water taps and roads was forced to resign.

After the Second World War broke out the Nazi's moved into Greece and Antonios Bizos organised the escape of seven New Zealand soldiers found hiding near his village. George Bizos determined to accompany his father. Out on the open sea in a fishing boat they had the good luck to be spotted by a British ship and were sent, via Egypt, as refugees to South Africa. They arrived in Johannesburg on a train which did not stop at the central station for fear of demonstrations organised by Nazi sympathisers who were accusing Prime Minister Smuts of bringing "the *vuilgoed* of Europe into their country". [Bizos p.49] George Bizos, one might say, was born into the struggle against fascism and racism not once but twice.

Aged 14, George spent most of 1942 working long hours in a shop, but then a teacher, Cecilia Feinstein, took him under her wing and insisted that he complete his education. He squeaked through, with an E for both Afrikaans and English, and got into Wits with funds which his father managed to scrape together. His second break came when, on the top of the Bez. Valley bus, he met an art student Arethe [Rita] Daflos. They have now been happily married for over fifty years; have three sons; three daughters-in-law; a quiver-full of grand-children; and, let us never forget, the best vegetable garden in Johannesburg which he cultivates himself.

In the early years after the National Party came to power in 1948, the young lawyers who began to practice law in Johannesburg were a remarkable group. They included Duma Nokwe, Nelson Mandela, Oliver Tambo, Sydney Kentridge, Joel Joffe, and George Bizos. Their role models were a no less remarkable group of senior lawyers: Vernon Berrange; Bram Fischer; Isie Maisels and others. The new apartheid government was determined to use the law not only to crush all opposition but also directly to oppress people. These lawyers were just as determined to use the law in whatever way they could to protect their clients against the abuse of state power. Thus, paradoxically, the front line in the struggle for freedom in South Africa ran through the centre of the court.

One of George Bizos' earliest trials was in defence of participants in an anti-pass protest march in Lichtenburg in what was then the western Transvaal; another, at the same time, concerned defending those involved in exposing the notorious conditions

on Bethal potato farms. Events written up in two South African classics: *Brief Authority*<sup>1</sup> by Charles Hooper; and *Drum*<sup>2</sup> by Anthony Sampson.

Over the next thirty years trials included the Treason Trial; Rivonia; Bram Fischer's Trial; Namibian Trial [Herman Toivo ja Toivo & others]; The trials and tribulations of Winnie Mandela hounded by the Security Police; The Nusas Five; Soweto trials; the Biko Inquest and, most debilitating of all, the long Delmas Trial in the late 1980s. George Bizos acquired a formidable reputation, for he is a heavyweight and in court he can be a bruiser. But like Muhammed Ali he can also 'float like a butterfly and sting like a bee'.

Georger Bizos is a lawyer with a most subtle mind. He has made a major contribution from the culture in which he was brought up to shaping law in the new South Africa. Consider the following words from H.D.F. Kitto's celebrated book on *The Greeks*

"Our own conception of Law is so completely Roman that we find it hard to think of Law as a creative, formative agent, but this was the normal Greek conception....Not until Roman lawyers came under Greek influence did they begin to deduce from their laws general principles of Law, and to extend these in the light of philosophical principles. But the Greek thought of the collective laws...as a moral and creative power. They were designed not only to secure justice in the individual case, but also to inculcate Justice. 3

And this surely is precisely what George Bizos is about: to inculcate justice in society. The story of Orestes and Agamemnon he once told a spell-bound audience in Somerset West could be seen as the first example of transitional justice. Certain things have to be done to end a blood feud. He was articulate in defence of the TRC process which, he argued, "balances the rights of the individual as against the rights of nations, or whole people, to peace at the particular price that they as individuals may have to pay."<sup>4</sup>

George Bizos, because of his own singular commitment to the Rule of Law and because he was so trusted and respected by President Mandela, was the person chosen not only to shepherd the country's new constitution through the courts but also to ensure that capital punishment was struck from the codes of what is permissible in a civilised society. He continues to uphold the values and practices of an independent judiciary ...working for the Legal Resources Centre to represent people threatened with eviction by officials of the new democratic government; serving on the Judicial Service Commission and standing firmly for the principles of non-racialism and judicial accountability.

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<sup>1</sup> Collins Publishers, London , 1960

<sup>2</sup> Collins Publishers, London, 1956

<sup>3</sup> HDF Kitto, *The Greeks*, Penguin Books, Harmondsworth, 1951, p.94

<sup>4</sup> 'The South Africa TRC and some insights from Greek mythology' in Alex Boraine & Sue Valentine (eds.), *Transitional Justice & Human Security*, International Center for Transitional Justice, Cape Town, 2006, p.39

Through a long, principled and very courageous life George Bizos has remained unwavering in the never-ending battle for freedom and justice. UCT is proud to honour him today.