

BLACK POLITICAL RESISTANCE
IN NATAL, 1947-1952

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dedication

Dedicated to my parents: my late father, Luthchmanah
Viranna¹, and my mother, Govindamma Viranna²

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DECLARATION

I declare this dissertation is my own, unaided work. It is being submitted for the degree of Master of Arts in the University of Durban-Westville, Durban, It has not been submitted before for any degree or examination in any other University.

_____ day of _____ 19____

PREFACE

In researching this thesis many sources were consulted and a number of persons approached. Dr W.B.White my supervisor, has been a tremendous source of inspiration. He has taken a personal interest, made constructive and valuable comments notwithstanding the many hours he spent marking the drafts.

Professor Tom Lodge, an authority on black politics, has honoured me by his scrutiny of the manuscript. His commentary, criticism and observations have been an enriching experience.

While in the Transvaal, my friend of a quarter century, Sandres Naidoo made available many facilities: his car, telephone, computer and his home, without which research would have been extremely difficult.

The Documentation Centre of the University of Durban-Westville was a second home to me. Besides being accommodated by Kogie, Ajith and Chetty, Dr Henning went beyond the call of duty in assisting me.

If Professor Laidlow of Academic Computer Services did not allow me the use of the Staff Computer Laboratory, my computer literacy would be much limited. Sandi, Terry and Indrani were a great help.

Two leading academics, R.D. Nobin, a former Superintendent of English in Natal Schools, and Vasie Nair, a former lecturer in English at the Springfield Training College perused the final draft for its language accuracy. The script was further proofread by Venugopaul Naidoo, Head of Department in English, at a secondary school.

In order to facilitate research various libraries and archives have been consulted, the staff of which have been very helpful: University of Witwatersrand, University of Natal, University of South Africa, University of Durban-Westville, University of Zululand, University of Pretoria, Don Afrikana Library, Killie Campbell Library, Johannesburg Municipal Library, Natal Archives, and the State Archives-Greyville Depot.

If the University of Durban-Westville had not made available a research grant, completion of this thesis would have been extremely difficult.

This work is dedicated to my parents because of their role in the pursuit of human dignity. My father was unemployed many times because of his trade union activities. Ironically, working conditions improved for his colleagues while we as a family suffered for his egalitarian efforts. The burden of family provider fell on my mother. I remember vividly mother frying doughnuts on the open fire and uncle Ruthnam disposing of these among workmates to eek out a living for us.

Throughout, my sisters, my wife and my sons, Shrey, Teekshanam, and Narendra have been very supportive. Together with all those aforementioned, their efforts are graciously appreciated.

ABBREVIATIONS

AAC :All African Convention
 ANC :African National Congress
 ANCYL :African National Congress Youth League
 APO :African Peoples' Organisation
 ASC :Anti-Segregation Council
 BNC :Bantu National Congress
 BSC :Bantu Social Centre
 CAD :Coloured Affairs Department
 CIC :Cape Indian Congress
 CID :Criminal Investigation Department
 CNLL :Coloured National Liberation League
 COD :Congress of Democrats
 CPC :Coloured People's Congress
 CPNU :Coloured Peoples' National Union
 CPSA :Communist Party of South Africa
 CYL :Congress Youth League or Youth League
 DCC :Durban City Council
 FAC :Franchise Action Council ¹
 FSU :Friends of the Soviet Union
 ICU :Industrial and Commercial Workers Union
 ISA :Island Students Association
 JAC :Joint Action Committee
 JPC :Joint Planning Council
 JPRC :Joint Passive Resistance Council
 LSG :Liberal Study Group
 NAC :National Action Committee
 NEC :National Executive Committee
 NDPC :National Day of Protest Committee
 NDPCC :National Day of Protest Coordinating Committee
 NEUF :Non-European United Front
 NEUM :Non-European Unity Movement

¹ Initiated the formation of the South African Coloured People's Organisation (SAPO) renamed the Coloured People's Congress (CPC) in 1959.

NFATU :Natal Federation of African Trade Unions
NIA :Natal Indian Association
NIC :Natal Indian Congress
NIO :Natal Indian Organisation
NIO :Natal Indian Organisation
NIYC :Natal Indian Youth Congress
NMA :Natal Municipal Association
NP :National Party also referred to as the Nats
NPA :Natal Provincial Administration
NRC :Natives Representative Council
OFS :Orange Free State
SA :South Africa also referred to as the Union Government
of SA
SACP :South African Communist Party
SAPO :South African Coloured People's Organisation
SAIC :South African Indian Congress
SAIO :South African Indian Organisation
SAIRR :South African Institute of Race Relations
SALTC :South African Trades and Labour Council
SAP :South African Police
SWA :South West Africa
TIC :Transvaal Indian Congress
UN :United Nations (also referred to as UNO)
UP :United Party

NOTE ON FOOTNOTES

Abbreviations of libraries, archives and microfilm collections

DML	Durban Municipal Library
DON	Don Africana Library
GL	Gandhi Library, Durban
HPUWL	Historical Papers, University of Witwatersrand Library
JML	Johannesburg Municipal Library
KCL	Killie Campbell Library
UDW	University of Durban-Westville Library
UND	University of Natal Library, Durban
Unisa	University of South Africa Documentation Centre for African Studies
UNP	University of Natal Library, Pietermaritzburg
UZU	University of Zululand Library, Umlazi
WAL	Wits Africana Library
WCL	William Cullen Library, Wits
CK	Carter Karis Microfilm Collection

N.B. The use of 'ibid' and 'op.cit' has been avoided. The method followed was that of N.Visser, Handbook for Writers of essays and theses., which is recommended by the Department of History, UDW. Where possible short titles were used for repeated references.

DEFINITION OF TERMS

Africans	:indigenous inhabitants of South Africa.
Indians	:descendants of immigrants to South Africa from the Indian sub-continent.
Coloured	:people classified as such in terms of the Population Registration Act of 1950.
Blacks	:refers to Indians, Africans and Coloureds. Blacks or Black was not a contemporary term during the period under discussion in this study.
non-European	:appears in many contemporary documents, also refers to Indians, Coloureds and Africans.
non-White	:appears in many contemporary documents, refers to Indians Coloureds and Africans.
European	:contemporary term for whites
White	:the European race within Natal
native	:appeared in many newspapers and documents; the term has been avoided wherever possible and replaced with the term African.
Bantu	:the official term for African
Congress	:the term has been used to refer to the ANC, NIC or the SAIC. Also used in reference to the Congress Alliance

PART 1
OVERVIEW

CHAPTER 1

INTRODUCTION

The topic: 'Black Political Resistance in Natal, 1947-1952', was chosen to show the resistance in Natal to various laws that discriminated against Blacks. By black is meant, Coloured, Indian and African South Africans. Because people lived in segregated areas research findings are presented in ethnic form. This regional study is unique in a number of respects especially as it is the home of the Zulus who are distinct from the rest of the tribes in the country; the Indians are highly concentrated in the province and form the second largest number outside of India in the world. People of coloured extraction who are highly concentrated in the Cape constitute a negligible number in Natal.

The lives of the black communities have been influenced by Acts of a parliament in which they had minimal representation. These Acts evoked a number of responses. The first satyagraha campaign for example, by Indians was conducted from 1906 to 1914, against the Immigration Act of 1906. The most important gain of the Campaign was the abolition of the £3 tax.

The Native Land Act of 1913 clearly demarcated the 'reserves' and forbade the transfer of land there to whites. It was to ensure territorial segregation. Although the Africans were in the majority, the 1913 Land Act deprived them of the larger share of the land of the country. What land they were provided in terms of the Act was of poor fertility. This led Africans to urban areas.

Segregatory laws were also enacted by local authorities. In March 1922, the Natal Provincial Administration for instance passed the Rural Dealers' Licensing Ordinance, the

Townships Franchise Ordinance and the Durban Land Alienation Ordinance. The first deprived Indian traders the right of appeal against decisions of the licensing board and the second deprived all Natal Indians of the municipal franchise. The third gave the Durban Town Council the power to restrict the ownership or occupation of municipal land to particular race groups.

The resulting insecurity within the Indian community is what prompted the formation, in 1923, of the South African Indian Congress (SAIC). As was to be expected the Congress set out to fight the 'principle of segregation' and to demand equal rights with whites. The SAIC as an umbrella body was to co-ordinate the activities of the provincial congresses.

The thrust towards segregation, however, continued. In 1936, for example the Native Trust and Land Act was enacted to solve the 'native' problem. But the newly enlarged 'reserves' soon became overstocked and overpopulated thus prompting an even more rapid migration from the rural areas to the industrialising urban centres than had previously been the case. By 1936 there were already 55 615 Africans were already permanently resident in Durban.

Also in 1936 the Hertzog government passed the Native Representation Act which led to the creation of the Native Representative Council (NRC). It was an advisory body, the resolutions of which had no force of law and were frequently ignored by the government. This was understandably, to lead to much frustration not only among 'Native' Councillors but also among the African population generally.

Similar frustration at the intensification of segregation with the passage in 1943, of the 'Pegging Act' led to the radicalisation of the Natal Indian Congress (NIC). On 7

May 1944, the Anti-Segregation Council (ASC), under the leadership of Dr G.M.Naicker, finally ejected the conservatives of the Kajee-Pather Group and took control of the NIC on 21 October 1945.

At the same time that the NIC was being transformed the African National Congress Youth League (ANCYL) was being founded. Its protagonists argued that the African National Congress (ANC) was succumbing to oppression, was weakly organised and represented only the elite of the African community. The individuals behind the formation of the ANCYL¹ were Peter Raboroko, a student activist, Jordan Ngubane, a journalist, A.P.Mda, a teacher and Anton Maziwakhe Lembede, the self educated son of a Zulu farm-labourer who realised that the support of the increasingly frustrated Africans had to be channelled towards the ANC.

In 1946 the Smuts government passed the Asiatic Land Tenure and Indian Representation Act. The NIC rejected it and launched the Passive Resistance Campaign on 13 June 1946. The Campaign, which lasted for two years, was finally suspended after 2 000 resisters had courted imprisonment. Although the NIC did not achieve the removal of the obnoxious Act it was during this Campaign that the Doctors' Pact was entered into between the NIC, the Transvaal Indian Congress (TIC) and the ANC. It is the circumstances surrounding the establishment of this Pact, the first between African and Indian political organisations in Natal, which opens this study.

The title of the first theme, 'From Pact to Conflict' was decided upon because it is important to investigate what effect the Doctors' Pact, and the subsequent 1949 riots had on Indian and African political relations in the

¹ Karis and Carter, From Protest to Challenge, vol.2, pp. 99-101

province. If the Pact had been intended to bring about political cooperation why did it end in riots between the very communities that entered into it?

'The Politics of Alliance' thus naturally follows as the second theme. This sets out to investigate to what extent the spirit of the Pact was dampened by the calamity of the riots and describes the attempts made to reconstruct the Pact.

In this regard, the coming into power of the National Party in 1948 and its subsequent intensification of racially based restrictions introduces another theme. Here the impact of statutory apartheid on black political movements in Natal and its results in terms of relations between them is investigated.

In the face of a powerful white government, how did the black movements survive, was there need for alliance, was it superficial, was it only at the leadership level?

Naturally, such an investigation must lead on to the Defiance Campaign, the first major campaign after the Programme of Action of 1949 had been signed. Since the Campaign is described in Lodge's book 'Black Politics in South Africa since 1945' as having only minimal support in Natal it is important to investigate the whether or not this is true, and if true, the reasons for it.

An entire chapter has been dedicated to the planning of the Campaign especially since it was done by a Joint Planning Council (JPC) which stood under the auspices of the NIC and the ANC in Natal. It was considered important to study the interaction between the two bodies, which, for the first time worked together on a major issue.

The final chapter on the aftermath of the Defiance Campaign is intended to illustrate what happened in Natal as a result of the Campaign. In order more adequately to come to grips with the politics of the time it was deemed appropriate to discuss 'Indian politics' separately from that of 'African politics'. This is because political organisations were, at that time, ethnically based. Although the Non-European Unity Movement (NEUM), the Communist Party of South Africa (CPSA), and the Non-European United Front (NEUF) had non-racial memberships, the major role players in Natal were the NIC and the ANC both essentially Indian and African organisations respectively.

One particular aspect that makes this study unique is that it includes interviews with political activists who have valuable information about the Passive Resistance Campaign, trade unionism, and the Communist Party in Natal. The information provided by them has proved to be invaluable especially as most of it could not, until recently, have been published.

Although B. Pachai, the author of The International Aspects of the South African Indian Question 1861-1971, wrote extensively on the Round Table Conference he did not make reference to certain NIC documents that were kept in private collections. Carter who researched, 'Organised Non-Violent Rejection of the Law for Political Ends: The Experience of Blacks in South Africa', also did not peruse several of the important documents. Even R.E. Johnson did not examine valuable data for his unpublished Phd. thesis on 'Indians and Apartheid in South Africa: The failure of Resistance'.

PART 2

FROM PACT TO CONFLICT,
MARCH 1947-JANUARY 1949

CHAPTER 2

INDIAN POLITICS

2.1 INTRODUCTION

The politics of the Indian community changed drastically in 1945 when the ASC took control of the NIC. The organisation then came under the control of the progressives who adopted a militant programme of action as opposed to the previous accommodationist approach of the NIC.

When the Indians were faced with the objectionable Asiatic Land Tenure and Indian Representation Act the progressives in 1946 launched the Passive Resistance Campaign. This ultimately led to the issue of discrimination against Natal Indians being heard at United Nations (UN).

But, because the Indian community could not bring about change at home or through the world forum they realised that cooperation with other black political organisations was both necessary and expedient. This eventually resulted in the signing of a Pact between the ANC, the NIC and the TIC. It was a Declaration of Cooperation between the Indian and African Congresses.

2.2 DOCTORS' PACT

The Doctors' Pact as it came to be known was signed by Dr. A.B. Xuma, President of the ANC, and Dr.G.M.Naicker and Dr. Y.M. Dadoo, presidents of the NIC and TIC respectively.

Although the agreement was signed in 1947 the idea of unity among the black political movements had been mooted in the

1930s. In as early as April 1938,¹ the NEUF was formed with the ideal of a non-European united front of Africans, Coloureds and Indians, against the colour bar.² It had members from across the political spectrum including those who were both Communists and Trotskyites.

It was, in fact, the NEUF and not the signing of the Pact that, initiated the Indian-African political alliance. This had been in February 1941 when the Durban NEUF called for the first African-Indian protest meeting in the municipality.³ The idea of cooperation was developed by the Indian left who belonged to the NEUF. The NIC at this stage was a conservative body with narrow ethnic political ideals.

Subsequent attempts were also made to forge black unity. In 1943, for example, the conference of the SAIC resolved⁴ to

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- ¹ a) T.Karis, and G.M. Carter, From Protest to Challenge : A Documentary History of African Politics in South Africa 1882-1964, vol 2, Hope and Challenge 1935-1952, Stanford University, (Stanford, 1973), vol.2, p.509
- b) R.E. Johnson, Indians and apartheid in South Africa: The Failure of Resistance, Phd, University of Massachusetts, 1973, p.48 gives the date as April 1939.
- c) D.N. Cachalia, The Radicalisation of the Transvaal Indian Congress, the Moves to Joint Action, 1946-1952, (BA Hons., University of Witwatersrand, 1981), p.36 dates the formation of the NEUF as 1935.
- ² D.N., Cachalia, 'The Radicalisation of the Transvaal Indian Congress, the Moves to Joint Action, 1946-1952', (B.A. Hons., University of Witwatersrand, 1981), p.36
- ³ UDW: Indian Opinion, 21/02/1941
- ⁴ UND: S.Bhana and B. Pachai, A Documentary History of Indian South Africans, David Philip Publisher, (Cape Town, 1984), p.193

achieve cooperation with the ANC. But it was not until October 1945 when the NIC and the TIC had been brought under the control of Naicker and Dadoo, respectively, that the ideal was effected.

In 1943, the creation of the Coloured Affairs Department (CAD) had stimulated Coloured leaders to seek closer cooperation with Africans but, because of their links with the All African Convention (AAC), they failed to cooperate with the ANC. This failure was due to their steadfast demand that the ANC had to be under the umbrella of the AAC and thus unity talks between them proved to be in vain. Dr G.H. Gool⁵, a founder and executive member of the AAC and vice chairman of the NEUM⁶ explained this as a failure of leadership, foremost responsibility being that of the hierarchy of the Convention. While the AAC had not thus made an earnest attempt at unity, Indian communists, in particular, were enthusiastic about an alliance with the other black organisations.

The successful call of the NEUF members to oppose pass laws and support the formation of African trade unions at the 1944 Conference of the NIC further enhanced Indian-African political interaction. Thereafter, ANC Youth League members together with their Indian counterparts addressed public meetings in Natal.

Although it has been argued that it was the enterprise of Indian leaders that resulted in black political collaboration, it was, in fact, the initiative of the ANC that made the signing of the 1947 Pact a reality. At its

⁵ UDW: G.H.Gool, 'On the Non-European United Front (1939)', Address delivered to the All-African Convention, Bloemfontein, 16 December 1941, DOC. no. 957/156, p.4

⁶ Karis and Carter, From Protest to Challenge, vol. 4, p.33

December 1946 Annual Conference⁷ the ANC took note of the efforts of NIC leaders H.A. Naidoo and Sorabjee Rustomjee to expose white domination in South Africa at the UN. The Conference also singled out Indians for praise for their Passive Resistance Campaign which had focused world attention on race discrimination. The ANC, having been prodded by this success of the Indian people in exposing the shortcomings of white rule, adopted a resolution instructing the incoming National executive committee to seek closer cooperation with other black political organisations.⁸ Whilst it was the African community that sought the cooperation⁹ of other blacks, the signing of the Pact was to the advantage of the politically more advanced Indians because it had the support of the African majority.

Only the aloofness of the Coloureds in the AAC deprived them from being signatories to the Pact. In order to make cooperation more meaningful it was Dadoo's hope that these people too would eventually be a party to the alliance¹⁰

The stimulus for the alliance between the NIC, TIC, and the ANC had been the Indian Passive Resistance Campaign. The Campaign, which attracted thousands of new members,¹¹ impressed some of the younger African nationalists like Nelson Mandela and Professor Z.K. Matthews. The latter, a

⁷ Resolutions of the ANC Annual Conference, December 14-17, 1946. UDW: Karis and Carter, From Protest to Challenge, vol.2, pp.263-264

⁸ UDW: Karis and Carter, From Protest to Challenge, vol.2 p.265

⁹ UDW: Passive Resister, 24/7/1947

¹⁰ E.S.Reddy, Monty Speaks:Speeches by Dr G.M.Naicker (Monty) Naicker 1945-1963, Madiba Publishers, (Durban, 1991), p.31

¹¹ UDW: Karis and Carter, From Protest to Challenge, vol. 2, p.103

former president of the ANC (Cape)¹², claimed that the 1946 resistance movement was 'the immediate inspiration for the ANC's decision in 1949 to employ civil disobedience.'¹³

When Indians and Africans finally agreed to unite, a conference was called on 4 March 1947 in Johannesburg with the purpose of creating the much awaited alliance. The ANC, NIC and the TIC realised that there should be a spirit of collaboration between them in order to achieve the rights and freedom of the peoples of South Africa. A reciprocal understanding among the different national organisations was thus necessary.¹⁴ On March 11, 1947 a joint statement was issued by Dadoo and Naicker on the signing of the Joint Declaration of Cooperation¹⁵

¹² UDW: Karis and Carter, From Protest to Challenge, vol. 4, p.81

¹³ Karis and Carter, From Protest to Challenge, vol.2, p.103

¹⁴ 'Africans and Indians call for full Franchise'. UDW: Passive Resister, 15/3/1947

¹⁵

1. To fight for all the human rights.
2. The right of obtaining funds and the funding of business enterprises, the rights in business concerns and that the African Workers should fall under the legislation which cover all other industrial workers.
3. That all colour bar legislation which debar the coloured races from buying land or having suitable houses built for them.
4. That there should be no restriction of freedom of movement and that the pass laws that affect the African and workers should also fall under the legislation which cover all the industrial workers and the immigration laws that debar the Indians from staying in any town they like should be abolished.
5. That all discriminatory laws that affect 'all of us' should be done away with. Freedom is obtained through unity. The resolutions on the alliances of the coloured races.[The resolutions were published and issued in Johannesburg on 4/3/1951 and were
(continued...)

which paved the way for unity between the different Congresses.¹⁶

In as early as 27 June 1947 the President-General and the Working Committee of the ANC was authorised by the executive to negotiate with the Indian Congresses on matters of cooperation.¹⁷ The spirit of interaction that was signed in Johannesburg was ratified at a meeting of the NIC in Durban, at Red Square, on the 12 October 1947.¹⁸

The Pact was, however, bedevilled with problems from the outset. The Natal Indian Organisation (NIO), a conservative Indian political group which did not enjoy widespread community support condemned the initiative.¹⁹ G.M.Gerhart, author of Black Power in South Africa, claims that it proved very unpopular with many local Indian and African leaders. She confirmed Msimang's²⁰ disapproval of the alliance. Like

¹⁵(...continued)

signed by Drs Dadoo, Naicker and Xuma]. UND: Carter Karis, Reel 15a; Karis and Carter, From Protest to Challenge, vol.2, p.272; Indian Opinion, 14/3/1947; Johnson, 'Indians and apartheid', p. 82

¹⁶ Inkukuleko, 2nd edition, 1947

¹⁷ Letter to Selby Msimang, Secretary A.N.C. (Natal), 27 June 1947, UND: Carter Karis Microfilm Collection (hereafter CK) - 2: DAIG: 41/10

¹⁸ The speakers were: Senator H. M. Basner, African representative in parliament, J.B.Marks, Dr. G.M.Naicker and Dr. Y.M.Dadoo. representing the various organisations. 'Freedom is obtained through unity', CK: Reel 15a. p.1

¹⁹ S.L. Kirk, 'The 1949 Durban Riots - A Community In Conflict', (unpublished MA thesis, University of Natal, Durban, 1983), p.17

²⁰ Secretary of ANC (Natal) until 1952, member of NRC.

J.Grobler²¹, Msimang claimed that the spirit of cooperation existed only at leadership level. Bhana²² suggests that there is no way of ascertaining whether the rank and file supported the Pact as the ANC had merely taken an executive decision and the grassroots had not been informed. But in spite of the fact that there was no measure to test rank and file opinion, does not necessarily mean that they did not support the Pact because the delegates who attended the Congress conferences were representatives of the people. The fact that the idea of black unity had been sought since the 1930s through the NEUF was an indication that many people did not object to interaction between the different groups.

Grobler doubts the seriousness of the Pact. He argues that while it was signed by two Indian leaders, one from Natal and the other from the Transvaal, it was signed by only one African leader who was from the Transvaal. The complaint was that the NIC leader was a signatory while the Natal ANC Leader was not. It is probable that this omission caused antagonism among Natal African leaders. However, M.D.Naidoo²³, a former secretary of the NEUF, Durban Branch and a former vice-president of the NIC, contends that Naicker and Dadoo signed on behalf of the NIC and the TIC because the Pact was a declaration of cooperation between the ANC and the Transvaal and Natal Indian Congresses and it was not the function of the latter to determine who should sign on behalf of the ANC. The SAIC was not yet under the command of the NIC and the TIC. It was still

²¹ Telephonic Conversation: J.Grobler, author of A Decisive Clash? A Short History of Black Protest Politics in South Africa, 1975-1976., Pretoria, 26/03/93

²² Interview: Professor S. Bhana, Durban, 15/10/93. Professor Bhana was former head of Department of History, UDW.

²³ Interview: M.D.Naidoo, 20/04/93

under the control of the Kajee-Pather group who also had the Cape Indian Congress (CIC)²⁴ under their wing. Because of this complication the Indian leaders signed on behalf of their autonomous provincial organisations. The ANC (Natal), on the other hand, was not an autonomous organisation.

Selby Msimang, a former secretary of the ANC (Natal), the AAC and a journalist and member of the NRC²⁵, insisted that the signing of the Pact did nothing to create a spirit of cooperation²⁶ between Indians and Africans. He further maintained that the executive of the ANC in Natal did not want to expose the real feeling of the Africans in the province. Whilst such remarks were not conducive to the spirit of unity that was being forged they do reflect a feeling of bitterness. What the real feelings of the 1 520²⁷ ANC members in Natal were has not been made public. Msimang's remarks could have stemmed from the fact that the Natal leadership were not involved in the signing of the Pact whilst their Indian counterpart were. He must have felt slighted especially as he was an important role player in Natal politics and had been closely associated with Indian radicals.

Unlike Msimang's, Champion's approach was complex. Publicly he insisted that he supported the Indian-African alliance because he was loyal to the ANC. But, during an interview with E.C. Webster, a former member of the South African

²⁴ The CIC was a member of the SAIC until 1950, then resigned to join the SAIO. UDW: Leader, 9/3/1951, p.1

²⁵ Karis and Carrter, From Protest to Challenge, Vol. 4, p.105

²⁶ G.M.Gerhart, Black Power in South Africa: The Evolution of an Ideology, University of California Press, (London, 1979), p.104

²⁷ Table 9: State of the ANC Branches in Natal at the end of 1947.

Institute of Race Relations, he made the admission that Indians deserved to be assaulted during the riots.²⁸

Under Champion, the ANC in Natal, except for the Youth Leaguers within the movement, did not have a cordial relationship with the NIC. Bitterness between the NIC and the ANC (Natal) was to be expected especially as the ANC leader had not been a signatory to the Pact. This created much misunderstanding.

Msimang was not the only African leader who objected to the signing of the Pact. Mandela²⁹ too, did not believe that the Pact was meaningful. He was of the opinion that it was a papering of the cracks. He did not agree that the mere signing of the Pact would solve the problems between the two communities. He was of the firm belief that any solution to the country's problems had to be the initiative of the ANC since Africans were in the majority.

This, however, was disputed by Billy Nair³⁰, a long standing member of the Congress movement, who believed that the Pact was a sincere bond between the Indian and African Congresses and that it was this bond that led them to work together in many future campaigns.

²⁸ Recorded interview between Webster and Champion in December 1973. This document is presented by E.C.Webster on behalf of the Department of Sociology, University of Natal, Durban.

Webster: Did you support the Xuma-Naicker-Dadoo Pact of 1947?

Champion: I had two minds but I supported it because it was supported by the ANC. --
----- in 1949 the Indians deserved to be assaulted. They were too big for their shoes. They were too proud.

E.C.Webster, The 1949 Durban 'Riots' -A Case Study in Race and Class, pp.37-38

²⁹ Interview: I.C. Meer, 27/4/93

³⁰ Interview: Billy Nair, Durban, 19/02/93

Dr. Gool of the NEUM also criticised the Pact³¹, insisting that only the merchant class benefitted from the Passive Resistance Campaign. This statement was hypocritical because Gool in 1944 attempted a political marriage with the SAIC which was then under the control of the merchant class. The Kajee-Pather group³² of the SAIC with whom Gool attempted to collaborate, did not support the Passive Resistance. The Campaign that he so vehemently complains about was the initiative of the progressives and the working class. The black unity that the Pact sought to achieve had given politics a new meaning with the evolution of militancy. But although the Pact existed between the African and Indian Congresses there is no tangible evidence that they cooperated openly in Natal during the following two years.

2.3 LOCAL INTOLERANCE HAS INTERNATIONAL IMPLICATIONS

The inequitable Indian-white power structure within the country was further complicated by political division between Indian conservatives³³ and progressives.³⁴ The equation between these groupings was also unequal. The former were marginal with little but elite support. The

³¹ Non-European Unity Movement, Proceedings of the 6th Unity Conference, 29-31 March 1948, pp.1 & 15; Karis and Carter, From Protest to Challenge, vol. 2, p.128

³² UDW: Passive Resister, 21/2/1947

³³ The Kajee-Pather Group within the NIC that made up the conservatives were opposed to the Passive Resistance Struggle. Passive Resister, 21/2/1947

³⁴ Johnson, 'Indians and apartheid', p.64 and W.B. White, 'The Evolution of Policy Towards the Indians in Natal, 1943-1948', (unpublished MA thesis, University of Natal, Durban, 1981), p.104 refer to the progressives as confrontationists and the conservatives as accommodationists. Other researchers have referred to these organisations as the radicals and the moderates.

latter were the major political players with a significant grassroots base. Until 1946, the conservatives in Natal controlled the NIC. But, because of the evolution of trade unionism and communism, progressives formed themselves into the ASC in 1945³⁵ and took control of the NIC soon afterwards.

The NIC and the JPRC took their case to India because of the intransigence of Smuts. While India was under British control she could not do much. The issue only came before the UN on 8 December 1946 when India questioned the treatment of Indians in SA. The majority of the UN member states had then resolved that SA remove all inequalities between its peoples. South Africa's inflexibility, however, compelled India to withdraw its High Commissioner and break off trade relations.

This had a severe effect on the Union government internationally and Smuts appealed to Nehru, the Prime Minister of India, to reinstate the High Commissioner. The latter was, however, only prepared to do once India was satisfied with the treatment of Indians in this country. While the Indian government was anxious that the UN resolution of 8 December 1946 be implemented it did not agree that the return of the High Commissioner held up its execution.

The issue fragmented the local Indian community politically and the differences between them became visible both within and outside the country. One of the first international

³⁵ U.S. Mesthrie., 'From Sastri to Desmukh: A Study of the Role of the Government of India's Representatives in South Africa, 1927-1946', (unpublished PhD thesis, University of Natal, 1987), p.287

encounters was at the 1946 UN meeting when the SAIC³⁶, which was still made up of conservative elements, refused to accept the presence of Sorabjee Rustomjee³⁷ who had come fresh out of gaol. Kajee, the leader of the SAIC delegation resented the fact that the problem had become an issue at the UN. He was of the opinion that a Round Table Conference was the best way of resolving differences.

This attitude was rejected by the NIC,³⁸ which believed that an early UN decision was the best solution.³⁹ The probable reasons for such an approach was a lack of trust in the good faith of the SA government.

2.4 COMMUNAL FRANCHISE

Because of the international outcry over the lack of Indian voting rights the Durban City Council put forward the proposal of a qualified franchise for Indians. White⁴⁰ avers that on 8 January 1947, Durban's mayor, Ellis Brown

³⁶ Although the NIC and the TIC had been taken over by the progressives in 1945 through the ASC, the SAIC was still in control of the conservatives because of certain legal implications. Interview: Adv. M.D.Naidoo, 12/6/93

³⁷ Sorabjee Rustomjee was a member of the NIC. The SAIC was still under the control of the conservatives. While the NIC was under the control of the progressives and was an autonomous body the SAIC was not affiliated to the SAIC at this stage because certain legal implications were not yet fulfilled. Interview: I.C.Meer, 23/08/93

³⁸ UDW: Leader, 8/2/1947

³⁹ ASC was formed in 1945 to take over NIC from control of conservatives. The NIC advocated a round table conference since the formation of the ASC. CK 2 EJ3: 88/1, p.1

⁴⁰ W.B. White, 'The Evolution of Policy Towards the Indians in Natal, 1943-1948', (unpublished MA thesis, University of Natal, Durban, 1981), p.116

submitted a scheme whereby Indians would be allowed on a common municipal roll with a qualified franchise.⁴¹ The mayor was known to have had a good relationship with Durban's Indian community and he must, taking into account the politics of the day, have meant well by his submission. Acceptance of the idea would have meant legislative subjugation by the Indian community and implicit recognition of white superiority. The progressives could not accept the mayor's patronising proposal because they were not prepared to compromise the basic principles which the resistance movement stood for.⁴²

A second motion by Brown was also rejected by both the Indian political factions. This motion which proposed the idea of a satellite town with its own local authority and its own officials would have furthered the legal subservience of Indians, especially as it was to be under the 'suzerainty' of the Durban City Council. Indian political organisations could not be expected to accept a status of inferiority.

While Smuts was desirous to defuse international pressure, Hofmeyer⁴³, at a Public meeting on the 15 January 1947, announced his desire to see the extension of the municipal franchise⁴⁴ on a communal basis to Indians in Natal and the Transvaal and the further hope that Africans would eventually be represented by Africans in Parliament and

⁴¹ Letter from Ballinger to Kajee of the SAIC, that Indians accept qualified franchise if there was no alternative. UDW: Margaret Ballinger Papers. (hereafter Ballinger Papers) : DOC.no.2716

⁴² Daily News, 30/1/1947

⁴³ Hofmeyer was Minister of Interior in General Hertzog's coalition government. UDW: Leader 20/1/1947

⁴⁴ Indians were deprived of the parliamentary franchise in 1896 and of the municipal vote in 1924. UDW: SAIC Papers, DOC. no. 957/196, p.2

Indians by Indians.⁴⁵ Although this was not government policy, it resulted in an outburst by Malan on 21 January 1947 rejecting any form of franchise for South African Indians, he demanded that no negotiations be undertaken with India in terms of the United Nations resolution, 'except insofar as such negotiations had the express and exclusive object of having the Indian population removed to India or elsewhere'⁴⁶.

Such racism was not the prerogative of the National Party. Leo Boyd, Durban's deputy mayor, on 28 January 1947, also rejected any form of integrated political status for the city's Indians. Instead he insisted that Durban retain its status of a wholly 'European' City. He recommended that a separate parallel area to Durban be set up and a wholly Indian body, known as the Scheduled Areas Assembly, be established there. This proposed body, he asserted, should have the same number of members as the Durban City Council and be elected by the popular vote of those Indians living in the Scheduled Areas. Boyd believed the strength of his proposal to lie in its avoidance of granting a minority of seats in the Council to Indians.⁴⁷ The logic of such a recommendation was that if the Indians were offered a minority number of seats as suggested by Ellis Brown it would have been raised at UN as unfair treatment.

While the segregated status suggested by Boyd might have been acceptable to the conservatives it was rejected by the progressives.

Smuts secretly hoped that the Natal Municipal Association (NMA) and not the Durban Council would help him sort out

⁴⁵ Natal Mercury, 16/1/1947

⁴⁶ UND: Assembly Debates, vol. 59, Col. 10922

⁴⁷ UDW: Passive Resister, 21/2/1947

the problem of the Indian municipal franchise⁴⁸ before the next UN session. To this end a qualified franchise was suggested on his behalf at their annual meeting.⁴⁹

The suggestion was, however, rejected by both the NMA and the NIC. The latter rejected it because it lacked sincerity as it was a qualified franchise offered on a separate roll as opposed to a common roll. The first clause of the Doctors' Pact had specifically demanded a 'full franchise'. It was not a full franchise when the proposal stated that where there were one hundred or more voters, and provided that there were ten European councillors that two Indians would be elected to a town council. This clause would have guaranteed that decision making was under white control.

All that Smuts, in essence, had wanted to do was to hoodwink the international community. Even if the NMA had to accepted his motion⁵⁰, it would have been rejected by the local community for whom it was intended, and it is

⁴⁸ UDW: Passive Resister, 21/2/1947

⁴⁹ The qualified municipal franchise for Indians, was rejected by Natal Europeans by 15065 to 1639. UDW: Ballinger Papers, p.2, DOC. no. 2707

⁵⁰ Mitchell, the Administrator of Natal, proposed to grant a qualified franchise to Indians on a separate roll. Where there were twenty or more Indian voters, one councillor would be elected. Where there were one hundred or more Indian voters, provided there were ten or more European councillors, two Indians would be elected to a council. These councillors were to hold office for two years, elections for them being held at times separate from those when the European councillors were elected. In areas where less than twenty Indian voters, they were to be placed on the common roll but would not have the right to nominate a candidate. In order to enjoy such franchise Indians had to accept the parliamentary franchise. UDW: W.B. White. 'The Evolution of Policy towards the Indians in Natal, 1943-1948', p.119

likely that the proposed fraud would have caused more harm than good for SA's image.

When the resolution⁵¹ was rejected by 30 votes to 6 Smuts had his first setback. However, the voting would not have satisfied the Indian community of Natal, especially as the majority who opposed it, displayed strong anti-Indianism. It further revealed the divergent thinking between Smuts and the Natal municipal leaders.

The resolution that was adopted 33 votes to 3⁵² by the NMA allowed for the creation of Indian boards in urban areas, with a European chairman, to deal with health conditions and housing. Another resolution which was adopted 30 votes to 4⁵³ proposing that the question of a Indian municipal franchise be deferred and that European feeling be tested in a referendum, was also weak in that it did not allow for the opinions of Indians to be tested. Therefore even it were to be accepted by the European community there was no guarantee that it would have been accepted by Indians.

There was a wide range⁵⁴ in the voting in all three resolutions - the one defeated and the two accepted.⁵⁵

⁵¹ The resolution refers to Mitchell's motion.

⁵² DON: Natal Mercury, 13/2/1947

⁵³ DON: Natal Mercury, 13/2/1947

⁵⁴ Table 1: VOTING FOR INDIAN MUNICIPAL FRANCHISE

FOR	AGAINST	RESULT	RESOLUTION
6	30	defeated	Qualified Franchise
33	3	adopted	Indian Boards
30	4	adopted	Referendum

DON: Natal Mercury, 13/2/1947

⁵⁵ One resolution, adopted by thirty votes to four suggested the deferment of legislation on the Indian municipal franchise until the May ordinary
(continued...)

Nevertheless, in keeping with the resolutions of the NMA meeting, most Natal towns held a referendum on the issue of the Indian municipal franchise. The overwhelming result of the referenda was that the municipal franchise should not be extended to Indians in the province. White⁵⁶ claims that the NIC was gratified by the result because they had always been opposed to a communal franchise.

These results, too, were an affirmation of white anti-Indianism even at grassroots level.

On 22 April 1947, the NMA went ahead and passed a draft ordinance allowing for the creation of Indian Affairs Boards by local authorities to advise on housing and health matters.⁵⁷ This did not, however, satisfy Smuts who wanted to show the world that an effort had been made to solve the 'Indian problem'. In fact the idea of an Indian Affairs Board had to be shelved until after the UN session that year to avoid any further repercussions. Had Smuts not been let down by Natal whites he would have had a strong weapon to show the outside world that he had made some attempt to solve the controversy.

2.5 THE AFTERMATH OF THE UN DECISION

⁵⁵(...continued)

session of the Provincial Council and further recommended that local authorities in Natal should proceed without delay to hold referendums to ascertain 'European' public support for the Administrator's proposal. The other resolution which was adopted thirty three votes to three recommendation the creation of Indian Boards in urban areas each with a 'European' chairman to deal with health and housing. UDW: W.B. White. 'The Evolution of Policy towards the Indians in Natal, 1943-1948', p.120

⁵⁶ UDW: White, 'Indian Policy' 121; UDW: Leader, 8/3/1947, Editorial Comment.

⁵⁷ DON: Daily News, 22/4/1947

While various attempts were being made by the SA authorities to pacify the world community, the Indian government did not agree that the return of the High Commissioner was imperative for the implementation of the UN resolution and was of the opinion that such an undertaking should be facilitated through accredited representatives⁵⁸ of the two governments and not the High Commissioner. India was, however, prepared to send the Commissioner to prepare for the talks. The obduracy of the Indian government on this issue and the SA government's blank refusal to such a request⁵⁹ deadlocked the matter.

Prior to the actual discussions at the UN a deal was struck to hold an inter-governmental meeting on condition that the item was withdrawn from the agenda. No details of the proposed meeting were given but it appeared that SA wanted to avoid international embarrassment. As there was no indication whatsoever that the Asiatic Land Tenure and Indian Representation Act was to be withdrawn a private meeting arranged by the NIC with India's aid had placed the issue before the UN on 27 February 1947. It called for the implementation of the UN resolution of 8 December 1946.⁶⁰

⁵⁸ UDW: NIO Conference Records, p.232

⁵⁹ Arguing that they had not violated the UN Charter and that they were not sure what agreements and principles were involved especially as the International Court of Justice had refused to offer an advisory opinion. UDW: Leader, 8/3/1947

⁶⁰ On 8/12/1946, the General Assembly of the UN adopted the following resolution:-
" The General Assembly

Having taken note of the application made by the Government of India regarding the treatment of Indians in the Union of South Africa, and having considered the matter:

- 1) States that, because of the treatment friendly relations between the two member states have been impaired, unless a
(continued...)

Since there had been no visible change in the treatment of Indians in the country the UN again, on 28 February 1947, resolved that the Indian and SA governments meet at a Round Table Conference to discuss the issue. Although a majority of the member states had voted in favour of the resolution SA could not be compelled to attend a Round Table Conference because the resolution had not achieved the technical two thirds requirement.⁶¹ But this did not absolve SA from her moral obligations. Contrary to the truth, failure to hold the Round Table Conference was blamed on India by the Smuts Government with the support of the conservative Indian group.⁶²

The SA government re-affirmed, moreover, its intention to retain the Asiatic land Tenure and Indian Representation Act and appoint an Indian Advisory Board. On 9 February 1947 the NIC called a mass meeting to protest against the Advisory Board and questioned the refusal of passports to Dadoo and Naicker who were to attend the All-Asian

⁶⁰(...continued)

satisfactory settlement is reached these relations are likely to be further impaired;

- 2) Is of the opinion that the treatment of Indians in the Union should be in conformity with the international obligations under the arrangements concluded between the two governments of the Charter;
- 3) Therefore requests the two governments to report at the next session of the General Assembly the measures adopted to this effect."

UDW: SAIC Conference, 13-14 March 1948, Documentation Centre, DOC. No. 403/311

UDW: Passive Resister, 18/4/1947

⁶¹ Voting results were as follows: 31 in favour, 19 against, 6 abstentions, 1 absent. UDW: E.S. Reddy Collection, DOC. no. 1254/612, p.521

⁶² India was asked to withdraw trade sanctions and return High Commissioner. MD: M.D.Naidoo: Round Table Conference - Our Views, pp. 6-7

Conference in New Delhi on 24 March 1947.⁶³ The introduction of the Advisory Board was seen as a further act of bad faith. The Board did not have enough powers and acceptance of it would have been seen as acceptance of an inferior status. This would have conflicted with NIC principles as the organisation stood for direct representation.

The conservatives were, however, subsequently able to convince Smuts not to implement the Indian Advisory Board proposals⁶⁴ Instead he agreed that they should form a consultative body of six or seven members to act in an advisory capacity to the government on Indian affairs.⁶⁵ This proposal was a shrewd move on the part of the conservatives because they succeeded in keeping the popularly endorsed NIC representatives out of the limelight.

As had been expected international trade sanctions did have the desired effect even though the raw materials for grain bags which came from India did cause a shortage.⁶⁶

⁶³ Both Dadoo and Naicker were refused passports to travel to India in February 1947. The Government later regretted this action. DON: Natal Mercury, 12/2/1947; E.S.Reddy Collection, 24/2/1947, DOC.no. 1254/601

⁶⁴ The first official announcement was made on 6 February 1947. UDW: W.B.White, 'The Evolution of Policy towards the Indians in Natal, 1943-1948', p.129

⁶⁵ DON: Daily News: 12 May 1947

⁶⁶ D. Carter, 'Organised Non-Violent Rejection of the Law for Political Ends : The Experience of Blacks in SA', (unpublished PhD thesis, Department of Politics, University of Durham, 1978), p.178

Instead the boycott had severe repercussions on SA Indians.⁶⁷ It led to the formation of the SA Protection Movement after 400 white delegates had attended an Indian Boycott Congress in March 1947.⁶⁸ The angry delegates, who called for the repatriation of Indians, the denial of further licences and the total boycott of Indian shops, even went on to assault Africans⁶⁹ who supported Indian merchants.⁷⁰

It was not unexpected that there would be a backlash. Whilst the progressives were prepared to make this sacrifice it was understandable that the conservatives, who were mainly merchants, could not be expected to accept trade sanctions.

2.6 FORMATION OF THE NIO

The effect of the trade boycott, the international embarrassment of SA and the antagonism of Natal's white community compelled Smuts and A.I. Kajee to undermine the NIC with the establishment of a rival Natal Indian political body to act as a voice for 'accommodationist' opinion.⁷¹ They met on 11 April 1947, to discuss the formation of such a body. Four days later, Kajee met leading conservatives and the matter was again discussed.⁷²

⁶⁷ UDW: SAIC Papers, Memorandum of NIO to Members of UNO of Treatment of Indians in SA, on 4/5/1947, DOC. 957/196, p.2

⁶⁸ UDW: Passive Resister, 28/3/1947

⁶⁹ UDW: E.S.Reddy Collection, DOC.no.1254/607, p.513

⁷⁰ UDW: Leader, 5/4/1947

⁷¹ NIC Conference Report, 31 May-June 1947, p.10

⁷² NIC Conference Report, 31 May-June 1947, p.10

On 20 April,⁷³ it was decided that a new political body representing 'moderate' Indian political opinion would to be established. When the NIC planned a mass meeting to coincide with the founding the conservatives cancelled their meeting⁷⁴ probably because they knew they commanded very little respect within the Indian community. The NIC mass meeting, however, was not called off and a resolution was proposed attacking Kajee⁷⁵ for his collaborationist tactics and his acquiescence in divisionist politics. The much delayed formation of the Natal Indian Organisation (NIO) finally took place on 4 May 1947.⁷⁶ Continuing its opposition to mandatory segregation, it nevertheless emphasised its determination to work for the improved status of Indians by only 'constitutional' and 'legitimate' methods. Unlike the NIC it opposed integration with the white community noting that most Indians preferred to live in separate Indian communities.⁷⁷ Although the NIO was continually attacked by the NIC because it lacked majority support, its status among the business community grew, especially because the progressives proved unable to prevent legal segregation.⁷⁸

The NIO agreed on a separate movement only after examining

⁷³ Sir Razia Ali, a former Agent-General described the formation of the NIO as an unholy alliance between big money and a resourceful prime minister who knew how to get out of a tight corner. UND: B.Pachai, The International Aspects of the South African Indian Question 1861-1971, C Struik (Pty) Ltd., (Cape Town, 1971), p.212; Indian Opinion, 30/5/1947

⁷⁴ Natal Mercury: 19/4/1947

⁷⁵ DON: Daily News: 21/4/1947

⁷⁶ UDW: Indian Opinion, 9/5/1947

⁷⁷ UDW: Indian Opinion, 30/5/1947

⁷⁸ M.Mitha., 'Indian Minorities in South Africa', (unpublished MA thesis, University of Witwatersrand, 1968), p.178

other possibilities:⁷⁹ if it worked within the NIC it realised that policy questions would be highlighted; and the formation of a power group would have meant increased tension. The decision to form a 'moderate' representative body was thought to be the best solution even at the expense of dividing the Indian community. The NIC which could not prevent the fragmentation did not attempt to reconcile differences even though it had sought unity with other black formations by the signing of the Pact only two months earlier, in March 1947.

2.7 THE SAGA OF THE ROUND TABLE CONFERENCE CONTINUES

The NIC charged that the SA government's intractability was the fundamental cause of failed attempts to hold a Round Table Conferences with the government of India.⁸⁰ If the NIC had conceded to the demands of Smuts that by persuading India to restore trade relations at least, it might have succeeded in bringing the parties together as a first step. Whilst the NIC can be held responsible for Smuts' action it is possible that the NIC did not explore all avenues to resolve the crisis. On the other hand, Smuts cannot be vindicated. His insidious dealings⁸¹ with the NIO were not justifiable as they did not enjoy the support of the Indian community and his refusal to accept the NIC as the most popular Indian organisation only exposes his short-sightedness.

⁷⁹ Bhana and Pachai, Documentary, p.208

⁸⁰ At its conference on 1 June 1947 and on 13 August 1947 and at its emergency conference on 30 November 1947. In this it was supported by the JPRC when on 27 November 1947 and 10 January 1948. See MD: M.D.Naidoo: Round Table Conference - Our Views.

⁸¹ The NIO, in opposition to the NIC wanted the unconditional return of the Indian High Commissioner to SA, exactly what Smuts requested. UDW: Leader, 18/6/1947; Leader, 23/8/1947

Because of an obvious lack of progress the NIC planned a national non-European Conference to oppose the Asiatic Land Tenure and Indian Representation Act in the spirit of the Pact signed by its president with that of the TIC and the ANC. Until this point it had worked in isolation within the country on this issue, one of the difficulties being that there was no integrated political activity in Natal. The NIO, in response, called its own conference on 11 January 1948.

These developments and the various appeals the Indian community had made to India over the previous two years incensed the white parliamentary opposition. On 20 January 1948 Dr D.F. Malan, the leader of the opposition⁸², introduced a motion that Chapter II of the Asiatic Land Tenure Act and the Indian Representation Act of 1946⁸³ which dealt with parliamentary representation should be repealed. He did this because he claimed that the Indians had defamed SA overseas and because they had taken the problem to the UN. In contrast, J.H. Hofmeyer, as the Minister of Finance⁸⁴, stated that Indians could not be blamed for running to 'Mother India' if they were denied the rights of citizenship.⁸⁵ What Malan failed to understand was that white prejudice had compelled Indians to seek international help as a last resort. Had they been treated with any degree of fairness by the SA authorities they would not have resorted to outside help. Malan's motion, though finally defeated, did, however, echo the sentiments of the white electorate.

⁸² Pachai, Indian Question, p.169

⁸³ UND: House of Assembly Debates, vol.62, 1948 Col. 3162

⁸⁴ Pachai, Indian Question, p.169

⁸⁵ UDW: SAIC Papers, Statement of the SAIC to the UN, on 19/11/1946, DOC.no. 957/196, p.1

Because the 1947 session of the UN had failed to result in a Round Table Conference, the NIC decided to continue with the second phase of Passive Resistance Campaign. As a result fifteen Indians from Natal crossed the Natal-Transvaal border at Volksrust on 25 January 1948.⁸⁶ Once again the movement was in the limelight and drawing attention to its objectives. After the failure of the Indian Government to gain a two thirds majority at the UN world attention had been lost. Crossing the provincial borders was an excellent strategy to regain that attention. The Indian community, however, paid a heavy price. Their leaders Naicker and Dadoo, for example, were imprisoned for six months without the option of a fine for their defiance.⁸⁷

Not to be outdone a delegation of moderates from the NIO, the Transvaal Indian Organisation (TIO) and the Cape Indian Congress (CIC) met the Smuts Government on 29 January 1948. Emulating the NIC they also recommended a Round Table Conference as a solution to the problem. They did this because the economic boycott was hurting their members and because they felt that if a Round Table Conference could be held trade would be normalised. Its stance that all aspects of Indian life should be discussed at a meeting between India, Pakistan⁸⁸ and the Union

⁸⁶ UDW: Leader, 31/1/1948

⁸⁷ Interview: I.C.Meer, 12/11/1993

⁸⁸

1. In late November 1950 Pakistan had removed trade restrictions against SA. The Government of India claimed that it was a 'stab in the back' for SA Indians. UDW: Leader, 23/2/1950
2. At the tripartite talks held in Cape Town, which was the outcome of a resolution of the UN of 12/5/1949, the SAIC expressed disapproval of Pakistan's withdrawal of economic sanctions against SA. UDW: Agenda Book, SAIC conferences, p.29
3. The resolution of 12/5/1949 refers:
(continued...)

differed starkly, however, from that of the Indian Government which wanted discussions restricted to the UN resolution of 8 December 1946⁸⁹. India adopted this attitude because it did not want the resolution clouded by extraneous issues. If she had allowed herself to digress from the issue of the adopted resolution it is probable that she would have helped SA undermine the integrity of the international community. Even though the two thirds majority had not been achieved in 1947 not to have carried out the requirements of the 1946 decision could have set a precedent undermining the effectiveness of the UN.

The NIO, however, proved unsuccessful in its manoeuvre to counter the NIC. The prime minister, though welcoming their initiative did not agree that the time was appropriate for such a conference.

The SA government was favourably disposed towards the NIO and antagonistic towards the NIC with regard to a Round Table Conference even though it was the latter that had actually suggested the idea of such a conference between India, SA and representatives of the NIC, TIC and the CIC, in 1945.⁹⁰ It had claimed, contrary to the views of the SA government, that as long as the Indians, as a community, were denied full citizenship the NIC would seek the

⁸⁸(...continued)

That India, Pakistan and South Africa meet in conference to find a solution, taking into consideration the principles of the Charter and the Declaration of Human Rights.
UDW: Leader, 21/5/1949

⁸⁹ Refer to footnote 61 for full text of resolution of 8/12/1946.

⁹⁰ L.Adapa Collection, p.21

protection of India⁹¹ in all matters that affected it. It argued that the idea of the Round Table Conference was mooted when the Pegging Act⁹² was still in operation as a means of settling differences between whites and blacks in Natal⁹³, a fact that was made clear to Smuts in his meeting with the NIC on 9 November 1945.⁹⁴

In contrast to the NIO's policy of appeasement the NIC continued through the good offices of India, to expose discrimination against Indians. Supporting this were press statements by the JPRC on 26 February 1948 and the Congress Working Committee on 14 March 1948. Each of these progressive movements approached the problem slightly differently even though partners in the liberation struggle. While the NIC had insisted on a round table between India and SA the JPRC called for the inclusion of Pakistan. Once again the Union Government evaded the issue by its repeated call for the re-instatement of the Indian High Commissioner and the abandonment of trade sanctions. SA had proved by its repeated pre-conditions that it was not prepared to change its policy of discrimination against

⁹¹ 'Indians maintained their unfettered right to seek the goodwill of India and the support of world opinion in their struggle for full democratic rights in their land of their birth', UDW: Passive Resister, 6/8/1948

⁹² The Act was to lapse in 1946 and it could be extended by resolution of two houses of parliament. UDW: Commission of Enquiry into Matters Affecting the Indian population of the Province of Natal, U.G. No. 22, 1945, pp. 4-5; The continuation of the Pegging Act in Durban was violation of the Cape Town Agreement. UDW: SAIC Papers, Reported meeting with Smuts, 11/2/1946, DOC. no. 957/190, p.1

⁹³ L.Adapa Collection, p.22; Interview George Naicker 9/1/93

⁹⁴ M.D.Naidoo, Round Table Conference, CK 2: EJC: 88/1, p.2

its own citizens in spite of the fact that it had been condemned by the world community. The Smuts government took such a line of action because it had the tacit support of the European colonial powers who wielded much influence at the UN. Moral obligations and its ignominy were of secondary importance.

Nevertheless, in trying to break the logjam, Smuts found a willing partner in the South African Conference made up of the NIO, TIO and CIC, which met in Cape Town on 13 and 14 March 1948 in order to find ways to call a Round Table Conference. It was decided that at a favourable time a delegation of five would go to India. As was to be expected the idea was rejected both in India and by the Indians of SA. The Leader reported on 20 March 1948 that if the deputation failed India would be seen as the uncooperative party. While the collaborationists enjoyed the goodwill of the SA government they were looked upon as a mere clique by the Indian Government as it was believed that their actions undermined the integrity and credibility of the local Indian community.⁹⁵

India's tenacity was unquestionable. On 12 July 1948 the Indian representative requested that the question of the Indians in South Africa again be placed on the agenda of the UN arguing that the previous failure of the General Assembly to achieve a two thirds majority had given South Africa tacit approval for its policy. On 22 September 1948 the SA representative protested against the resolution's inclusion on the Assembly's agenda. Because of time constraints, however, the matter was left over for consideration at the April 1949 session.

2.8 1948 - THE DAWN OF DRAMATIC CHANGE

⁹⁵ UDW: Leader, 22/3/1948

The Malan government which came into power on 26 May 1948⁹⁶ was as uncompromising as its predecessor, adopting a ruthless approach to the NIC because it had embarrassed SA internationally.⁹⁷ It kept the NIC at a distance merely because of a suspicion that the movement was under communist control. The position of SA Indians soon worsened. The enactment of Union Act 47/1948, the Asiatic Law Amendment Act, for example, repealed Chapter II of the Asiatic Land Tenure and Indian Representation Act of 1946⁹⁸ and Malan took it upon himself to decree that the Indian had to be subjected to severe restrictions.⁹⁹ His acceptance of a Round Table Conference on the basis of the 1927 and 1932 conferences which dealt with the repatriation of Indians¹⁰⁰ even frightened off the collaborationist NIO.

The contempt the white electorate had for the Indian community was evident by its support for repatriation¹⁰¹. The rhetoric of S.M.Petterson, the independent Labour candidate for Umbilo, on 12 May that he would like to solve

⁹⁶ UDW: Ballinger Papers: Address by the President of the SAIO on 11/9/48, DOC. no. 2707. p.2

⁹⁷ Passive Resister, 6/8/1948

⁹⁸ Letter from NIO to Mrs Ballinger asking her to oppose amending Bill. UDW: Ballinger Papers, 1/6/1949, DOC. no.2127; Three of the most drastic amendments were: inclusion of business premises, granting of unlimited power to the minister, and inspection of premises day or night. UDW: Ballinger Papers, 14/6/1949, DOC. no. 2728, pp. 1-2

⁹⁹ House of Assembly Debates, Vol. 65, 1948, Col. 3054-3055

¹⁰⁰ Pachai, Indian Question, 219

¹⁰¹ The South African Party candidate for Durban-Musgrave advocated the compulsory deportation of Indians and pledged support to the H.N.P. to bring this about. DON: Daily News : 6/5/1948

the problem by shooting Indians¹⁰² only intensified the tensions between the races. A Durban Joint Wards Committee letter to all Natal general election candidates asking them to oppose any legislation granting facilities or benefits to Indians, unless such legislation was to be applied throughout the Union¹⁰³, was another example of the level of white detestation

Seven UP candidates representing Durban and the South Coast pledged that they would maintain 'European' civilization by the strict enforcement of the Asiatic Land Tenure Act.¹⁰⁴ The thirty thousand pamphlets¹⁰⁵ that they circulated during the election campaign reflected this intention.

Because white anti-Indianism was deep-rooted the government's Indian policy became an important election issue in Natal. Even the small Natal based parties, the Independents and the South African Party gave it considerable emphasis.¹⁰⁶

The National Party's anti-Indian stance, especially after the election, aggravated the crisis between India and South Africa. Having won the election with a manifesto that claimed that they would repatriate Indians and retain more forcefully the existing ban on Indian immigration, inter-provincial movement and penetration, increased the white support base of the government in Natal.

Despite this the NIC suspended the Passive Resistance

¹⁰² DON: Daily News : 12/5/1948

¹⁰³ DON: Natal Mercury: 18/5/1948

¹⁰⁴ DON: Daily News, 20/5/1948

¹⁰⁵ DON: Daily News, 20/5/1948

¹⁰⁶ DON: Daily News, 12/5/ 1948

Campaign on 31 May 1948¹⁰⁷ and sought an interview with Malan in order to sound out his views on the Indian community,¹⁰⁸ arguing that it was the United Party that introduced the Asiatic Land Tenure and the Indian Representation Act. By so doing it absolved itself from any blame for the uncompromising attitude of the new SA government.

Malan's obsession, however, that the NIC was communist inclined destroyed the possibility of fruitful discussions.

The formation of the South African Indian Organisation (SAIO) in Durban, on 11 September 1948, made up of the NIO, TIO and the CIC¹⁰⁹, further intensified the political malignity between Indian and Indian. Because of its policy of appeasement suspicion compounded its birth. On the day of its debut the government confiscated the passports of both Naicker and Dadoo¹¹⁰ and removed the latter from an aeroplane bound for Paris. Passports were even denied to the government-leaning SAIO.¹¹¹

The haste with which the government acted towards the conservatives elevated the standing of the militant Natal

¹⁰⁷ P. Hamlall, 'The Passive Resistance Campaign of the Natal Indian Congress of June 1946 in Opposition to the Asiatic Land Tenure Act', p.19

¹⁰⁸ Dadoo and Naicker were in prison. The NIC executive caused an uproar among the rank and file by conveying a message of congratulations to Malan on his election victory. UDW: Leader, 5/6/1948

¹⁰⁹ Pachai, Indian Question, p.220

¹¹⁰ UDW: E.S.Reddy Collection, Letter from Bapu to Nehru, 24/2/1947, DOC. no. 1254/601

¹¹¹ The government's anger was best illustrated by its refusal of passports to the SAIO which applied on 21 October 1948 but was turned down by telegram the following day. Pachai, Indian Question, p.221

leadership of the SAIC among the black political movements locally. This applied in particular to their stand against the SAIO's request for a Round Table Conference 'without prejudice'.¹¹² Fearing that the dignity of India and Pakistan would be impaired in the process, the SAIC insisted that any conference between SA and the aforementioned governments must deal, without exception, with the unequal status of Indians in SA.¹¹³

On 18 and 19 September 1948 the SAIC held its eighteenth conference session, in Durban.¹¹⁴ The voting into office of the "no compromise" militants meant that a hardline approach would be adopted by the new leadership. Since it had been slighted by the Malan government the SAIC evoked the spirit of the 1947 Pact by seeking the support of the nationalist organisations of the African and Coloured people¹¹⁵ in a struggle to achieve an equal society.

2.9 REVIEW OF LITERATURE

Johnson's¹¹⁶ observation that the Passive Resistance Campaign was a failure is refuted by Karis Carter's documentary evidence that the 1946 ANC conference had complimented the Indian community on its successful Passive Resistance Campaign and had instructed its incoming executive to seek cooperation with other black political

¹¹² But the SAIO rejected the Asiatic Land Tenure and Indian Representation Act. UDW: Ballinger Papers: Resolution No.1. DOC. no. 2708

¹¹³ M.D.Naidoo, Round Table Conference, CK 2: EJC: 88/1, p.1

¹¹⁴ All the following officials were from Natal: Dr G.M.Naicker, president; J.N.Singh, A.I.Meer, Joint Hon. Secretaries; Dr A.H.Sader, George Singh, Treasurers.

¹¹⁵ UDW: SAIC. Conference 17-19 September, 1948, p.4

¹¹⁶ Johnson, 'Indians and apartheid', p.97

organisations. The result was the conclusion of a Pact of cooperation between the NIC, TIC and the ANC. It is doubtful that the most powerful liberation movement in South Africa would have sought the alliance of the NIC soon after its Resistance Campaign if such resistance was a failure. In spite of what Johnson has written the Campaign must have impressed the ANC for it to seek the NIC's cooperation and seal a pact with it. Tom Lodge¹¹⁷ too, supports this viewpoint. He claims that even though the Indian Passive Resistance failed to remove the offending legislation, it did encourage the ANC national executive in 1949¹¹⁸ to adopt more forceful tactics in the light of the 1948 election.

The results of the voting at UNO is an indication that the majority of its member states disapproved of SA's racial policies. Smuts' claim in parliament that SA needed to improve its international image further buttresses the argument that the Campaign was not a failure. The only reason that the resolution of 8 December 1946 was not implemented was that it did not receive the technical two thirds majority.

Johnson¹¹⁹ refers to the Passive Resistance Campaign as a failure, Bhana and Pachai¹²⁰ call it a success and David Carter¹²¹ states that it 'ended in stalemate with neither side the "winner" or "loser"'. White, in his thesis, states that the struggle withered out towards the end. Carter, however, contradicts this latter assertion. Having

¹¹⁷ UDW: T. Lodge, Black Politics in South Africa, Johannesburg, Ravan, p. 26

¹¹⁸ 1949 Programme of Action of the ANC.
CK: 2: DA16 :14/1, pp.1-2

¹¹⁹ Johnson, 'Indians and apartheid', p.74

¹²⁰ Bhana and Pachai, Documentary, P.195

¹²¹ David Carter, 'Non-Violent Rejection', p.181

interviewed Dadoo while in exile, he concluded that the objective of the Passive Resistance Campaign had been achieved and that there was no point pursuing it further.

David Carter¹²² asserts that the Campaign was a catalyst for political cooperation between other groups and that the leaders of the Passive Resistance Council had realised the importance of working with African, Coloured and white political organisations. Carter claims that between one and two percent of Indian South Africans took part in the Campaign and, even though some lost their jobs, their morale was so high that many helped in fund raising campaigns. Carter asserts that Congress opened new branches and increased its membership from a few hundred to 35 000.¹²³ This is a contradiction of Johnson's observation that the NIC branch structure diminished.

2.10 CONCLUSION

Although the Doctors' Pact signed on 9 March 1947 was the outcome of the Indian Passive Resistance Campaign of 1946 it was the initiative of the ANC that actually brought about its realisation. At the 1946 conference of the latter organisation attention was drawn to the success of the Passive Resistance Campaign and the incoming executive of the ANC was instructed to seek cooperation with other black political organisations. Arising out of this the Doctors' Pact was signed between the NIC, the TIC and the ANC with the intention of political cooperation. However, immediately after the signing there is no tangible evidence that any meaningful cooperation was effected. The only evidence of political cooperation between blacks was in January 1948 when the NIC had called for a non-European

¹²² David Carter, 'Non-Violent Rejection', p.184

¹²³ UDW: Passive Resister, 28/8/1947

conference because of its several unsuccessful attempts to organise a Round Table Conference.

The Indian-African conflict of 1949, which is detailed elsewhere¹²⁴, was not the making of the NIC but could have been a side effect of the Passive Resistance Campaign because of white suspicion that Indian-African political cooperation could be very unsettling.

¹²⁴ see chapter 3

CHAPTER 3

AFRICAN POLITICS

3.1 INTRODUCTION

One would have expected wide scale political advancement after the war, especially with Durban burgeoning as an industrial town. However, it was not to be. The prominent black political role players were the NEUF, the NIC and the ANC. The ANC was in the forefront of African politics in Natal. There is no evidence of any other African liberation initiative.

The pioneer African movement did not operate smoothly, many problems had bedevilled the organisation from within and without. Its traditionalism did not allow for growth and change fractured it. All this retarded progress. Interaction with other political movements was non-existent. It was only expedience that led the national body to unite with its Indian counterpart in the province in 1947 but cooperation was slow between them until the catastrophic riots of 1949.

3.2. EARLY POLITICAL EVOLUTION

During the Second World War the African working class expanded enormously. One result of this was that there was a great ferment of political activity among them.¹ The coming to power of the National Party in 1948 seemed to make the fulfilment of black aspirations for a better deal

¹ UDW: T.Lodge, Black Politics, p. 23

even more remote. Black resistance increased and evidence of a strong Marxist influence manifested itself.²

New developments took place in Durban's politics. The local economy boomed. There was a demand for unskilled labour and Durban's African working class grew rapidly. The real wage trends amongst African workers remained upward until 1947.³

Many difficulties confronted African political organisation. Constituencies, for example, were difficult to define and mobilise⁴ because social geography and migrant labour made political mobilisation a major problem. Because of the city council's policies, with its intractable refusal to recognise African settlement as permanent, Durban's formal townships accommodated only about 10-20% of its African population. Most of Durban's Africans lived in hostels, backyard khayas, squatter slums and in shantytowns on the periphery of the city.⁵

The major black political organisations in Durban were the ANC, the NIC, the NEUF and the CPSA. The ANC represented the African community and the NIC, the Indian. They were both mass based with mainly working class support and each faced its own peculiar difficulties. The ANC under the leadership of the autocratic Champion, was at loggerheads with the Youth League over differences in ideology. The NIC too, as mentioned in the previous chapter, was in conflict with the NIO. Although the relationship between the NIC and

² UDW: K. Smith, The Changing Past, p.155

³ UNP: Tim Nuttall, 'Young Natal' and African Nationalism in Durban during the Early 1940s, Critical Studies Group, p.1

⁴ UNP: Nuttall, 'Young Natal', p.2

⁵ E.C. Webster, 'The 1949 Durban "Riots" - A Case Study in Race and Class, p.17

the ANC was cordial at national level, they did not interact much at the provincial level. The APO, the country's leading Coloured political organisation was Cape based and was only marginally represented in Natal because the Coloured population there was very small. The NEUF and the CPSA, unlike the above, were not ethnic in composition. The NEUF adapted Marxism to South African conditions and postulated the view that blacks should unite on the basis of common oppression and exploitation. The NEUF, like the APO, was also a Cape-based organisation.⁶ In Durban, it attracted both Indian and African supporters and followed a policy of boycotts and strikes. Unlike the case in the western Cape, Trotskyist influences were not strong in the Durban branch of the NEUF.⁷ By early 1942 it had effectively merged into the Communist Party in Durban.⁸

3.3 AFRICAN TRADE UNIONS

In 1945 the Smuts Government for the first time took steps to recognise African trade unions.⁹ One of the main arguments against recognition of African trade unions under existing legislation was the right that the African unions would acquire to representation on industrial councils. Whites feared that they would be outnumbered and therefore suggested that there be separate legislation for the operation of African trade unions. Because of this apprehension the Industrial Conciliation (Natives) Bill was drafted.¹⁰ The Bill was condemned by the ANC because it

⁶ Interview: George Naicker, 9/1/1994

⁷ Interview: Swaminathan, 30/11/93

⁸ Interview: George Naicker, 9/1/1994

⁹ UND: H.G. Ringrose, A History and Description of Trade Unions in Natal, University of Natal, n.d., p.102

¹⁰ The Industrial Conciliation (Natives) Bill was never passed. Interview: Swaminathan, 10/10/93

denied African workers the right to strike and excluded mine workers.¹¹

In spite of the fact that the first significant African trade union, the Industrial and Commercial Workers Union (ICU) had one of its most successful offices in Durban¹², trade unionism did not progress much in Natal. As compared to the other provinces, the labour force there was composed of a significantly greater percentage of migrant workers. Moreover, many of the jobs occupied by Africans in the Transvaal and the O.F.S. were, in Natal, occupied by Indians. Most of the latter belonged to registered unions.

At the end of 1946, Natal had twelve African trade unions,¹³ the lowest number in the country. This was mainly due to a lack of organisational and financial stability. Their only umbrella body, the Natal Federation of African Trade Unions (NFATU) which had five unions affiliated to it, became defunct in 1948 because of financial difficulties.

Independent unions had great difficulty in collecting dues because of poorly trained shop stewards, low wages and a lack of stop order facilities. It was difficult to find premises for trade union work since landlords were frequently biased against them. Another difficulty was that if the person who guided the union was a non-African and had not been an employee in the industry, suspicion among workers was aroused that he had ulterior motives. Migrant labour was one of the other major problems that faced unionisation for, if a member was absent for six months or more, his membership became invalid. In certain industries

¹¹ UND: Ringrose, Trade Unions in Natal, p.103

¹² UND: Ringrose, Trade Unions in Natal, p.103

¹³ Interview: Kay Moonsamy, 8/3/1993

like that of sugar this was a real difficulty for many worked on an irregular basis only.

Prejudice was a major factor that retarded progress. In 1947 several powerful unions had resigned from the Trade Union Council when the question of 'native' trade unions was being discussed. A number of unions with mainly Afrikaans speaking members refused to affiliate.¹⁴

The hardships that a typical African trade union organisation endured is illustrated by the case of the Durban African Municipal Workers Union which tried for two and half years to improve the lot of its members but realized nothing in its dealings with the Native Administration Board.¹⁵ The legitimate methods the union

¹⁴ Interview: Swaminathan, 30/11/93

¹⁵

- a) First letter written 3 March 1945.
- b) Reply from Town Clerk 7 March 1945 asking for memorandum.
- c) Letters dated 27 April and May 1945 submitting Constitution and memorandum. No Reply.
- d) Letter dated 29 July 1945 asking for an interview. No reply.
- e) Letter dated 25 October 1945 pressing for an interview. No reply.
- f) Letter dated 29 November 1945 the matter was deferred pending a Wage Board determination.
- g) Letter to Town Clerk dated 28 December 1945, pressing for an interview.
- h) Further letter pressing for an interview, dated 16 February 1946.
- i) Reply from Town Clerk dated 31 January 1946 dealing with points already covered by wage determination for unskilled labour.
- j) Further letter raising various points dated 4 February 1946.
- k) Further letter pressing for an interview, and stating that there were no means of meeting the council, dated 15 February 1946.
- l) Correspondence between the Union and Brookes was the first time the Union turned for outside help.
- m) Personal interview between Brookes and the then Mayor, Senator S.J. Smith.

(continued...)

employed elicited only unnecessary delays and created disappointment among the workers.

Frustration had built up among the leadership when the local authority, as a ploy, had adopted delaying tactics in order to solve problems. This insincerity had compelled workers to abandon legitimate methods of negotiation and instead voice their grievances at ANC meetings. Developments such as this finally forced the political movement to change its own methodology from one of passivism to that of radicalism.

One of the reasons advanced for the eventual failure of the union was the denial of the municipal franchise to Africans. Had Africans been represented on the Durban City Council (DCC), most of their difficulties they faced would have been alleviated. For this reason the NIC demanded that

¹⁵(...continued)

- n) As a result of the personal intervention of the Mayor, a deputation accompanied by Brookes was received by the Native Administration Committee on 12 July 1946.
- o) No reply received to representations made by that deputation.
- p) Correspondence between Brookes and the Mayor, Mr R.Ellis Brown as the former did not want to attack the Council in Parliament.
- q) Interview by Brookes with the Secretary for Labour in Durban, when he asked the Labour Department to take up the matter in connection with negotiations conducted by it with regard to other sections of municipal workers. No apparent result.
- r) In the meantime, on the 26 February 1947, a deputation met the chairman of the Native Administration Department and its officials.
- s) Up to 23 October 1947 no concrete results from all these various interviews reported Brookes.

Minutes of Proceedings: Durban Native Administration Commission, 23 October 1947, pp.4-5 UND: Carter Karis, Reel 15

steps be instituted to extend the municipal franchise to Africans ¹⁶ as well as to Indians.

3.4 CONFLICT WITHIN THE NATAL ANC

3.4.1 Internal Problems

In 1947 the leadership of the ANC in Natal was conservative.¹⁷ A.W.G.Champion, the Provincial President, wanted a strong, united resistance movement of Zulus which he thought could only be achieved through the help of the chiefs. Being a long standing member of the Industrial and Commercial Workers Union (ICU) he dreamed of eventually being able to withhold labour from white farms. This sound weapon of resistance remained, however, an exercise in theory. Whilst he did build the ANC with the help of the chiefs he did not put his vision of depriving white farmers of labour into effect because the chiefs did not prove to be as enthusiastic about his militant approach as he had expected. He remained bitter that whites were freely allowed to own land while blacks were debarred from doing so¹⁸.

Between 1947 and 1948 there was much dissension within the ANC in Natal. Most of this was as a result of a personal and ideological conflict between Champion and the provincial secretary of the Youth League, Selby Msimang.

¹⁶ Durban Native Administration Commission, Minutes of Proceedings, 21/11/1947, CK 252: BD2: 32/6, p.10

¹⁷ UDW: Lodge, Black Politics, p. 26

¹⁸ 'If the Chiefs could properly understand that there is not a single European who would remain on the farm once there are no Africans to work for him. ANC (Natal):Report of the Executive Committee, 1947. CK 2:XC9 : 62/5 , p.5

Champion was fiercely anti-communist¹⁹ and without adequate justification blamed all the problems within the movement on the role of communists such as Harry Gwala²⁰ and M.B.Yengwa²¹ whom he felt were being misled by the Communist Party.

A Zulu traditionalist, Champion was concerned about what he perceived to be communist influence in the Youth League²² and accused the organization - and thus also Msimang - of setting up new branches in every hostel and on every street corner without consulting with or seeking the approval of the ANC - and thus Champion - in the province. Clearly his Zulu particularism and his penchant for authoritarianism alienated him from the Youth League leadership²³, a development that was compounded when he unconstitutionally²⁴ appointed his own executive committee in 1948.

¹⁹ KCL: M.W. Swanson, (ed.), The Views of Mahlathi ; Writings of A.W.G.Champion a Black of South African, Killie Campbell Africana Library, (Durban, 1982), p.44

²⁰ Letter from Champion to Msimang, 3/9/ 1948. CK 2: XC9 : 41/200

²¹ Secretary of Youth League in Natal in 1948, Secretary of ANC Natal from 1952-1960. Karis and Carter, From Protest to Challenge, vol 2, p.4

²² 'That is what caused disagreement between the two of them'. KCL: M.W.Swanson, Writings of Champion, p.44

²³ 'Their speeches were inflammatory and they wanted freedom 'in their time, which meant in their lifetime' KCL: M.W.Swanson, Writings of Champion, p.44

²⁴ 'The paragraph in the Congress Constitution that chooses the Executive Committee was not good at all.' KCL: M.W.Swanson, Writings of Champion, p.44

Champion's ambition, personal aggrandizement, and conservatism aggravated the inherent friction within Congress. Albert Luthuli²⁵, for example, was accused by Champion of joining Congress for personal gain.²⁶ This misconception arose because of Luthuli's belief that the ANC leaders within the NRC should vote independently and not as a bloc.²⁷ Not only was he accused of lacking team spirit²⁸, but it also led to the misguided belief that he was ambitious to take over Champion's portfolio.²⁹ Luthuli, in fact, had no ambitious dreams of leadership in Natal. It was the Youth League that appealed to him to accept nomination and that too, only in June 1951. They did this because he had an independent mind and displayed indomitable leadership qualities.

This discord did, however, also have a positive effect. The radicals within the ANC, in reaction to Champion's chauvinism, moved closer to the NIC and cemented the bond created by their leaders in 1947. They were at home with the NIC because it had already undergone an ideological

²⁵ Chief of the Amakolwa, replaced Champion as president of ANC(Natal) in 1951, and replaced Moroka as national president of ANC in December 1952. Karis and Carter, From Protest to Challenge, vol.2, p.60

²⁶ Letter from Selby Msimang to Champion.
CK 2: XC9: 41/174, p.1

²⁷ Letter from Msimang to Champion, CK 2: XC9: 41/174, p.1

²⁸ 'Members sink their individuality and act and play as a team in the interests of the game'. Letter from Msimang to Champion, 25/3/1948. CK: 2: XC9: 41/174, p.1

²⁹ 'Chief Luthuli will endeavour to entrench himself and bid for Natal leadership. In other words, he will, as you have long sensed it, work to oust you'. Letter from Msimang to Champion, 25/3/1948, CK 2: XC9: 41/174, p.2

change when radicals had ousted Indian traditionalists in 1945.

The effect of this interaction is illustrated by M.D.Naidoo's call, on 4 February 1947, for joint action between the ANC (Natal) and the NIC to counter media agitation against the payment of unemployment relief to blacks. As a result, on 7 February 1947³⁰, the NIC discussed agitation against unemployment grants to blacks with the ANC (Natal).³¹

3.4.2 External Problems

Besides internal problems, one of the major external issues that the movement had to contend with was cattle culling. This created much bitterness among Africans in the rural areas. When the government decreed that Africans reduce their stock the ANC called a meeting at Nongoma which resolved that delegates take up the issue with the Native Affairs Commissioner on 24 July 1947.³² In correspondence between Champion and Chief Manqamu Mbuyazi³³ the reduction of stock and the limited supply of land on which Africans could build homes was also raised. This latter issue indicated the acuteness of the housing crisis at the time.

³⁰ Letter from ANC Natal to NIC, 7/2/1947. CK 2: DA19: 41/18, p.1

³¹ Three steps were suggested:
 1. to counter the deliberate propaganda.
 2. to arouse the opposition of the people
 3. to make representation to the proper authorities.
 A meeting was also suggested under the joint auspices of the ANC Natal and the NIC.

³² UND: Champion's appeal to chiefs. CK 2:XC9:42/3, p.1

³³ Letter from Champion to Chief Mbuyazi, 25/7/1948. CK 2: XC9 :41/182, p.1

The ANC subsequently held several meetings with chiefs and their subjects, in order to resolve the problem of stock limitation and restricted land usage. The last of these meetings was held at Nongoma in October 1947. The meeting was an unqualified success³⁴ and the decisions³⁵ taken received the attention of the executive committee.

From the 4th to the 6th October 1947³⁶, the Annual Conference of the ANC was held at the Bantu Social Centre in Durban. Building on the success of the recent meetings it was resolved³⁷ that efforts be made to unite all the chiefs in Natal and Zululand so that a formidable political

³⁴ HPUWL: ANC(Natal): Annual Report 1947, p.1

³⁵

1. That the proposal to reduce stock in the reserves cannot be expected as put;
2. That the proposal to be justified must necessarily follow or be taken together with the implementation of the provisions of the Natives Land and Trust Act of 1936 in that there is the danger of the capacity of the land, while the basic reason is that the people have increased to the extent that pasturage has contracted because converted into residential and agricultural areas;
3. That the obvious and reasonable approach should be the immediate implementation of the Native Land and Trust Act 5 of 1936 by a provisional of additional land to ease the congestion primarily responsible for the seeming over-population of cattle.
4. That with the present state of unrest among farm labourers who are already moving into the reserves to aggravate congestion, reduction of stock is never likely to present a solution but may result in the people not owning live-stock at all, thereby being deprived of the vital item of nutritional food-milk;
Letter from Secretary A.N.C.Natal to Chief Native Commissioner, 6/7/1948. CK 2:XC9:41/181, p.1

³⁶ HPUWL: African National Congress, Natal Province: Annual Report 1947. CK 2:DA19: 30/2

³⁷ ANC (Natal) Annual Conference, 1947. CK 2:XC9:42/2

force could be created. With this in mind, the executive committee was to pay its respects to the Paramount Chief Designate and the Royal House at Nongoma on the 27 October 1947.

On 6 October 1947, the appointment of G. Mgadi by Dr. Xuma, as Organiser for the ANC in Natal was accepted at the Provincial Conference. This was the first time that a full time organiser was appointed in this province probably because the work of the ANC was suffering through falling membership. Why Xuma and not Champion chose the organiser is unknown. It is possible that Xuma had observed that the ANC was very weak in Natal.

The appointment of Mgadi was fraught with many problems, especially as the province could not afford his travelling expenses³⁸ and the money that was loaned for his upkeep was not repaid.³⁹ Whilst it was necessary for the ANC in Natal to appoint a full time organiser because of its weak financial position, his appointment was a poor decision. Without adequate funds he was not able to function effectively.

The importance of the Royal Family in the resistance politics of the province is illustrated by the fact that one of the first duties of Mgadi soon after his appointment was to attend the meeting at the Royal Kraal on the 27 and 28 October 1947. The role that the chiefs and the royal family played as the backbone of the ANC is further indicated by the fact that thirty chiefs, including Prince

³⁸ "My difficulty now is his travelling expenses": Letter from Champion to Xuma, 13/10/1947. CK 2: XC9: 41/152, p.1

³⁹ "You promised to refund my money loaned to him for week-end fare to Jo'burg. Up to now I have not received it": Letter from Champion to Xuma, 13/10/1947. CK 2: XC9: 41/152, p.1

Mshiyeni Ka Dinizulu accompanied by some eight members of the Zulu Royal Family⁴⁰, attended the conference.

Although there were 30 ANC branches in Natal at the end of 1947, membership was poor with a provincial total of only 1 520⁴¹. The average branch size was 50, Rockdale in Bergville, which was the smallest branch, had 4 members while Durban the largest branch, had 221 on its register. Durban, which was a hive of political activity could have had thousands. It is possible that, because it was difficult to organise urban Africans, the number in Durban remained low. It is also possible that there was less police harassment in the country districts. Membership in Pietermaritzburg too, was low. The capital had a membership of only 33. The branches were mainly in northern Natal and along the north coast. No branches were recorded on the south coast. As these branches were scattered all over the province it was difficult to control them as visits were expensive and the organisation was acutely short of money. In the urban areas the Youth League was prominent, this was especially true in Pietermaritzburg and Durban.

As the organisation received its income from membership fees the total membership of 1 520 could not have provided much income at all as fees were 2s. 6d. and the province retained only one third of this.

A major reason for the low overall membership was the unsettling effect of large scale evictions.⁴² As a result a meeting was held in Pietermaritzburg from 23 to the 25

⁴⁰ A.N.C. (Natal Province): Annual Report 1947,
CK 2: DA19: 30/2, p.1

⁴¹ Table 9 : State of the ANC branches in Natal at
the end of 1947.

⁴² A.N.C.(Natal): Annual Report 1947,
CK 2: DA19: 30/2, p.1

July 1948 to discuss the state of the diminishing cattle stock and the hazardous life of Africans on the farms.⁴³

3.5 FINANCIAL CRISIS

The ANC's financial crisis in 1947⁴⁴ had prompted the leadership to discuss the formation of a national fund. Each chief and headman in Natal was subsequently requested to make a minimum deposit of £25 to start the fund, and each branch was expected to pay £5.⁴⁵ A special request had been made to chiefs to persuade their people to join Congress in order to swell both numbers and revenue. There had been much argument and debate about the handling of the Fund. Champion wanted the fund to be independent of Congress while Luthuli had disagreed. As it had been collected in the name of Congress, Luthuli believed it had to be administered by it.⁴⁶

The ANC's poor financial position had affected its organisational work.⁴⁷ To make ends meet, the ANC in Natal, from time to time, owed several small sums of money to the president and the secretary.⁴⁸ Congress had to

⁴³ Request from Champion and Msimang to branches of ANC. CK 2:XC9: 42/3, p.1

⁴⁴ CK 2:XC9:42/3, p.1

⁴⁵ CK 2:XC9:42/3, p.2

⁴⁶ 'but Champion denied that and said it was not true. he made it clear when he started the fund that he did not wish it to be under Congress, because if any danger arose of Congress being banned by the Government, that money would be appropriated'. KCL: M.W. Swanson, Writings of Champion, p.45

⁴⁷ Letter from A.N.C. President to Secretary A.N.C. Natal Branch. CK 2:XC9:41/188

⁴⁸ Letter from Champion to Msimang, 5/11/1948, p.2. CK 2: DA19: 41/25

charge 1/6d for each annual report it distributed in 1947⁴⁹ because it could not afford to hand out free copies. The Annual Report of ANC (Natal) shows that the province owed the secretary, Selby Msimang, an amount of £50⁵⁰ and, excluding the Defence Fund, the ANC was in debt to an amount of £28.11.2. The secretary had claimed that the primary reason for this deficit was a lack of organisation.⁵¹ To overcome this financial crisis it had been decided to increase the revenue of Congress. This was to be achieved by visiting various areas with the aim of enlisting 100 000 members. It had been hoped that an income of £2 500⁵² would thus be realized. To further improve the finances of Congress Champion appealed to the chiefs to make a financial contribution of £100 each.⁵³ Champion always saw the chiefs as the backbone of Congress around whom he wanted to build the organisation. It was planned that the collection drive would start in Estcourt where

⁴⁹ Special note was made so that: 'Those who have paid this sum should send their names and addresses, which should be written legibly so that their letters should not go astray'. Notice convening meeting, 19/9/1947, CK 2:XC9 :42/2

⁵⁰ Letter from Msimang to Xuma, 28/4/1948. CK 2: XC9 : 41/177, p.1

⁵¹ Special note was made so that: " Those who have paid this sum should send their names and addresses, which should be written legibly so that their letters should not go astray". Notice convening meeting, 19/9/1947, CK 2: XC9 :42/2

⁵² Letter from Msimang to Champion, 18/1/1947, CK 2: DA19 : 41/8, p.1

⁵³ 'I therefore recommend that in the absence of other means of organising Congress, a personal appeal be issued by the President to certain well-known Chiefs for financial assistance amounting to £100 at least, and that in the interim some effort be made to open up new branches and resuscitate existing ones'. Letter from Msimang to Champion, 17/7/1947. CK 2: DA19: 41/12 , p.1

there were 25 000 African taxpayers and then to concentrate on other areas where there was substantial ANC support.⁵⁴

Despite this development there is no evidence in Natal of a concerted drive to raise funds or an earnest attempt to improve the organisation of Congress under Champion. All we observe is that he borrowed small sums of money from time to time and made ad hoc appeals for funds from chiefs.

The ideological strife, the poor financial position the ongoing lack of membership cards led to branch organisational problems. Several branches were on the verge of closure. These included Louwsberg, Paulpietersburg, Charlestown, Pietermaritzburg, Kranskop Nos.1 and 2, Kleinfontein, Tugela Ferry, Impahalala, Muden, Georgedale, Dlodlomo and Hilton Road. All these were country areas except for Pietermaritzburg. No urban areas were as severely affected. Although the secretary complained that inefficiency within the executive was the cause of branch disintegration, it was generally thought that it was caused by the cumulative effect of the many other problems within the organisation.

The supply of membership cards had, in fact, always been a problem. It was difficult to enlist new members because they would not, understandably, pay fees without the receipt of a registration card. As these cards were produced by the head office, Natal could not do much to alleviate the problem. This led to impoverished branch membership, inadequate collection of finances and low

⁵⁴ 'Estcourt with its 25,000 taxpayers should give us a start that will ensure not only our travelling expenses but even a reasonable allowance for our trouble...select as our first targets those Districts you consider would give us better results, for we must raise funds'. UND: Letter from Msimang to Champion, 18/1/1947. CK 2: DA19: 41/8, p.1

morale among members. The head office itself was short of funds and this accounted for the continuous lack of membership cards.

After the ANC in Natal had analyzed its problems in 1947 it decided to improve its branch structure in order to rebuild the organisation. It tried to enlist the support of the chiefs. In the organisation of its branch structure in Natal, each chief's ward was to have its own branch.⁵⁵ The idea was to create a close organisation.⁵⁶ The ANC in Natal became so dependent on the assistance of the chiefs that before the proposed visit of Msimang to the South Coast⁵⁷ in October 1948, he had to ask for Champion's support to ensure their presence at his meetings.⁵⁸

⁵⁵ Letter from Champion to Chief Wilson Fynn, 13/8/ 1948: CK 2: XC9: 41/192

⁵⁶ Letter from Champion to Msimang. CK 2: XC9: 41/188

⁵⁷ Table 2: MSIMANG'S ITINERARY TO BUILD ANC IN SOUTH COAST

AREA	DATE
Richmond	Oct.14th.
Ixopo	16th.
Harding	18th.
Port Shepstone	19th.
Umzinto	20th. & 21st.
Durban, Pinetown and Clermont	22nd.,23rd.,24th.,25th.
Impendle and neighbouring districts	Sept.17th.,18th.,19th.

⁵⁸ 'It maybe necessary for you to issue a circular letter to the chiefs urging them to attend as I would be your ambassador. I am also suggesting that we should together round up the Umzinto chiefs, Ixopo, Harding, and Port Shepstone if you can spare the time.' Letter from Msimang to Champion, 6/8/1948. CK 2: XC9 :41/190, p.1

The attempt by Champion to create a branch in every chief's ward in Natal and Msimang's desire to have the chiefs at his meetings clearly indicate the role the ANC leadership expected the chiefs to play in the branch structure. Champion's desire to develop the ANC with the support of the chiefs was an excellent organisational strategy as it was easier to organise Congress using an infrastructure that was already in place. This helped in rural areas where organisational activity was extremely difficult. Champion in this regard showed great foresight.

Whilst Champion did want the support of the chiefs⁵⁹ in Natal he was not in favour of chiefs attending conferences in Bloemfontein because he considered those meetings to be dominated by irresponsible people who, because of their radical views, could dishearten 'our good native chiefs'⁶⁰. Had the chiefs been given the opportunity to attend the conferences they might, he felt, have discarded their conservative approach. It could be assumed that he feared losing their support as he had strong conservative views himself.

3.6 NATIVE REPRESENTATIVE COUNCIL (NRC)

Africans used all available avenues so that their grievances could be heard. Whether these were democratic institutions or not, they were exploited as a vehicle for expression. The NRC was thus used as such a platform from its inception.

⁵⁹ On 13/8/1948 Champion sent a messenger, Sishayisimye Mtembu with a letter to Chief Wilson Fynn. CK 2 XC9: 41/192

⁶⁰ 'I am not in favour of men like Chief Langalike, Somsnoko and the rest of uneducated native Chiefs attending conferences'. Letter from Champion to Msimang, 29/11/1948. CK 2: DA19 : 41/26, p.1

As pointed out earlier the NRC was brought into being in terms of the Natives Representation Act of 1936 by the Smuts-Hertzog coalition.⁶¹ It functioned in an advisory capacity to the government and as such it did not have any powers. A handful of chiefs armed with block votes and a few location Advisory Board representatives, most of whom owed their appointment to white city councils, made up the membership. The chairman was an official of the Native Affairs Department (NAD).

The Natives' Representation Act granted Africans a communal franchise which gave them the privilege of electing to parliament three members to represent four fifths of the South African population.⁶² Such representation could not therefore, be truly representative of the wishes of the people.

During May 1947, after the NRC had prorogued itself⁶³ in the wake of the 1946 African Mineworkers' Strike, leading members of the Council met Smuts in Cape Town in their personal capacity. They made it clear that they did not see any change in government policy affecting the 8 million African people of the Union.⁶⁴ Smuts who was to address the United Nations Assembly at its next session was embarrassed by such an attitude. It was imperative that he improve his international image as he had already been humiliated by the NIC at the 1946 session of the UN.

Yet, after the meeting with the prime minister, Dr. A.B.Xuma, the President-General of the ANC, described

⁶¹ 'Native Representative Council - The End of a Farce', UDW: Passive Resister, 6/12/1946

⁶² UDW: Passive Resister, 6/12/1947

⁶³ UDW: Passive Resister, 16/5/1947

⁶⁴ Africans reject Smuts' New Move, UDW: Passive Resister, 16/5/1947

Smuts' tentative proposals as vague and disappointing. The ANC objected to the fact that the proposals did not provide for direct representation for all sections of the community in all legislative bodies. It also considered Smuts' Trade Union Bill unacceptable because it maintained racial and colour discrimination. The proposed Bill did not provide the workers or the trade unions any active role in the settlement of disputes.⁶⁵ The Bill was of particular interest to the president of the ANC in Natal because of his long association with the ICU.

Thus, in July 1947, Dr Xuma issued a statement on the Congressional resolution to boycott all further elections held in terms of the Natives Representation Act of 1936.⁶⁶ The statement demanded that there be common citizenship; that the political colour bar be removed from the South Africa Act, that there be direct representation of Africans in the urban and rural areas and that African trade unions be recognised.⁶⁷ All provincial and local branches were called upon to ensure the success of the boycott campaign and to place these demands before the people. In this regard they were to mobilise location advisory boards as well as the masses of followers.⁶⁸

The NRC which had survived for ten years⁶⁹ did not meet again. Champion supported the boycott of the NRC even

⁶⁵ UDW: Passive Resister, 16/5/1947

⁶⁶ UDW: Passive Resister, 24/7/1947

⁶⁷ UDW: Passive Resister, 24/7/1947

⁶⁸ Dr Xuma on Boycott Decision, UDW: Passive Resister, 24/7/1947

⁶⁹ UDW: 'Native Representative Council - The End of a Farce', in Passive Resister, 6/12/46; CK 2: XM66: 84/2, p.2

though he once claimed that it gave him status. Tim Nuttall⁷⁰ believes Champion only supported the move because of his respect for Senator Edgar Brookes who also supported the boycott. The boycott of the NRC, which was referred to by the ANC as a 'toy telephone,'⁷¹ did not affect Natal dramatically although the moderates did not like the idea. The boycotts' success was ascribed to the growth of unionism, and the development of the ANCYL since 1944.

Although Msimang had attended only two sessions of the NRC he had displayed prominent debating skills. Because whites had delayed important issues that concerned blacks he believed that the NRC served a useful purpose as the 'watchdog of the people'⁷² and therefore, did not support the boycott. He argued that because the NRC was a danger to the government⁷³, they too wanted to get rid of it.

Communists too, were divided on the issue.⁷⁴ Moses Kotane opposed the boycott while others, such as Gana Makabeni, J.B. Marks and E.T. Mofutsanyana, wanted a total boycott. Liberals like Margaret Ballinger⁷⁵ also advised against the boycott on the grounds that every opportunity should be used for the furtherance of black political aspirations. She argued that whites would forget the problems of blacks since they did not have the franchise.

⁷⁰ Interview: Tim Nuttall, 23/03/93

⁷¹ Interview: Tim Nuttall, 23/03/93

⁷² WCL: M. Roth, 'Native Representative Council, 1939-1951', (unpublished PhD thesis, University of Witwatersrand, 1987), p.124

⁷³ NRC Debates, 4/1/1949, pp. 30, 30-33

⁷⁴ KCL: Ilanga Lase Natal, 19/10/1946; WCL: SAIRR, A.D. 1189

⁷⁵ WAL: Ballinger, M., From Union to Apartheid, Praeger Publishers, New York, 1969, p.202; Interview: Dr F.Mouton, Pretoria, 24/03/93.

It is probable that those who advocated a total boycott resorted to this extreme measure because they had not achieved any tangible results using the 'toy telephone'. Alan Paton⁷⁶ too, saw the NRC as the only link between black and white South Africa and the only means whereby blacks could speak of their hopes and sorrows in spite of the fact that its advice was seldom taken.

Although the NRC did not affect the Indian community directly they did play an indirect role in its boycott. It started with Xuma's acceptance of assistance from the SAIC to lobby support against the incorporation of South West Africa (SWA) and against the 1946 Asiatic Act⁷⁷. The accompanying letter that Xuma in 1947 presented to the UN condemning the Native Representation Act of 1936 as "a blind alley" assisted in motivating the UN General Assembly to reject the incorporation of SWA into South Africa (SA) and to censure the introduction of discriminatory legislation. This victory helped to initiate the Programme of Action and the boycott of the NRC.⁷⁸

3.7 INDIAN-AFRICAN CONFLICT.

3.7.1 Introduction

The year 1949 was a momentous one for Indians and Africans for, in January, racial riots broke out between them without any fore warning. Although the riots created a

⁷⁶ WAL: A. Paton, Hofmeyer, p.439

⁷⁷ 'The Act extended to the Indian community the same disabilities that [had] been imposed upon Africans'. WAL: P. Walshe, The Rise of African Nationalism in South Africa, A.D. Donker, (Craighall, 1987), p.330

⁷⁸ WAL: Walshe, The Rise of African Nationalism, p.330

wedge between these two communities they proved ultimately to be a catalyst for political alliance.

Both the ANC and the NIC were galvanised into action to suppress the negative consequences of the catastrophe. The ANC was one of the first political movements to try to quell the disturbance. A telegram was sent from Xuma to Champion advising him that Indian leaders had been asked to seek his help to prevent further bloodshed.⁷⁹ The ANC initiative thus came not from Champion but from outside Natal.

3.7.2 The Riots

Many reasons have been advanced for the calamity, one of the most important being the rapid industrial growth in Durban after the second world war. While the Durban City Council (DCC) had proved unwilling to accommodate Africans workers in the city and the Natal Provincial Authorities had refused to accept the seriousness of the African housing problem, the Indian community of Cato Manor had gone some way toward alleviating the problem by allowing large scale African tenancy.⁸⁰ Although Kirk claims that Indians capitalized on this growth, not only by renting shacks but also by providing trading facilities, they had in reality provided a much needed service which was not their responsibility to provide but that of the municipality. Thus whilst Kirk has emphasised that Indians took advantage of the situation, he failed to establish their community service. Africans were drawn to these areas

⁷⁹ Telegram from Modiakgotla to Champion, 19/1/1949, CK 2 : XC9 : 48/8, p.1

⁸⁰ A municipal survey carried out in 1946 found 5500 African families (roughly 30 000 persons) living in shacks 'mainly in this [Cato Manor] settlement'. UND: S.L. Kirk, 'The 1949 Durban Riots - A Community in Conflict', p.23

because they had the rare opportunity⁸¹ of entering the informal sector where they could erect shacks or act as unlicensed traders and hawkers. Such settlements had developed infrastructures and provided opportunities that could not be found in African townships and locations.

This urban commercial evolution of the African community and the social co-existence with Indians is also a refutation of Grobler's⁸² assertion that there had been cooperation at leadership level only.

When the DCC found in 1947 that it could no longer control the squatter settlement in Cato Manor it demanded that Indian landowners improve sanitary conditions. The landowners did not refuse to comply. Dr Alam Baboolal and M.D.Naidoo, representing the NIC, appeared before the Durban Native Administration Commission on the 21 November 1947. M.D.Naidoo argued that the Indian landlords in the Cato Manor area were 'perfectly willing to erect sanitary conveniences' but found difficulty in getting their plans approved by the municipality.⁸³ This argument was affirmed by Brookes who complained of poor administration in the Native Administration Department.⁸⁴

While the DCC had refused approval of plans for the erection of toilets it had forced Indians to evict African squatters. The expelled Africans⁸⁵ did not perceive this to

⁸¹ UND: Kirk, '1949 Riots', p.57

⁸² Telephonic Conversation: Professor Jackie Grobler, Pretoria, 26/3/1993

⁸³ Durban Native Administration Commission: Minutes of Proceedings, 21 November 1947, vol. 7, pp.1-2. UDW: Leader, 27/5/1950

⁸⁴ Durban Native Administration Commission: Minutes of Proceedings, 23/10/1947, vol.1, p.10

⁸⁵ Durban Native Administration Commission: Minutes of Proceedings, 21/11/1947, vol. 7, pp.1-2

be a DCC initiative understanding only that they were being evicted by an Indian landlord.

The DCC was thus the root cause of the riots because it first denied Africans accommodation in Durban, then denied them essential services and eventually, by enforcing eviction, it created a social time bomb.

After the riots many Indians left Cato Manor and Africans took occupation of the empty houses. The African landlords who took over these houses, exploited the situation by doubling the rentals which had previously been charged by Indians. The average site rent in 1948 was 10s. per month, by 1950 site rents were often double this amount.⁸⁶

This simply exemplifies the goodwill of the Indian community which, against all odds, risked housing African squatters who were actually exploited by other Africans when the opportunity arose after the catastrophe.

Moreover, the fact that the worst carnage of the riots was caused by African hostel dwellers⁸⁷ who were mainly dock workers, especially from the Point, and industrial workers from Jacobs⁸⁸, implies that the residents of Cato Manor,

⁸⁶ UND: L.K.Ladlau, 'The Cato Manor Riots, 1949-1960', (unpublished M.A. thesis, University of Natal 1975), p.23; Durban Housing Survey, p.362

⁸⁷ UND: Iain Edwards and Tim Nuttall, Seizing the moment: the January 1949 riots, proletarian populism and the structures of African urban life in Durban during the late 1940's, p.16

⁸⁸ Having searched the various documents that dealt with the 1949 riots it has not been easy to establish the number of hostels that were in these areas. Tim Nuttall, who had researched the 1949 riots extensively, is convinced that there were hundreds who lived in hostels in Point and Jacobs, but could not establish how many of these occupants had participated in the riots. Telephonic conversation: Tim Nuttall, 18/4/94

both Indians and Africans, accepted each other. It is probable that if the police had prevented the hostel dwellers from entering the area there would not have been nearly as much damage as there was.

The phenomenal increase in the number of squatters between 1939 and 1949 is indicative of the tolerance that existed between the two communities. A reference to table 3 shows that in Cato Manor in 1939 there were only 2 500 squatters but, by 1949, the number had increased by 1 900 per cent to 50 000.⁸⁹ The tolerance level that existed had been shattered by the neglect of the basic amenities of life which had been the duty of the local authority.

When analyzing the causes of the riots we need to examine the social dynamics of the communities involved. A closer look at the racial hierarchy reveals that the whites were at the top, the Indians in the middle, and the Africans at the bottom.⁹⁰ Africans were thus in competition with Indians and not with whites. Therefore the Indians bore the brunt of the venom in the riots.

White industry benefitted from the availability of a cheap labour force at its doorstep, one that enjoyed low rentals and cheap transport. For this the Indian paid a double price. He took on the responsibility that was not his and he became the victim of the evicted African tenant whose anger was unleashed in the riots.

⁸⁹ Table 3: CATO MANOR SQUATTERS

YEAR	SQUATTERS
1939	2 500
1949	50 000

UND: Nuttall, T., 'It Seems Peace but it can be War':The Durban 'Riots' of 1949 and the Struggle for the City, p.7

⁹⁰ Nuttall, ' It seems Peace but it can be War', p.12

Another factor leading to tension was that the African's desire to seek wealth had brought them into conflict with Indian traders, a group who already had a long commercial tradition. The former tried to exploit the principle of ethnicity by demanding that Indian stores, which had been legally opened, be closed so that Africans could deal entirely with their own people.⁹¹ According to the Native Trust and Land Act of 1936⁹², Africans were to enjoy trading licences in their own areas only. They were angered by the fact that Indians appeared to receive preferential treatment.

Even in the factories there was much resentment when an Indian was promoted. Africans saw this as favouritism. This led to much tension between African labourers and Indian supervisors.⁹³

There were many other legal impediments which Africans but not Indians had to endure. The pass laws discriminated against the former and not the latter. The African bore this grudgingly against the Indian whose movement was far less restricted. However, the different economic levels of the two black groups, a factor described by most observers as a major cause of the riots, is not entirely correct

⁹¹ 'Aspirations rather than real grievances lie at the bottom of this complaint, yet it serves as a powerful motive for inter-racial trouble'. Report of the Commission of Enquiry into Riots in Durban, U.G. pp. 36-49, p.17

⁹² WCL: M. Roth, 'Native Representative Council, Part 1, p.409

⁹³ UND: Riots Commission, U.G. 36-49, p.18; UDW: G.V.E. Kudla, 'The Attitudes of African Workers to European Supervision', (unpublished MSc thesis, University of Natal, 1974), p.24

because 70% of Indians lived below the poverty datum line.⁹⁴ Only a minority of Indians were successful businessmen so it is a gross misnomer to say that the Indian community as a whole enjoyed a higher economic status or a better lifestyle than did Africans. The large majority suffered, like the African, from deprivation and disadvantage.

Again the fact that African entrepreneurs wanted the monopoly to transport Africans at the expense of long serving Indian enterprises was not the making of the Indian. The latter were criticised for their poor treatment of their African passengers. This was also found by the subsequent Commission of Enquiry to be a gross exaggeration. The Indian bus operators, in fact provided a good service at extremely low rates.⁹⁵ Indians controlled 58% of all buses that operated in black areas and provided 86% of black transport.⁹⁶ Although in later years Africans were granted licences more freely, they always considered the refusal of applications for the grant of motor carrier certificates to be the result of 'tricks' by the Indian.⁹⁷

⁹⁴ 7 000 Indians were unemployed and many industries did not employ Indians e.g. Motor Assembly Works. Other industries that stopped employing Indians were the Sugar Mills, Railways and Harbours and the Durban Municipality. UDW: M. Ballinger Collection: DOC. no. 2720, p.8; Riots Commission, U.G. 36-49, p.21

⁹⁵ Riots Commission, U.G. 36-49, p.15

⁹⁶ UND: E. Webster, 'The 1949 Durban Riots - A Case study in Race and Class' in P. Bonner, (ed.), Working Papers in Southern African Studies: papers presented at the A.S.I. African Studies Seminar, Johannesburg, African Studies Institute Publications, 1977. pp.33-34

⁹⁷ Table 4: APPLICATION FOR TAXIS
From 1/1/1947 to 31/12/1948 the following applications were made by Indians and Natives for certificates entitling them to engage in road motor transportation:

(continued...)

This perception could have been avoided if the law allowed all groups equal opportunity.

It is a commonly held belief that whites instigated the riots, that they went about openly inciting Africans to act against the 'coolies' who, they insisted, were the cause of the unrest.⁹⁸ It was argued that the new Nationalist government was concerned about Indian politicisation of the African, especially after the NIC's Passive Resistance Campaign. The NIO also complained of white anti-Indian utterances. S.M. Petterson, a Durban city councillor was, for example, quoted as saying that he would have liked to solve the Indian problem by shooting them.⁹⁹

⁹⁷(...continued)

DURBAN	INDIANS		NATIVES	
	APPLICATIONS	GRANTED	APPLICATIONS	GRANTED
Buses	105	31	2	0
Carriage of Goods	117	102	4	4
Taxis	61	46	3	3
RURAL AREAS				
Buses	69	35	65	48
Carriage of Goods	100	80	16	12
Taxis	54	42	27	17

Riots Commission, U.G. 36-49, p.17

⁹⁸ UDW: F. Meer, Higher Than Hope:Mandela, p.47

⁹⁹ 'Personally I would like to solve the Indian problem by shooting them'.DON: Daily News: 12/5/1948

The riots occurred against a background of intense white hostility against Indians¹⁰⁰ and they thus expressed the hostility of Africans against Indians as much as it did that of whites against Indians. This was verified in evidence presented to the Riots Commission.¹⁰¹ An Indian witness, S.M.Badat, alleged to the Commission that he actually saw whites directing Africans to attack Indian shops and took part in the looting. Badat¹⁰² also accused the Mayor of Durban of indirectly inciting the riots because a few days earlier he had publicly called on Africans to break contact with Indians in business, labour and sport. It had also been observed that whites cheered¹⁰³ Africans when they looted and attacked Indians. Grobler disputes the evidence that whites instigated the riots, but does concede that after the outbreak of the rioting it was not impossible that they encouraged it.¹⁰⁴

The Commission of Enquiry into the riots was defective in a number of important respects¹⁰⁵: it refused to allow

¹⁰⁰ "Evidence of a Licensing Officer: we do what we can to restrict further Indian licences.... A European licence is granted almost always as a matter of course, whereas the Indian licence is refused as a matter of course, if it is a new one.' UND: F.Meer, *Resistance in the Townships*, p.147;UND: E. Webster, 'The 1949 Durban Riots - A Case study in Race and Class'in P. Bonner, (ed.), Working Papers in Southern African Studies: papers presented at the A.S.I. African Studies Seminar, Johannesburg, African Studies Institute Publications, 1977. p.33

¹⁰¹ UDW: Meer, Resistance, p. 148

¹⁰² UDW: Meer, Resistance, p. 149

¹⁰³ UDW: M.Webb, 'The Riots and After', p.4

¹⁰⁴ Telephonic Conversation :Professor Grobler, Pretoria, 26/3/93

¹⁰⁵ SAIRR, Webb, *The Riots and After*, no. 2: Fs3 : 84/40, p.8

witnesses to be cross examined¹⁰⁶; it had a wholly white composition; it failed to accept Indian and African representation.

The refusal to appoint black commissioners strengthened the belief that the authorities had a skeleton in the cupboard. But the fact that the Indian and African Congresses had a single legal counsel to represent them showed that there was growing cooperation between them. All, however, was not well between the NIC and the ANC.

That Champion was anti-Indian cannot be denied. He had displayed this attitude in many of his speeches. There could be many reasons for this. Probably his exclusion as a signatory to the 1947 Pact was the most significant. The other being that many of those prominent in the NIC were communists whilst he was an arch anti-communist. Champion was also a law unto himself who ran the ANC in Natal as an autonomous body. The NIC leaders also had a cordial relationship¹⁰⁷ with the Youth League which was also grounds for Champion's antagonism.¹⁰⁸

¹⁰⁶ 'This mass meeting of Durban Africans realises that no useful purpose will be served by any African organisation ... as long as cross examination of witnesses is not allowed'. Letter from Combined Locations Advisory Board to Town Clerk, 4/3/1949. CK 2: XC9 : 30/52; UND: E. Webster, 'The 1949 Durban Riots - A Case study in Race and Class' in P. Bonner, (ed.), Working Papers in Southern African Studies: papers presented at the A.S.I. African Studies Seminar, Johannesburg, African Studies Institute Publications, 1977. p.33

¹⁰⁷ NIC calls for united front against Government repression on 1/6/1949. UDW: M.Ballinger Papers: DOC.no.2723

¹⁰⁸ Champion lost to Luthuli by 10 votes because of his gamble to allow non members to vote. KCL: M.W.Swanson, Writings of Champion, p.45

Although Champion and Naicker issued a joint statement after the riots calling for restraint from their followers the executive committee of the ANC in Natal reported on 20 February 1949 that its president did not call a meeting to analyse the civil strife between Indians and Africans because he did not think it was a Congress issue.¹⁰⁹

The NIC was aware of Champion's attitude and, while this made it difficult for them to work with him, they tried to accommodate him as much as possible. Therefore even Grobler's theory that there was a team spirit at leadership level is wrong.¹¹⁰

But, contrary to popular belief the fact that the Indian community accommodated Africans in Cato Manor when the DCC was unyielding in its resolve to house them in the borough displayed the extent of the goodwill that existed between the two communities.

Jacqueline Arenstein¹¹¹, a former member of the Communist Party, avers that Champion was a greedy capitalist who saw Indian businessmen as competitors and therefore the riots as an opportunity to take over these businesses. It was the reason why he was unsympathetic about Indians being assaulted in the riots.¹¹² This view was, however, contradicted by J.N.Singh¹¹³, former executive member of the NIC, who recounted that Champion rode on the back of a truck with him and an interpreter and risked being pelted

¹⁰⁹ ANC: Report of the Executive Committee of the Province of Natal, 20/2/1949, p.6

¹¹⁰ Interview: Kay Moonsamy, 16/4/94

¹¹¹ Interview: Jacqueline Arenstein, 20/04/93

¹¹² UND: Kirk, '1949 Riots', p.132

¹¹³ Interview: J.N.Singh, 20/04/93

with stones when they drove through Victoria Street and Cato Manor, appealing to Africans and Indians for peace.

Thus that Champion's role is a complex one is illustrated by the fact that whilst the rioting was not the making of the ANC nor the NIC the two had agreed to set up a joint council on 6 February 1949 to promote mutual understanding between them.¹¹⁴ This council, which was made up of members of the ANC the SAIC and the CPSA worked untiringly for six weeks till the end of February to promote interaction among the different groups as the first step towards mutual cooperation.

There is no evidence to show that membership of political organisations deteriorated as a result of this alliance policy. If anything the riots might have caused both political movements to look more keenly at divisions within their ranks.

3.9 REVIEW OF LITERATURE

Mary Benson, author of South Africa: The Struggle for a Birthright, supports the argument that the initially anti-Indian ¹¹⁵ Youth League joined in the praise of the Indian delegation's achievements at the UN in 1946 which led to the tangible achievement of cooperation between the Congresses. Roth¹¹⁶, who made an extensive study of the NRC, is vague about the effect of the UN decision on the boycott of the institution.

¹¹⁴ M.Benson, South Africa: The Struggle for a Birthright, IDAF (London, 1985), pp.123-126

¹¹⁵ WAL: M.Benson, The Struggle for a Birthright, p. 140

¹¹⁶ UDW: M. Roth, 'Native Representative Council', pp. 118-124

Benson¹¹⁷ further adds that the mourning of the death of Lembede in 1946 also brought the Indian and African Congresses together in spite of the Youth League's anti-Indianism.¹¹⁸ She is supported by Pachai¹¹⁹ who insists that the appointment of Dr Lowen to appear before the Riots Commission as a representative of the Joint Committee of the ANC and SAIC was proof of such cooperation.

J.F.H.Purcell¹²⁰ suggests that frustration was directed towards the Indian community partly because of real animosity but also claims that it was prompted by hostility towards whites. Maurice Webb and Kenneth Kirkwood¹²¹, both members of the Institute of Race Relations, affirm this point of view. Tim Nuttall¹²², unlike other historians, gives a different dimension to the subject and claims that in the late 1940s the collective frustration of Africans was directed primarily against state policy and white authority and observes that social conflict between Indians and Africans remained informal and low-key. He insists that in the 1949 riots the state had not been willing to protect Indians.

¹¹⁷ WAL: M. Benson, The African Patriots, Faber and Faber, London, 1963, p.142

¹¹⁸ WAL: Benson, The African Patriots, p.140

¹¹⁹ UDW: Pachai, Indian Question, p. 224

¹²⁰ UDW: J.F.H. Purcell, Durban, South Africa: Local Politics in a Plural Society, (unpublished PhD thesis, University of California, 1974), p.59

¹²¹ Maurice Webb and Kenneth Kirkwood 'The Durban Riots and After', South African Institute of Race Relations, Johannesburg, 1949, p.10

¹²² UND: T.Nuttall, 'It Seems Peace But it can be War': The Durban 'Riots' of 1949 and the Struggle for the City., Oxford, p.1

Grobler¹²³ is more inclined to believe that 'race' was a determining factor in the riots than Tom Lodge who does not emphasise this point.¹²⁴ Grobler claims that African and Indian leaders started to work together, politically, after the riots because they received similar treatment from the white government but that the masses never came together. He further insists that because leadership cooperation was superficial they could not really mobilise their followers to do so spontaneously.

L.K.Ladlau's claim in her M.A. thesis, 'The Cato Manor Riots, 1959-1960', 'that no Indians returned to live in Cato Manor after the riots'¹²⁵ is wrong. Indian people lived in various parts of Cato Manor and the following Indian primary schools in the area continued to function: A.Y.S., Hindu Tamil Institute, Riverview, M.E.S., Candella, Mayville, and Stella Hill. What Ladlau may be confused about is that they kept out of Booth Road, a small section of Cato Manor which was predominantly an African area.

The NEUM,¹²⁶ in attempting to establish the causative factors of the riots asserted that a minority of Indians were arrogant. Indian merchants denied this saying that arrogance would have deprived them of a livelihood. This factor was not mentioned by Ladlau, Meer, Nuttall or Webster.

Nuttall claims that the police only acted on the third day¹²⁷ of the riots, deliberately allowing the carnage to

¹²³ Telephonic Conversation: Professor Jackie Grobler, Pretoria, 26/03/93

¹²⁴ UDW: Lodge, Black Politics, p.38

¹²⁵ UND: L.K.Ladlau, 'The Cato Manor Riots', p. 23

¹²⁶ The Durban Riots : Non-European Unity Movement Statement, Cape Town, 24/1/1949

¹²⁷ Interview: Tim Nutttall, 20/04/93

take place before they intervened. This is contradicted by Ladlau who maintains that it was difficult to exercise proper control in Cato Manor especially because many shacks were not easily accessible.¹²⁸ Nuttall's statement is also supported by the NIO claim that police knew of another attack on the second day, 14 January 1949¹²⁹, but did nothing.

Kirk¹³⁰, affirms that Africans were aware of white contempt for Indians. In the Van den Heever Commission of Inquiry into the 1949 Durban riots anti-Indian statements made by white leaders were repeated. Kirk cites the case of Leo Boyd who referred to 'Indians "boats" and not "votes"' when speaking against Indian franchise rights. It is claimed that this was mimicked by a number of African witnesses.¹³¹ While Kenneth Kirkwood argues that Africans were not influenced by such remarks¹³², Kirk insists that such statements served to pronounce ethnic differences. When, for example, Africans, Coloureds and Whites looted¹³³ Indian shops they assumed, he argues, that the authorities¹³⁴ would ignore the looting because of the anti-Indian feelings of the white community.

Reference to Champion's 'racial' cooperation with Indians is seen by Kirk as exceedingly doubtful. During the riots Champion attempted with Naicker to appeal for the fighting

¹²⁸ UND: Ladlau, 'Cato Manor Riots ', p. 33

¹²⁹ UDW: M. Ballinger Papers: DOC.no. 2720, p.19

¹³⁰ UND: Kirk, ' 1949 Riots', p. 45

¹³¹ UND: Kirk, '1949 Riots', p.105; Indian Opinion, 4/3/1949

¹³² Webb and Kirkwood, 'The Durban Riots and After', p.12

¹³³ UDW: M.Ballinger Papers: DOC.no. 2720, p.19

¹³⁴ UND: Kirk, '1949 Riots' p.106

to stop for the sake of harmony but it has been observed that, when Champion was interviewed by Webster¹³⁵, his goodwill was questionable.

3.10 CONCLUSION

This chapter concludes the theme 'From Pact to Conflict'. The Doctors' Pact signed in March 1947 did not really achieve the objective of cooperation between the NIC and the ANC in Natal as had been hoped. During 1947 and 1948 there was very little tangible evidence of unity between these two political organisations.

The Passive Resistance Campaign of the NIC which had begun in 1946 had come to a close and the birth of the NIO had fractured Indian politics. In fact three ideologically different black political groups operated within the Indian community. The NIO was entirely ethnic, the NEUM insisted on the inclusion of other black groups whilst the NIC was organisationally ethnic but committed to a common society. The latter commanded the greatest support within the community.

The ANC in Natal was bogged down with its own internal problems. Not only was it divided into three camps that comprising Africanists, Communists and Nationalists but also suffered from poor funding. Poor funding was a severe setback for the ANC in Natal. This inevitably affected branch organisation. The total membership of the existing 30 branches stood at a mere 1 520 at the end of 1947.

¹³⁵ 'I had two minds but I supported it (1947 Pact) because it was supported by the ANC ...in 1949 the Indians deserved to be assaulted .They had become too big for their shoes. They were too proud. They looked upon us as nothing except a labourer and kaffir.' UND: Kirk, '1949 Riots', p. 132

It was the fatalities of 13 January 1949 that catapulted both Congresses into action. No one has been able to pinpoint the cause of the Indian-African riots in Durban. Several theories have been advanced: envy, Indian commercial development, exploitation by Indian landlords, unequal opportunities, white instigation, greed, ineffective policing, refusal of the authorities to act amid over crowding. However, it appears that a root cause was the unwillingness of the DCC to provide adequate housing and basic health services for the burgeoning African labour force.

Although the need for political unity between Indians and Africans was affirmed by the conclusion of the Pact of 1947, the spirit of the Pact was not effected until the rioting of 1949 which became a catalyst for cooperation.

PART 3
THE POLITICS OF ALLIANCE

CHAPTER 4

THE AFTERMATH OF THE RIOTS, JANUARY 1949 - DECEMBER 1951

4.1 INTRODUCTION

The 1949 riots had unsettled the Indian and African communities and disturbed whatever harmony that had existed between them. The scars of that disaster had not yet healed when moves were set afoot to enhance cooperation between the different political formations.

Only two years earlier the Indian and African communities had signed the Doctors' Pact. But there had been no visible signs of team effort between them. New legislation initiated by the National Party had, however, aroused a militant reaction from frustrated black political movements and proved to be a catalyst for greater teamwork.

4.2 PROTEST POLITICS IN NATAL

Whilst various political movements were working in alliance against the government, the two Natal Indian political organisations were at loggerheads. The NIC was militant, leftist, mass based and non-collaborationist. The NIO was accommodationist, elitist and isolated. It did little else besides make press statements.

The NIC, on the other hand, carried its protests against racial discrimination overseas. Its executive member M.D.Naidoo appeared before the General Assembly of the UN in 1949. Dadoo, Cachalia and M.D. Naidoo also represented the SAIC in Pakistan and India in the same year.¹

¹ UDW: Agenda Book, SAIC Conference Minutes, 15-17 September 1950, p.29

Just as the ASC had taken over the NIC in 1946, the Youth league took over the ANC at its 1949 Conference. Having formulated a militant Programme of Action it instructed the new executive to call for a national work stoppage on 26 June 1950² to protest against the Nationalist government. However, at a meeting presided over by Dr Moroka, the president of the ANC, the Indian Congress and the Communist Party called for a national stay-away on 1 May 1950 under the banner of the Transvaal Action Committee instead. The Youth Leaguers were furious, incensed by the fact that Indians as well as Communists were pre-empting their call for a stay-away and that their president was being exploited in the process.³

This explanation by Fatima Meer⁴ is contradicted by Ahmed Kathrada⁵ who maintains that when the Programme of Action was initiated no date had been fixed and that the Freedom Day Strike of 1 May 1950, which had been called by the Transvaal Action Committee⁶ to protest against the banning of their leaders, did not pre-empt the National Day of Protest of 26 June 1950. Kathrada confirmed that the Youth League opposed the May Day call.

Billy Nair⁷, a member of the first batch of Defiance Campaigners, also contradicted Fatima Meer on the question of presidential exploitation. He argues that since the signing of the Doctor's Pact of 1947, a bond had been created and it was common courtesy to invite the president

² UDW: Leader, 17/6/1950

³ UND: F.Meer., Mandela: Higher than Hope, p.51

⁴ UND: F.Meer, Mandela, Higher than Hope, p.51

⁵ Ahmed Kathrada, ANC national executive member.

⁶ Interview: Ahmed Kathrada, Durban, 19/02/93

⁷ Also member of first batch of Defiance Campaign in Natal.

of the ANC, a senior partner in the Alliance, to address meetings of Alliance members. In so doing the Transvaal Action Committee which called the May Day Strike of 1 May 1950, did not act improperly.

It was only, Kathrada insists, when the Freedom Day Strike of 1 May 1950 was marred by the police opening fire and killing 18 people⁸ that the ANC, SAIC, and the CPSA in joint concert decided that there should be a National Day of Protest and Mourning on 26 June 1950. This date, he says, was not discussed at the ANC Conference of 1949.

Natal did not follow the Transvaal line of action on 1 May 1950 because it was a Transvaal initiative. The ANC in Natal, which was then undergoing a leadership crisis, did not anyway support a militant role. Nevertheless, Indians, Coloureds and Africans gathered at one of the largest meetings called under the auspices of the ANC (Natal), NIC, APO (Natal) and the Durban Branch of the Communist Party, at Red Square in Durban on 1 May 1950 at 5 pm. Here several resolutions were adopted including one that condemned the Minister of Justice for banning the Freedom Day meeting and demonstrations in the Transvaal because it regarded such arbitrary action as an affront to the freedom of speech and assembly.

Another resolution called upon the Prime Minister to withdraw the Group Areas Bill and demanded the immediate removal of all racially discriminatory land acts which created serious land hunger among the oppressed communities of South Africa.⁹

⁸ UDW: J.Pampallis, Foundations of the New South Africa, Maskew Miller Longman, (Cape Town, 1991), p.194

⁹ Resolution condemning Freedom Day meeting passed on 1/5/1950 at Nicol Square. CK Reel 3B

Blacks saw the Group Areas Bill¹⁰ as a cause of further hardship and had, therefore, called for the strongest opposition to its introduction.¹¹ The black political movements viewed this as an attempt by the government to destroy their political consolidation.¹² Harry Gwala of the Communist Party and Dr Naicker of the NIC called for a democratic united front¹³ to make the bond between the Congresses by way of the Congress Alliance a reality.¹⁴

Resentment towards the Group Areas Bill was so strong that it elicited antagonism throughout the country. On 14 May 1950, 200 Indians at a meeting in Pietermaritzburg claimed that the Bill was intended to strangle them economically. Fear for their economic survival drew large crowds of Indians at protest meetings.

The Group Areas Act was not the only piece of government legislation to be attacked. Demands were also made that the

¹⁰ India withdraw from a proposed round table conference when the Group Areas Bill was introduced in 1950. UDW: C.M.Brand, 'Rarity Patterns in a Minority Group: A Study of the Indian Community of the Cape Peninsula', (unpublished MA thesis, University of Stellenbosch, 1966), p.44

¹¹ The SAIO called a conference comprising delegates from TIO, NIO and CIC, to discuss the Group Areas Act from 20-22 April 1951. UDW: Ballinger Papers: Letter from SAIO to Ballinger, 9/4/1951, DOC.no.2757

¹² Telegram from Dr Naicker to Ahmed Ismail on 25/4/1950 calling for unity against Group Areas Bill and appealing to Cape Indian Congress to reconsider secession. UDW: Agenda Book, SAIC Conferences, p.27; UDW: Leader, 3/6/1950

¹³ United Action Against Bill, UDW: Leader: 6/5/1950

¹⁴ It was the task of the SAIC to work in the closest cooperation with all South Africans who love democracy. UDW: Agenda Book, SAIC conference 15-17 September 1950, p.21

South African Organisations Bill be withdrawn. Workers¹⁵ seemed most affected by the Unlawful Organisations Bill.¹⁶ The South African Trades and Labour Council (SALTC) condemned it at a meeting in Durban on 29 May 1950 as a curtailment of workers rights.¹⁷ It was feared that their bargaining powers would be lost.¹⁸

The ANC saw the implementation of the Unlawful Organisations Bill as a threat to its organisational activity. The executive Committee of the ANCYL, Natal Branch, condemned the Unlawful Organisations Bill as a measure aimed at silencing legitimate criticism¹⁹ of the Nationalist government's oppressive policy. They insisted that it was a serious threat to the national liberation movements because it would become a crime to demand racial equality.

The growth of the liberation movements created white fear. The newly elected government thrived on this in order to entrench white support. From various speeches made by Ministers of State and Members of Parliament it was discerned that a critic of the government was deemed a communist.²⁰ Nana Sita, a former president of the TIC, and

20 Mr L.Scheepers National Organiser of the S.A.L.T.C. said that the Bill was not only aimed at the Communist Party but at the very roots of the trade union movement in South Africa. 'Anti-Red Bill Protest', DON: Natal Mercury, 30/5/1950

¹⁶ UDW: Leader, 20/5/1950

¹⁷ DON: Natal Mercury, 30/5/1950

¹⁸ UDW: Leader, 20/5/1950; Leader, 3/6/1950

¹⁹ UDW: Leader, 3/6/1950

²⁰ Ministers of State and Nationalist Members of Parliament said over and over again that whosoever criticised their role in governing the country was a communist. 'Youths Condemn Bill'. UDW: Leader: 20/5/1950

Naicker who did not espouse the communist ideology were branded communists. Both these leaders made public claims to this effect but the government merely continued its accusations further to increase white support.

Although each liberation organisation saw the Unlawful Organisations Bill as having been introduced to destroy all opposition²¹, the government claimed that it merely wanted to stamp out communism because communists had infiltrated the liberation movements in order to propagate their cause. There was some truth in this for Communist activists usually belonged to trade unions and the mass liberation organisations.²² Table 5 shows the infiltration of communists into political and worker organisations in

²¹ DON: Natal Mercury, 24/8/1950

²² Table 5: COMMUNISTS IN OTHER ORGANISATIONS

SACP	TRADE UNION	MASS MOVEMENT
M.D.Naidoo	Tea Workers	NIC
H.A.Naidoo		NIC
N.G.Moodley	Tea Workers	NIC
George Poonen	Tobacco Workers	NIC
Vera Poonen		
L.Viranna	Amalgamated Engineering	NIC
A.K.M.Docrat		NIC
Billy Nair	Dairy Workers	NIC
Billy Peters		NIC
Kay Moonsamy	Dairy Workers	NIC
Swaminathan	Leather Workers	NIC
Harry Gwala		ANC
J. Arenstein		
Rowley Arenstein		
I.C.Meer		NIC

Interview: Kay Moonsamy Durban, 9/1/1994

Durban.

In spite of all the protests against the Unlawful Organisations Bill Parliament passed the Suppression of Communism Act on 20 June 1950,²³ the same day that the Communist Party announced its decision to dissolve itself.²⁴

The government had claimed that the Act was necessary to prevent communists and other subversives from causing unrest among Black organisations. It made the Communist Party illegal and empowered the Governor-General to outlaw any other organisation, publication or individual which he considered to be either Communistic or Communist-inspired.²⁵

The South African Communist Party, in anticipation of the passage of the Act, dissolved itself. It wanted to protect²⁶ its members from the Suppression of Communism Act on the grounds that its members were not active during its promulgation. This was to prevent the banning of communists from active politics.

As a result the Durban branch of the Communist Party ceased activities on 20 June 1950 and the organisation in

²³ The Anti-Reds Bill in the Senate was saved only by a casting vote. When the vote was taken it was 19 to 19. The second reading was passed when the president gave his casting vote. Natal Mercury, 22/6/1950; Natal Mercury, 21/6/1950

²⁴ UDW: E. Riley, Major Political Events in: South Africa 1948-1990, Facts on File, (Oxford, 1991), pp.20-21

²⁵ Riley, Major Political Events, p.21

²⁶ Interview: Rowley Arenstein, Durban, 1/3/93

Durban no longer existed after that date.²⁷ Almost a month later, on 17 July 1950.²⁸ the Suppression of Communism Act became law in the Union and South West Africa. Because of the threat the proclamation of the Act had caused, public protests directed at the Minister of Justice and the government²⁹ were held throughout the country.³⁰ When the government banned the Communist Party it stifled the progress of African political emancipation because the Party had played a leading role in both Black political organisations and trade unions.

4.3 NATIONAL DAY OF PROTEST

Blacks responded with the Programme of Action to the government's array of repressive laws. The first campaign had been the National Day of Protest on 26 June 1950.³¹ The campaign had been agreed upon to mark the general dissatisfaction of blacks in this country. Black people were to refrain from going to work and regard the day as a day of mourning for all those Africans who had lost their lives in the struggle for liberation.³²

Indians and Africans had played a concerted role in

²⁷ The former secretary, Mr D.A. Seedat who gave the press the information was not prepared to divulge the whereabouts of the Party's books or records. 'Durban's Communist Office is Empty now', Natal Mercury: 18/7/1950

²⁸ DON: Natal Mercury, 18/7/1950

²⁹ 'Congress may be Outlawed', UDW: Leader, 5/10/1951

³⁰ DON: Natal Mercury, 6/6/1950

³¹ UDW: Agenda Book, SAIC Conference 15-17 September 1950, p.21; UDW: S.Bhana Collection, Minutes of the SAIC Conference, 25-27 January 1952, p.14, DOC.no. 957/224

³² Secretary General's Report on the National Day of Protest, June 26, 1950, p.1. CK 2 : XC9 : 62/9

organising the National Day of Protest and meetings were held throughout Natal. At Richmond a resolution urging all Indians not to go to work on the Monday was passed at a meeting of the SAIC, APO, and CPSA. About 200 people were present, half of whom were Africans.³³ The meeting was addressed by Selby Msimang and Dr. A. Surban, both prominent members of the ANC (Natal) and the NIC respectively. The Indian and African communities felt betrayed by the Richmond members of the NIO who did not attend the meeting and intended opening their stores on the Day of Protest.³⁴

A committee was established to organise protest activity. The Natal Committee which acted on instructions from the National Day of Protest Coordinating Council (NDPCC) represented the ANC, SAIC, and the APO. Natal's response to the call made by Dr J.S. Moroka for the observance³⁵ of the National Day of Protest was a tremendous success. Over 60 per cent of Durban's 200,000 black workers remained at home.³⁶ Many factories employing Indians and Africans were closed for the day.³⁷ Textile, tobacco and furniture factories had a 100 per cent work stoppage. This had been so because the unions were better organised in these industries. All Indian schools in Durban were closed for the day. An estimated 35 000 Indian children and 1 000 teachers were involved in protest action. At Merebank, which housed about 8 000 Africans, the buses found only 15 passengers. It was a clear indication

³³ DON: Natal Mercury, 23/6/1950

³⁴ Capital Ban on Meetings, DON: Natal Mercury, 23/6/1950

³⁵ No Violence on Monday: "Stay at Home and Pray was the Committee's Order of the Day, issued by the Natal Co-ordinating Committee, 26 June 1950, p.1.
CK 2: DA19 : 84/1

³⁶ 'Thousands Stay Away from Work', UDW: Leader, 1/7/1950

³⁷ Interview, Swaminathan, 7/11/93

of the support the ANC enjoyed in the area.

The politicisation of Indian teachers and the Passive Resistance Campaign could have been influencing factors for the total closure of schools. The closure of Indian schools was possible because they did not come under the direct control of the Nats but rather under the more sympathetic NPA.

Thousands of African municipal workers also stayed away. O.A. Nkwanya the Chairman of the Somtseu Road Location Advisory Board reported that over 3000 Africans at the Somtseu Road Location did not go to work.³⁸ The excellent African response at Somtseu Road and Merebank Locations is remarkable in view of the fact that the ANC only had about 200 members in Durban and Dr Dilizantaba Mji, the President of the Transvaal ANC Youth League in 1951 who was elected to the ANC's NEC in 1952, had to be brought from the Transvaal to organise the strike. The fact that Dilizantaba Mji stayed with Dr Naicker and worked from the NIC offices is proof that the local ANC was not much involved with the stayaway.

At Ladysmith there was a complete stoppage of work as far as the municipal employees were concerned. Black businesses remained closed in Estcourt, Ladysmith, Stanger, Chakas Kraal, Umzinto, Verulam, Port Shepstone, Tongaat and Colenso. These were mainly Indian stores. Their closure could have been influenced by the riots.³⁹

The willingness of black businesses to remain closed for the day and the thousands of workers who absented themselves from municipal and other institutions, both African and Indian, manifested the wide support the

³⁸ UDW: Leader, 1/7/1950

³⁹ UDW: Leader, 1/7/1950

Congress movement enjoyed in Natal in spite of the fact that meetings were banned⁴⁰ in Pietermaritzburg and Durban. This level of support is difficult to comprehend because the ANC had only 1 520 members in the whole of Natal and only about 200 in Durban at the end of 1947. On the other hand the much smaller Indian community had about 35 000 registered members of the NIC. This had been the first combined campaign of the APO, CPSA, ANC(Natal) and the NIC. There is no documentary evidence or police reports to support any claim of intimidation during the campaign.

Not all African leaders supported the popular protest action. Chief Cyprian Bhekizulu, the paramount Chief of the Zulus, had in fact attempted to sabotage⁴¹ the efforts of the national political movements. On 24 June 1950 Chief Cyprian Bhekizulu sent a message to all Zulus not to take part in any strike action on Monday, the National Day of Protest.⁴²

This divided opinion⁴³ among Zulus, who had great respect for traditional leaders, and created confusion because of the power these chiefs had over their subjects. Many chiefs were also supporters of the Congress movement, so not every

⁴⁰ Capital Ban on Meetings, UDW: Natal Mercury, 23/6/1950

⁴¹ UDW: Natal Mercury, 22/6/1950

⁴² 'I myself do not know any reason for the strike, but I strongly warn my people not to take part in such action because I am afraid my people will lose their employment as a result of it'.

'The Agitators will not give you jobs which you will lose . Everyone knows that it is not easy nowadays to find work in the industrial areas, and those who have jobs should consider themselves lucky and should not do anything to jeopardise their positions'.

'Cyprian calls Zulus to stay at Work', DON: Natal Mercury, 24/6/1950

⁴³ 'Ignore Trouble-makers says Zulu Chief', DON: Natal Mercury, 22/6/1850

chief thought as Bhekizulu did.

Like Bhekizulu the NIO and the NEUM did not support the protest action of the Congress movement.⁴⁴ The NIO being an accommodationist organisation adopted a pro-government stance. The NEUM criticised the actions of the Congress rather than give it support. Spontaneous resistance by the Congress movement was dubbed sporadic and unplanned by the NEUM.

Not only were the NIO, the NEUM, Chief Cyprian Bhekizulu and the magistrates who banned the meetings great obstacles in organising protest action, the ANC in Natal too had been a major source of frustration. Champion and his executive committee refused⁴⁵ to have anything to do with the strike. No one was free to approach him over the matter which he had resolved to keep out of.⁴⁶ He refused to lead the One Day Strike and when he was pressed to do so, he withdrew in favour of Msimang⁴⁷ who was helped by the Youth League and the Natal Indian Congress.⁴⁸

This action of Champion and his unconstitutionally elected executive Committee was understandable. The National Day of Protest was the brainchild of the Youth League. Champion who enjoyed the support of Natal conservatives believed his long standing position had been threatened by the evolution of Congress into a militant movement that refused to

⁴⁴ Natal Chamber of Industries also did not support the strike. DON: Natal Mercury, 23/6/1950

⁴⁵ On 15 October 1950, the ANC, Natal Executive Committee resolved that they had nothing to do with the National Day of Protest. CK 2: XC9 : 41/311, p.1

⁴⁶ Letter from Msimang to Champion, 22/9/1950. CK 2 :XC9 :41/303, p.2

⁴⁷ KCL: Ilanga Lase Natal, 28/7/1951; CK 2:XC9:82/3

⁴⁸ ' As a result of my refusal he took up the leadership', 26/6/1950, p.1. CK 2: XC9: 41/311

collaborate with government appointed bodies like advisory boards and the Native Representative Council. One of his reasons - that the chiefs, who were the backbone of Congress in Natal, would be alienated, was a poor excuse because the ANC's most militant activist was Chief A.J.Luthuli.

A new stage was set in politics with the militancy of the Youth Leaguers. As the national leadership of the ANC had been at loggerheads with its local provincial branch, it had to work with the NIC. It was this partnership and its supporting infrastructure that assured the campaign's success.

Fund-raising was not done by the individual Congresses but was handled by the Co-ordinating Committee of the National Day of Protest. Interaction was not strictly political. Dr Motala and Selby Msimang were in charge of collections in Pietermaritzburg whereas Dr Naicker was in charge of collections in Durban. Mr Pather who was asked to make a contribution of £600 for organisation purposes, did not contribute.⁴⁹ His action reflected the NIO attitude.

4.4 DISMISSAL OF WORKERS

In Durban about a 1 000 people lost their jobs because of their participation in the stay away.⁵⁰ This figure is contradicted by the Leader newspaper, a weekly, which put it at 350.⁵¹ The figure of 350 refers to Indian workers only. The figure is much higher when dismissed African workers are included. This is confirmed by the Mercury of

⁴⁹ Letter from Msimang to Champion, CK 2: XC9 : 41/303 p.2

⁵⁰ UDW: Pampallis, Foundations, p.194

⁵¹ 'Workers Dismissed', UDW: Leader, 1/7/1950

15 August 1950.⁵² Pampallis gives the figure of 1 000 as an approximate number.⁵³

The DCC adopted a divisive policy by pitting Indian workers against Africans in the hope of breaking the unity that had been developing, by threatening to replace Indian workers with Africans.⁵⁴ For this it was labelled anti-Indian⁵⁵. When its racism had been criticised⁵⁶ it dismissed all those who stayed away on June 26.⁵⁷ As the tide of resistance mounted the DCC changed its attitude but still showed partiality and dismissed more Indians than Africans. In spite of all the attempts to prevent the dismissals; including a plea from the Deputy mayor Mrs. A.G.M. Maytom and a church delegation, 350 Indian⁵⁸ and 115 African workers were dismissed on 31 August 1950.⁵⁹ Although more Indians lost their jobs, the fact that both Indians and Africans were victims created a camaraderie among them.

As had been expected the NIO, which fought for the reinstatement of the dismissed Indians, regarded the Protest

⁵² 'Sacking of Indians to Stand', DON: Natal Mercury, 15/8/1950

⁵³ UDW: Pampallis, Foundations, p.194

⁵⁴ Protest Sequel: 'Natives may replace Indians', DON: Mercury, 29/6/50

⁵⁵ UDW: Leader, 5/10/1951

⁵⁶ 'Mayor Draws upon Imagination', UDW: Leader, 8/7/1950

⁵⁷ Only 15 out of 24 Councillors were present at DCC meeting on 24/7/1950, when 10 votes to 5 endorsed sackings. DON: Natal Mercury, 25/7/1950

⁵⁸ 'The dismissed Indians may not be employed within a period of five years'. DON: Natal Mercury, 28 July 1950

⁵⁹ 'Sacking of Indians to Stand', DON: Natal Mercury, 15/8/1950

Day call by Indian leaders as foolhardy.⁶⁰ Being a marginal political organisation which earned the name 'quisling', it did not enjoy any large scale following among the Indian masses.⁶¹ To lay the blame on NIC leaders for the dismissal of Indian workers was merely political opportunism by the NIO.

People at all levels lost their jobs. C.D. Ndwalane was retrenched from the Licensing Department of the Durban Corporation. Very poor Indians, many of whom who lived in the Magazine Barracks of the Municipality, were also dismissed. Even Msimang who undertook to lead the Protest Day was dismissed from his job.⁶²

Practical steps had to be taken. The NDPCC had to assume responsibility for maintaining the large number of people who lost their jobs. A fund raising campaign was launched with the aim of raising £30 000. A team of collectors was sent out to various parts of the country to appeal for donations. Unity within the black political spectrum became innovative and creative to raise money. An entertainment Committee was set up to raise funds by staging concerts, tea-parties, bazaars and similar functions.⁶³ Working together strengthened the political relationship.

4.5 CONFLICT WITHIN THE ANC CONTINUES

Dissension within the Youth League and the ANC Natal leadership continued. Champion and his self appointed

⁶⁰ Organisation's Plea to City Council, UDW: Leader, 8/7/1950, p.7; 'Indians Plead Against 'Sack', DON: Mercury, 11/7/1950

⁶¹ Organisation's Plea to City Council, DON: Leader, 8/7/1950

⁶² 'White Threat', HPUWL: A922, File A7, p.1.

⁶³ Secretary-General's Report on the National Day of Protest, 26/6/1950. CK 2: XC9 : 62/9, p.4.

committee did not see eye to eye with the Youth League. They adopted a hardline attitude towards the Youth League and its programme and dissociated themselves from the action of the provincial secretary in connection with 26 June 1950.⁶⁴

The Natal leader feared that the inexperienced Youth League would finally lead to the downfall of Congress with its adventurous exploits. Responsible men, he maintained, did not declare war unless they had assembled their forces and equipment otherwise it would be suicidal.⁶⁵

The polarisation in the ranks of the Congress in Natal kept the two sides apart. Because there had been no meetings since May 1950⁶⁶ communication broke down. On 25 September 1950 Champion asked Msimang to call a meeting in the second week in October 1950 to regularise the functioning of Congress and with the hope of solving the dispute. The main items for discussion were the Protest Day action and the Youth League.⁶⁷

What kind of leadership did the Natal ANC offer in the province when it had not called any meetings for six months and when the two most important leaders had shown contempt for each other? How could they guide their followers? Discussing the happenings of 26 June 1950 months later only displayed the lack of seriousness with which Champion treated his job.

⁶⁴ When a sinner confesses his sins... soul.
CK 2: XC9 : 77/10, p.1

⁶⁵ Champion's objection to militancy. CK 2 : XC9 :
77/10, p.2

⁶⁶ Letter from Champion to Msimang. CK 2: XC9 : 41/304

⁶⁷ Letter From Champion to Msimang, 25/9/1950.
CK 2 ;XC9 :41/304

There had been accusations and counter accusations. Champion accused Msimang of secession and of being swayed by irresponsible enthusiasm. The underlying fear was that the position of the chiefs would be compromised. It was commonly believed that the rural African thought and behaved differently from his urban counterpart.⁶⁸ This is another contradiction because Chief Luthuli, who rose to take over the national leadership of the ANC, was a Youth Leaguer with militant ideas and extensive ANCYL support. Champion, it appeared, feared for the loss of his status and privileged position. Champion did not want to alienate the traditional leaders in Natal by throwing in his lot with the militants as they had been the backbone of Congress with whom he had a long standing relationship.

Msimang argued that if the interests of the chiefs were being alienated by the formation of the Youth League then no one individual was to blame but the South African Conference and the provincial executive by its failure to carry out the instructions of the National Executive Committee.⁶⁹ He refused to accept responsibility for causing any such dissension. He claimed that like Champion he was merely an instrument of the highest authority, the national body. At the same time he was fully aware of the deterioration in the relationship between himself and his provincial leader.⁷⁰

Both the president and the secretary had understood that the division between them had been a very unpleasant

⁶⁸ Letter from Champion to Msimang, 27/10/1950

⁶⁹ Letter from Msimang to Champion, 31/10/1950,
2 : XC9 : 41/312, p.1

⁷⁰ Champion's complaint that the a national issue had become a personal one between Msimang and himself.
Letter from Msimang to Champion, 30/10/1950.
CK 2 : XC9 :41/312, pp.1-2

experience. Each perpetuated the schism on ideological grounds to gain political mileage. The national leadership of the ANC was partly to blame because when it introduced militancy at national level it should have disciplined the provincial body to toe the line. When it introduced the Programme of Action at its 1949 Conference it should have expelled the executive committee in Natal. Its failure to do so had been the cause of disunity, disloyalty and organisational breakdown. Bringing Dilizabanta Mji from the Transvaal to organize the National Day of Protest in Natal was not only an embarrassment to the ANC in Natal but also to the NIC which had to work with Champion and Msimang. It had been an intolerable situation for the ANC to allow two groups to operate within the movement.

When Champion realised that he had lost political ground by not supporting the National Day of Protest and Mourning, he solicited the help of J.S. Moroka, President-General of the ANC from 1949 to 1952, complaining that if nothing was done Congress would have a natural death. On 28 October 1950, Champion discussed with Moroka⁷¹ the various problems confronting the ANC in Natal for which he blamed Msimang and the ANCYL⁷². Msimang, he said, did not submit the Protest Day Resolutions to the provincial executive nor the Provincial Congress held in May 1950. Instead he had presented them to a mass meeting at Red Square convened by the NIC, APO, CPSA, the ANCYL and the ANC.⁷³ As he was an important official, Msimang should not have by-passed the Provincial executive. His attitude, Champion implied, was tantamount to impertinence and insolence.

⁷¹ Conflict with Youth League. CK 2 XC9 : 41/311, p.1

⁷² CK 2 : XC9 : 41/311, p.1

⁷³ CK 2 : XC9 : 41/311, p.2

Msimang's relationship with the president degenerated⁷⁴ to such a low point that from May 1950 he disregarded the authority of the president and the executive committee. When the Committee met on 15 October 1950 no Financial Statement had been submitted by the secretary and he was accused of printing membership cards which he had sold 'like cakes to the people'.⁷⁵

He had also been ordered by the executive committee to publish certain resolutions adopted by Congress. He had refused to do so on the grounds that they were contrary to the policy of the ANC. This would have caused much embarrassment. In this instance, however, Msimang's non-compliance was justified.

The executive committee of the ANC in Natal had refused to recognize the Youth League as an organisation but had given instructions that each person could join as an individual member. Congress officials differed over the question of the Youth League on this point. Msimang believed that the Youth League was established by a resolution of Congress of which Champion was vice-president and therefore Champion was bound by such a resolution and had to accept the status quo of the Youth League. Champion's executive committee did not accept the legitimacy of the Youth League, although it was not a separate organisation but an auxiliary unit of the ANC.⁷⁶

Champion repeated his assertion that his strained relations with Msimang and the Youth League had been over the latter's militant approach. The friction between the Msimang and Champion camps developed further when the Msimang was

⁷⁴ WCL: Guardian, 29/3/1951; CK 2 : XC9 : 82/2

⁷⁵ CK 2: XC9 : 41/311, p.2

⁷⁶ CK 2 : XC9 : 41/303, p.2

instructed not to accept money from the Youth League as a branch or parallel organisation. He had been asked to return such money and enlist individual members. However, the Youth League disregarded this instruction; and sent money with their membership list through their own secretary.⁷⁷

Because of Champion's attitude, Msimang accepted Youth League membership fees, but held them pending the decision of the executive committee. Msimang claimed that all this happened because of the Committee's attitude towards the Youth League.⁷⁸

Whether the Youth Leaguers enlisted as a group or as individual members, registered separately, it made little difference because the ANCYL could still have worked as a pressure group from within. For the sake of harmony the ANCYL should have gone along with Champion's wishes.

The Natal executive had a problem in trying to discipline the Youth League's operation in Natal. Because the head office had been in the hands of militant leaders since 1949 a serious problem had been created within the Natal leadership which held a conservative viewpoint. The Youth League in Natal adopted a haughty attitude because they knew that they could rely on the support of the national leadership. Such an attitude only intensified friction within the movement. Msimang for one refused to take orders from the Natal hierarchy.

Only after Champion had confirmed in correspondence with Xuma on 20 November 1950 that the affairs of Congress in Natal were in a mess and that he had believed that his

⁷⁷ Letter from Champion to J.S.Moroka, President-General ANC, 28/10/1950. CK 2 :XC9 : 41/311, p.1

⁷⁸ Letter from Champion to Walter Sisulu, 23/2/1951, CK 2 : XC9 : 41/331, pp.1-2

services did not fit in with the current state of affairs⁷⁹ did the national body show any interest in the provincial strife.

For the first time, on 11 December 1950, Sisulu, the general - secretary of the ANC, requested details of the executive committee meeting of the ANC in Natal. He was especially interested in the resolutions adopted at that meeting.⁸⁰ This belated concern placed the national leadership in a bad light. It could have avoided a long drawn out crisis if it had taken an interest earlier. The overdue involvement might have been prompted by the hope that Natal would solve its own crisis or that Champion would be replaced by a Youth Leaguer. The head office had probably realised that Champion had considerable clout especially among the chiefs. It would have been to the disadvantage of the ANC to lose favour with the chiefs. Champion had also been the president of the ICU Yase Natal, a powerful African trade union movement.

Having blamed the communists for the disharmony, the Natal executive committee tried to find a quick fix solution by dismissing Msimang on 29 January 1951 as provincial secretary and instructed Champion to collect all the Congress property that Msimang had in his possession. A copy of the resolutions⁸¹ adopted at the meeting was sent

⁷⁹ Letter from Champion to Xuma, 20/11/1950.
CK 2: XC9 : 41/314

⁸⁰ Letter from Sisulu to Secretary, ANC (Natal),
11/12/1950

⁸¹ 1. That Mr H.S.Msimang should be and is hereby relieved from the duties of being the Provincial Secretary of the Congress in Natal.
2. That the President of the Provincial Congress is hereby instructed to communicate to him this decision and the President is also authorised to demand and receive on behalf of this Committee all the properties of the Congress. Monies, books and correspondence as well as the membership

to the secretary so that he could be informed of the decision of the executive committee.

In his reply to Walter Sisulu, Champion confirmed that the Executive Committee of the Natal Congress had relieved Msimang of his duties as secretary for the following reasons: that Msimang had published press statements that strained feelings between himself and the president and that when the Committee met on 26 January 1951 Msimang adopted an impossible attitude. He refused to produce records of minutes; declined to divulge correspondence of his complaint about the executive committee; failed to attend the annual conference in Bloemfontein and refused to respect the committee or its president, instead he followed the constitution and the resolutions of the national body.⁸²

It had been this major difference over principles which caused the tension between the two. Champion treated the African National Congress in Natal as an independent body and not part of the national organisation whereas Msimang did not have a problem in accepting the subservience of Natal to the national body.⁸³

It was this attitude that prolonged the leadership discord within Congress. The Pietermaritzburg Branch, which was in

cards printed with the funds of the Congress.

3. That the President should advise all Branches and members of the African public of this decision'.
L. Adapa Collection, p.119

⁸² CK 2: XC9 : 41/331, p.1

⁸³ 'In your opinion the African National Congress in Natal is an independent body and not part of the S.A.Conference of the A.N.C. over which Dr Moroka is the President General, and therefore Natal is not bound by the decisions and resolutions of the mother body'. Letter from Msimang to Champion, 22/9/1950, CK 2 : XC9 : 41/303, p.1

Msimang's constituency, began to question the bona fides of the president. Because the branch did not confirm the president's nomination of the Provincial executive committee, there had been no legitimate committee since 1949.⁸⁴ But, according to Champion the last Congress held on 26 January 1951 gave the Committee authority to convene the next Conference though the notice to fix the date was defeated.

The ANC was bogged down with external problems as well. At a meeting of the Bergville Branch held on 10 February 1951 members complained that they were harassed by police.⁸⁵ On 16 February 1951 Chief Hlongwane Ngcobo was informed by the magistrate not to participate in the affairs of the ANC.⁸⁶ Chief Hlangwane, however, ignored the instruction. It was courageous for Chief Hlongwane to participate in Congress affairs whilst the magistrate and the police were harassing him.

Champion who referred to the Congress as the parliament of the African people repeated that there were three ways of achieving liberation from opposition: by begging the other man to remain with you; by the Courts of law to decide the issue or by war.

According to Champion, Congress had declared war against the rulers. Whilst he was in favour of war, he knew that war without weapons was suicidal. Such inadequate preparation helped the oppressor. His fear was that the Youth League adopted a dangerous philosophy and that it would sacrifice Congress because of its lack of

⁸⁴ Letter from Champion to Secretary ANC (Pietermaritzburg), 6/3/1951. CK 2 : XC9 : 41/333

⁸⁵ Letter form ANC (Bergville Branch), 17/2/1951, CK 2 : XC9 : 41/328, p.1

⁸⁶ Letter from Bergville Branch of ANC to Champion, 17/2/1951. CK 2 : XC9 : 41/328

preparation. Finally he accepted defeat and resigned from the national executive committee⁸⁷ but remained a rank and file member of Congress.⁸⁸

In reply to Champion's letter of 6 March 1951⁸⁹ the ANC, Pietermaritzburg Branch, maintained that its request for a special General Meeting would not affect any decisions that were taken at the Annual General Meeting on 26 January 1951 at Sobantu Village, Instead it requested that the Special General Meeting should make recommendations in the best interests of all the branches of Congress and the African people whom they represented in Natal.⁹⁰

Secondly, the Branch neither admitted nor denied that there was an executive committee, but desired that the branches of Congress be given an opportunity to get the correct information, officially. The Pietermaritzburg Branch claimed whatever action Congress was to exercise should be exclusive to Congress members only. It also requested that any controversial matter that threatened to divide and disrupt Congress should be discussed fully and decided by

⁸⁷ CK 2 XC9 : 41/353

⁸⁸ CK 2 : XC9 : 41/352, pp.2-3

⁸⁹ Letter contained resolution passed by Pietermaritzburg Branch on 1/3/51. That the Natal Provincial Executive Committee which was personally nominated by Champion was not confirmed by the Pietermaritzburg Branch. Champion complains in the letter that after the suppression of the Communist Party the ANC was flooded by people who interpreted the constitution to suit their own ends and claims that the Conference held on 26/1/1951 gave the Executive Committee authority to convene the next conference. He further claims that there was a move to form two organisations in Natal, one to militant and other to carry out the work of the ANC. Letter from Champion to Branch Secretary, ANC Pietermaritzburg, on 6/3/1951. CK 2 : XC9 : 41/333, p.1

⁹⁰ Letter from ANC Pietermaritzburg Branch.
CK 2: XC9 : 41/333

way of a vote.⁹¹ The communication of the Pietermaritzburg Branch showed that there had been considerable confusion in Natal.

Being an anti-communist, Champion began to blame the internal dissension on communists without pondering about his part in it. He held the view that since the time the Communist Party was banned, Congress had been flooded by newcomers who were interpreting the constitution and the resolutions to suit their purposes and that the movement was being split into two organisations, one militant⁹² and the other moderate. That the discord was caused by communists was not true. It was not, as Champion put it, an ideological issue, but between the old order in which the ANC adopted a more passive role and a new approach which was militant. He did not agree that the ANC was ready to adopt a more aggressive approach which he thought was suicidal.

Jordan K. Ngubane, a member of the executive committee and secretary of the Durban Branch, was also apportioned blame for the strife in Natal.⁹³ Ngubane was accused of having dis-organised Congress by his articles in the Press. He was blamed for the dissension between Champion and Msimang and for the president's resignation from Congress.⁹⁴

The dissension within the ANC in Natal continued until the

⁹¹ CK 2 : XC9 : 41/333

⁹² Letter from Champion to ANC (Pietermaritzburg Branch, 6/3/1951. CK 2 : XC9 : 41/333

⁹³ On 30 March 1951 Champion told Jordan K. Ngubane that the meeting at the Bantu Social Centre was not a representative gathering. Letter from Champion to Ngubane, 30/3/1951, CK 2 : XC9 : 41/340, p.1

⁹⁴ Champion resigned from the ANC for the sake of unity to avoid splitting the organisation into two sections in Natal. CK 2 : XC9 : 41/340, p.1

annual regional conference in 1951.⁹⁵ In his bitterness, Champion confirmed that he allowed everyone to vote at this conference both, member and non member.⁹⁶ This allowed the opposition, who were originally in the minority, to fill the meeting with friends and supporters.⁹⁷ His gamble, which he thought would be to his benefit, proved to be a poor tactic that brought about the downfall of his leadership. Although Champion changed the rules he accused the new leadership of being illegitimate.⁹⁸ Luthuli came to power only because Champion allowed non-members to vote.⁹⁹ To then accuse the new leadership of being unconstitutionally elected is wrong because it was he who created the problem.¹⁰⁰ Why Luthuli did not object to this unconstitutional procedure is uncertain because he did set a good example by resigning from the National Fund on the grounds that it was not well controlled. In essence Luthuli's election was invalid.

However, after Chief Luthuli was elected provincial president of the African National Congress at the Annual General Meeting in Durban on 31 May 1951¹⁰¹ he threw himself body and soul into the struggle. Under Luthuli's

⁹⁵ The conference started in Pietermaritzburg and continued in Durban at the Bantu Social Centre.

⁹⁶ HPUWL: Champion Papers, A922, File A8, p.1

⁹⁷ CK 2 : XC9 : 41/352

⁹⁸ HPUWL: Champion Papers, A 922, File A8, p.1

⁹⁹ Champion lost to Luthuli by 10 votes because of his gamble to allow non members to vote. KCL: M.W.Swanson, Writings of Champion, p.45

¹⁰⁰ An Explanation about the National Fund, CK 2: XC9 : 82/3, p.3

¹⁰¹ Letter from Champion to the General Secretary of the ANC, Johannesburg, p.9

leadership drastic changes¹⁰² were effected in order to improve the overall organisation and management of the ANC in Natal. At a meeting of the ANC (Natal) held at the Sobantu Social Centre on 9 June 1951 Selby Msimang was elected secretary. Under Champion the president chose the chairman, but under Luthuli the meeting chose the chairman.¹⁰³ This is an illustration of the different management styles both leaders adopted.

Another major problem was also solved, for the new management team of the Natal ANC was made up of Youth Leaguers. As a result the Youth League was given an opportunity to be incorporated into the ANC. In order to improve the image of the province every executive member was expected to be an organizer in the area in which he lived and was not to obstruct the work of the local branch¹⁰⁴. The new leadership set about building branches and rebuilding the organisation in earnest.

4.6 FUNDING OF THE ANC (NATAL)

Problems within the ANC were not just personal ones. Many people queried its financial affairs. Msimang for example, did not touch on the subject of the National Fund when he gave his financial report in January 1951, other than to say that there was no money in the coffers of the ANC.¹⁰⁵

¹⁰² Mr Yengwa was made chairman the meeting. Although the constitution demanded that members live within a radius of 50 miles the previous committee extended the limit to 60 miles without referring the matter to the head of the Congress. It was resolved that the mileage established according to the constitution be honoured. The secretary lived outside that distance but he still remained a member by virtue of his office. CK 2: XC9 :42/13, p.9

¹⁰³ CK 2: XC9 :42/13, p.1

¹⁰⁴ CK 2: XC9 :42/13, p.14

¹⁰⁵ CK 2: XC9 :82/13, p.1

Champion confirmed that there had been no money in the ANC except that which had been contributed to build a national 'bank' which was quite separate from the ANC's own budget. The balance in that account was £400 and the deposit book was kept by Chief Langalakhe Ngcobo. All the membership ticket fees were kept by Msimang who did not give them to Chief Langalakhe Ngcobo. The ANC had failed its members when it allowed Msimang to withhold the funds. It should not have allowed personal and factional crises to interfere with its organisation. How can an organisation operate without finance? This made the organisation more dependent on its alliance members for financial and infrastructural support. In this sense the role of the alliance was not one of political mobilisation but of desperation and need.

The ANC (Natal) thus operated under severe financial constraints. It opened the 1947/1948 financial year with a deficit of £44. 6s. and in 1949 closed with a further deficit of £101. 2s. 7d. The reason for this shortfall in revenue was attributed to the disorganised state of the lives of Africans throughout the Province which had created many problems.¹⁰⁶ Additional to this was the weakness of the Working Committee of the ANC head office. As a result Natal had to print her own membership cards. Ironically stock on hand could have wiped out the deficit.¹⁰⁷

The ANC in Natal took several steps to remedy its poor financial position at a meeting on 9 June 1951.¹⁰⁸ Various

¹⁰⁶ ANC (NATAL): Annual Report, 9/12/1949, CK 2: XC9 : 61/3, p.1

¹⁰⁷ ANC (NATAL): Annual Report, 9/12/1949, CK 2: XC9 : 61/3, p.1

¹⁰⁸ ANC: Natal Branch, The Minutes of the of the Committee meeting held at the Bantu Social Centre, 9/6/1951, CK 2: XC9 :42/13, p.10

methods were employed to raise funds.¹⁰⁹ However, in spite of these efforts, the Income Statement of 30 October 1951 showed a deficit of 19s. 1d. and the Balance Sheet showed a nett deficit of 19d.¹¹⁰ The fact that the organisation had only five months in which to improve its financial status must be taken into consideration. The poor financial position therefore continued to hamper its work.

To help remedy the position certain steps were taken. The most important of which was improved record keeping. Members' travelling expenses were to be re ordered so that they should be re-imbursed when funds were available.¹¹¹ It was resolved that all membership tickets should be issued by the treasurer in order to facilitate the legal admission of a branch.

Besides its operational finances being in a poor state, the Natal ANC's National Fund was also the subject of bad management. Chief Luthuli was one of those who saw that the poor management of public finance would bring his name into disrepute and therefore resigned from the National Fund on the grounds that there were no rules governing the Fund even though he had been a pioneer member of the Committee. Champion had kept the National Fund free from the control of the ANC because he was of the opinion that the contributions could be forfeited if the ANC were to be outlawed. He insisted that when the right occasion arose he would to get the contributors to set up a committee to

¹⁰⁹ A finance committee was elected so that the collection of funds could be co-ordinated. The committee was made up of: George Sithole (chairman), P.H.Simelane and H.I.E. Dlomo, the treasurer to be its secretary.
CK 2: XC9 :42/13, p.10

¹¹⁰ ANC(Natal): Provincial Treasurer's Report;Balance Sheet as at 30/10/1951, CK 2: XC9 :62/10, p.1

¹¹¹ CK 2: XC9 :42/13, p.14

control the National Fund.¹¹²

This was typical of Champion, who, because of his position and his reputation, disregarded important fundamentals like having a set of principles to control public funds. In this regard Champion was irresponsible. It could not be justified that rules would be formulated when the right time arose as Champion maintained. Rules ought to be set at the beginning and strictly adhered to in the best interests of the public.

4.7 CONFLICT WITHIN THE NIC

The NIC itself was not free from strife, both from within and without. New legislation that affected the Indian community directly became the burden of the movement. At its 1951 conference it adopted resolutions rejecting the Suppression of Communism Act, the Group Areas Act¹¹³ and repatriation and called for black unity. The conference rejected, overwhelmingly, a resolution calling for the NIC's affiliation to the NEUM, and adopted instead one endorsing the action of Congress in its efforts to unite blacks¹¹⁴. If it had affiliated to the NEUM it would have had to be organised as a multi-racial body. This would not have been an easy task because people lived in ethnically divided areas.

The Group Areas Act was a major pre-occupation of the NIC

¹¹² 'When the right occasion arises those who had contributed towards it would make regulations concerning it'. CK 2: XC9 : 82/3

¹¹³ All Properties in the three provinces: Natal, Cape Province and the Transvaal had on 30 March 1951 had been placed under permit control. The Act came into being in the on this day. UDW: Leader, 6/4/1951

¹¹⁴ Congress Conference Disappoints, UDW: Leader, 5/10/1951

after the Nats came to power in 1948.¹¹⁵ It was described as 'highway robbery' and the Durban City Council¹¹⁶ together with the Ladysmith Town Council were condemned for their callous disregard for the rights of some of their citizens and their over-enthusiasm to implement the act. These town councils, especially Durban, saw the Group Areas Act as an opportunity to deny Indians their commercial life and land ownership. In the process Indian market gardeners and banana farmers lost their livelihood. The banana plantations of Cavendish were the largest in the country. Along with this loss schools built by the community and small businesses were closed. Being desperate and without much internal legal support they looked for international help. Because the NIC had taken apartheid to international platforms it earned the wrath of the National Party. The new legislation was to the advantage of whites at the expense of blacks. Chief A.J.Luthuli made this his main point in his opening address of the 1951 NIC Conference. He said that the real motive of apartheid, which was often disguised, was the economic exploitation of the black people to the advantage of whites.¹¹⁷

The NEUM of Northern Natal constantly bedevilled the NIC. Probably because the NEUM could not stand on its own feet it decided that the next best thing would be to convert existing NIC branches. Furthermore they had very little support from Africans. Their Natal membership consisted mainly of Coloureds and Indians. The vulnerable NIC branches were: Ladysmith, Dundee Newcastle and Glencoe. The attacks were both internal and external. Internally NEUM protagonists, while being members of the NIC, tried to take over branches. Externally they maliciously criticised the

¹¹⁵ UDW: S.Bhana Collection, Minutes of the SAIC Conference, 25-27 January 1952, p.13, DOC.no. 957/224

¹¹⁶ UDW: Leader, 24/2/1951

¹¹⁷ UDW: Leader, 5/10/1951

organisation through the media in order to win over support.

At the Annual General Meeting of the Ladysmith Branch of the NIC in August 1951, Dr Limbada¹¹⁸ vehemently reproached Congress for its failure to create effective unity among blacks.¹¹⁹ Congress countered the accusation with the claim that it fought every campaign on non-racial principles because every major campaign was a concerted affair of the Congress Alliance. It condemned the Unity Movement and the African Convention as arm-chair critics and impractical politicians. Congress further argued that it launched the Passive Resistance Campaign, organised strikes and protest meetings which had made the masses politically conscious.¹²⁰ The NIC maintained that the only body the NIC should collaborate with was the ANC.

Dr Limbada propagated the NEUM philosophy from within Congress by using Congress platforms. He played on the emotions of Congress members by appealing to them for African unity. Even though he was not allowed to speak at the Ladysmith meeting he exerted his influence by getting the house to pass a resolution allowing him to make a speech in which he referred to Passive Resistance and days of 'Mourning and Prayer' as abortive and 'adventurous' and strikes as 'dummy'. He concluded by saying that the only policy that the NIC should follow was the 10-point programme of the NEUM.¹²¹

Not only was the NEUM was not a significant political force in Natal, the NIC believed that its own methods were

¹¹⁸ NIC leader with strong NEUM leanings; UDW: Leader, 17/8/1951

¹¹⁹ UDW: Leader, 24/8/1951

¹²⁰ UDW: Leader, 24/8/1951

¹²¹ Doctors Disagree, UDW: Leader, 24/8/1951

practical and the various campaigns were proof of their success.

In an article in the Leader, on 17 August 1951, Debi Singh¹²² replied to Limbada's accusations made at the Ladysmith meeting. To the first accusation that the leaders of NIC had not carried out the Ten-Point Programme of the Anti-Segregation Council, he responded by saying that the leaders had been democratically re-elected since 1945. In the six years since the NIC had worked scrupulously to carry out the two basic points of the ASC Ten Point Programme, namely; militant opposition to oppressive laws and the building of black unity. The Passive Resistance and Protest Day Strike had the support of the entire Indian community Debi Singh affirmed. The Convention, he further wrote, had no branches in Natal, was unknown to the African people in the province and no Indian national body belonged to it. The NIC, he wrote, had decided not to join the Unity Movement because it would have meant undoing all that it had achieved in the field of black cooperation and active struggle. To the charge of betrayal the Leader reported on 17 August 1951 that the decision not to join the Unity Movement had been made democratically by the Indian people through the conferences of Congress and not by Dr Naicker or any other individual.¹²³

At the Annual General Meeting of the Newcastle Branch of the NIC which was also held in August 1951,¹²⁴ Debi Singh¹²⁵ and I.C.Meer¹²⁶, both Congress officials,

¹²² General-Secretary of the NIC.

¹²³ NIC Reply To Charge of Betrayal Against Dr Naicker, UDW: Leader, 17/8/1951

¹²⁴ UDW: Leader, 17/8/1951

¹²⁵ Former General-Secretary of the NIC

¹²⁶ Batch leader of Defiance Campaign.

attacked the NEUM. Although Dr Limbada tried his best to hijack the branch a resolution to affiliate to the NEUM was defeated by 14 votes to 7.¹²⁷ In a town like Dundee where only 21 people took part in such an important vote why was it not possible for him to create a NEUM branch that was truly representative of black people? It further shows that Dr Limbada was a hopelessly poor strategist. He made another attempt on 24 August 1951 to bring the organisation within the Unity Movement¹²⁸. He called on the NIC to join hands with African and Coloureds. Whilst he promised that four seats in the executive of the NEUM remained vacant for the SAIC, he repeated that there should not be unity with the ANC, nor the ANCYL.¹²⁹ The fact that the NEUM offered four seats in the executive to the SAIC and rejected the ANC smacked of opportunism. The SAIC had been well organised and had wide support in the Indian community. It is possible that Limbada feared for his own position if the Youth Leaguers were offered positions on the executive.

In its attempt to hijack the NIC Glencoe Branch the NEUM was successful when it held its Annual General Meeting on 9 September 1951. The meeting unanimously accepted affiliation to the Unity Movement.¹³⁰ Other resolutions pledged the support of the Indians to the African peasants in their struggle against rehabilitation schemes and supported the formation of the ASC as a party within Congress. The Party was formed to put forward the new

¹²⁷ Naicker Replies at Newcastle, UDW: Leader: 17/8/1951

¹²⁸ While he was Secretary of the Dundee Branch.

¹²⁹ Limbada did not want unity with the African Nationalist Congress and the Youth League leaders because he regarded them as 'hungry rabid racialists'. UDW: Non-European Unity Urged by Limbada, Leader, 24/8/1951

¹³⁰ Glencoe Supports Unity Movement, UDW: Leader September 1951

policy of Congress and was to dissolve itself when this was achieved.

The new policy did not allow for unity with organisations which believed in compromise or accepted inferiority for the black people. The NEUM did not want a union with the NIO which it claimed was like the ANC.¹³¹ In condemning the ANC it was not made clear whether the reference was to the national body or the provincial organ.

Besides the NEUM attempt to take over NIC branches, in October 1951 the NIO tried to form two new branches in the inland areas. Both these movements found the interior vulnerable. The NIO succeeded in Newcastle even though members of the Natal Indian Congress, Newcastle Branch, tried to dissuade the delegates from forming another political body.¹³² To prevent a take over by the NIO in Dundee congressites marched in a procession to the Hall with banners : ' SAIO-Selling All Indians Out', 'Compromise', 'Advisory Boards', 'Gentlemen's Agreements' and 'Glencoe Agreements'.¹³³

At the end of the meeting the president of the Dundee Branch of the NIC moved a vote of no confidence in the NIO but, before this was put to the meeting, the officials of the NIO conceded defeat and left.¹³⁴

Whilst the NEUM, took every opportunity to condemn the work

¹³¹ 'The ANC is in very many respects the same as the Indian Organisation. Both are led by men who think in terms of negotiation and compromise with the Government'. UDW: Leader, September, 1951

¹³² NIO Officials Enter Stormy Passage, UDW: Leader, 19/10/1951

¹³³ UDW: Leader, 19/10/1951

¹³⁴ 'NIO Officials Encounter Stormy Passage', UDW: Leader, 9/10/1951

of the ANC, the NIC and the NIO, the APO worked in close liaison with the ANC-NIC alliance. Its activities were, however, marginal, probably because of the small size of the coloured community in Natal. Nevertheless, on 20 March 1951 the executive committee of the APO Durban Branch invited the executive committee of ANC (Natal) to a meeting held on 31 March 1951 at St Raphael's Hall to plan a protest meeting against the government's decision to remove Coloured voters from the Common Roll.¹³⁵ It played a leading roll in this campaign because the Common Voters Roll affected the coloured community directly.¹³⁶

On 6 May 1951 under the auspices of the CPNU (Natal), APO (Natal), ANC (Natal) and the NIC, a mass meeting was held in Durban where demands were made for full citizenship rights for all of South Africa's people.¹³⁷ The meeting also congratulated the Franchise Action Council (FRAC) for calling a political strike the following day and pledged moral and financial support for the Coloured people in the Cape.

¹³⁵ Letter from A.P.O., Durban Branch to A.W.Champion, 20/3/1951, 2: XC9: 41/334

¹³⁶ D.M. Scher, 'The disenfranchisement of coloured voters, 1948-1956' (unpublished D.Litt, et Phil. thesis, Unisa, 1985), p.129

¹³⁷

1. That full democratic rights be extended to all the citizens of South Africa.
2. There should be periodic free elections and universal and equal suffrage.
3. That the people of Natal must rally in their united strength to defeat each and every measure flowing from the policy of apartheid.
4. That the Separate representation of Voters Bill be removed.
5. That a consistent opposition be waged against the Group Areas Act.
6. That the convening organisations: ANC (Natal), APO (Natal), CPNU (Natal) and the NIC create A Co-ordinating Council to rally the democratic people of Natal against apartheid and to fight for democracy.

L.Adapa Collection, Part iv, p.41

Dr Naicker claimed that the Indian people were vitally concerned with the separate Representation of Voters Bill which was to deprive the Coloured people of their franchise because the Bill directly affected the 15 000 Indians living in the Cape Province. Indians were reminded that in the struggle in Natal, in particular, against the Asiatic Land Tenure Act, the APO, which was the leading political body of the Coloured people, had given active support to the NIC and the TIC.¹³⁸ The Indian community therefore rallied to the call of the Cape Coloured people.

4.8 RACE ZONING PLANS - AND REPATRIATION

As stated earlier the Group Areas Bill¹³⁹ had incurred the wrath of all communities because race zoning affected everyone,¹⁴⁰ but the hardest hit in Durban were the Indians.¹⁴¹ Long before the Nationalist government came into power the DCC had agitated for the segregation of Indians.¹⁴² This could be because of their concentration in that city, and because of success in their commercial, educational and social advancement. As a result thousands of Indians in Durban and Pietermaritzburg had protested against the race zoning plans of the Durban City Council at

¹³⁸ Indians vitally concerned over Coloured Franchise. UDW : Leader, 2/3/1951

¹³⁹ The Bill provides that the Governor-General with Parliamentary approval may proclaim any Group Area. UDW: Leader, 29/4/1950

¹⁴⁰ UDW: Leader, 6/5/1950

¹⁴¹ Indians were given one year to get out of areas. UDW: Leader, 29/4/1950; The Group Areas Act was designed to force upon the Indians the policy of expatriation. UDW: Agenda Book, SAIC conferences, p.29

¹⁴² G.M.Naicker, 'The Group Areas Act and its Effects on the Indian People', paper presented at the Conference on the Group Areas Act, 5-6 May 1956, in Durban, p.14

mass meetings organised by the NIC.¹⁴³

The DCC, in helping to promote the Group Areas Act, used such technical excuses to thwart black housing development. Plans for new houses, for example, were not passed because the 'ground was not suitable for a soak pit'.¹⁴⁴ Had the DCC provided proper sewerage or drainage in Indian areas this would not have been a problem. Even in thickly populated Indian areas like Clairwood, Mayville and Sydenham these basic facilities were missing. To counter the moves of the DCC the NIC campaigned vigorously.

Local branches of the NIC that were most vociferous were Overport, Briardene and Mayville probably because Indians were property owners in these areas and stood to incur heavy financial losses. As result a huge gathering of Indians rejected the race zoning plans at a meeting called by the Overport branch of the NIC in December 1951. The meeting adopted a resolution condemning the plans of the City Council and called upon the residents of Overport not to cooperate¹⁴⁵ with the City Council in its implementation. At the Briardene branch Dr Dadoo reiterated that 'Durban was not a white city; it is a city of all its peoples - Indians, Africans, 'Europeans' and Coloureds and it would remain so'. At a meeting in Mayville Dr Dadoo claimed that the separation of Indians under the Group

¹⁴³ Thousands Protest Against Zoning Plans, UDW: Leader, 14/12/1951; Pundit Kunzru who led India the preliminary talks called for a boycott after the introduction of the Group Areas Bill and asked Pakistan to join. DON: Mercury, 19/6/1950; UDW: Leader, 10/2/1951; India may go back to UN with Pakistan's support and if Group Areas taken further. UDW: Leader, 27/5/1950

¹⁴⁴ UDW: Leader, 4/11/1950

¹⁴⁵ Percy Osborn, the mayor of Durban said: 'If we do not get the cooperation of the Indian community we shall have to use coercion, UDW: Leader, 12/10/1951; 16/11/1951

Areas Act was a prelude¹⁴⁶ to their expatriation from the country.

True to his prediction the head committee of the National Party in Natal issued a statement with regard to the permanent status of Indians in this country. The statement signed by W.A.Maree, M.P., as Chairman and D.J.Potgieter, M.P.C., as Secretary; had been released from Dundee. It stated that no representation would be given to Indians in the South African Parliament, provincial councils or in municipal councils.¹⁴⁷ The statement went on to say that for this reason the former Nationalist government under General Hertzog had adopted a policy of voluntary repatriation. The present policy of the National Party, it stated, was one of compulsory¹⁴⁸ repatriation. The hardline attitude of the government is manifested in such a policy. The National Party must have conceived such a drastic action because it had seen the Indians as elevating the political consciousness of the African majority and the threat about compulsory repatriation was thus intimidatory.

The 1951 NIC conference called for a re-evaluation of the Cape Town Agreement of 1926 and 1932¹⁴⁹ from which flowed the Assisted Immigration Scheme. The Nationalist government had made public that apartheid as far as Indians were concerned, was a prelude to repatriation. At the NIC conference I.C.Meer maintained that it became the prime

¹⁴⁶ UDW: Leader, 14/12/1951

¹⁴⁷ 'Indians are not regarded as a permanent group in this country and will be allowed to control their own civic affairs under the supervision of local authorities'.
UDW: Leader, 12/10/1951

¹⁴⁸ UDW: Leader, 12/10/1951

¹⁴⁹ UDW: SAIC Papers, Statement of the SAIC to Members of UN, DOC.no. 957/196, p.1

duty of Indians to oppose¹⁵⁰ the policy of repatriation by all means at its disposal. Nothing should be done to facilitate the government's achievement of their objective. Congress had been incensed by the moves of the National government and resolved that Congress treat the matter as urgent and to ask India not to accept any more expatriates.¹⁵¹

The last thing the community had wanted was to repatriate to India.¹⁵² They treated this country as home, worked here, and supported other communities in their political aspirations. They had a right to this country like anyone else, even though they had not initiated their immigration to this country. Whilst repatriation had been the pre-occupation of Indian they were also reminded that it was the Malan government¹⁵³ that took away their representation in Parliament. In all this the Indians were not isolated in their struggle for survival. They had the political support of the ANC, the APO and the trade unions. The Communist Party, which was now banned could not lend it open support.

But the Malan government's scheme to repatriate Indians¹⁵⁴ proved, as can be seen in Table 7, to be failure. The government scheme did not succeed in spite of increased

¹⁵⁰ India asked not to Receive Expatriates, UDW: Leader, 5/10/1951,

¹⁵¹ UDW: Leader, 5/10/1951

¹⁵² UDW: Leader, 6/4/1951

¹⁵³ UDW: Leader, 20/5/1950

¹⁵⁴ The Round Table Conference that was to take place between India, Pakistan and South Africa did not materialise because the Nats insisted on including Repatriation on the agenda. UDW: Leader, 24/12/1949

bonuses.¹⁵⁵ Between 1948 and 1950 the highest number that repatriated was in 1949. It is possible that the 215 who went were influenced by the Indian-African riots of that year. Although this was a big increase from that of the 27 of the previous year the percentage repatriated was negligible in comparison to the total Indian population.¹⁵⁶ Although the policy remained official it proved to be impractical.¹⁵⁷

4.9 CONCLUSION

The 1949 riots caused much dissension between Indians and Africans and although the ANC in Natal did not act with the necessary speed to quell the friction, the national body acted with responsibility. A joint call for peace and calm had brought both Congresses together. Whilst the Programme of Action had altered the political approach of the ANC, allowing for example, alliances with black organisations,

¹⁵⁵ Table 6: REPATRIATION BONUS

	ADULT	CHILD
1936	£20	£10
1949	£40	£20

UDW: Leader, 10/2/1951

¹⁵⁶ Table 7: SCHEME TO REPATRIATE INDIANS - A FAILURE

YEAR	SA POPULATION	NATAL POPULATION	REPATRIATED	%	DEPORTED
1948	304700	246800	27		4
1949	314000	253800	215		12
1950	324300	261400	199		26

UDW: Leader, 10/2/1951

¹⁵⁷ C.M.Brand, 'Rarity Patterns in a Minority Group: A Study of the Indian Community of the Cape Peninsula', (unpublished MA thesis, University of Stellenbosch, 1966), p.44

it had been the fundamental cause of leadership friction in Natal.

The NIC had its share of problems as well. The NEUM complained that the former's ethnicity was divisive. While the NIO continually attempted to undermine its policies.

Various campaigns had, however, helped to develop unity between black political movements. The large numbers who supported the National Day of Protest and Mourning illustrated the growing strength of black united action. The Congress Alliance's response to the workers dismissal during the protest heralded their new unity. The Government, by its introduction of the obnoxious Group Area's Bill and the banning of the Communist Party had, in fact, introduced a new dawn in black politics in the province of Natal.

It had been unthinkable, especially after the calamitous 1949 riots, that Indians and Africans could work together as a team, but a common experience of repression was cementing bonds which Apartheid had been designed to break.

CHAPTER 5

THE PLANNING OF THE DEFIANCE CAMPAIGN IN NATAL,
JULY 1951-AUGUST 19525.1 INTRODUCTION

The politics of alliance cemented a bond between black political organisations. This evolved especially after the advent of the National Party as the government of the country in 1948 when various harsh laws were promulgated in pursuance of statutory apartheid.

When the SAIC and the ANC decided on, 29 July 1951, to give consideration to six unjust laws: the pass laws, stock limitation laws, the Bantu Authorities Act, the Group Areas Act, the Representation of Voters Act and the Suppression of Communism Act; the ANC in Natal and the NIC by then had some experience of working together because of the politics of alliance that had developed in Natal after the 1949 riots.

5.2 THE NATAL JOINT PLANNING COUNCIL (JPC)

On 29 July 1951¹ the national executives of the Congresses met to form the JPC in cooperation with other black groups. It was a major step forward. Having taken the decision to start a campaign of defiance the JPC worked on a plan of action. It had to be non-violent because a military

¹ Report of the Joint Planning Council of the ANC and the SAIC, HPUWL: ANC Collection, AD 2186, File Ba 2.2, p.1

struggle would have led to the destruction of the liberation movement especially in Natal where the ANC was rather weak. The other reason could have been the ANC's acknowledgement of the success of Indian Passive Resistance in Natal in 1946.²

Discussions were held in great detail by the leadership of the ANC and the SAIC. The usefulness of satyagraha as a weapon was supported by a minority who had implicit faith in its efficacy. The majority knew that the Campaign could not end white rule but that it would help build the liberation movements and lead the people into mass industrial action.³

There were regional councils in the different provinces and a national planning council to organise the Defiance Campaign. Responsibility for planning in Natal was left to the JPC which was made up of representatives of the ANC and the NIC. The ANC members were M.B. Yengwa, S.L. Mtolo and Simelane and the NIC members were Debi Singh, M.P.Naicker⁴, I.C.Meer, G.M.Naicker and J.N.Singh.⁵ These representatives were appointed to the JPC by their provincial bodies; the ANC and the NIC. The Natal JPC was subservient to the National JPC of which Walter Sisulu⁶ and Yusuf Cachalia⁷ were Joint Secretaries.

The provincial JPC met regularly at 5 p.m. every evening in the offices of the NIC in Lakhani Chambers making day to

² Karis and Carter, From Protest to Challenge, vol.2, p.40

³ WCL: ANC Collection A2094, Bf4, p.12

⁴ Former general-secretary of the NIC

⁵ Interview: J.N.Singh, 2/11/92

⁶ Former secretary-general of the ANC

⁷ President of TIC, UDW: Leader, 5/10/1951

day plans for the Campaign.⁸ The daily agenda, among other things, was to brief the leader of each batch of resisters, monitor the list of volunteers and scrutinise the prepared statement to be read in court. If it was found that the number of volunteers was short contact was made with outlying areas to increase the numbers. No minutes were kept probably in anticipation of police harassment.

Although resistance was confined to Durban, meetings were held at various other Natal centres: Ladysmith, Stanger, Pietermaritzburg, Tongaat and Verulam. The main purpose of these was to inform the public of the Defiance Campaign and to recruit volunteers. The committee not only addressed public meetings but also made visits to factories where it tried to stimulate the Campaign.

The Natal JPC, did not have fulltime workers, but was assisted by A.D.Naidoo⁹ and Ganas Pather, both clerks of the NIC. Money was collected from regular supporters of Congress especially market stall holders, jewellers, shopkeepers, professionals and farmers. The organisers went as far as Tugela to collect funds. Communication of its programme was through meetings, leaflets, pamphlets and through newspapers especially the Leader and New Age.¹⁰

The Defiance Campaign was to be in three stages. The first stage was the commencement of the struggle by calling upon trained persons to court imprisonment in the main centres which, in Natal, was to be Durban. At the second stage the number of volunteer corps and the number of centres of operation was to be increased. This could have been because it was the first joint action of the NIC and the ANC and

⁸ Leaders addressed the crowds from the back of a truck. Interview: J.N.Singh, 30/11/92

⁹ Also known as Green. Interview: J.N.Singh, 30/11/92

¹⁰ Interview: J.N. Singh, 2/11/93

the leaders were not sure of the extent of the response. It was also the first radical Campaign of the ANC and, unlike the NIC satyagraha¹¹, had not been tested as a form of mass action by African supporters. The third stage was mass based including urban and rural areas.¹²

Nelson Mandela was the national volunteer-in-chief and the Natal volunteers-in-chief were M.B.Yengwa of the ANC and Harry Deoduth of the NIC, respectively. The job of the Local volunteer-in-chief was to ensure that his volunteer corps were in readiness. Each batch of volunteers stood under a batch leader. The resisters were to use the colours of the ANC even though the NIC had its own volunteer-in-chief. Although this was the Campaign of the ANC and the SAIC, Coloured organisations¹³ in Natal, O.F.S. and the Transvaal were not precluded. The movement invited the Coloured organisations to strengthen further the racial unity beyond that of Indians and Africans especially as it did not receive the cooperation of the APO. There were to be mixed volunteer corps only if the law to be defied applied to all.

Defiance was preceded by a meeting at Nicol Square and the taking of the pledge. Batches of volunteers were deliberately to transgress discriminatory laws; for example defying apartheid notices on railways, ignoring pass laws, flouting curfew regulations, boarding white buses, joining white queues in post offices and crossing provincial borders. One of the intentions was to start an agitation

¹¹ M. Mitha, 'Indian Minorities in South Africa', (unpublished MA thesis, University of Witwatersrand, 1968), p.179

¹² Report of the Joint Planning Council of the ANC and the SAIC. HPUWL: ANC Collection, AD2186, Ba 2.2, p.6

¹³ Report of the Joint Planning Council of the ANC and the SAIC. HPUWL: ANC Collection, AD2186, Ba 2.2, p.8

against recruiting for the mines.¹⁴ It was not a front against white people but it was a fight against oppression.¹⁵

5.3 PROBLEMS FACING THE JPC IN NATAL

The functioning JPC was a sign that all but the whites in South Africa were beginning to think and act across barriers of race, the exception being the white members of the former SACP. The dismantling of apartheid was seen as a possibility. Luthuli saw the joint organisation of the Defiance Campaign as the taking of a step nearer to a South Africa where race would be of incidental importance.¹⁶

Although the JPC was highly motivated, its work was hampered in the beginning by poor communication. Champion, who was against a policy change by the ANC, did not inform Natal of the progress at national level when he returned from meetings of the National executive.¹⁷ As a result the provincial Congress was at a disadvantage. Luthuli claimed that when Champion began to have doubts about the effectiveness of the new policy of the ANC he did not voice them nor did he express his doubts at the appropriate time.

The only time that Luthuli and his executive had a chance to consider the Defiance Campaign was in the car on their way to Bloemfontein for the National Conference. They agreed in principle to the idea of the Campaign but called for a postponement of the proposed date of 6 April 1952. 'We would not commit Natal to something so momentous while

¹⁴ HPUWL: Cape Times, 2/6/1952

¹⁵ HPUWL: Cape Times, 2/6/1952

¹⁶ KCL: A.J.Luthuli, Let my people go, p.110

¹⁷ KCL: A.J.Luthuli, Let my people go, p.112

it was in ignorance of the whole issue. Nor could we get Natal ready in time'.¹⁸

At Bloemfontein Luthuli met with an unsympathetic audience when he tried to argue for a postponement for Natal. He was humiliated by a woman delegate who referred to him as a coward. The other provinces were geared to launch the Campaign in the second quarter. The only concession made to Natal was that it should come in when it was ready in the same year.¹⁹

Unlike Champion, Luthuli not only communicated with his committee, but also with the membership. Immediately after the Bloemfontein Conference he called a report back meeting to test the members' willingness and readiness to participate. 'What we aimed to do in South Africa was to bring the white man to his senses; not to slaughter him'. The Natal delegation faced an attack in the press from white and black reactionaries. Even though the meeting received adverse press comment it was well attended. The problem that irked Luthuli was the anti-Indian feeling that was exploited by opponents of the Campaign.²⁰

Luthuli, however, believed that the ANC 'should encourage and cooperate to the full with other groups and societies' to develop socially, economically and spiritually. He condemned the propaganda of Selope Thema²¹ and S.S.Bhengu²² among Africans²³ because they were undermining the

¹⁸ KCL: A.J.Luthuli, Let my people go, p.112

¹⁹ KCL: A.J.Luthuli, Let my people go, p.112

²⁰ KCL: A.J.Luthuli, Let my people go, pp.113-114

²¹ President of the National-minded Bloc

²² President of the Bantu National Congress (BNC)

²³ Unisa: Luthuli Papers: ANC conference Tvl., Lady Selborne, 10/10/52, pp.9-10

activities of the ANC, fearing that their anti-Indianism was not conducive to the unity that was developing in the black community.

The Campaign which began earlier in the Transvaal and the Cape Province provided a source of inspiration to the resisters in Natal.²⁴ On 20 February 1952, the SAIC, in solidarity with the ANC, had written to Dr Malan informing him that the ANC had the full support of the SAIC for its demand for the repeal of unjust laws and had warned the government that if the laws were not repealed the Indian people would join the Africans in protest meetings and demonstrations.²⁵

The stand of the SAIC was fully endorsed by the ANC (Natal) at a conference held on 15 March 1952 where it supported the launch of the Campaign. The conference supported Archbishop Hurley who claimed that the first duty of Christians was to convince whites that they could not claim the enjoyment of rights as a monopoly without sacrificing human justice.²⁶

There was support for the Campaign from another white quarter. The DCC which, generally, was a most uncompromising party warned the Nationalist government that by compelling African women to carry passes under the Native Laws Amendment Bill there could be violence on a large scale especially as the African female population in

²⁴ Unisa: Luthuli Papers: Address by Luthuli to Annual Conference, ANC (Transvaal) Lady Selbourne, Pretoria, 10/10/1952, p.1

²⁵ Letter from SAIC to Prime Minister, detailing why each act should be repealed, pp.1-5. UDW: M.Ballinger Papers, 20/2/1952, DOC. no.2760; WCL: Guardian, 28/02/52. p.2

²⁶ Unisa: Luthuli Papers:"We go to Action", 30/8/ 1952, p.1

Durban was as large as 40 000.²⁷ For the first time an inflexible DCC had actually stated that even if the government passed the Bill the DCC saw no justification in implementing the provisions that African women carry passes.²⁸ Such an attitude by the DCC had been unheard of previously.

Late in March the ANC (Natal) supported the April 6 decision of the national body. The movement decided to observe the occasion as a day of protest against the oppressive laws imposed on the African people. It took the form of a national day of prayer and dedication to the cause of liberation.²⁹ The Ilanga newspaper also reported that April 6 had caused the Criminal Investigation Department (CID) to work overtime. It was observed that they followed journalists closely. Another report maintained that secret meetings had been held in large firms between indunas, local officials and the police.³⁰ The frenzied activity of the police in Durban in March 1952 was an indication of the apprehension that the mere mention of the word defiance had kindled.

In Bantu World, on 5 January 1952, Msimang claimed that he fully supported the programme of action adopted in 1949 and had promised to assist in its implementation on the lines contained in the Joint Planning Action. He did not, however, 'approve of any form of ultimatum being issued in an atmosphere of boisterousness and bunkum'. He concluded that all obstacles to unity had to be removed and that the masses should go into the struggle voluntarily and fully

²⁷ WCL: Guardian, 20/03/1952

²⁸ WCL: Guardian, 20/03/1952

²⁹ WCL: Guardian, 27/03/1952

³⁰ WCL: Guardian, 27/03/1952

prepared.³¹ To succeed with the Defiance Campaign, Msimang claimed that Congress had to enlist and train organisers on the ratio of one to every fifty adults and his condemnation of the three month training period as inadequate had not been established.

In spite of his close association with Indians³², his public condemnation of the joint African-Indian leadership of the Campaign in the Natal³³ is questionable. The fact that Msimang warned Moroka that the joint Indian-African leadership of the Campaign in Natal would not work, meant that he treated the matter very seriously.

Msimang's changed attitude is rather strange because he had already supported the Programme of Action in 1949, worked closely with the NIC in the National Day of Protest and Mourning³⁴ in 1950, and led the strike on behalf of the ANC in the place of Champion. Since he lost his job from Amca Services Limited³⁵ because of his high profile role in the National Day of Protest and Mourning, it is probable that he had been afraid of losing his job again. To everybody's surprise, however, on 31 May 1952 Selby Msimang resigned from the executive committee. His resignation came just before the Campaign was to be launched.

³¹ Msimang Queries Present Congress Policy.
WCL: Bantu World: 5/1/1952

³² Msimang worked very closely with Indians during the National Day of Protest and Prayer Campaign of 26/6/1950.

³³ WCL: Bantu World, 5/1/1952

³⁴ Karis and Carter, From Protest to Challenge, vol.2, p.513

³⁵ Amca Services Limited was the employer of Selby Msimang until he was summarily dismissed on 24/6/1951. Letter from Amca Services Limited to Selby Msimang on 24/6/1951. CK 2 : XC9 : 41/293

An ANC Press Digest release reported on 7 February 1952 that Bantu World³⁶, a white owned newspaper run by Africans, tried to sow seeds of discontent in its editorial. It asserted that opinion was divided among 'Natives' as to the wisdom of joining forces with Indians in the struggle for freedom calling it an 'unholy alliance'. The paper argued that it did not despise the Indian people and their commercial activities; it instead sympathised with them as government policy was strangling their economic progress. It maintained, however, that Indians did not contribute to the development and progress of the African but, like the whites, exploited them.³⁷ Statements of this nature manifested the racialistic attitude of the newspaper.

Criticism of the planning council, headed by Moroka, National president of the ANC, was also made from outside Natal by the National-minded Bloc³⁸ which had dismissed as futile and insincere the council's interpretation of the programme of action. Selope Thema, leader of the bloc, insisted that the planning council's programme consisted of the following points: to fight against Pass Laws; the Group Areas Act; Suppression of Communism Act; the Franchise Act and Stock Limitations measures. He questioned the exclusion of the Native Land Act of 1913; the Urban Areas Act of 1923; the Native Administration Act of 1927 and the Natives Representation Act of 1936. He further queried the inclusion of Pass Laws and Stock limitation.³⁹

³⁶ KCL: Bantu World, 7/2/1952

³⁷ HPUWL: ANC Collection, AD2186, Fall, p.50

³⁸ Karis and Carter, From Protest to Challenge, vol.2, p.409

³⁹ National bloc intends to carry out original Congress Policy. KCL: Bantu World: 25/1/1952

In Thema's opinion these acts should have been particularised because they focussed on land distribution and franchise rights. It is probable that he saw land distribution as affecting stock limitation. It is logical to assume that the JPC had targeted stock limitation and pass laws because they were contentious issues. Although pass laws had been a controversial matter before the Nats came into power the land acts and franchise issue had been initiated during the UP era. On the other hand the five laws that the JPC concentrated on, besides the pass laws, were introduced by the N.P.

Thema argued that there would have been no stock limitation⁴⁰ had there been sufficient land. He reiterated that the National-minded Bloc had to organise Congress along national lines because it believed that the struggle had to be an African initiative. 'We believe that the African people cannot be respected by any other race unless they have a contribution to make towards the progress of the human race'.⁴¹

Thema did not help the cause of unity by his insistence that Congress had to stick to the ways of the past and that it had to be Africanist. He was not alone. Bhengu, Champion, and Chief Cyprian Bhekizulu held similar views.

Indians, who were seen as partners of the liberation struggle by the ANC, had been categorised by the National-minded Bloc as exploiters of the exploited. Whilst Thema agreed that Indians did not make the laws, he asserted that they became rich because of the exploitation of Africans. Thema's pride in those Africans who had fostered African nationalism exposed his racialism.

⁴⁰ HPUWL: ANC Collections, AD 2186, Ba 2.2

⁴¹ National-minded Bloc intends to carry out Original Congress Policy. KCL: Bantu World, 25/1/1952

Selope Thema's enquiry into Indian interest in fighting together with Africans during the Defiance Campaign displayed his ignorance of the very liberation struggle he wanted to get involved with. He seemed ignorant of the moves that Indians had made through the NEUF since the thirties to forge links with other blacks. The assertion that Dr Moroka's ANC was no longer an African organisation because it was controlled and directed by a foreign ideology was totally misleading because it was the ANC that initiated the Programme of Action and had invited other black groups to participate in its Defiance of unjust laws and in industrial action. Although the ANC was an African organisation the JPC, on the other hand, was a joint Indian-African initiative. His insistence that the national bloc of Congress was also prepared to fight stock limitation and pass laws; but that it had a better method than that of the JPC⁴², remained a theory.

Even though Selope Thema hailed from the Transvaal his anti-Indian remarks and racialist rhetoric had an effect in Natal because of its large Indian population. Such reactionary political language was not conducive to healthy political association nor was it good for the organisational development which the Campaign organisers were trying hard to achieve.

Thema was not alone in his anti-ANC, anti-Indian stance. A meeting, held in Ladysmith on 5 March 1952, of representatives of the Bantu National Congress (BNC), the South African Medical Council and the Supreme Council of the Federation of Bantu Organisations, sent a telegram to Moroka demanding an end to the Disobedience Campaign. This was understandable because the BNC was a government-leaning

⁴² KCL: Bantu World, 26/1/1952

organisation.⁴³ Their specific request for the withdrawal of all resolutions calling for civil disobedience on 6 April 1952 was short sighted. Condemnation of Moroka's ultimatum that denounced the government's separation of the races was a further indication of Thema's narrow mindedness. Support for Moroka's ultimatum to the Union government which condemned the Group Areas Act while at the same time insisting that it was beneficial to the African⁴⁴ had no basis because the uprooting of both communities had led to untold hardship to Indians and Africans alike.

5.4 VAN RIEBEECK FESTIVITIES

The BNC outbursts in Natal had prevented the provincial branch of the ANC from rashly following the call of Dr Moroka for strikes and non-cooperation on Van Riebeeck Day, 6 April 1952. The Provincial executive summoned a public meeting in Durban at which the African people in Natal were to be given an opportunity of expressing their views on the programme of action adopted by the ANC in Bloemfontein.⁴⁵ The meeting was to test the strength of the new organisation which claimed to have a following numbering hundreds of thousands.⁴⁶ The convention was to settle who the undisputed leaders of the African people were in Natal especially as Msimang⁴⁷ doubted the claims of the BNC.⁴⁸

⁴³ The Nats, as part of their anti-Indian propaganda, had promised Africans that once Indians were repatriated their businesses would be available to them. UDW: Leader, 6/5/1950

⁴⁴ DON: Natal Witness, 6/3/1952

⁴⁵ DON: Natal Witness, 12/3/1952

⁴⁶ Whilst the ANC had a membership of 20,000 throughout the Union and the ICU which was known to be the biggest African association taking £3,000 per week in subscriptions alone they did not make claims of having thousands of supporters. DON: Natal Witness, 12/3/1952

⁴⁷ Former secretary of ANC (Natal)

The ANC was not prepared to commit the people of Natal without canvassing public opinion on participation in the Defiance Campaign strikes of 6 April 1952.⁴⁹ Its action was to undo the divisive work of Bhengu and it was a good first step to unite all Africans. Because of the fear of reprisals from the BNC and the police, Msimang, on 4 April 1952, pledged that there would be no violence or strikes on April 6 in the province. He assured the public that only prayer and protest meetings were planned.

Such meetings were to be held at the Bantu Social Centre in Durban and at the New Edendale Hall in Pietermaritzburg.⁵⁰ The Natal branch of the ANC agreed, by an overwhelming majority, to support the call of the parent body to hold protest demonstrations on 6 April 1952.⁵¹ Originally this date was one of two choices that the National JPC had proposed as the date of commencement of the Defiance Campaign because it signified the advent of white settlers. Although two alternate dates had been suggested, the JPC strongly recommended 6 April as more appropriate because it had given the organisers three calendar months to put their plans into action.⁵²

The NIO dissociated itself from the Van Riebeeck Day demonstrations and boycott called for by the ANC as it believed that the celebrations marked an historical event and had nothing to do with the spate of repressive legislation passed by successive Union governments.

⁴⁸ DON: Natal Witness, 12/3/1952

⁴⁹ DON: Natal Witness, 12/3/1952

⁵⁰ DON: Natal Mercury, 4/4/1952

⁵¹ Unisa: Eastern Province Herald, 18/3/1952; UDW: S.Bhana Collection, Minutes of the SAIC Conference, 25-27 January 1952, p.4, DOC.no. 957/224

⁵² Report of the Joint Planning Council of the ANC and the SAIC, pp.3-4. HPUWL: ANC Collection, AD 2186, 2.2

A.S.Kajee maintained that Van Riebeeck broke all the rules of apartheid by arranging the first mixed marriages in South Africa and claimed that it therefore had a greater significance for blacks. The NIO insisted that it was against the spirit of the Indian tradition⁵³ to exploit any situation for one's gain.

Being an elitist organisation, the NIO did not really appreciate the suffering of the community. The mixed marriage arrangement, the NIO insisted, was to the advantage of the whites because there were few white females in the Cape at the time. Besides, what other form of political action did the NIO expect the black people in the country to adopt especially when they did not have the vote and discriminatory legislation was passed against them?

Since the Campaign was a joint action by both Indians and Africans, Kajee and the NIO were destroying the goodwill that progressive leaders had built up by their call for a boycott. It would have been better had he remained silent on this issue. What better way could there have been for the Indian community to build bridges with the African community especially after the calamitous 1949 Durban riots? In this bridge-building process a strong bond was being cemented. The NIO had little or no influence among the masses and its call, therefore, was meaningless.

In spite of Kajee's objection, the large protest rallies that were held throughout the country on 6 April 1952 were a confirmation of the NIO's insignificant support. Protesters condemned the government for glorifying

⁵³ DON: Daily News, 15/3/1952

conquest, enslavement and oppression⁵⁴ and not elevating the heroes of the struggle.

The Natal Witness, however, reported that 6 April passed quietly in Pietermaritzburg. The Witness was of the opinion that Africans were either ignorant of or rejected the day of protest call. The meeting called by the Natal Branch of the ANC at Edendale was poorly attended probably because very little emphasis was placed on rural areas. It was addressed by speakers from various parts of the province but Chief Luthuli, who was to have been the main speaker, could not attend. Police reported that there were no incidents anywhere in Natal. The Daily News maintained that 1 350 people attended meetings at Nicol Square and the Bantu Social Centre. There were 1 200 people, mainly Indians at Nicol Square. No one attended a meeting convened at Chesterville Location.⁵⁵ Meetings at Pietermaritzburg and Edendale attracted only 30 people and a meeting at Ladysmith was poorly attended.⁵⁶

No one probably attended the meeting at Chesterville because Durban was the hive of activity and since Chesterville was close to Durban supporters attended one of the two Durban meetings instead. Natal, unlike the other provinces, had one Campaign organisation. The resources of the small joint action committee covering a wide area were thus stretched. Other probable reasons could have been a lack of preparation and the poor financial position of the ANC in Natal. These could have been the causes of the low attendance at Edendale, Pietermaritzburg and Ladysmith.

⁵⁴ UDW: Pampallis, J., Foundations of the New South Africa, Maskew Miller Longman, Cape Town, 1991, pp.195-196

⁵⁵ DON: Natal Witness, 8/4/1952; Cape Times, 7/4/1952

⁵⁶ DON: Daily News, 7/4/1952

The warning by Chief Cyprian Bhekizulu, the paramount Chief of the Zulus, not to participate in the April 6 protest demonstrations had a divisive effect especially when he made his remarks while addressing 20 000 of his followers.⁵⁷ For the second time in two years Bekizulu, who was known to be government-leaning, frustrated the alliance's campaigns. In the first instance on the National Day of Protest and Mourning, 26 June 1950, he asked Zulus not to heed the ANC-NIC allied call for a stayaway. His call, however, fell on deaf ears and worker unity made the National Day of Protest and Mourning a great success. Again Bhekizulu called on his people not to boycott the Van Riebeeck Tercentenary. In so doing Bhekizulu was dividing the blacks and destroying black political unity. One sympathises with Bhekizulu. It is probable that he strongly supported the black liberation struggle in spirit but appeased the government because he was dependent⁵⁸ on them for his income.

Dr Moroka understood the circumstances in which the Chief was placed and, therefore, objected very strongly to the sinister ploy of the government in using the name of the Zulu Paramount Chief and other chiefs to frustrate the efforts of the African people.⁵⁹ Rowley Arenstein⁶⁰, a former legal adviser to the ANC in Natal, on the other hand, believed that volunteers should have done extra work for campaigns of this nature. In those days, Arenstein claims, all that was done for a campaign was to issue a leaflet and place an advertisement in the newspaper. This

⁵⁷ Statement made on April 6, when Chief Cyprian Bhekizulu was presented to 20,000 of his followers at the Somtseu Road recreation ground. HPUWL: Cape Times, 24/3/1952

⁵⁸ Interview: I.C.Meer, 29/04/93

⁵⁹ HPUWL: Cape Times, 28/4/1952

⁶⁰ Interview: Rowley Arenstein, 28/04/93

sometimes worked; it depended on the circumstances; if it was exciting people came, otherwise only activists did so. In Natal the main support was from Indians, African support was limited. Attendance was poor in the rural areas which came under Champion's control. Champion had a hold over them because of his long standing, and high profile roles in the ICU and the ANC. Since he had been ousted and Luthuli had been in office for only a short time not much change was effected.

The 150 strong meeting addressed by Luthuli at the Bantu Social Centre⁶¹ claimed that the Pass Laws were more disturbing than any other legislation. Luthuli insisted that Africans wanted more say in their own affairs and the Rev. I.H.Mkhize, a member of Congress since 1912, appealed to the audience not to do anything unlawful as this would damage the Campaign. The Indian community, which was not affected by this law gave its wholehearted support. The meeting, which had no Indian speakers aroused much interest because the indignity of carrying passes was a sensitive issue.

The Deputy Commissioner of Police reported that the black people of Natal had been exceptionally quiet and orderly on the day of protest, probably because detectives and police were stationed at strategic points to quell any uprising.⁶²

Because discrimination against blacks had received world wide attention in 1946, support for the JPC came from various countries. Police banned a mass meeting in Nairobi by the Kenya African Union and the East African Indian National Congress which was to coincide with the protest demonstrations in South Africa.⁶³ In the 1940s and the

⁶¹ DON: Daily News, 7/4/1952

⁶² DON: Daily News, 7/4/1952

⁶³ DON: Natal Witness, 8/4/1952

1950s Kenya was very much still a part of Britain's African colonial possessions and thus opposed to African political development. The banning of the meeting was therefore not so much in support of white political ideals in SA but rather an expression of British intolerance with African political development in its colonies despite its more liberal approach to such developments.

The Indian Socialist Party and several other leftist political organisations in Calcutta observed 'South Africa Day'. The South African Institute of Race Relations (SAIRR) appealed to African leaders to postpone their proposed demonstration on van Riebeeck's Day because the tense racial situation might lead to violence.⁶⁴ The trepidation of the SAIRR was understandable in the light of the atrocious Natal Indian-African riots of 1949.

5.5 THE START OF THE DEFIANCE CAMPAIGN

In spite of opposition, volunteers for the Defiance Campaign were called for at a mass meeting on 22 June 1952 at Nicol Square. About 1 000 people were attracted to the meeting addressed jointly by speakers from the ANC and the SAIC. Because of its importance as a build up to the Defiance Campaign in Natal the JPC, made up of representatives of the ANC and the NIC in Natal, organised a team of high profile speakers: Luthuli, ANC (Natal) leader; Mandela, national volunteer-in-chief and Naicker, president of the NIC.

After Naicker and Luthuli declared themselves volunteers for the Defiance of unjust laws hundreds of others went to the offices of the two Congresses to sign on as volunteers, having been inspired by the courage of their leaders.

⁶⁴ HPUWL: Star, 14/3/1952

At this meeting Luthuli very strongly emphasised the non-violent feature of the Campaign. No decision was taken to pay volunteers who took part, but help was to be given according to the merits of each case.⁶⁵ Luthuli probably took this line of action because he anticipated hardships if breadwinners were imprisoned for undue periods of time or became unemployed after imprisonment. At the same meeting Mandela emphasised the need to abolish class distinction⁶⁶. This was encouraging to the voteless audience.

Naicker's warning to the United Front⁶⁷ that their racialism was not conducive to democracy also encouraged black support.⁶⁸ He reminded the people to be prepared for a hard struggle and that the United Front demand for a National Convention had been treated with contempt by the Nationalist government because it wanted to remain in power by whatever means possible. In conclusion he insisted that the hands of the United Party were as dirty as those of the government and, therefore, it could not be trusted.⁶⁹ Naicker's appeal to the United Front to join forces with the black 'United Front' was encouraging especially in the light of the Defiance Campaign being a joint action. The call by Naicker to the white United Front to join hands with the blacks was an evolution of the philosophy of the Congress movement's alliance politics which manifested an openness. This call for white cooperation distanced the

⁶⁵ DON: Natal Mercury, 23/6/1952

⁶⁶ DON: Natal Mercury, 23/6/1952

⁶⁷ United opposition of white parties was formed to overthrow Nats.

⁶⁸ Volunteers In Durban, WCL: The Clarion, 26/6/1952

⁶⁹ DON: Natal Mercury, 23/6/1952; The Chronicle, 23/6/1952

ANC-SAIC alliance from the narrow minded approach of the NIO and BNC and the strictly black NEUM and AAC⁷⁰.

Although the ANC in Natal had asked for a postponement of their entry into the Defiance Campaign, they had waited for a call from the National Joint Committee for a date to go into action. Though Luthuli had pleaded for the postponement of Natal's entry he, himself, had claimed on 26 June 1952, that Natal was ready. At the same meeting both Chief Luthuli and Debi Singh⁷¹ affirmed the unity of the oppressed people.

When the Campaign officially began in other parts of the country a number of arrests were made in Natal. In Durban two Africans and an Indian were arrested on the first day⁷² of the Defiance Campaign at Nicol Square.⁷³ The Africans were selling 'freedom stamps' while the Indian was selling 'Africa - Defy Unjust Laws' badges.⁷⁴ The men were taken to the central police station but were released after being told that charges would be laid against them. It was thought that they would be charged for holding an unauthorised street collection. This could have been intended to intimidate the resisters.

⁷⁰ DON: Natal Mercury, 23/6/1952

⁷¹ WCL: The Clarion, 3/7/1952

⁷² Nationally, the first day of the Defiance Campaign was 26/6/1952. UDW: S.Bhana Collection, Statement issued by the Joint Meeting of the Executive Committees of the SAIC and ANC held at Port Elizabeth, 31/5/1952, DOC. no. 957/222, p.1

⁷³ WCL: The Clarion, 3/7/1952

⁷⁴ Defiance Campaign unites All Races, WCL: The Clarion, 3/7/1952

Nationally, there were 136 arrests,⁷⁵ on the first day. Recruiting in Durban was satisfactory. On 26 June 1952, the only Europeans visible at Nicol Square were several carloads of uniformed and plain-clothes police.⁷⁶ M.B.Yengwa⁷⁷ reported that Natal was to go into action shortly and that the Defiance of unjust laws was gaining momentum. There were all the indications that Durban would put up a fight that would equal that of the other provinces. Harry Deoduth, the volunteer-in-chief of the NIC, reported that a full programme of meetings had been planned by the joint planning committee of the two Congresses in Natal where daily mass meetings brought in new recruits for the Campaign.⁷⁸

To thwart the Campaign several persons were banned by the Minister of Justice : J.B.Marks, David Bopape, Johnson Ngwevela, Moses Kotane, Dadoo. Moses Kotane defied the ban by addressing a meeting in Alexandra.⁷⁹

5.5 CRITICISM AND HARASSMENT OF THE DEFIANCE CAMPAIGN

The media also adopted an anti-Campaign attitude, making comments that sometimes displayed fear that the Campaign could turn out to be dangerous, and at other times showing anxiety; yet all the time hoping that the Campaign would not come off. The worst aspect was when the press fuelled

⁷⁵ Action on Rand and Cape; Natal Awaits Call, UDW: Leader, 4/7/1952

⁷⁶ DON: Natal Mercury, 27/6/1952

⁷⁷ National Volunteer-in-chief was Nelson Mandela. The volunteer in Chief for the African National Congress in Natal was M.B.Yengwa and his deputy was Simelane while the volunteer-in-chief of the NIC was Harry Deoduth.

⁷⁸ Smaller Towns enter Defiance Campaign. WCL: The Clarion 14/8/1952

⁷⁹ June 26 is D-Day. WCL: The Clarion, 5/6/1952

racism or supported anti-Defiance movements. This was especially unfortunate because the national black political organisations embarked on a peaceful Campaign as their only means to fight discriminatory legislation that they were powerless to oppose in a parliamentary system that denied them access.

One such article appeared in the Natal Witness. Early in the Campaign it claimed that the ANC represented only a small portion of the articulate part of the African people and therefore insisted that the ANC resolution of 1951, which agreed to a Defiance Campaign, was not representative of the majority.

The leaders of the Natal African population, in particular, the paper contended, took no part in the adoption of these resolutions and were understood to be opposed to them. Because, in the Transvaal, old and trusted leaders were refused a hearing and a vote at the meeting the Natal Witness came to the conclusion that the beginning of the Campaign of civil disobedience did not represent the considered opinion of the African people and would not have, in practice, any general measure of support.⁸⁰ The large numbers that turned out at meetings bore testimony to the level of support the movement enjoyed in spite of the leadership crisis both in rural and urban Natal.

The Cape Times, on the other hand, maintained that the anti-government black movement took on a new and significant turn.⁸¹ The technique of mass demonstrations was abandoned in favour of localized incidents.⁸² The

⁸⁰ HPUWL: ANC Collection, AD2186, Fa 11, p.50

⁸¹ HPUWL: Cape Times, 2/6/1952

⁸² This campaign actually started with a cattle culling passive resistance movement in Northern Natal, which Native leaders who travelled there to attend the Native-Indian Unity Congress claimed was far more

movement, which was to be entirely black with no connection whatever with the United Front or any other white body,⁸³ had changed at the end of the Campaign when whites were encouraged to join it.

It was affirmed that valuable lessons from the Indian Passive Resistance in Natal had been learnt. The first was that Africans had a great deal to learn about organisation asserted the Cape Times.⁸⁴ It insisted that the movement had to continue with the successful demonstrations and that a long series of smaller, more localized and better organised demonstrations was likely to prove more effective than ill-organized nation-wide demonstrations.

At meetings it was found that there had been less argument and more agreement between delegates. The willingness of Indian leaders to serve under African leadership especially after the 1949 riots, had created a deep impression among defiers. Demonstrations were to be carried out where the Congresses were best organised in order to create a good impression. In Durban and Pietermaritzburg they were to be organised mostly by Indians, while Africans were to take the lead in other areas.⁸⁵ In this regard the Cape Times was wrong because in the end there had been no campaigns in the capital and most of the campaigns in Durban were mixed.

Die Burger seemed anxious about the Campaign. It had urged that a way had to be found to prevent resisters from going to jail, pointing out that the Criminal Procedure and Evidence Act of 1917 made it possible for the Courts to recover fines from prisoner's movable and fixed property.

widespread than was generally realized. HPUWL: Cape Times, 2/6/1952

⁸³ HPUWL: Cape Times, 2/6/1952

⁸⁴ HPUWL: Cape Times : 2/6/1952

⁸⁵ HPUWL: Cape Times, 2/6/1952

It further stressed that apartheid and pass regulations did not require any particular courage or concentration for their violation. The leaders regarded the preparation as a phase of education and recruitment for the mass action which was to follow. It suggested that the State should refuse to play the game required of it by the resisters in the interests of its own organisation. Die Burger went on to say that there had been little heroism in compulsory fines and that the procedure could have been an effective means of discouraging those who did not fear a prison sentence but had been active for political reasons.⁸⁶ If defiance of apartheid laws did not require any particular courage or concentration to violate then the prisons would have been overflowing with thousands. This was not the case. Many who went to prison lost their jobs. This had brought untold hardship on families. It could be assumed that if the prison term was considerably increased it would have had a deterrent effect.

After the Campaign had been in progress for about three weeks Malan visited Durban with the probable intention of drumming up support against the Campaign in Natal. Malan's reference to the Indians on arriving in Durban had been motivated by no other desire than to play on the racial prejudices of white Natalians.⁸⁷ It was claimed that very often Indians were being used as pawns in politics and that the N.P. was employing methods used by Hitler in Germany. The NIC had earnestly appealed to English speaking Natalians with the argument that if they were sincere about democracy they should refrain from being racialistic.⁸⁸ It is possible that the Campaign caused much anxiety to the

⁸⁶ DON: Daily News, 30/6/1952

⁸⁷ Malan's Racial Appeal to Natal. WCL: The Clarion, 17/7/1952

⁸⁸ WCL: The Clarion, 17/7/1952

government in the other provinces and Malan had hoped his visit would thwart the plans of the Natal JPC.

Whilst Malan had appealed to the racial instincts of whites the BNC had appealed to black racialists against cooperation. The BNC's 'anti -bloodshed' meeting which had been planned for the 27 June 1952 was postponed to 17 July 1952. The Congress executive decided to do this in order to give its 63 officials throughout Natal and the Transvaal more time for preparation. The newly formed organisation had claimed to have 340 000 members and the support of many chiefs. It pledged to oppose the ANC which it alleged was controlled by Indians and no longer represented African opinion.⁸⁹ The divisive BNC led by Selope Thema was as racialistic as the government and was destroying the unity that the ANC was trying desperately to forge. The claim that the organisation had a large following was disputed by Msimang who argued that their support did not run into thousands.

Criticism had also come from the left of the political spectrum as well. Goolam Gool, vice-chairman of the NEUM⁹⁰, I.M.Limbada, official of the NIC and the NEUM, and I.B.Tabata, founder and leading theoretician of the NEUM⁹¹, had vilified the JPC as dividing the various black groups. They argued, instead, for unification against the injustices meted out to this section of the population. Disregard of this principle was said to be hindering progress.⁹² The NEUM was divisive by making such unfounded

⁸⁹ DON: Natal Mercury, 27/6/1952

⁹⁰ Karis and Carter, From Protest to Challenge, vol.4. p.33

⁹¹ Karis and Carter, From Protest to Challenge, vol.4, p.150

⁹² NEUM will Oppose Planning Council. KCL: Bantu World, 1/3/1952

remarks. As stated earlier, the JPC was a creation of alliance politics. All the black organisations had been invited to be part of this closely knit organisation; but only the Indian community responded. For years, prior to the Defiance Campaign, the NEUF, the AAC and the NEUM tried in vain to unite the black forces. The problem in the past had been that the ANC had refused to be a junior partner of the AAC. For the first time practical effect was being given to black unity in politics. All that the NEUM had done was manifest its lack of initiative by denigrating the Congress movement whenever it embarked on a campaign. Because Dr Limbada had been a fellow traveller of the NEUM, he had been expelled from the NIC. In terms of the Congress constitution he was disloyal to the movement.⁹³

Even the former President of the ANC (Natal) did not leave the campaigners alone. In spite of his sincere promise not to interfere with Congress, Champion continued his feud with Msimang, accusing the ANC secretary of organising branches against him in every hostel and street. Champion often questioned Msimang's ability to reconcile the various factions. He had maintained that in Durban, Chesterville and Stanger, which was the constituency of Luthuli, the chairman and his committee were faced with factions that were loyal to the old executive Committee. The former president of the ANC(Natal) argued that it was impossible to reconcile the factions and professed that 'the Programme of Action adopted in Bloemfontein in 1949, will not be put into action in our lifetime.'⁹⁴ Whilst Champion's diatribe was a manifestation of his bitterness, probably because he was no longer a role player, Lodge claims that the friction between the two had actually helped build the ANC by

⁹³ Expelled from Congress. WCL: Advance, 8/1/1952

⁹⁴ Champion reviews Congress Affairs. KCL: Bantu World, 17/5/1952

forming branches in various hostels and streets.⁹⁵ However, Champion had been bitter because he had been ignored and had lost influence in Natal. His bitterness and his anti-Indian stance was detrimental to unity among blacks.

In his sarcastic outburst Champion ridiculed the multifaceted Campaign strategy which, he claimed, included courting imprisonment and prayer meetings. His reference to 6 April 1952 as a non event is a further reflection of his hostility especially as newspapers documented the success of some meetings⁹⁶ as having large turnouts.

While the Campaign had progressed for one month in the rest of the country, Natal was still in the planning stage and there had been union-wide raids by the CID and the police. Squads of special security police in plain clothes and members of the criminal investigation department raided the offices and homes of several black leaders.⁹⁷

In Durban 45 detectives went to the offices and homes of 19 associations and individuals possibly to check the type of organisations involved. In order to get to the depth of the organisation the police opened safes, filing cabinets, office cupboards and desks. It was odd that the police took such a step as the Campaign was planned as a non-violent action and the organisations made no secret of their intentions.⁹⁸ By scrutinising ledgers, cash books and

⁹⁵ UDW: T. Lodge, 'The Creation of a Mass Movement: Strikes and Defiance - 1950-1952', p.3

⁹⁶ Added to this was his satisfaction that Gaur Radebe and Msimang became Communist turncoats and thrilled himself with the thought that the same Radebe once waged war over the National-minded Bloc in Congress. KCL: Bantu World, 17/5/1952

⁹⁷ DON: Daily News, 30/7/1952

⁹⁸ Unisa: Eastern Province Herald, 31/7/1952

financial statements⁹⁹ the police wanted to ascertain the financial strength of the Campaign and probably to intimidate donors. The large scale police action could have been intended to ascertain the extent of NIC support for its Campaign partner since its relationship with the weak ANC(Natal) had been poor during the Champion era.

The offices of the NIC, the ANC, The Clarion newspaper, and the homes of Dr Naicker, A.I. Meer, D.A. Seedat, the Durban manager of The Clarion, and the homes M.B.Yengwa and S.L. Mtolo, secretary and treasurer respectively of the ANC in Natal were thoroughly searched.¹⁰⁰ The Clarion received special attention from the police because of its wide scale support for the struggle.

In spite of the Union wide CID swoop on various Campaign control centres the Defiance Campaign was to start within a month in Natal.¹⁰¹ Dr Naicker, president of the NIC, immediately after the police raid, insisted that the raid had not intimidated the resisters because they had made no secret of wanting to break unjust laws. The whole idea of the Campaign had been a public manifestation.¹⁰² It could be that the authorities wanted to dampen the spirit of the organisers.

The police received further support from the DCC which banned all applications for meetings in the city. It first tried to frustrate the JAC by refusing it use of the Bantu Social Centre. As a result consideration had been given to the possibility of buying a site at Clermont to build a hall. The Working Committee of the ANC had been asked to

⁹⁹ DON: Daily News, 30/7/1952

¹⁰⁰ DON: Daily News, 30/7/1952

¹⁰¹ HPUWL: Rand Daily Mail, 31/7/1952

¹⁰² Unisa: Eastern Province Herald, 31/7/1952.

pursue the matter in spite of the fact that the ANC had been financially depressed and that this could not have been achieved in the short term.

When the JPC issued its Campaign manifesto it made it clear that the Defiance of Unjust laws would be planned in three stages although the timing of these stages would, to a large extent, depend on the progress, development and outcome of the first stage. Dr Naicker had claimed in early July that, nationally, the first stage had been passed and that the country was approaching the second stage; even though Natal had not begun its Campaign.

Natal's entry was probably further delayed because of police harassment of leaders and raids on homes and offices. However the leaders decided to continue defiance despite these difficulties.¹⁰³ Steps had been taken to address the new difficulties the Campaign had encountered. These involved house to house campaigning.¹⁰⁴

5.7 FURTHER PROGRESS IN PLANNING

Regardless of the obstacles there were 134 African volunteers in Natal by June 1952. The number of Indians was not made known. Because of their lack of political sophistication volunteers were to meet twice a week, Thursdays and Fridays, for lectures. About half attended these lectures. It could be assumed that those who did not attend had financial difficulties as most of the resisters were hard pressed for financial assistance. Because of the high level of motivation, those who attended were anxious to start the Campaign in Natal, especially as the struggle was reaching fever pitch in the other provinces.

¹⁰³ Minutes of the Meeting of the ANC (Natal), 20/12/1952, p.2 CK Reel 3B

¹⁰⁴ Minutes of the Meeting of the Executive Committee of the ANC (Natal), 20/12/1952, p.2. CK Reel 3B

Although the Natal JPC had been a closely knit organisation with representatives of the ANC and the NIC, the latter two provincial bodies had continued to operate as separate bodies during the Campaign with each having its own volunteer-in-chief. The Natal JPC, however, had been a forum for joint meetings and final decision making. This gave the two groups the opportunity to work together in the province. Under Champion this had not been possible and there had been no co-ordination of activities as in the case of the Day of Protest and Mourning on 26 June 1950, when the ANC had to send Dilizabanta Mji from head office to help the NIC to organise the Campaign in Natal.

In order to publicise the Campaign among Africans and Indians in Durban meetings were addressed by both congresses whose unit leaders played an active role. The unit leaders ¹⁰⁵ representing the ANC in Natal were: H.P. Simelane, Deputy volunteer-in-chief, Miss B.Mkhize, Howard Ngcobo, Ernest Mate, Francis Dlamini, S.L.Mtolo. Africans were advised that pass laws should be attacked first as it was a burning issue. The Indian unit leaders were Dr G.M. Naicker, the president of the NIC, while the volunteer-in-chief was Harry Deoduth. Other unit leaders were I.C.Meer, J.N.Singh and Ashwin Choudrie. Although there were Indian and African unit leaders the batches were normally mixed except in the case when defiance against a particular law

¹⁰⁵

Unit leaders of African Passive Resisters:

1. H.P. Simelane deputy (volunteer-in-chief)	26
2. Miss B.Mkhize	10
3. Howard Ngcobo	12
4. Ernest Mate	10
5. Francis Dlamini	10
6. S.L.Mtolo	5

The figures refer to the number of volunteers that the unit leaders had registered for the campaign by 16 August 1952. The volunteer-in-chief of the ANC: Natal was M.B.Yengwa. Unisa: Luthuli Papers, "Luthuli Jottings".

affected only a certain group, the pass laws for instance did not involve Indians.

By late June the planning in Natal had been thorough. Emergency plans had been made in case leaders were arrested. The executive had been empowered to ask for extraordinary powers if necessary. It had also been suggested that a successor be nominated in or outside the executive with special authority. Rowley Arenstein had been appointed legal advisor and the JAC was authorised to discuss the appointment with colleagues. It seems logical to assume that Arenstein was appointed as the legal advisor because of his long association with the Congress movement even though its own members of the Natal JPC were attorneys. Since three of them were unit leaders they were vulnerable to arrest and therefore would be of little use to the movement as legal advisors.¹⁰⁶ In the event of organisers being arrested the secretary had been empowered to write to officials for funds. Money that the ANC received at joint meetings was to be shared with the NIC for expenses.¹⁰⁷

While most of the campaign organisation centred around Durban, cattle culling became a major issue in the rural areas. The widespread police harassment was visible even in the interior of Natal. A meeting that had been scheduled for 14 July 1952 at Nqutu was cancelled on account of the refusal of the Native Commissioner to grant permission. Nqutu Africans stood firm against the culling of cattle. Two leading members of the tribe had been charged for resisting arrest. One was fined £20. The arrests failed to intimidate the people who were against reducing their cattle. The people knew that culling would only make them

¹⁰⁶ J.N.Singh and I.C.Meer who were executive NIC members were also practising attorneys at the time.

¹⁰⁷ Unisa: Luthuli Papers, "Luthuli Jottings", Meeting Clermont Deputation 7/9/1952, p.20

poorer and that it had been an attempt to drive them off the land to work for whites.¹⁰⁸

The massive turnout of eight thousand Africans who had arrived from as early as 3 o'clock in the morning at a remote area like Nqutu to hear ANC speakers demonstrated their support for the Defiance Campaign.¹⁰⁹ Although M.B.Yengwa and other senior officials of the ANC were there to attend to the problems of the community once again the authorities thwarted the Campaign by banning the meeting.¹¹⁰

In view of the banning of the Nqutu meeting and fears of further police harassment a meeting of the JAC was held on 1 August 1952. Several important issues had been itemised on the agenda which included the raids of the police and a suggested date for the commencement of resistance in Natal. The speeding up of meetings for propaganda purposes had been further urged and contingency plans had been discussed at length in case officials were arrested.¹¹¹

Following this, a meeting of the Umbiko Working Committee was held on 16 August 1952. No minutes were read because

¹⁰⁸ Nqutu Africans stand firm against culling. WCL: The Clarion, 5/6/1952

¹⁰⁹ Report of the Joint Planning Council of the ANC and the SAIC. HPUWL: ANC Collection, AD2186, Ba2.2 p.8

¹¹⁰ The Native Commissioner's refusal to hold the meeting elicited much anger. In order to avoid a dangerous situation the Commissioner had disallowed the meeting on hearing that it dealt with cattle culling. He had been able to do so on the grounds that he had not been consulted first. Culling of cattle was one of the burning issues that initiated the Defiance Campaign. ANC Meeting banned at Nqutu. WCL: The Clarion, 24/7/1952

¹¹¹ Unisa: Luthuli Papers, "Luthuli Jottings". Meeting of the Working Committee, 1/8/1952, p.15

the minute book had been taken in the police raid. It was at this meeting that M.B.Yengwa was elected the volunteer-in-chief for Africans in Natal. The other volunteer-in-chief was Harry Deoduth of the NIC. At this meeting, the JAC suggested that there be six members on each side and not three as had been previously agreed. This change had become necessary because of anticipated further police harassment. The JAC decided that a plea of not guilty was to be made to all Defiance charges because the fight was against unjust laws endured by blacks. Although the meeting suggested 26 August 1952 as the date of commencement for the belated Natal Campaign it had been later changed to 31 August 1952 because the ANC wanted to start the Campaign after its provincial conference. Whilst Congress had progressed well with its plans, despite police harassment, the DCC caused further obstacles by making it difficult for the ANC to hold meetings.

On 30 August 1952 the ANC (Natal) conference was held at the Bantu Social Centre in spite of the challenges that faced the organisation. The convention was significant as Natal had not yet started its Campaign while it had already been in progress for two months in the rest of the country. Because of the depleted state of the movement in Natal, only fourteen branches sent delegates to the conference. The most important decision had been to call on the people to defy the unjust laws¹¹² which differed slightly from the JPC's call for Defiance of unjust laws as well as industrial action.¹¹³ The highlight of the meeting was Luthuli's announcement that the Campaign was to start the following day under the joint auspices of the ANC and the SAIC.

¹¹² Annual Report ANC (Natal), November 1951-October 1952, pp. 1.2. CK Reel 3B

¹¹³ Report of the Joint Planning Council. HPUWL: ANC Collection, AD 2186, Ba 2.2

The conference was deliberately held a day before the Campaign to give it the necessary boost. Luthuli's concluding remarks that in the final reckoning Natal would say, 'I too was there in the struggle to make the Union of South Africa a true democracy for all its people irrespective of colour, race or creed'¹¹⁴ epitomised not only his personal desires but the spirit of the Campaign.

Once the Campaign had got underway in Natal, the planning did not stop. It had created much pressure on the organisers of the ANC (Natal), who at their Working Committee meeting on 10 September 1952, agreed to appoint a panel of helpers and a sub-committee to select a secretary for Durban. The latter was to receive a salary of between £6 and £8 as the financial position of the ANC had not improved much. It was further decided to hold meetings at 8.0 p.m. possibly because workers had to travel from out of town. These meetings were held on Thursdays so that there was enough time to make the necessary changes before the Sunday campaigns. Because of the need to propagate the work of the organisation a press Committee was formed with H.I.E. Dhlomo, an official of the ANC, as the convenor and secretary with powers to co-opt. For the sake of harmony and efficiency a welfare committee under the auspices of the Treasurer, who was given the right to choose his own members, had been elected.

With Luthuli as leader and the Campaign progressing, the ANC in Natal continued to improve its organisation generally. Unlike Champion, who had an autocratic hold on congress, Luthuli encouraged suggestions and criticism. It is possible that his teaching background had helped him develop this progressive attitude.

¹¹⁴ We go to Action. Unisa: Luthuli Papers, "Luthuli Jottings", 30/8/1952, p.2

The need for money became apparent with the Campaign in full swing. A Finance Committee was, therefore, to be set up to raise funds, with the treasurer as chairman and a committee of six members. It could be assumed that because of the total lack of control of Champion's National Fund from which Luthuli had withdrawn, finance cards and receipts were suggested as compulsory control mechanisms. It was also hoped that the system would be extended between Congress branches, the Province and headquarters.¹¹⁵ It seems logical to assume that Luthuli paid attention to improvements in organisation because the Campaign had put the ANC under tremendous pressure.

5.8 CONCLUSION:

The JPC was a national organisation with regional planning councils. It was composed of four ANC and three SAIC leaders who directed campaigning. All major decisions were taken and directed from head office. Natal was, however, the only region that could not fit into the disciplined national programme. For many reasons Congress was disorientated in Natal and Luthuli and other delegates doubted the organisation had the capacity to mount a mass struggle in the province.¹¹⁶ The probable reasons were that the ANC's long and protracted leadership struggle in Natal between Champion and the Youth League had divided the movement. Luthuli did not think it likely that the other chiefs who were generally disposed towards Champion would support the Youth League in Natal.

¹¹⁵ Working Committee Meeting. Unisa: Luthuli Papers, Luthuli Jottings, 17/9/1952, p.20

¹¹⁶ UDW: T. Lodge, 'The creation of a Mass Movement: Strikes and Defiance, 1950-1952', p.8

There were other problems that bedeviled the Congress movement. Police raids on officials and their premises probably were intended to intimidate resisters especially after they experienced militancy in the other provinces. However, Dr Monty Naicker asserted that the whole idea of the Campaign was to defy unjust laws and since it was public knowledge the raids could not have had an intimidatory effect on the resisters in Natal.

Natal resistance, like that in the rest of the country, was the subject of a hostile white press. The Indian owned paper, the Leader did not influence Africans as much as the organisers would have liked. The only papers favourably disposed were the Guardian, the Advance and the periodical, Drum. The worst was the white owned black press which had a demoralising effect on resistance. Bantu World, which was one such newspaper, gave widespread coverage to Selope Thema's BNC which manifested a high degree of anti - Indianism. In keeping with this racist theme Malan made a strategic visit to Natal, just before the Campaign had taken of in the province, probably with the aim of seeking English opposition against the Campaign.

Some black personalities and black organisations were equally reactionary. Chief Cyprian Bhekizulu rallied to the call of the government asking Zulus not to participate in Defiance. No less innocent was Kajee who shamelessly pleaded with Indians to celebrate Van Riebeeck's Tercentenary. Champion and Msimang, by backing out of the struggle, did more harm than good. They helped to divide the people the Congress had tried its best to win over. The APO's withdrawal of support was a bad tactic because it isolated the Coloured community. The NIO, an ethnic organisation with no mass support, was of little significance.

The ban on meetings by the Native Commissioner at Nqutu and the DCC was a damper on the struggle. It definitely affected the organisation. But the 8 000 who turned out at Nqutu, and the 5 000 at Nicol Square, was encouraging for the ANC in Natal.

The problems and the prejudices that resisters were victims of only galvanised them into action. For the first time Indians and Africans in Natal planned together and, in so doing, sorted out their problems. The fear of the DCC about not wanting to implement the pass laws on African women in the early stages of the struggle is indicative of the tension that the Campaign had caused. There is enough proof that political alliance worked exceptionally well in Natal.

PART 4

THE DEFIANCE CAMPAIGN

CHAPTER 6

THE CAMPAIGN IN NATAL AUGUST 1952 - DECEMBER 1952

6.1 INTRODUCTION

After months of planning between the NIC and the ANC(Natal) the Natal Joint Action Council (Natal JAC) was formed and organisation of the Defiance Campaign got underway. The provincial body was subject to the National Joint Action Committee and carried out the campaign as laid down by the head office.

Since it was the first time that the NIC and ANC(Natal) were involved in joint action on a major issue the organisation was bedevilled by many problems. Besides the antagonism of the authorities the committee had to face the wrath of the opposition from within the Indian and African communities.

6.2 DEFIANCE STARTS IN NATAL

Two months after the start of the Defiance Campaign in the rest of the Union, Natal made its entry. Luthuli had requested postponement because of the ongoing leadership struggle in the ANC provincial ranks.

Natal made its debut on 31 August 1952¹ by which time 3 500 Africans and Indians had already served terms of imprisonment elsewhere. The local Campaign was initiated at Nicol Square where 4 000 people assembled to meet the first

¹ DON: Sunday Tribune, 31/8/1952; UDW: Agenda Book, SAIC Conference, 25-27 January 1952, DOC. no.657/221, p.15

batch of 21 resisters.² Although the first batch was led by the president of the NIC, Dr Naicker,³ Luthuli, the president of the ANC in Natal, did not court imprisonment because he was involved in organisational work. Also absent in the first batch were the volunteer-in-chief of the NIC, Harry Deoduth, and the volunteer-in-chief of the ANC in Natal, M.B.Yengwa. They, too, probably had to organise other batches

The first Defiance Campaign meeting was addressed by Chief A.J.Luthuli and Dr Naicker. Luthuli argued that the strategy of Congress was the only constitutional way of awakening the African people to become politically conscious. The new policy was based on the Programme of Action of 1949 because of the variety of restrictions that virtually imprisoned the African people. Leaders of the Africans, for instance, could not move freely even in the

² Table 8: THE FIRST BATCH OF RESISTERS

G.M. Naicker	Elson Kanyile
P.H.Simelane	A.K.M.Docrat
Miss Nomtu Nyikisa	Zacharia Gumede
Miss Teresa Mofokeng	Manny Naidoo
Mrs Fatima Seedat	Ernest Mate
Mrs Jannpathy Singh	A.Vadival
Rev. J.M.Sibiya	Billy Nair
Abel Nyinde	D.V.Chetty
Fanyoni Majozi	R.Chengan
Augustine Malinga	Michael Mangele
A.C.Meer	

UDW: Leader, 5/9/1952

³ The first batch was led by Dr G.M.Naicker president of the NIC, and Mr Simelane, the deputy volunteer-in-chief of the ANC in Natal and its assistant secretary. Both leaders were members of the Natal JAC.

UDW: Leader, 6/9/1952

'reserves' to educate their people.⁴ Dr Naicker, one of the leaders of the first batch⁵ insisted that only blacks could uplift themselves.⁶

The volunteers defied railway apartheid by their occupation of seats in a section of the station reserved for whites.⁷ Although the number of resisters was small the large crowds⁸ were proof of the support the Congress Alliance commanded in the province. After the arrest of the first batch⁹ the spontaneous response of a hundred volunteers was a positive impact of the Campaign.¹⁰

Dr Naicker, who addressed the magistrate after his arrest, claimed that the Congresses, representing the African and Indian people, had decided to defy unjust laws passed by a minority group in parliament in order to be true to their conscience.¹¹ The Defiance, he insisted, was the only concrete way of showing opposition to the laws as they

⁴ UDW: Leader, 5/9/1952

⁵ The 21 resisters marched from Nicol Square followed by the 4000 strong crowd along Pine Street, West Street to the Berea Road Railway Station. The crowd was so large that the procession had to come to a halt when it was still turning into West Street because the leaders had reached the station. Four European girls also joined the procession. UDW: Leader, 5/9/1952

⁶ UDW: Leader, 5/9/1952

⁷ Defiance Opens in Natal: 21 are Arrested. WCL: Rand Daily Mail, 1/9/1952

⁸ 21 Defy Apartheid Law in Durban. DON: Daily News, 1/9/1952

⁹ 21 Defy the Apartheid Law in Durban. DON: Daily News, 1/9/1952

¹⁰ UDW: Leader, 5/9/1952, p.4.; DON: Sunday Tribune, 31/8/1952

¹¹ UDW: Leader, 5/9/1952

were not allowed to voice their opposition in the law making bodies. South Africa could not have freedom for a small section of the people and oppression for the rest. The statement, 'Sir, my people have come to believe that when unjust laws prevail in the country, the place for all just men is in the prisons of the country in defiance of those unjust laws'¹² is an elucidation of the Indian leader's commitment to the struggle and an amplification of his earnestness.

Prior to the start of the Campaign in Natal there had been countrywide police raids on 30 July 1952. Whether they had any effect on the first batch¹³ is unknown. It is probable though that they dampened the spirit of some of the volunteers even though Dr Naicker said that they had not.

The number of volunteers in Natal was small because the organisers wanted to reduce vulnerability, especially as the police had started harassment campaigns against the resisters. In Natal's earlier Passive Resistance Campaign in 1946 the NIC fielded 2 000 resisters. The police harassment could have had an intimidatory effect on the first batch. But the fact that the Defiance Campaign meeting attracted 5 000 supporters on 26 June 1952 is tangible evidence of the movement's mass support in

¹² UDW: Leader, 5/9/1952

¹³ The twenty one blacks who made up the first batch of defiers, four of whom were women, were each fined £7 10s. or one month's imprisonment by Mr C.E.Russel in the Durban magistrate's court on 2/9/1952, for contravening a Railway's regulations at Berea Road station on Sunday 31 August 1952. DON: Daily News, 2/9/1952

Natal.¹⁴ Because the ANC was not well organised in Natal the Campaign had a halting start compared with the Cape and the Transvaal. Most of the Africans treated it with suspicion and aloofness.

Chiefs in the Native reserves, where there were about 1 000 000 Zulus, were reported to be generally without sympathy with the movement.¹⁵ It is possible that Zulus did not take kindly to the Xhosa leadership of the ANC. The anti-Indian propaganda campaigns of the Nats must have had an impact, too. Even if the chiefs wanted to support the Campaign, they were obligated to the government for their monthly stipend.

The ANC and the NIC held about twelve public meetings in their drive for volunteers to break the laws, but they had not met with much success from the Africans. In Durban 102 000 were registered with the Department of Manpower and about three quarters of them had rural links and were, therefore, under the influence of the chiefs. The municipal locations housed 27 000 Africans. There was no sign of any organisation other than leaders trying to motivate them to join the Campaign.¹⁶ The other reasons could be attributed to the fact that Luthuli had not been in office long enough to make any significant changes. During Champion's time the movement suffered from poor organisation and there was not enough time to reorganise the ANC in Natal. Luthuli was elected president when the Campaign Planning was already far advanced in the rest of the country and, since Champion kept the Natal executive in the dark, it had no knowledge of what was happening elsewhere.

¹⁴ Luthuli said that it was the only way of raising the political consciousness of the African people. L. Adapa Collection, p.4

¹⁵ Defiance Campaign Has Halting Start in Natal, Unisa: Friend, 9/9/1952

¹⁶ Unisa: Friend, 9/9/1952

On 3 September 1952, the Natal Mercury examined the 'Defiance' Movement. It was reported that 'Natives' still had representation in Parliament but that the Indians did not. Whilst this was the political status of the 'non-European' people the leader of the opposition, J.G.N. Strauss, appealed to Africans to use constitutional means. It was observed that the ANC in Natal had always been conservative and for many years followed a policy of petitions, resolutions, deputations; all of which got it nowhere. At the same time the Mercury noted that the Indian-African unity was perplexing to some sections of the community, but affirmed that the longer political experience of the Indians could only benefit Africans.¹⁷

Another aspect examined was whether tougher action on the part of the Government could destroy the movement. The Mercury further stated that since the movement was led by educated Indians and Africans the inferior diet they received in prison would act as a deterrent. It did not recommend lashes and remarked that there were practical difficulties in deporting Indians to the reserves for hard labour.¹⁸

The work of the defiers became more difficult when the Nationalist government pitted blacks against blacks. The government offered material help to Bhengu to solicit his support. He was in the Transvaal and was reported to have been seen in the Ermelo district where, with the help of leading Nats, he had recruited for his Congress. Farmers were reported to have paid the subscriptions and enrolled all their labourers *en bloc*.¹⁹

¹⁷ The Defiance Movement, DON: Natal Mercury, 3/9/1952

¹⁸ DON: Natal Mercury, 3/9/1952

¹⁹ He was driven by Nationalists on his recruiting drive. WCL: Advance, 25/12/1952

In order to stifle the campaign the Government-leaning BNC spread anti-Indian propaganda. It made remarks such as: 'Our warning to anyone found associating with Indians was this: 'Let God curse him into his Generation'''.²⁰ Remarks like this showed the intensity of Indian hatred fuelled by government support.

Other methods were attempted to de-emphasise the Campaign. The second group led by ANC activist, S.M.Mtimkulu, were asked to pay a smaller fine. It is possible that the magistrate had hoped that the imposition of a smaller fine of £3 would defuse the Campaign by tempting at least some volunteers to accept the option of a fine instead of a prison sentence. This was because the alternative of 30 days imprisonment, which the first batch had accepted, was not reduced. However, the lower fine did not have an effect. The leader of the batch claimed, in his statement, that they had defied the curfew²¹ to draw attention to their lack of a direct voice in the government and their denial of basic freedom.

This group, which was made up only of Africans, was in keeping with the plans of the JPC that laws that affected a certain racial group had to be violated only by that particular racial group. Curfew laws did not affect Indians so they could not violate what did not affect them. They, however, helped in many other ways.

Police were merciless in their application of the curfew regulations which restrained Africans from moving about freely. They were known to arrest the old and the enfeebled

²⁰ 'Bhengu "Invades" Transvaal -Nat. Organizers help him Recruit'. WCL: Advance, 25/12/1952

²¹ There were shouts of 'Afrika' when they heard the sentence. They did not pay the fine but elected to serve the jail sentence and were each sentenced to 30 days imprisonment. Unisa: Friend, 9/9/1952

if they were caught on the streets after curfew hour.²² Compassion was not extended for a missed bus or losing one's way. Africans were arrested even if they were not the cause of the default. The police lacked empathy by the insensitive application of the letter of the law.

By 10 September 1952 two batches had gone to prison. The working committee of the ANC complained that they had suffered communication problems. There were many volunteers whose main problem was difficulty in communicating with the leadership. As a result the need for an office and staff became necessary²³ to take charge of the routine work of the Campaign.

In his address to the court on 15 September 1952²⁴ Choudree, a batch leader of the Defiance Campaign, stressed that the only equality that the blacks wanted was equality of opportunity, arguing that the railway regulation, trifling in itself, was defied to draw attention to the suffering of black people.

To date there had been three batches, one every Sunday the first and the third were mixed batches whilst the batch led

²² An African was arrested if he was caught on the streets after 9 p.m. Interview: Dr. C.G.Henning, 12/11/93

²³ Unisa: Luthuli Papers, "Luthuli Jottings" Working Committee Meeting of ANC Natal, 10/9/1952, p.17

²⁴ Mr Russel, the magistrate fined each of the accused £7 10s or one month in prison. Outside the court there was a loud shout of 'Afrika' after the twelve men had left the court. The fines were not paid and the twelve were also sentenced to thirty days imprisonment. The twelve 'non-Europeans' Mr C.E.Russell on 15 September 1952, that they deliberately defied the apartheid regulations at Berea Road railway station on Sunday 14 September 1952. L.Adapa Collection, p.6

by Mtimkulu was all African because it defied curfew laws. Both the other batches violated railway regulations that required separate waiting rooms for whites and blacks. In Natal there has been no violation of any other obnoxious laws.

Until that time no other town besides Durban had been directly involved in the Campaign. This was in keeping with the JPC plans: first the main centres, then smaller towns, then rural areas. At a mass meeting held in Newcastle on 27 September 1952, 600 Indians and Africans attended, including many women. Two thirds of those present supported the Campaign and the meeting agreed to out-do Ladysmith in term of numbers.

There, however, was no rush of further volunteers at Nicol Square either, despite appeals from Dr Naicker, on 28 September 1952²⁵.

At this meeting members of the first batch reported on their release that they were 'humiliated' by having their trousers taken away from them on bath nights.²⁶ They had no clothing till the following morning.²⁷ It was very cruel especially as the resisters made it clear that their action was non-violent.

²⁵ More than 2 000 Africans and Indians paraded through the central Durban streets to the Berea Road station where a batch of 14 black resisters was arrested for breaking railway race segregation laws. The procession was led by the resisters made up of 13 Africans and one Indian under the banners and slogans of the ANC and NIC. Resisters entered the European waiting room where police were called to arrest them. L. Adapa Collection, p.7

²⁶ Saturday nights were bath nights.

²⁷ 2 000 Non-Europeans parade in Durban; Batch of Resisters Arrested. HPUWL: Rand Daily Mail, 29/9/1952

At a meeting organised by the ANC (Natal) and the NIC in Durban on 5 October 1952, it was agreed to fight for direct representation on civic and other governing councils in South Africa.²⁸ The meeting took note of the Mayor's remarks on civic representation and resolved not to be misled with the bait of any form of apartheid representation.

At the same meeting it was agreed that blacks were united in their efforts to defeat the Group Areas Act which envisaged the removal of 80 000 Africans and 60 000 Indians from Durban. The meeting, which was attended by thousands of Africans and Indians, had also seen the departure of the sixth batch of resisters and welcomed the second Natal batch that had been released from prison.²⁹

Like the second batch that had been led by Mtinkulu, it had been a much smaller group of four African men and two women once again charged for contravening the curfew laws. This group's fine of 2s 6d.³⁰ was the lowest fine to date and the imposition of an imprisonment of four days which was also the lowest was probably intended to discourage the resisters because the thirty days incarceration that was previously been imposed did not discourage the defiers. It could be that the extremely low fine and the light gaol sentence was probably intended to deflate the Campaign's impact especially as the first batch had already been released and were undaunted even by the fact that they had to remain naked on Saturday nights in prison. It was also

²⁸ 500 at opening of Resistance Campaign in Maritzburg. DON: Daily News, 6/10/1952

²⁹ Non-Europeans Claim Civic Representation, HPUWL: Eastern Province Herald, 6/10/1952

³⁰ They were arrested for standing in front of the Durban police station after curfew hour and were not in possession of curfew cards. Defiance bid to impress UN. DON: Natal Witness, 7/10/1952

the smallest batch to date and it could have been an indication that the Campaign was waning.

Although the number of resisters was small the thousands that the meetings had attracted was an indication of the popularity of the Congress Alliance and an affirmation of Luthuli's strongly held belief that this was the only way that Africans could be politicised.

On 5 October 1952 the first Defiance Campaign in Pietermaritzburg was called. This was in keeping with the original JPC plan to extend the Campaign to other urban centres after the first phase. The meeting which was held on a vacant piece of ground attended by 600 Indians, Africans and Coloureds called for 60 volunteers which made up about 10 per cent of the crowd³¹. Compared to Durban the 30 to 40 who volunteered to participate was a very good response because in Durban no batch had more than 30 defiers by this stage. This is against the background of thousands³² of spectators who attended the first day of Resistance in Durban while this meeting had attracted a crowd of 600.

No definite plans had been formulated to hold such a campaign in the capital. Local branches of the ANC and NIC did not know whether to send volunteers to join other passive resisters in Durban or to start a campaign of their own in the capital.³³ Because of limited resources and since it was the first major joint undertaking of the ANC-NIC alliance, it is possible that Pietermaritzburg was not included as one of the campaign centres. The ANC had

³¹ HPUWL: N-European "fight" begins in city. Natal Witness, 7/10/1952

³² 5 000 spectators on 26 June 1952. UDW: Leader, 1/7/1952.

³³ Volunteers for Maritzburg resistance but 'H.Q.' undecided, DON: Natal Witness, 11/10/1952

brought help from the Transvaal to assist the NIC in its organisation of the Stayaway of 26 June 1950.

The meeting, which was addressed by African and Indian speakers, claimed that the one potent weapon that blacks had in their hands was resistance to unjust laws.³⁴ Dr Monty Naicker, probably fearing a black dictatorship, alleged that if the frustration continued, one day S.A. would have 'non-white' fascist rule instead of a white one for which people would pay a high price.

On the other hand, D.E.Mitchell, the leader of the UP in Natal claimed during the party's election campaign in the province on 14 October 1952, that whites would get nowhere if they forced their will on blacks. He recommended negotiation and predicted that civilization would fade if a common basis for unity was not found within the country.³⁵ Although Douglas Mitchell was not a member of the government, as leader of the UP in Natal he commanded tremendous support in the province especially among English speaking whites. His call for negotiations is an indication of the impact that the Campaign had on white thinking.

In the four months that the Campaign had run, the national total of 6 880 participants was very encouraging, but Natal's 152³⁶ spread over two months was very poor, especially as it had had experience of Passive Resistance previously. Besides other problems it may be assumed that the 1949 riots did have an impact and Indian volunteers were tired of campaigning. Especially as this was a united

³⁴ 500 at opening at Resistance Campaign in Maritzburg. DON: Daily News, 6/10/1952

³⁵ Negotiation with Native essential- Natal Leader, Unisa: Star, 15/10/1952

³⁶ Defiance Total: 6880. DON: Natal Witness, 20/10/1952

black Campaign it was even more disappointing because the JPC and the NIC had fielded 2 000 volunteers in the 1946 Resistance. By 20 October 1952 there were 32 centres³⁷ in the Union whereas Natal had only one. It is possible that this is an added reason for Natal's poor performance. Instead of the organisation being centred in Durban, two or three more centres would have localised the Campaign earlier and given it the necessary impetus. As a result of the 1946 Campaign Natal would have had many organisers spread throughout the province who together with ANC members, could have created a formidable campaign. There is no evidence to show that the police were extra watchful in Natal than in other provinces because of its experience. If this was so it would be a further contributory factor. The overriding reason for this could be that the organisation was left to a coterie of men whose resources were over-stretched?

A meeting that was to have been held at Nicol Square on 3 November 1952, in defiance of a ban by Percy Osborne, the Mayor, had been re-scheduled at the Bantu Social Centre. The NIC claimed that the ban was defied to test the validity of the recently promulgated by-law, which demanded that organisers of public meetings obtain permission from the Mayor.³⁸ The police took no action at the meeting but 12 Indians and 3 Africans were later arrested in the waiting room of the Berea Road Station after being led by Debi Singh, general secretary of the NIC and Dr W.Z.Conco, chairman of the ANC (Natal). A resolution protesting against the Mayor's action, claiming that his veto had the effect of stifling the voice of 300 000 blacks who had no civic forum from which to make their views known, was adopted by the meeting. Even peaceful meetings were to be

³⁷ DON: Natal Witness, 20/10/1952

³⁸ Defiance Change, HPUWL: Eastern Province Herald, 3/11/1952

banned. At none of the meetings organised by the NIC or ANC (Natal) had there been any violence or interference with traffic³⁹ even though the Mayor's veto was made under a traffic by-law.

On 4 November 1952 when once again the Railways regulations were contravened,⁴⁰ a Durban magistrate⁴¹ displayed complete ignorance of the Defiance Campaign by his admonishment that resisters must respect the laws of the land before asking for other privileges. The resisters did not ask for other privileges but occupied the white compartment of the railway station as a protest against railway apartheid. Breaking the law was a peaceful method of such a protest. If a magistrate failed to appreciate the rationale for the Campaign how much more difficult it must have been for average South Africans.

The two Africans who had been charged for the second time merely reaffirmed the determination of the resisters.⁴² The packed gallery was an indication of the support the campaigners received.⁴³ The specific instruction, issued by the magistrate, that the audience not shout 'Afrika' when the proceedings terminated, was an attempt by him to stifle the Campaign. This, together with the magistrate's reference to 'other privileges', affirms that he was biased

³⁹ Defiers Beat Ban, Meet in Hall, HPUWL: Rand Daily Mail, 3/11/1952

⁴⁰ Twenty four Africans were sentenced for occupying the European portion of the Berea Road Railway Station. L. Adapa Collection, p.16

⁴¹ W.F. van der Merwe

⁴² Two of the Africans who had previous convictions for the same offence had been fined £10 and the remainder £7 10s. or thirty days in jail. L. Adapa Collection, p.10

⁴³ Respect Laws before asking privileges, DON: Daily News, 5/11/1952.

because defiers contravened laws that discriminated against them. To seek equality with whites was not a privilege.

While the Campaign was in full progress in Durban, the police, on 6 November 1952, baton-charged about fifty blacks who were walking along Smith Street. It could have been a calculated measure to intimidate supporters of the Campaign or provocation to incite riots as was happening in other parts of the country where police were accused of having started the violence. The police response that the procession was illegal and that the group refused to disperse was not acceptable because the ten policemen baton-charged the people 'within ten seconds', although they were given two minutes to disperse. A joint statement, issued by the ANC (Natal) and NIC, questioning police violence and insisting that they would not steer from the path of non-violence⁴⁴, was very encouraging.

The fact that this happened on the day C.R.Swart, the Minister of Justice, announced at a meeting in the OFS, that police were instructed to shoot and use their batons where necessary, was evidence of their exasperation at the peaceful Campaign. This was supported by the brutality in gaols which had increased especially as women resisters were made to break stones. This form of hard labour had never been meted out to women whether white or black before.⁴⁵

Police frustration at the progress of the Campaign actually had been brought to the fore a week earlier when resisters, awaiting trial at the central charge office, were kicked on their bodies whenever they raised their thumbs and gave the 'Afrika' salute.

⁴⁴ WCL: Advance, 13/11/1952

⁴⁵ Baton Charge when leaving Court, WCL: Advance, 13/11/1952

The long drawn out struggle resumed unabated. On 16 November 1952, defiance against railway apartheid continued. Once again the Berea Road Station was chosen. This was because the station was in close proximity to Nicol Square from where all the campaigns in Natal started before defiers courted imprisonment. The group of fifteen which had been led by I.C.Meer was prevented, by the police, from entering the station, nor were they immediately charged. Personal details were taken and they were summoned later.⁴⁶ The police, by this action, wanted to undermine the impact of courting imprisonment as a political weapon. Champion, who questioned Ismail Meer's stance of not forcing his way into the railway station,⁴⁷ was not only unreasonable but lacked discretion because the police would have opened fire on the resisters, inciting a riot.

There had been no need for the police who were present on 16 November 1952, in great numbers and fully armed with rifles, because in Natal there had been no riots. The Natal JPC had no intention of shifting from the original plan of peaceful demonstrations. This show of force by the police was provocative. The only conclusion one can come to is that the police tried to intimidate the defiers by a show of muscle. Meer's request to the defiers to disperse⁴⁸ was a sensible one to avoid any confrontation with the police. The attitude of the magistrate in the previous case and the strong show of force by the police in this case was an

⁴⁶ Interview: I.C.Meer, Durban, 24/09/93

⁴⁷ Champion's complaint that when 15 resisters led by Ismail Meer were prevented by the police from entering the Berea Road Railway Station, returned to their offices as the police asked them to clear the way or they will shoot. HPUWL: Champion Papers: A922, A8, Freedom in the Making, p.2

⁴⁸ Resisters Stopped by Police. WCL: Advance, 29/11/1952

indication that the authorities were getting impatient and frustrated with the defiers.

Levels of punishment changed. Meer⁴⁹, who had been tried separately from his followers, was given seven days hard labour while his followers received fourteen days⁵⁰ in order to humiliate him. The idea was to create a conflict between the leadership and the adherents and thereby divide the Campaign. There was precedence for this. When Gandhi was imprisoned for the first time in South Africa he, too, was humiliated by a two month imprisonment whereas his followers received three months.⁵¹

With the intention of splitting the alliance between the two races Indians were given bread and a spoon of jam while Africans were offered hard boiled mealies and no jam at all.⁵² It cannot be argued that because of different cultures the menu was different, as rice, and not bread, was the staple diet of Indians.

In order to stifle the Campaign, defiers of this batch were not treated like political prisoners but received more severe punishment than ordinary criminals. Confrontationists were engaged in pushing barrow loads of sand reclaiming the bay area. Those who failed to complete their task were incarcerated in solitary confinement and

⁴⁹ He was not arrested then, but was charged much later. An executive member of the NIC and leader of the batch. Interview: I.C.Meer, 27/4/1993

⁵⁰ Mr Soobramoney Chetty who was tried separately by the same magistrate was sentenced to fourteen days imprisonment. Durban Defiers; WCL: Advance, 15/1/1953

⁵¹ Gandhi was tried in Johannesburg while his followers were tried in Pretoria. Interview I.C.Meer, Durban, 24/09/93

⁵² Interview: I.C.Meer, Durban, 24/09/93

deprived of a meal ticket. No hot drinks⁵³ were allowed to prisoners of less than three months.

The authorities did not know how to handle the growing Defiance. Resisters were being ignored with the hope that this would destroy the Campaign. Police received instructions not to arrest resisters defying curfew laws and railway apartheid regulations.⁵⁴

Although the Campaign was directed towards curfew laws and railway apartheid three Indian women: Sita Gandhi, R.Govender and D.Ramcharan, attempted to defy post office apartheid. Officials ignored them⁵⁵ in order to play down their role.

Owing to the ban that had been placed by the Mayor, the meeting which bade farewell to J.N. Singh's batch⁵⁶ could not be held at Red Square. Instead it was held on a privately owned square at the corner of Carlisle and Albert Streets.⁵⁷ A resolution which was adopted unanimously, claimed that a traffic regulation was being used to stifle the voice of the people at recognised public squares, even though no traffic law had been transgressed. Although defiers had to endure hard labour in prison, Singh led a

⁵³ One day Meer managed to sip some hot coffee from a fellow prisoner for which the latter could have lost his meal ticket if he was caught. Interview: I.C.Meer, Durban, 24/09/93

⁵⁴ Twenty African resisters defied curfew regulations and occupied waiting rooms for Europeans only. Although the police were informed that these laws were defied they refused to arrest them. L.Adapa Collection, p.13

⁵⁵ Defiance Campaign Continues, WCL: Advance, 8/1/1953

⁵⁶ J.N.Singh leads 14th Batch of Resisters, UDW: Leader, 14/11/52

⁵⁷ UDW: Leader, 14/11/52

batch that was fully aware of the punishment that awaited them.

At the same meeting M.B.Yengwa, secretary general of the ANC: Natal, and its volunteer-in-chief, announced that on Sunday, 23 November 1952, a batch was to go into action in Pinetown.⁵⁸ This was the first time that defiance was to take place outside Durban. It is possible the JAC had decided to spread into other areas. According to the Natal JPC, Durban was to be the only centre where resistance was to be carried out in Natal. As Pinetown was close to Durban organisation was easy. If it was further away from Durban the much stretched JAC would have been over taxed. For the first time also it was public knowledge that there was a large gathering of police indicating that trouble was expected. This called for Dr Naicker's re-assurance that the Natal JAC had no plans for violence in any form whatsoever and actually asked the police not to come to Congress meetings in such numbers.

The annual conference of the ANC in Natal, which was held in November 1952, unanimously adopted a resolution of 'unswerving and unshakable solidarity', with the Indian people of Natal in its fight for freedom. This could have been motivated by the desire to counter the spread of anti-Indian sentiment in the province by the Nats and their surrogate forces. Other resolutions deplored the failure of the Minister of Native Affairs to meet the African leaders when he had visited New Brighton after the riots. The conference warned SA against racial tension and criticised Douglas Mitchell⁵⁹ for his insinuation that the UP would crush the Campaign. It further deplored Mitchell's derision

⁵⁸ UDW: Leader, 14/11/1952

⁵⁹ Leader of the United Party in Natal.

of the ANC's call for Indian help.⁶⁰ In reply, the ANC conference insisted that the Defiance Campaign was the only way in which the blacks could express their determination to rid South Africa of apartheid and that they would appeal to the democratic countries for help until the black people received full citizenship rights in the land of their birth.⁶¹

Adding his voice to the Natal conference was Dr Njongwe,⁶² with his warning that African racial arrogance would not be tolerated. Leaders of the African people were, therefore, called upon to deal ruthlessly and efficiently with racial arrogance and hatred. The highlight of the conference was the ANC's acceptance of multi-racialism: that Indians, whites and Coloureds were South Africans no less than the African people themselves. At the same conference, Mandela⁶³ observed that if blacks maintained the solidarity they had achieved during the Campaign in spite of the government's diversionist tactics final victory was certain.⁶⁴

Surprisingly, Mandela further disclosed certain moves that were current to persuade the leaders to call off the Campaign or suspend it in the interests of meeting with the government. But in one speech after another members of the cabinet rejected out of hand any suggestions of

⁶⁰ The conference passed a resolution criticising D.E.Mitchell for warning the African people that if it were not for the constitutional crisis his party would join hands with the Malanites to crush the defiance campaign and demand that 'non-European' people stop shouting to Indians for help. ANC (Natal) Conference, November 1952.

⁶¹ African-Indian Solidarity in Natal, WCL: Advance, 13/11/1952

⁶² President of the ANC in the Cape.

⁶³ President of the ANC (Transvaal).

⁶⁴ ANC will not tolerate racial arrogance. WCL: Advance, 6/11/1952

consultation with the the leaders of the Defiance Campaign, thereby missing the golden opportunity of solving the crisis ⁶⁵

Luthuli, who saw the Campaign as helping in African political evolution believed that adherents in Natal were so faithful that they would support the liberation cause till death.⁶⁶

6.3 RESPONSE TO THE DEFIANCE CAMPAIGN

The Defiance Campaign in Natal not only turned out to be the successful politicisation campaign that Luthuli predicted it would become but it also attracted the attention of whites and conservative blacks concerned at its growth and strength.

A totally different response came from the chiefs in Natal. At a meeting of more than 200 chiefs including Chief Langlake who was the leader of about 500 000 Zulus, their followers were warned not to have any dealings with Indians⁶⁷, claiming that the latter were exploiting them for their own ends. S.S.Bhengu,⁶⁸ who was allegedly on the payroll of the Nats⁶⁹ further claimed that whites "promised" to restore Africans their freedom as soon as they were ready for it and there were signs that this

⁶⁵ Defiance Campaign will not Waver. WCL: Advance 20/11/1952

⁶⁶ ANC. Tvl Conference, Lady Selborne, 10/10/52, p.2

⁶⁷ Although the chiefs were not in agreement with Government policy, they believed that all the new laws enacted by them had worthy aims and motives for the eventual benefits of the 'Natives' themselves. HPUWL: Rand Daily Mail, 8/9/1952

⁶⁸ The president of the BNC.

⁶⁹ Bhengu "Invades" Transvaal - Nat. Organizers help him Recruit. HPUWL: Advance, 25/12/1952

promise would be fulfilled. His much repeated assertion that his Congress had a membership of 400 000 was disputed by Msimang, the secretary of the ANC. The claim that all the chiefs in Natal were betrayed by the ANC for having sold their integrity to the Indians is ludicrous.

In quoting the Bible, Bhengu argued that an uneducated people were to be guided by wiser counsellors. He believed, therefore, that the 'Bantu' should be guided by 'Europeans' until their standards were raised. In his oblique judgement of Indians, he argued that they were not protesting against the government's unjust laws but against the white people. He blamed Indians for inciting Africans to claim equal rights with those wiser than themselves.⁷⁰

Chief Luthuli, who was aware of the lack of political consciousness of the African community, had high expectations of the Campaign: 'Those who have oppressed us are shivering and wondering what will happen next', he affirmed after having observed the progress of the Campaign. Africans had to unite among themselves internally if they wanted to contribute to a larger unity.⁷¹ He made a scathing attack on the government-leaning Bhengu, whom he saw as annihilating the bond and attacked tribalism and anti-Indian propaganda as 'poison destroying the movement for freedom'.⁷² Luthuli, who was aware of the ruthless attempts to quell the Campaign, insisted that the struggle would go on until victory was won.⁷³

⁷⁰ Bantu Chiefs Warn Followers against Passive Resistance, HPUWL: Rand Daily Mail, 8/9/1952

⁷¹ Difficult 'To Stamp' out Defiance Campaign, Unisa: Friend, 11/10/1952

⁷² 'Defiance Campaign will continue till victory is Won, 9/10/1952. L. Adapa Collection, p.16

⁷³ Defiance to go on says Luthuli, DON: Daily News, 10/10/1952

In spite of his inexperience, Luthuli understood the undermining effects of the lack of unity⁷⁴ in the African community which he hoped would be overcome through the Defiance Campaign and that the new found unity would create a society built through a partnership of all races.

Champion did not support the Defiance Campaign because he was not satisfied with the strategic planning in organising it. He preferred rioting to a non-violent campaign; which required that the leaders or their followers go to gaol. Champion believed such self sacrifice brought suffering not only to oneself but also to one's family. 'I favour rioting which will favour a certain number of whites killed before it has been overpowered and that its leaders to come out and justify the rioting before the eyes of the world and the tribunals.'⁷⁵ However, in all the time that he had been president of the ANC in Natal, his strategy had been a passive one. The Defiance Campaign was the first major militant operation of the ANC. It was expedient to keep the struggle non-violent because the ANC was not yet well organised and a violent option would have probably destroyed it completely because, by his own admission, preparation was not good for the Campaign and the propaganda was not sound enough to elicit world support.⁷⁶ That only blood and tears of the oppressed would appeal to world opinion⁷⁷ was reckless conjecture and suicidal especially as the ANC in Natal was badly organised and it was highly unlikely that there would have been international support for violence because the colonial powers were still very strong.

⁷⁴ New Lead given to Defiance Campaign, HPUWL: Star, 11/10/1952

⁷⁵ HPUWL: Champion Papers: A922, A8, History in the Making, p.2

⁷⁶ HPUWL: Champion Papers, A922, File A8, p.2

⁷⁷ HPUWL: Champion Papers, A922, File A8, p.2

Champion had become bitter because of his loss of power to Luthuli. He, therefore, appeared to contradict himself. When the ANC adopted the Programme of Action he shouted that it was suicidal to go to war ill-prepared. Later, when the ANC had accepted non-violence as a plan of action for its Defiance Campaign, he became derisive of it, denouncing satyagraha as self-inflicting punishment. This confused, inconsistent attitude was the result of his resentfulness.

At the same time he did not want to be accused of retarding the progress of Congress. He feared that the Youth League's new policy would destroy Congress⁷⁸ and that it could lead to rioting. Champion was not sure if, in such circumstances, the rioters would be supported.⁷⁹ Because the Defiance Campaign was a disciplined programme of action it would be logical to presume that the leadership would not support riot action. If it did then the Defiance Campaign would cease to be peaceful or non-violent. The policy of the Congress Alliance was non-violent and therefore Champion, as former president of the ANC in Natal, ought to have known that the ANC would not support an alien policy. It was expedient for the ANC not to embark on a violent programme. Champion's prediction was correct, in that the Youth League's programme did lead to riots, but not in Natal. In the areas where riots did occur the ANC was not the provocative party⁸⁰.

6.4 THE FALL OF A CHIEF AND THE RISE OF A PRESIDENT

Chief Albert John Luthuli, head of the Amakholwa tribe of Groutville Mission Reserve, was dismissed from his

⁷⁸ 'the days of the Congress are truly numbered'. HPUWL: Champion Papers: A922, File A8, p.2

⁷⁹ HPUWL: Champion Papers, A922, File A8, p.2

⁸⁰ P.E. Riot Trial. HPUWL: Advance, 11/12/1952

chieftainship. In 1952, the magistrate of Stanger who was also the Native Commissioner of the area, made the decision known at a tribal meeting at Groutville on 12 November. The Native Commissioner told the tribesmen that Luthuli, as leader of the ANC in Natal, was encouraging people to break the laws of the country through the Passive Resistance Campaign.⁸¹ It is logical to assume that the local people must have been further motivated in their Campaign by this act of the government because this was the first sign that the authorities were really feeling the effect of their actions, especially at grassroots level.

Luthuli, who was called to Pretoria at government expense by the secretary of Native Affairs, was told to give up his Congress post or give up his chieftainship. At this meeting he was informed that as chief he was part of the government of the country. For his services he was offered a moderate income and was entitled to certain fees and a bursary to assist him in the education of his son. He could not, at the same time, abandon his tribe, encourage people to defy the laws and get them into trouble. It was also mentioned that certain 'natives' had complained of his negligence of duty.⁸² By then Congress was riddled with the experiences of Bhengu and Chief Cyprian who were fully supported in their anti-ANC activities by the Nationalists. It was not to be unexpected for someone to complain about Luthuli's inefficiency; but history projects him as leader of impeccable character.

The government gave Luthuli a fortnight to think over his position in the ANC, his role in the Defiance Campaign and his chieftainship. He replied in writing that he did not see any conflict of interest in being chief and leader of

⁸¹ Native Chief dismissed by Government, HPUWL: Star, 12/11/1952

⁸² Chief despised for sharing in violence justifies himself, HPUWL: Rand Daily Mail, 13/11/1952

Congress in Natal because the Passive Resistance movement was intended merely as a form of protest. He had been the chief of the Amakholwa since 1936 and had risen to become one of South Africa's prominent African leaders with staunch anti-government tendencies in spite of his deeply religious background.⁸³

It was decided that the Working Committee of the ANC in Natal should raise funds to help the president financially in carrying out his Congress duties.⁸⁴ This was probably decided upon because since Luthuli had lost his chieftainship he was no longer on the payroll of the state. The government must have realised that their action would destroy him financially and that this would affect his political activities. The working committee, therefore, must have taken the decision to assist him to fulfil his political duties. The government decision actually blew up in its face. Luthuli's dismissal made him more popular among his people and, instead of being depressed and financially embarrassed, the action of the government had propelled him into the presidency of the ANC.

Unlike Champion, he earned widespread respect among the Indians of Natal and was often in demand as the keynote speaker of the NIC at its conferences.

The Defiance Campaign was the most effective and legitimate way in which disfranchised people could make their protest. It had been suggested that constitutional means should be used but no one had indicated what constitutional means were available. 'I shall continue to fight for the realization of our goal, namely full citizenship rights for

⁸³ Native chief dismissed by Government , HPUWL: Star, 12/11/1952

⁸⁴ Minutes of the meeting of the Ececitiv Committee of the ANC (Natal), 20/12/1952, p.2.

all people in South Africa irrespective of race or colour'. When the tribe was informed by the native Commissioner that Luthuli was no longer their leader they demanded an explanation why the matter had not been discussed with them before the dismissal. Because the whole tribe belonged to the ANC, they questioned the appointment of the next chief. As a result a meeting was held on 22 November 1952 to discuss the issue of Luthuli's dismissal.⁸⁵

At the tribal meeting in late November 1952 the Amakholwa people unanimously decided not to elect another chief to replace Chief Luthuli because he had been elected by the tribe and the government had no right to dismiss him without consulting them first; the tribe still regarded him as the most capable person who carried out his tribal duties faithfully and, above all, he was dismissed for being a member of the ANC.⁸⁶

The dismissal of Luthuli from his chieftainship was a sinister move by the government in its attempt to suppress the Campaign. The fact that the Amakholwa refused to elect a new chief to replace Luthuli illustrated the solidarity of the tribe and his rural support. If we analyze the actions of the Amakholwa we find that the ANC in Natal, with its new political strategy, was gaining grassroots support and it was an indicator that the ANC was ready for the implementation of its third stage in the Defiance Campaign.

6.5 REACTION TO THE CAMPAIGN

⁸⁵ Chief Luthuli Stands by his People, WCL: Advance, 20/11/1952

⁸⁶ Chief Luthuli gets Backing of his People, WCL: Advance, 4/12/1952

The AAC, which disagreed with the Congress Alliance, did not support the Defiance Campaign. Leaders of the Convention warned their people not to join the Campaign as volunteers, arguing that the masses would suffer. It was hoped that their objection would reduce support for the Campaign. Their disapproval was not effective, however, in Natal where their support was minuscule.

Condemnation of the ANC and its Passive Resistance was expressed at the annual meeting of the AAC by the president, W.M. Tsotsi, who said the demonstrations were futile and that they had disillusioned and frustrated the masses because they were not part of a co-ordinated and sustained strategy. Such condemnation smacked of opportunism of the Champion type. The AAC was well known for its criticism. It failed to unite the black forces when it had the opportunity to do so. The AAC's denunciation of the Alliance's tactics condemning them as political dishonesty and raising of false hopes is unjustified. For the first time Congress had mustered 7000 volunteers, nationally, with its militant policy. Blaming the ANC and the SAIC for the riots was wrong because it could not prove that defiers were the cause. For Tsotsi⁸⁷, in the same breath, to admire the volunteers for bravery was contradictory.

The AAC did not, however, have any branches in Natal, and as a result, could not lay claim to any active political work. The NEUM was an affiliate of the AAC and in this way could be influenced by its statements on the Defiance Campaign issue. But their influence was infinitesimal and if they did have any influence it was possibly only in

⁸⁷ Tsotsi admired the misguided blacks who answered the call of the African and Indian 'misleaders'. He regarded it as the height of folly and a criminal act to demand recklessly the sacrifice of which the blacks were capable. L. Adapa Collection, p.20

remote Northern Natal. Nevertheless, it has already been stated that Newcastle and Ladysmith volunteered participation.

According to an old British-Zulu rule, agitators could be banished. Verwoerd wanted to extend this principle to people in cities where he believed certain Africans were inciting others to break the laws. Preachers and churches that received benefits from the government and who sided with the black cause were to be denied privileges.⁸⁸ Verwoerd blamed Indians for the Defiance Campaign and therefore tried to divide the two communities. This was opportunistic, because it was the ANC that sought unity with the Indians⁸⁹ and the Campaign was directed against the six discriminatory laws promulgated by the Nats soon after they came into power.⁹⁰ The profession that Indians benefited from trade with Africans and that they wanted the latter to act against their interests,⁹¹ was racism and inflammatory because it was not the merchant class that was involved in the Defiance Campaign. In fact Indian businessmen belonged to the NIO that condemned the Campaign. The traders who made up the merchant class, were in the minority and did not project the views of the Indians as a whole⁹².

Douglas Mitchell's positive call for negotiations, contrasted with Verwoerd's anti-Indian incitement. Because of the preponderance of Indians in Natal this was very

⁸⁸ Verwoerd: Drastic Measure, DON: Natal Witness, 10/11/1952

⁸⁹ Karis and Carter, From Protest to Challenge, vol.2, pp.263-266

⁹⁰ Lodge, Black Politics, p.42

⁹¹ Verwoerd indicts Indians, HPUWL: Star, 28/11/1952

⁹² Interviews: Kay Moonsamy, George Naicker, 20/4/1994

harmful to harmonious relations there. Instead of examining their policies in order to alleviate the problem, the government made a cardinal error by making scape goats of innocent people. By its actions the government lost further support from the Africans.

Like Verwoerd, Dönges, the Minister of the Interior⁹³, also blamed the Indians for the Defiance Campaign but in his attempts to destroy the liaison that was building up between the two communities he further maintained that Indians wanted to get African agitators under the influence of both India and Russia. These were hypothetical remarks because there was no proof and India itself was a victim of colonialism. It is true that communism played an influential role in black politics. It helped the liberation cause of the blacks, but Luthuli, G.M. Naicker and a large proportion of the Natal leadership did not espouse communism.

Such remarks were propagandist. By saying that the campaigners wanted to create chaos and unrest Dönges missed the whole point. The defiers wanted to bring about the awareness of the discriminatory laws, peacefully. It was not a movement against the white race as a whole and Dönges was right when he claimed that it aimed at absolute equality between black and white.⁹⁴ Why should ringleaders be banned when the government's discrimination was the cause of the problem? Dönges's statement, too, was incitement of racial hatred.

At a National Party meeting in Newcastle in November 1952, the Minister of Justice, C.R. Swart, remarked that at the next session of parliament stricter measures were to be

⁹³ Pachai, Indian Question, p.236

⁹⁴ Dönges: 'Support the Government', DON: Natal Witness, 10/11/52

passed to deal with the leaders of the Defiance Campaign and those who took part in it. These were to be along the lines of those enacted in Kenya for dealing with the Mau Mau.⁹⁵ He also added that the police were to be empowered to shoot where necessary.⁹⁶ This statement by the Minister of Justice is a manifestation of the apprehension that the Campaign had caused. Instead of responding in such a negative way by threatening to shoot defiers of injustice the government should have responded by obliterating these obnoxious acts from the statute book. The leaders had no recourse to parliament where this could have been debated, and had done very well by their peaceful campaigning. They could not, therefore, be compared to the Mau Mau or be treated like Kenyan defiers because the latter embarked on violence.

Adding their voices to the condemnation were the municipal councillors of Natal. Durban was represented by councillors W.Nagle and Leo Boyd,⁹⁷ at the United Municipal Executive in Pretoria in November 1952. Councillor Nagle proudly claimed that he was one of the principal architects of a resolution pledging full support in its actions to suppress the so called lawlessness. The conference revealed that for the first time whites were getting tired of the state of affairs and were beginning to show their teeth. Nagle claimed that because of the bitter experience of the 1949 riots Durban was free from violence.⁹⁸ As the riots were between Africans and Indians the insinuation was that there was fear between these two groups. The Defiance Campaign

⁹⁵ State to seek drastic powers to curb lawlessness, HPUWL: Star, 28/11/1952

⁹⁶ Police will shoot where necessary, DON: Natal Witness, 3/11/1952

⁹⁷ The latter was chairman of the Finance Committee of the DCC.

⁹⁸ Government is pleased by firm anti-riot action', DON: Daily News, 21/11/1952

was a statement against white authority by a combination of the African-Indian forces. This unity even surprised Luthuli especially after the bitter 1949 riots. In this regard Nagle's observation was wrong. In his shortsightedness he failed to perceive the principles on which the Campaign was conducted.

The DCC promised the support of the municipality in any action the government might take to suppress lawlessness and resolutions urging the government to take measures to protect law and order were passed at a meeting of the DCC in December 1952.⁹⁹ Councillor Leighton Black opposed the resolutions saying that one could not suppress one section of the population without ultimately suppressing all. He argued that democracy was being stifled in South Africa and that panic measures were being resorted to. There is justification for Leighton's observation because of the nature of the Campaign in Durban. Whilst the DCC epitomised the racism that was prevalent, the liberal-minded persons of the Leighton type were rare.

When Manilal Gandhi, the son of Mahatma Gandhi, took part in the Defiance Campaign in Germiston on 8 December 1952, Indians in Natal were surprised because he was at loggerheads with the leadership of the NIC. Hitherto, he believed that African did not accept the principles of non-violence of which he was an ardent patron. For over two years he had carried out his own personal campaign, mainly in Durban, and was supported only by members of his family. It had been rendered ineffective because no action had been taken against him.¹⁰⁰ Gandhi must have changed his attitude because the ANC had decreed that non-violence was to be the policy of the Campaign.

⁹⁹ Suppression of non-European Disorders, WCL: Advance, 11/12/1952

¹⁰⁰ Defiance Role of Gandhi's son has surprised Indians, Unisa: Pretoria News, 9/12/1952

As the Campaign gained impetus, smaller towns and rural areas joined in increasing numbers. Batches of resisters were defying a variety of unjust laws and regulations in many small towns and villages throughout the country. In Natal much support came from Pietermaritzburg and Ladysmith.¹⁰¹

Leaders became concerned that the government was trying to divide blacks. It was creating division among blacks by encouraging tribalism and those who advocated this division were in fact creating unity among the whites. Leaders became concerned at the government's attempts and made impassioned pleas for unity. Dr A.R. Singh, when addressing students in Pietermaritzburg, said that Indians could not afford to remain neutral playing the role of silent spectators.¹⁰²

Luthuli called upon Africans not to idealize the past with its disunity of tribes. He urged his followers to build on the accumulated experience of mankind, including that based on African leaders: Shaka, Dingaan, Moshesh and Khama. Luthuli claimed that the cause of liberation was harmed when common cause was not made with other black groups, especially Indians. He repeated that such calls were mere propaganda that helped to unite the whites at the expense of blacks.¹⁰³

The rioting that did take place outside of Natal during the Defiance Campaign in 1952 was not the initiative of the Congress Alliance. In this regard the Congress was specific that the Campaign was to be non-violent. Supporters were

¹⁰¹ 'The Defiance Campaign Recalled by M.P.Naicker' A2094, Bf4; June 1972, p.8

¹⁰² Appeal for Unity to Non-Whites, Unisa: Natal Mercury, 2/7/1952

¹⁰³ ANC Conference Tvl: Lady Selborne, 10/10/52, pp. 4-6

cautioned not to cause trouble at all costs, but to remain calm.¹⁰⁴

Dr Moroka also insisted that those who had been responsible for the riots did not come under the influence of the ANC. He gave this response to a question why responsible leaders did not stop the riots and bloodshed in several parts of the country. The riots, he affirmed, took place on Saturdays and Sundays and were affected by the 'beer' brewed by the municipalities to which he was opposed. Whilst Moroka agreed that violence would retard the progress of the struggle, he called for a judicial enquiry to establish responsibility for the riots.¹⁰⁵ At the very outset the ANC had adhered to a strict code of conduct by the taking of a pledge to keep the Defiance peaceful. The fact that Moroka called for a commission of enquiry to investigate the disturbances is adequate proof that the Congress was free from guilt.

6.6 REVIEW OF LITERATURE

R.E.Johnson¹⁰⁶ in his Doctoral study entitled 'Indians and apartheid in South Africa: The Failure of Resistance', appears to have made some incorrect observations with regard to his claim that the NIC did not make the Defiance Campaign in Durban until two months after the national Resistance had started, is misleading. The Defiance Campaign in Natal was organised by the Natal JAC made up of both the ANC in Natal and the NIC. The responsibility, therefore, was that of the Natal JAC and not the political movements. Nevertheless, on the first day of Defiance in

¹⁰⁴ Avoid trouble, appeal by ANC, HPUWL: Star, 10/11/1952

¹⁰⁵ Rioters not under ANC influence, declares Moroka, HPUWL: Star, 14/11/1952

¹⁰⁶ UDW: Johnson, 'Indians and Apartheid', p.86

South Africa, Dr G.M. Naicker, claimed that Natal was ready to enter the Campaign, but could not do so as it was awaiting instructions from head office in Johannesburg. This permission was only granted two months later. The Natal JAC, as a disciplined member of the NAC, had to comply with those orders. It was not the campaign of the NIC only as Johnson claimed.

However, Johnson also misleads the reader by presenting the NIC as the defaulting party when in fact it was Luthuli, who, in his capacity as the leader of the ANC in Natal, and as leader of the provincial delegation at the national conference in Bloemfontein, appealed for Natal's late entry. There is no evidence to show that the NIC was consulted over this matter, nor was it necessary for the ANC in Natal to do so when attending its national conference because the ANC and the NIC were autonomous bodies. Bhana and Dhupelia¹⁰⁷ in their criticism of Johnson failed to query this misconception.

In building up his argument to show that the NIC organisation was in decay, Johnson misrepresents his information again. His assertion that less than 300 resisters were recruited in the subsequent eight months is a total misrepresentation of the facts because the total of 246 resisters in Natal consisted of both Indian and African members of the NIC and ANC(Natal). The NIC was a well oiled machine which had already experienced its own Passive Resistance Campaign¹⁰⁸ in which 2 000 resisters

¹⁰⁷ UDW: Surendra Bhana and Uma Dhupelia, 'Passive Resistance Among Indian South Africans', pp.2-18

¹⁰⁸ UDW: M. Mitha, 'Indian Minorities in South Africa', (unpublished MA thesis, University of Witwatersrand, 1968), pp. 178-180

participated.¹⁰⁹ It was the ANC that was bedevilled with an internal crisis and that decided that there should be token participation only.

The fact that 5 000 people attended a meeting at Red Square on the first day of Defiance on 26 June 1952 indicated the support the Congress movement mustered in Durban. It did not necessarily mean that organisation was poor. Since the Campaign was a joint activity of Africans and Indians it is grossly inaccurate to lay the blame at the door of the NIC alone.

Johnson further misleads the reader that there was limited activity and in view of this the Natal police ignored much of the protest. Johnson does not take into account the thousands who attended the mass rallies at a time when ANC(Natal) had only 1 300 registered members¹¹⁰

Bhana and Dhupelia¹¹¹ also condemn Johnson's claim that the NIC failed to generate mass support as based upon only mechanical aspects of the Passive Resistance and his assertion that the Indian political resistance as 'elite' and 'confrontationist' as incorrect. Bhana and Dhupelia argue that the group was long in the making and that Johnson was not able to perceive this because his sources: agenda books of the NIC, newspapers and pamphlets were far too limited to make a deep analysis. He also referred to

¹⁰⁹ UDW: P.Hamlall., The Passive Resistance Campaign of the Natal Indian Congress of June 1946 in Opposition to the Asiatic Land Tenure Act, p.19

¹¹⁰ ANC(Natal) had 1300 members at end of 1952. L. Adapa Collection, p.25

¹¹¹ UDW: Surendra Bhana and Uma Dhupelia, 'Passive Resistance Among Indian South Africans', pp.15-16

the president of the NIC as being George Naicker,¹¹² who has never been a president of the NIC.

The only reason one can conclude why those in authority acted unsympathetically towards black political aspirations was that white and black had different sets of values. Ken Smith¹¹³ highlights this on a reflection of a speech by S.Molema in which he described that every celebration of the white man had a diametrically opposite meaning to the black man: that his feasts meant famine, that his laughter meant tears and the landing of Van Riebeeck 300 years before symbolised 300 years of oppression.

Leo Kuper¹¹⁴ affirmed that the Passive Resistance Campaign assisted in crystallizing these attitudes. It provided an occasion for the identification of the black political movements with 'Indian imperialism' and world communism which intensified the antagonisms of whites. The theory is far fetched, because it was the ANC that initiated the Defiance Campaign and they invited the cooperation of other races. To claim, therefore, that Indians imposed their will over blacks is wrong. It was the whites who dominated the other races by the introduction of discriminatory laws and deprivation of opportunities for blacks, especially the Africans. It is not untrue that communist activists did sympathise with black emancipation, but local communists participated in the Campaign did so on the grounds that

¹¹² Affidavit signed by George Naicker claims that he was an executive member of the NIC, activist of Umkhonto we Sizwe, activist of the banned SACP, and executive member of the NIYC but never president of NIC.

¹¹³ K.Smith, *The Changing Past-Trends in South African Historical Writing*, Southern Book Publishers, Johannesburg, 1988, p.157

¹¹⁴ L.Kuper., *Passive Resistance in South Africa*, New Haven, Yale University Press, 1957, p.208

there was lawful discrimination of blacks by whites. The fact that Dadoo, Meer, Swaminathan, Ponnen, M.D.Naidoo, H.A.Naidoo, Billy Nair, Kay Moonsamy, R.D.Naidoo, A.K.M.Docrat and others were Indian was an accident of birth and this fact was being seen narrowly.

E.S.Reddy¹¹⁵ in his reference to the sixth annual presidential address of the NIC highlighted the fact that the Nats were freely able to introduce ruthless apartheid legislation because the UP had made it known to the white electorate that they were to keep the 'Non-European' 'in their place' since their own segregation policy was not fundamentally different from that of the Nats. This being the case, parliament was symbolic to the blacks as one of white solidarity and their only alternative was Defiance through black solidarity.

Bridglal Pachai¹¹⁶ further confirms that when the government was given the 29 February 1952 deadline by the JPC to repeal the objectionable laws, the failure to do so which would result in protest marches and demonstrations, the government reply that it was not prepared to share power was both arrogant and inconsiderate because the Campaign did not threaten the state with violence. What were blacks to do when they had no legitimate representation in parliament where they could air their grievances? If the government had at least asked for a conference with black leaders it probably could have

¹¹⁵ UDW: Presidential Address to the Sixth Annual Conference of the NIC, Durban, 21/2/1953, p.45, in Speeches and Writings by Dr G.M.Naicker edited by E.S.Reddy, (1254/614/645)

¹¹⁶ B. Pachai, Aliens in the Political Hierarchy, South Africa's Indians : The Evolution of a Minority, ed. by B. Pachai, University of America Press, Halifax, 10/07/78, p.53

averted the crisis. The boycott of the NRC should have been a warning signal to the government of the level of frustration of the majority of the people.

6.7 CONCLUSION

Thousands gathered at Defiance Campaign meetings even though the number of volunteers equalled ten per cent of those who participated in the 1946 Passive Resistance Campaign. The fact that the Campaign had attracted large crowds was tangible evidence of the support the Congress Alliance commanded in the province. This was against the background of hurdles that the organisers encountered.

A severe punishment or higher fine was no deterrent to resistance. Even police refusal to arrest defiers and banning of meetings by the DCC could not defuse the struggle. Government intimidation of defiers was uncalled for: Swart's claim that the government was to implement drastic measures to suppress the uprising on the lines taken in Kenya against the Mau Mau, which was to include shooting of defiers, was extreme by any civilised standards because the Campaign was a peaceful one. For Dönges to blame Indians and Russians for the Campaign was an escape from the real issue. For Verwoerd to threaten to banish defiant blacks from the cities was again insensitive to the actual reasons for peaceful black protest.

The DCC had a duty to prevent lawlessness but to state specifically that it would support the government in its endeavours displayed over enthusiasm to suppress legitimate protests.

The AAC, which had no branches in Natal, could not make a dent in the Campaign because it had no direct influence, besides its subsidiary, the NEUM. The NEUM, however, had marginal representation in Natal. There is no evidence to

show that its media statements had even an iota of impact on the Campaign.

Like the AAC, Champion advocated rioting to peaceful protest. Any thought of violence was irresponsible because the ANC was poorly organised in Natal.

Bhengu of the BNC was also guilty of irresponsibility. Although he claimed that his movement had a following of 400 000, the Defiance continued as planned which meant that his support was minimal because with a movement of such a magnitude there would have been much opposition among Africans. If he had not joined the Nationalists to destroy the work of the Campaign it is possible the government would have conceded to some of the demands of the Congress.

The Defiance Campaign in Natal, however, developed unity between Africans and Indians whilst it exposed anti-Indian racists.

It was also an eye opener for Luthuli who saw the need for cooperation with other racial groups. To achieve this objective, Luthuli often admonished his followers. With the majority being Zulus, it was not impossible to have made it an all African campaign, especially in Natal. Either no Africanist leader had risen to the occasion or every leader in Natal had the wisdom to accept the expedience of working with the minority Indian community in spite of the Indian - African riots of 1949.

CHAPTER 7

THE AFTERMATH OF THE DEFIANCE CAMPAIGN

7.1 INTRODUCTION

The belated Campaign in Natal was rudely disrupted without its planned three-stage programme being completed. It was suspended because of severe government action, which it was claimed was necessary to quell any possible riots. There were, however, no riots in Natal. Whilst the state did adopt a hardened attitude towards the struggle, it did also respond positively to some of the Campaign's demands.

7.2 GOVERNMENT ACTION TO STIFLE DEFIANCE

Instead of meeting with the leaders of the Campaign and finding a solution, the government tried various means of discouraging Defiance. It applied several forms of punishment: heavy fines, light fines, short terms of imprisonment, hard labour, lighter sentences on leaders and even, at times, refusing to arrest volunteers. In Natal and elsewhere none of these methods deterred the defiers. Resentfully, the Minister of Justice, in the latter part of November 1952, issued a statute banning all meetings of more than ten Africans in the country. Subsequently two anti-democratic laws to suppress the Defiance Campaign were enacted: the Criminal Laws Amendment Act and the Public Safety Act. In terms of the Criminal Laws Amendment Act any person who broke any law in protest or in support of resistance could be severely punished.

Other provisions of the act laid down severe penalties if a person advised, encouraged, incited, or aided anyone to

protest against the law¹. The act further prevented the receipt of money or material help by individuals or organisations to assist such a campaign. Individuals who transgressed the above-mentioned law could be banned from a specified geographical area.²

The Public Safety Act enabled the Cabinet to suspend all laws anywhere in the Union whenever it was of the opinion that a State of Emergency existed and to publish emergency regulations for any circumstance it deemed necessary. The penalty for contravention of this act could be death or confiscation of goods and property.

The government adopted a dogmatic approach. It could have exploited the leadership weakness in the ANC in Natal and tried to win over those leaders who did not support the militant approach. It had an excellent opportunity to divide the ANC in Natal but failed to do so. Instead it added more severe laws to those already in existence and in this way increased the ire against it.

In retaliation a bitter resistance against these Bills was mobilised by the democratic forces. The NIC and ANC in Natal called upon all organisations in the province, both black and white, to organise a united struggle against the Swart Bills. The Congresses assumed that all anti-government forces were vulnerable, including the United Party, the Torch Commando, the Provincial Councils, the City Councils and even the courts. Mass meetings were held throughout Natal to fight the Bills.³ Unlike the government

¹ A fine that did not exceed three hundred pounds, imprisonment for a period not exceeding three years, or a whipping not exceeding ten strokes, or both were imposed. HPUWL: A2094, Bf4; p.11

² 'The Defiance Campaign Recalled by M.P.Naicker', HPUWL: A2094, Bf4; E.S.Reddy Papers, June 1972, p.11

³ WCL: Advance, 12/2/1952

the Congresses seized the opportunity to woo over white support by informing them that, even they, were vulnerable to the Swart Bills.

One of the first acts of resistance against the two Bills in Natal was initiated by the Sydenham Branch of the NIC which held a protest meeting on Sunday 8 February 1953. Although it took place on private property it was terminated by the police after having taken the names of some of the speakers. The fact that the authorities stamped out a branch protest meeting showed how intolerant they had become towards any form of extra-parliamentary opposition even though it was peaceful. Since there was no rioting, there was no need for the police to intervene, especially as the meeting was a small, branch affair. The government was not, however, able to stifle opposition altogether. Resisters had found a new determination which they had developed during the Campaign. At first the crowd at the Sydenham Branch meeting refused to budge, but when they realised that the meeting was illegal, they simply moved to another piece of land, where they reconvened the meeting and went on to condemn the Bills as fascist.⁴

The Swart Bills only aggravated the already explosive situation. In addition to its promulgation of stringent laws that further eroded the rights of the disfranchised, the government tried to disarm the Congress movement by banning the leadership in Natal. Luthuli, in his presidential address to the ANC Natal Conference in 1953, reiterated that the only crime that banned union and Congress leaders committed was that they had enlightened the masses of their right to be free.

⁴ Under the joint auspices of the two congresses a conference of all interested bodies was called on Sunday 15 February 1953 at an open square in the corner of Carlisle and Albert Streets. WCL: Advance, 12/2/1953

The banning of the ANC leadership in Natal had further weakened the organisation. Luthuli's short-lived accession to the presidency had given it teeth but his two year confinement to the magisterial district of Lower Tugela⁵ further impoverished it. The banishment of Luthuli from Durban was a sinister move by the government to stifle the burgeoning political activity. As he was the Provincial and National president, the banning was an attempt to destroy the organisation. It cut him off from all communication. Durban was the nerve-centre of political activity as it was the headquarters of both the ANC (Natal) and the NIC. The relationship between these two bodies, prior to Luthuli's ascendancy, was not healthy. The deportation of Luthuli to a rural area, where communication was very poor, was a deliberate move to prevent any such contact. The government had seen what effect the alliance of Indian and African political action had accomplished in Natal during the Defiance Campaign, especially as the ANC(Natal) had been earlier weakened by its leadership disputes.

The Luthuli Fund⁶ was created to assist him since he lost his chieftain's allowance. As a chief he earned a small stipend, which helped him fulfil his basic needs. Because he did not lead an affluent lifestyle the denial of such an allowance meant the deprivation of basic needs that he had budgeted for. The establishment of the Fund was to prevent his total financial ruin which would also have affected his political role and aspirations.

Ironically, the government's prohibition of Luthuli from his home town, had a positive impact, because it was the loss of his chieftainship which made him the national leader of the ANC. Further, his expulsion to the Lower

⁵ ANC NATAL Conference, 30-31 October 1954, HPUWL: P.J.M. 18, p.3

⁶ ANC Natal Conference, 30-31 October, 1954, HPUWL: P.J.M 18, p.4

Tugela area earned him the loyalty of the Congress movement that rallied to his financial needs with great enthusiasm. It was a significant manifestation of political solidarity.

Other key leaders who suffered a similar fate were Yengwa and Simelane⁷ By removing these leaders from their constituencies, the government hoped to stifle the progress of the Congress movement. It did succeed, in some small measure, but its action had also made martyrs of them. In essence the government was developing the liberation movement by silencing the leaders.

Having restrained the leaders, the government then set out to restrict the free movement of blacks. By the introduction of the Abolition of Passes and Coordination of Documents Act, it tightened administrative control by the consolidation of the various passes into a single pass book which was officially known as the reference book.⁸ Whilst the Indian community of Natal, which played a key role in the Defiance Campaign, was not affected by this law, the government showed no compassion for the restricted life of the African. Instead, it further increased control over the African people in order to guarantee the white farmer and businessman a cheap source of labour. Because women, on a national basis, were for the first time to carry passes,⁹ the wrath of Africans was intensified as it was a further erosion of their freedom of movement and, by so doing, the government had intensified antagonism towards it.

⁷ M.B.Yengwa, the secretary of the ANC in Natal, was banished from Durban to Mapumulo and Mr P.H.Simelane was banned from attending public meetings for one year. Further Simelane was in the first batch in the defiance campaign and was one of the two leaders of that batch. L. Adapa Collection, p.114

⁸ UDW: Pampallis, Foundations, p.185

⁹ UDW: Pampallis, Foundations, p.185

Besides the constraints imposed by the introduction of the Criminal Law Amendment Act, and the Public Safety Act, the Congress movement faced other major difficulties¹⁰ : the authorities would not easily permit a meeting under the auspices of the ANC; few newspapers would publish statements openly criticising the government, and the printing industry, fearing prosecution under the Suppression of Communism Act, was not prepared to print leaflets calling for industrial action.

Congress had realised that the organisation of any campaign had become almost impossible with the proclamation of draconian measures. To counter government action to stifle Congress activity the 'M' Plan was formulated¹¹ as an alternative to public meetings and distribution of leaflets. The Plan was a preparation to work in secrecy and prepare the ANC to work underground if it were to be banned. The main purpose of which was to create a mass movement and to organize it through a system of organized leaders. The organization was to be tightly knit with efficient records, membership cards, financial records and weekly meetings. The cell-stewards were to be in charge of a street and each cell was to be divided into blocks of seven houses with

¹⁰ UDW: Karis and Carter, From Protest to Challenge, Vol. 3, 'No Easy Walk to Freedom', Presidential Address by Nelson R. Mandela, ANC (Transvaal) 21/09/53, DOC.2, p.106

¹¹

1. consolidate congress machinery;
2. to enable the transmission of important decisions taken on a national level to every member of the organisation without calling public meetings, issuing press statements and printing circulars;
3. to build up in the local branches themselves local congresses which will effectively represent the will of the people;
4. to extend and strength the ties between congress and the people and to consolidate congress leadership.

Karis and Carter, From Protest to Challenge, Vol.3. Doc.2 p.112

each block under a unit steward¹². Thus the Plan, which dealt mainly with house to house drives and whisper campaigns,¹³ proved very successful in certain areas of the Transvaal¹⁴ and the Cape, where people lived very closely. In Natal, however, because several activists, including the presidents of both the ANC and the NIC were banned and the former endured a prolonged leadership crisis, it was difficult to implement the Plan.¹⁵ But, Dr. C.J.B. Le Roux, in his unpublished Doctoral thesis, 'Umkhonto we Sizwe. Its role in the ANCs Onslaught Against White Domination in South Africa, 1961-1988', claims that the local branches and committees in most areas in Natal refused to reorganise themselves in accordance with the Plan. Le Roux is of the opinion that Natal was probably the only area in the country where the provincial and branch structures of the ANC remained relatively separate from one another and Le Roux further claims that Luthuli was not in favour of the Plan but that he neither openly discredited nor did he show approval for it¹⁶. Le Roux also further avers that Luthuli and Professor Z.K. Matthews had serious doubts about the

¹² Karis and Carter, From Protest to Challenge, vol.2, pp.36-37

¹³ Dr G.M.Naicker advocated use of the Plan when addressing meeting of Durban and Districts Zone of the NIC, 1962.

¹⁴ Large crowds turned out at the regional conferences at Sophiatown, Germiston, Kliptown and Benoni on 28 June, 23 and 30 August and 6 September 1953 as proof of the success of the Plan. Karis and Carter, From Protest to Challenge, vol.3, pp.106 - 112

¹⁵ Ebrahim Ismail, an executive committee member of the ANC was a campaign organiser from Natal, who together with Joe Matthews' confirmed that the 'M' Plan was not implemented in Natal. Joe matthews, son of ZK Matthews; played a leading role in the Defiance Campaign. Interviews: Ebrahim Ismail, Joe Matthews.

¹⁶ C.J.B. Le Roux, 'Umkhonto we Sizwe. Its role in the ANCs Onslaught Against White Domination in South Africa, 1961-1988', unpublished PhD thesis, University of Pretoria, 1992, p.30

Plan¹⁷. The one place where the Plan was most successful was Cato Manor.¹⁸

Whilst it has been argued earlier that the government had not exploited the division within the leadership ranks of the ANC in Natal,¹⁹ it did take advantage of the differences that existed between ANC supporters and anti-ANC forces. This was demonstrated by the anti-ANC propaganda of the government-leaning Prince Bhekizulu and S.S. Bhengu. It is possible that the government did not exploit the in-fighting because it hoped that this interminable crisis would be self destructive.

Besides the introduction of harsh legislation to entrench oppression, the government conducted a psychological campaign that compelled the ANC (Natal) and the NIC to call upon the Ministers of Justice and of Lands to stop intimidating blacks.²⁰ The local leaders insisted that the Campaign was based on non-violence and that it was to remain so in spite of Nationalist claims to the contrary. They maintained that the N.P. was involved in deliberate propaganda to denounce the Campaign as violent and demanded that it be proved otherwise.²¹

¹⁷ C.J.B. Le Roux, 'Umkhonto we Sizwe. Its role in the ANCs Onslaught Against White Domination in South Africa, 1961-1988', unpublished PhD thesis, University of Pretoria, 1992, p.31

¹⁸ ANC (Natal) Annual Report of the Executive Committee, 1952/1953, CK 2: DA19: 30/1, p.4

¹⁹ HPUWL: ANC Annual Executive Report, Translation by N/D/Const. S.Dunga. File Ea 1.10.3.1, p.7

²⁰ The minister of Justice and of Lands constantly repeated the words batons, guns and blood. L.Adapa Collection, p.116

²¹ WCL: Advance, 20/11/1952

7.3 WHITE SOLIDARITY AND ITS EFFECTS

People's World, a weekly publication which was formerly known as the Clarion, reported on 25 September 1952 that the Defiance Campaign was the writing on the wall for white domination in South Africa. Many white politicians, pressmen, mining magnates and industrialists were searching for some way out of the impasse that faced them.²² The government were not expected to make concessions to blacks and their only answer was further repression. The general fear was that the N.P. had precipitated a crisis in race relations.²³ Luthuli was of the opinion that the ultimate aim of the white people was the perpetual subjugation of the 'non-white' masses.²⁴

Attempts were, therefore, being made to work out some alternative to apartheid which could preserve white domination but would sidetrack the Defiance Campaign and win support from the black people. The Pirow Plan²⁵ suggested building an all party pressure group to change the government and pledged to create separate black and white areas in Africa.

On 26 September 1952, People's World reported that, according to this plan a Negro Dominion was to be developed north of the Zambesi in which blacks could own land and enter the professions. The inevitable consequence of this was that black labourers would, hopefully, emigrate from South Africa. It was envisaged that with the help of Britain the protectorates would become available for

²² New Versions of Apartheid. WCL: People's World, 25/9/1952

²³ WCL: People's World, 25/9/1952

²⁴ HPUWL: ANC Annual Executive Report, Translation by N/D/Const. S.Dunga. File Ea 1.10.3.1, p.2

²⁵ WCL: People's World, 21/9/1952

African settlement and that Transkei, Zululand and Swaziland might become the homes of other tribes.²⁶

If the Pirow Plan did become a reality it would have had a tremendous impact on Natal because cattle culling and land reduction had been a major issue of frustration.²⁷ Land had already been a contentious issue among the Zulus.²⁸

Whilst the black liberation forces had amalgamated during the Campaign, the aftermath saw the bonding of the white establishments the UP, the Labour Party and the Torch Commando formed the United Democratic Front (UDF), in April 1952.²⁹ The main purpose of this liaison was to create a power bloc against the Nats. Another white political organisation, the Springbok Legion which had in its executive a number of CPSA members, did not develop a close relationship with the ANC for fear that it would lose its position as a white South African organisation of ex-service men. The Torch Commando and the Springbok legion were of the opinion that Afrikaans speaking voters were more likely to vote for the Labour Party than the UP in a general election³⁰ and therefore did not want to jeopardise this. The UP had become more right wing since the middle of 1952 as it did not want to lose conservative white support, especially as the majority of the white electorate was outraged by the Defiance Campaign.

²⁶ WCL: People's World, 25/9/1952

²⁷ There was a gathering of 8 000 tribesmen at Nqutu at a protest meeting during the planning of the Defiance Campaign.

²⁸ Members of a Black South African People originally inhabiting Zululand and Natal. The Concise Oxford Dictionary, Oxford, Eighth Edition, 1990, p.1427

²⁹ UDW: W.B.White, 'The Role of the Springbok Legion in the Communist Party of South Africa's Common Front Strategy, 1941-1950', p.17

³⁰ UDW: White, 'The Role of the Springbok Legion', p.19

White³¹ claims that the U.P. supported the government in the introduction of the Public Safety Bill and the Criminal Law Amendment Bill because it did not want to lose electoral support in the 1953 election. Had it not done so the UP would have been seen as supporting the black Defiance Campaign. This would have placed the party at great risk in the impending election.

As much as it was important for the UP to win the 1953 election it was shortsighted in its action because it allowed the government to promulgate laws to suppress black resistance that had a peaceful intention.

In the diametrically opposite camp to the pro-apartheid white laager was the anti-apartheid white groupings of the Congress of Democrats (COD) and the Liberal Party, both of which were creations of the Campaign. Because of their infinitesimal support they failed to influence the majority of whites. Even the Liberal Party hierarchy : Brookes, Paton, and Malherbe, could not affect the decision-making process because power was controlled by conservative whites.

7.4 GROWTH OF THE ALLIANCE

For the first time Africans, Indians and Coloureds had joined in passive resistance.³² In Natal it was mainly Indians and Africans. Coloureds did not participate because their parent organisation, the Cape based APO³³, did not support the Defiance Campaign as the ANC refused to commit itself to the ten point programme of the AAC.

³¹ UDW: White, 'The Role of the Springbok Legion, p.20

³² UDW: Kuper, Passive Resistance, p.164

³³ The APO had a branch in Natal.

The union of the NIC and ANC was broadened by the growth of a white movement with principles that were the same as those of the Congress Alliance. As a result the black movement gained a sizeable number of white sympathisers and supporters who were sympathetic to its cause. This prompted the formation of the South African People's Congress³⁴ that was to be a member of the Congress Alliance. It was a follow-up of the meeting of whites convened by the ANC and the SAIC in November 1952, where it was decided to form a white organisation that was sympathetic towards the Congress movement. Those whites present at that meeting agreed to form an organisation to expose the evils of discrimination and mobilise support for its abolition.³⁵

As a result³⁶ twenty to forty whites, sympathetic to the Congress, met in an office in Durban and the Natal Provincial branch of SACOD was formed.³⁷ Mrs. Pat Lavoipierre became the first chairperson. Present were certain communist notables: Rowley Arenstein, Jacqueline Arenstein, Errol Shanley and Dorothy Shanley. A number of white former CPSA members also joined as the communist party had been banned. The formation of SACOD in Natal had given them an opportunity to use it as a vehicle to put forward their progressive views. Although the SACOD Natal Provincial Branch, like the other SACOD branches in the union was a white organisation, together with the NIC and the ANC in Natal it worked as part of the Congress

³⁴ The South African People's Congress was later to become the Congress of Democrats.

³⁵ WCL: Advance, 22/1/1953

³⁶ A meeting was held in December 1952, in Johannesburg at which Walter Sisulu and Oliver Tambo spoke to over two hundred white supporters of the Campaign. The Congress was composed of whites who were unconditionally committed to the programme of the African National Congress. This meeting led to the formation of the COD.

³⁷ Interview: Rowley Arenstein 22/05/93

Alliance. It is probable that the Congress of Democrats was formed as an ANC initiative because the Defiance Campaign was not to be seen as a black versus white issue.

The constitution of SACOD followed a policy of freedom and equality for all people. It rejected apartheid, white supremacy and segregation.

The broad alliance gave every South African an opportunity to work for justice for all. This was the difference between the AAC and the ANC because the former was a black movement whereas the latter was all-embracing. The political process evolved from a narrow black alliance of Indians and Africans into a broad union of blacks and whites. It is probable that Champion was not in favour of this union, because he was an Africanist who had a penchant for Zulu ethnicity. Since he had been deposed by Luthuli as president of the ANC in Natal he criticised every move of the movement. Besides, he opposed the new militant approach of the ANC, was totally against the Defiance Campaign, and derided the organisation's ability to launch such a Campaign in the first place. It is unlikely, therefore, that he would have taken kindly to the new alliance member.

The need for all progressive forces, both black and white, to be united, was accentuated during and after the Campaign. At the sixth annual conference of the NIC held on Saturday 21 February 1953 both Dr Naicker and Debi Singh emphasised that it was the responsibility of the progressive black people in the country to do everything in their power to unite the country's oppressed people; which would not come from academic discussions and debates but as a result of united action in struggles against injustice. The Campaign for the Defiance of unjust laws was seen as the first major united attack against oppression by the growing movement for liberation in South Africa.

Whilst Debi Singh, the secretary of the NIC, called on whites to throw in their lot with the 'non-Europeans' if they wanted to make a positive contribution, he asserted that the most potent force against fascism was the organised might of the black people.³⁸ In making such a call Debi Singh had proved that the ethnically organised NIC was not an anti-white organisation. In fact in Natal whites like Rowley Arenstein were not only well accepted by the NIC-ANC alliance but also played a very important role in the Campaign as the legal adviser to the Natal JAC.

Because all parliamentary parties, including those within the United Democratic Front, were upholders of white domination since all of them accepted segregation, the black people had no faith in their policies or programmes. As the United Party had declared time and again that it intended keeping the 'non-European' people 'in their place', it did not enjoy the trust of the black progressive movements.³⁹ The primary aim of the United Democratic Front was to unseat the National Party. The progressive black movements did not seek the unity of the white alliance because it did not interest itself in the struggle of the blacks. In contrast Father Trevor Huddleston⁴⁰ lent his support. He was one of the few whites who sympathised with the black cause and saw this common front of Europeans against the Defiance movement as white failure that would lead to disaster. It was his firm assertion that whilst the Campaign might be regarded as an act of lawlessness; the "non-Europeans" had no other way⁴¹ to express their grievances.

³⁸ WCL: Advance, 26/2/1952

³⁹ United Struggle will defeat Tyranny. WCL: Advance, 26/2/1952

⁴⁰ Played important role in formation of Freedom Charter.

⁴¹ Huddleston Says Defiance Prisoners were Ill-treated. WCL: Rand Daily Mail, 25/9/1952

Whilst this unity had been developing among blacks, especially among the Indians and Africans, the government and its agents tried their best to destroy it by repeated calls for Indian repatriation. Sympathetic towards Indian fears was Luthuli, who vowed that there would be no such thing as Indian repatriation.⁴² This helped to stabilise the unity of the oppressed as the statements about repatriation from the government must have caused much anxiety within the Indian community.

Whereas the Defiance Campaign was the initiative of blacks, whites took a keen interest in the democratic process in political and church circles. This led to the 'hasty' formation of the Liberal Party in South Africa which realised that the discrimination against blacks had to be redressed. The reason for the swift formation of the party could be ascribed to a fear that if whites did not show solidarity with black causes they could be alienated by the potency of the Defiance Campaign. Some were uncomfortable in the established white parties because they supported discrimination against blacks.

In church circles, the Dutch Reformed Church led the way by its call for a National Conference to address the black crisis in which it had the support of the Christian Council of South Africa and the Institute of Race Relations.

Cracks began to appear in the unity of the United Party and the Labour Party probably because of desperation triggered by the drastic actions of the Nats and the new political might of the blacks.⁴³ Only the small Labour Party and the Liberals persisted in their opposition to government action to suppress the Campaign. The Liberals saw the Campaign as

⁴² Luthuli promises 'continued opposition in action. WCL: Advance, 26/2/1952

⁴³ E.S.Reddy, Luthuli: Speeches of Chief Albert John Luthuli, Madiba Publishers, Durban, 1991, pp.55-56

a disciplined response to the denial of human rights by government legislation. They believed in the principle that blacks had a right to share directly in political power⁴⁴ and that the only channels that they had were through the process of demonstrations and passive resistance. They therefore appealed to the government and to chief magistrates not to ban meetings but to consult with blacks.⁴⁵

Whilst the Congress Alliance received tangible, albeit small white patronage, it was not supported by all the black political organisations. Those who did not support it were the BNC, the NEUM and the NIO. The NEUM rejected apartheid and all forms of differentiation of races which it claimed was synonymous with discrimination. It believed in black unity and non-collaboration with the government. The NEUM, which was Trotskyist in character,⁴⁶ opposed the Defiance Campaign on the grounds that it did not unite the blacks as stipulated in the ten point programme, denouncing it as a gimmick.⁴⁷ The organisation failed to perceive the Alliance's strategy when it called on the government to liquidate itself by 29 February 1952. In this regard the NEUM was as nebulous as the government. It is logical to believe that the JPC did not want to be accused of taking drastic steps by breaking laws. On the other hand the NEUM failed to see that the Campaign would help to politicise the Africans which Luthuli believed was the only legal way for them. In fact the large attendance at mass meetings was proof of the support that the Campaign received in Natal, the province.

⁴⁴ Leo Kuper, Passive Resistance, p.160

⁴⁵ Leo Kuper, Passive Resistance, p.160

⁴⁶ Leo Kuper, Passive Resistance, p.40

⁴⁷ WCL: The Torch, 15/1/1952

The NEUM's contention⁴⁸ that courting imprisonment was not in the best interests of freedom was totally wrong because, after the first batch of resisters had been arrested, 100 persons volunteered to participate in the Campaign.

Like the NEUM and the BNC the NIO did not support the Defiance Campaign but like the BNC it was a collaborationist party with narrow Indian merchant interests. If it did defy the laws the merchants would have been in disfavour with the government and it would not have served their personal interests. Ideologically there were vast differences between the alliance movements in Natal that supported the Campaign and the NIO.

7.5 SIGNIFICANCE OF THE DEFIANCE CAMPAIGN:

The Defiance Campaign never reached the stage of a democratic movement 'that had the dimensions of a general strike'⁴⁹ but it changed into a foetal mass organisation.

At the 1953 Conference it was reported that the ANC had a national membership of 28 900⁵⁰ which was a big drop from that reported to the UN in August 1953 when it reported that it had 106 000 members.⁵¹ The Natal paid up membership was 1 300⁵² which could only bring in an annual

⁴⁸ WCL: The Torch, 10/6/1952

⁴⁹ UDW: Karis and Carter, From Protest to Challenge, vol.2, p.426

⁵⁰ This total was reported at the ANC's Annual Conference in December, made up as follows: Cape 16 000, Transvaal 11 000, Natal 1 300, and OFS 600. Some thought membership was for life. Karis and Carter, From Protest to Challenge, vol.3, p.40; Karis Carter, vol.2, p.427

⁵¹ Karis and Carter, From Protest to Challenge, vol.3, p.41

⁵² Karis and Carter, From Protest to Challenge, vol. 3, p.40

income of £162 10s. As the ANC depended on membership for its financial resources this was not very encouraging.

The misconception that membership was for life was a contributory factor. The other probable reasons could be that the ANC in Natal was not well organised; the deposition of Luthuli as the chief of the Amakolwa tribe;⁵³ his banishment to Groutville, and his political inexperience. The harsh attitude of the government in its attempts to defuse the Campaign must have intimidated some of the supporters.

Just as the ANC had to contend with Moroka's disloyalty or rather his selfishness, the NIC had the nefarious Limbada and his anti-Congress activities to deal with. At the sixth annual NIC conference the Working Committee expelled Limbada.⁵⁴ As a member of the NIC he had supported and fought for the NEUM and denounced the policies of the African and Indian Congresses and the Defiance Campaign.⁵⁵ He was charged with being a fellow traveller of the NEUM, a subsidiary of the AAC and of promoting the ten point programme which was rejected by the Congress movement. The popular feeling was that Dr Limbada should have been expelled much earlier as there was no room in Congress for persons who did not carry out the wishes of the movement.

In order to destroy the unity that developed during the Defiance Campaign anti-Campaign forces embarked on a divisive programme. The Supreme Council for the Federation of Bantu Organisations and its affiliated organisation the BNC, dispensed anti-Indian sentiment and anti-Defiance

⁵³ 'The Road to Freedom is via the Cross', Statement issued by A.J.Luthuli after the announcement of his dismissal on 12 November 1952 as chief. UDW: Karis and Carter, From Protest to Challenge, vol.2, p.486

⁵⁴ Limbada expulsion upheld. WCL: Advance, 26/2/1952

⁵⁵ Expelled from Congress. WCL: Advance, 8/1/1953

propaganda among Africans.⁵⁶ Their desire to partition the alliance could have arisen from envy.

Like the NEUM the ANC (National Minded Bloc) did not support the Campaign. They broke away from the parent body soon after the adoption of the JPC's report claiming that the ANC leadership was controlled by former communists who included non-Africans. As Africanists they did not accept that the Campaign should have been under the joint control of Indians and Africans. As a result they refused to have anything to do with the Defiance Campaign.⁵⁷

In order to frustrate black aspirations Nicol Square,⁵⁸ was to be changed by the DCC into a parking garage as a venture of private enterprise. The ANC(Natal) and the NIC strongly objected to the character of the square being changed and demanded that it be retained as a public forum, insisting that it was essential to black people in their struggle for democracy. As blacks had no direct representation in council nor in parliament, the square had come to be known as a forum for protests. It was indeed a mean act by the DCC to stifle such a desperate need.

Soon after the Defiance Campaign the DCC announced that it had been unable to provide any more than water and sanitary services at Cato Manor. This was a far cry from the pre-Defiance days. The DCC, however, had yielded to provide some basic health requirements. Its preparedness to make loans of £20 for building materials for each applicant was also commendable.⁵⁹ With the rent being set at £1 and the

⁵⁶ UDW: Leo Kuper, Passive Resistance, p.150

⁵⁷ KCL: Bantu World, 11/4/1953

⁵⁸ WCL: Guardian, 5/1/1952

⁵⁹ HPUWL: Natal Mercury, 11/11/1953

repayment of the loan at 12s. 6d.⁶⁰ it was hoped that Africans in Durban could live in better conditions than they had been able to. It was well established that the conditions were not ideal but it was a start in the right direction. What is important is that the unbending DCC, which previously refused to accommodate Africans in Durban, had after the Defiance Campaign started to provide loans, water and sanitation and accept the fact that Africans were a part of Durban. It is unlikely that the DCC would have done anything if there had been no Defiance.

Other changes were also initiated in Durban. Havemann, the manager of the Municipal Native Administration made eight recommendations to the DCC on its housing policy. Africans who had not been wanted in Durban previously were to be housed in industrial and non-residential areas. He claimed that the housing of African staff and domestic staff 'is not intrinsically undesirable'; and where this was not possible they were to be housed in hostels. Even local authorities were empowered to reject building plans from whites that did not accompany adequate servant accommodation.⁶¹

The fact that the manager of the Municipal Native Administration made such recommendations to the extent of rejecting plans that did not include accommodation for domestic servants and workers is proof that the DCC was compelled to change its stance with regard to African housing.

Prior to the Defiance Campaign in 1950, Dr H.F.Verwoerd, the Minister of Native Affairs approved of a housing scheme in Umlazi Glebe where houses could be built for £250. Three years later, just after the Campaign, Verwoerd put an

⁶⁰ HPUWL: Natal Mercury, 11/11/53

⁶¹ HPUWL: Daily News, 13/8/53

abrupt stop to the scheme on the grounds that the scheme had no water-borne sewerage or bucket toilet system, and that the floor area of the houses was five square feet short of acceptable standards.⁶² This is a typical example of an attitudinal change on the part of government.

7.6 NAICKER - LUTHULI LEADERSHIP

A close examination of the expectations and experiences of two of Natal's leaders, Luthuli⁶³ and Naicker⁶⁴, a year after the Campaign, provides a deep insight into the aftermath with regard to the African and Indian communities. Both these leaders had called for the unity of the oppressed. They saw no difference between the UP and the Nats except that they occupied roles as oppressors of the blacks and wanted to entrench their positions. Luthuli argued that one had two choices: one stood with the oppressed or the oppressor.⁶⁵

He complained bitterly of the deception by those who believed in Zulu ethnicity and affirmed that this had caused much confusion and division among African people. Instead he called for a front of the democratic forces of the oppressed. The front was not to be a pure black movement against the white government. It was to include white sympathisers and supporters. Naicker condemned the United Democratic Front as having the same ideology as that of the Nats, to woo white voters who were steeped in colour

⁶² HPUWL: Natal Mercury, 5/3/53

⁶³ President of the ANC in Natal.

⁶⁴ President of the NIC.

⁶⁵ Presidential Address to ANC Natal Conference, 1953 Ekuphumeleni, Ladysmith 31/10/53- 1/11/53. HPUWL: Ea 1.10 3.1 ,p.3

prejudice,⁶⁶ but argued that those whites who genuinely believed in the emancipation of the blacks were the true friends of the 'non-European'. Luthuli called for a United Front of all the people of South Africa. In this way a New African Nationalism⁶⁷ was to be brought into being. Naicker also referred to a future Democratic Congress.⁶⁸ He argued that there would not be a need for an ethnic Indian Congress and an ethnic African Congress.

To dispel the propaganda that the Indian was a menace, Luthuli assured Africans that because of the Indian numerical inferiority⁶⁹ they did not pose a threat in any way to African political empowerment. He illustrated his point by claiming that there was one Indian for every five whites, three coloureds and twelve Africans. He added that it was only in Natal that ANC members were confused by the idea of the Indian menace theory. This could be because of the concentration of Indians in the province and the anti-Indianism that existed during the Champion era. Because Luthuli did not want cooperation with Indians to suffer in any way, he deliberately called for a united front of all freedom loving people, in his address to the 1953 ANC Natal

⁶⁶ Presidential Address of the Sixth Annual Conference of the NIC, Durban 21/2/53. UDW: E.S.Reddy Collection, Draft of Manuscript, DOC.no.1254/631, p.44

⁶⁷ Presidential Address of the ANC, held at Ekuphumeleni, Ladysmith on 31/10/53-1/11/53. HPUWL: File Ea 1.10.3.1, p.5

⁶⁸ UDW: Draft of Manuscript, Presidential Address of the Sixth Annual Conference of the NIC, Durban, 21/2/53, DOC. no. 1254/631, p.44

⁶⁹ Africans 8 million
 Europeans 2.5 million
 Coloureds 1.5 million
 Indians .5 million
 HPUWL: ANC Annual Executive Report, Annual Conference of ANC Natal, 31/10/53-1/11/53, File Ea 1.10.3.1, p.6

Conference where he maintained that the divisive tactics was the work of the Nats.

The Programme of Action of the ANC in 1949 had called for the boycott of discriminatory institutions. This was re-affirmed at the Provincial Conference of the ANC held at Ladysmith in Natal in 1953.⁷⁰ The ANC had a complete new approach to its political demands. It stood steadfast with its Programme of Action and demanded equal rights.

With regard to the Defiance Campaign Luthuli himself claimed that 'Natal did very little of the work assigned to the province'⁷¹

He enumerated three main weaknesses: Tribalism, he claimed, was very strong and that the government took advantage of the tribal groups in order to weaken the struggle. Many did not understand the concept of freedom. This was confused to mean 'wealth and happiness'. Others were deceived into believing that one day whites would share their political privilege.⁷²

In his 1954 message to the ANC Natal Conference Luthuli further admonished his supporters in Natal for their slackness in organisation as he had complained in 1953. He was bitterly disappointed that Natal was behind the other provinces in the struggle and that it had a blurred vision about a United African Nation. He summarised the faults in

⁷⁰ HPUWL: Annual Conference, ANC Natal, 30-31 October 1954, p.3

⁷¹ HPUWL: ANC Natal Annual Conference, Ekhuphumeleni, 31/10/53-1/11/53, Address by A.J.Luthuli, p.7

⁷² HPUWL: ANC Natal Annual Conference, Ekhuphumeleni, 31/10/53-1/11/53, Address by A.J.Luthuli, p.7

Natal: as complacency, wishful thinking and too many false prophets.⁷³

7.8 CONCLUSION

The liberation movement in South Africa had evolved to such an unprecedented level that leaders were motivated to believe it was one of the leading movements of Africa. So developed was this belief that the ANC interested itself in proposing a Pan-African Congress, support for which came from the Nkrumah prime minister of the Gold Coast, Naguib, the president of Egypt, and Nehru, prime minister of India.

Whilst the arrest of the leaders contributed to a large extent to the decline of the Campaign it was the twin proclamations: the General Laws Amendment Act and the Public Safety Act that forced the leadership of the Congress Alliance to reassess the situation and suspend the Campaign even though its aim of taking the struggle in Natal to the rural areas had to be aborted.

While the deposition of Luthuli was a severe blow to the ANC in Natal his deprivation of visiting rights to Durban and the banning of Naicker were a severe setback for unity between the ANC and the NIC.

Conservative white solidarity against the black liberation movement did not abate even after resistance was suspended because of the fear that was instilled by the unity of the oppressed forces even though Natal was a UP stronghold. In opposition to conservative white cooperation were the small white democratic forces of the Liberal Party and COD who were powerless because of their limited support.

⁷³ ANC Natal Annual Conference, Ekhuphumeleni, 31/10/53-1/11/53, Address by A.J.Luthuli, Ea 1.10 3.1, p.7; HPUWL: 1954 ANC (Natal) Annual Conference, A24, p.3

The Congress Alliance was also bedevilled with opposition from other black organisations. Whilst the Congress Alliance courted imprisonment as a weapon of political struggle the NEUM's belief, that a freedom fighter's place was not in prison did not have a demotivating effect on the Campaign. Nor did the government-leaning NIO and the BNC's strong objections thwart its progress.

Although defiers rioted in other provinces, Natal did not resort to any form of belligerence even after the discontinuation of the Campaign nor was the 'M' Plan put into effect as an organisational strategy.

Whilst the DCC responded negatively to the struggle by banning the use of Nicol Square with the intention of turning it into a parking garage, the positive aspects were the much improved changes made to African housing. Prior to 1952 Durban made little provision for African accommodation. After the Campaign it changed its attitude completely by the provision of basics like water, sanitary services and small loans. There was also a change of heart in the provision of housing for servants and workers. Plans that did not accommodate black workers were rejected and even the central government, under the influence of Verwoerd, insisted on minimum housing standards.

PART 5
CONCLUSION

CHAPTER 8

CONCLUSION

From the nineteen thirties Indian communists had tried, through the NEUF, to forge links with other black political movements. Alliance had not been realised then because the bonds of ethnicity remained strong. In 1943 soon after the passing of the 'Pegging Act', the SAIC under the Pather-Kajee leadership had vainly attempted to include the ANC in its protest actions. In 1944 the group tried to ally themselves with the AAC on selective issues. Even this failed. Even several attempts an alliance between the AAC and the ANC ended in disaster because the former had wanted the latter to be subjugated to it.

Finally, on 9 March 1947, under the new leadership of Naicker and Dadoo, the Xuma-Naicker-Dadoo Pact was signed between the ANC, NIC and the TIC. After all the earlier ventures, cooperation became a reality because the 1946 ANC conference had instructed its incoming executive to seek unity with other black groups. It had been to the advantage of the ANC to team up with the experienced Indian Congresses. The minuscule Indian Congresses found it expedient to have the support of the majority ANC especially as they had been treated contemptuously by Smuts in their endeavour to expunge the Asiatic Land Tenure and Indian Representation Act from the statute book.

The President of the ANC in Natal had, however, not been a signatory to the Pact because it was an agreement between autonomous organisations. The ANC could not contract with the SAIC because that movement had still been under the control of the Kajee-Pather group. Although the NIC and the TIC were provincial units they were autonomous. As much as the NIC would have liked Champion to have been a signatory

to the Pact it could not dictate to an independent ANC. The omission of Champion caused much dissension in Natal politics. Yet he supported the declaration of cooperation because of his loyalty to the ANC. For the next two years, there was though very little interaction between the ANC and the NIC in Natal to implement the spirit of the Pact until the catastrophe of the 1949 riots.

Indian commercial enterprise, denial of African economic advancement, poor housing accommodation for Africans, the callous deprivation of it by the Durban Corporation, envy at Indian economic advancement, discriminatory state laws, refusal of the police to act timeously, instigation by whites, a stubborn DCC and lack of municipal franchise for blacks have been some of the reasons advanced for the calamity. The primary cause does appear, however, to have been the reluctance of the DCC to house or provide basic sanitary services for those Africans who had migrated into the burgeoning industrial centre of Durban. The commission appointed by the government to investigate the causes of the riots lost credibility because it did not allow for cross examination of witnesses nor did it have Indian and African commissioners.

When the Smuts government had declined to repeal the Asiatic Land Tenure and Indian Representation Act the problem had been internationalised when attempts were made to resolve the differences between the governments of SA and India at a Round Table Conference. The differences over fundamentals resulted, however, in deadlock. At the same time the formation of the conservative NIO on 4 May 1947, divided the Indian community and thus strengthened the hand of Smuts.

With the coming to power of the National Party in 1948 the Passive Resistance Campaign had been suspended in the hope that the new government would be sympathetic towards the

cause of the NIC. But the NIC leaders were proved wrong. Malan had been blunt. He rejected the NIC because of its international exposure of discrimination and its communist membership. His more conciliatory approach to the accommodationalist SAIO widened the political rent within the Indian community.

The ANC had undergone a difficult period by the end of 1947. Its thirty-one branches had a total of only 1,520 members as against the NIC's membership of 35,000. Cattle culling, the re-settlement of Africans and unemployment on a large scale had contributed to this. Up to 1947 the ANC in Natal had no full time organiser. The work of the first incumbent, Mgadi, had been vexed with many problems because of the ANC's acute shortage of funds.

The NIC and the ANC in Natal had worked independently of each other in spite of the Pact being signed in 1947. Not until the catastrophe of the 13 January 1949 had the movements been galvanised into action. It had been this cataclysm that had propelled the politics of alliance. Even before the mop up operations were over the ANC, SAIC, APO and the SACP met in Durban for more than six weeks to assess the damage and analyse the political implication of the rioting. In the same year the ANC, under the influence of the Youth Leaguers, had adopted the Programme of Action, in which it was resolved to change the organisation's approach from that of passivity to one of militancy. The change, however, had an unfortunate impact in Natal where the organisation had become fractured into Africanists and Youth Leaguers. Meetings were not held for eight months and total organisational breakdown resulted. The camps which emerged were divided into those of Champion, the president, leading the Africanists while Msimang, the secretary, took charge of the Youth Leaguers. The internecine war between them continued unabated for the next few years.

The NIC had not been free from friction either. Dr Limbada, a fellow traveller of the NEUM had attempted on several occasions to hijack Congress branches. Newcastle, Dundee, Glencoe and the Ladysmith branches had been especially vulnerable. For this reason he had been expelled from Congress at its Sixth Annual Conference.

When Champion had refused to accept the Programme of Action the national body had difficulty in the furtherance of the movement's objectives in Natal. It therefore took it upon itself to intervene in Natal's politics by sending Diliza Mji, a fourth year medical student from the Transvaal, to organise the National Day of Protest and Mourning on 26 June 1950. Eighteen months after Durban's cataclysm, the politics of alliance began to pay dividends when Mji stayed with Monty Naicker and developed a close association with the NIC.

The thousands of Indian and African strikers in Durban on 26 June 1950 affirmed the success of the new alliance. It had been the first major event after the acceptance of the Programme of Action by the ANC. The dismissal of 350 Indian and 150 African workers by the DCC for their adherence to the Congress strike call further cemented interaction between the ANC's Youth Leaguers in Natal and the NIC when they both attempted to alleviate the plight of the retrenched. It was the proclamation of discriminatory legislation by the National Party that instilled the desire for cooperation between the ANC (Natal), NIC, APO, and the SACP. Only the SACP had been organisationally non-racial, the others had been ethnic in formation, but non-racial in philosophy. Discriminatory legislation had complemented the 1949 catastrophe as a catalyst for cooperation between these ethnic political movements.

After the endorsement by the ANC of the Programme of Action, the politics of alliance between the diverse groups

served as a force of unity in action in preparation for the country's most ambitious resistance crusade, the Defiance Campaign. When the ANC had formulated the Programme of Action it had set out to transfigure its political approach from passivity to militancy. The programme had been a response to the harsh laws of the National Party government. The non-violent Defiance Campaign had been initiated as a resistance response to six discriminatory laws: the pass laws, stock limitation laws, the Bantu Authorities Act, the Group Areas Act, the Representation of Voters Act and the Suppression of Communism Act.

Unfortunately the Coloured community had precluded itself from this initiative because of the APO's estrangement from the AAC. With the absence of the Coloureds it became an Indian-African campaign.

The national JPC was at the head of the provincial JPCs. In Natal it was made up of executive members of the ANC and the NIC. Unlike the national planning council the provincial committee had two volunteers-in-chief, Simelane for ANC in Natal, Deoduth for the NIC. For many reasons the ANC in Natal had been disoriented and Luthuli, who had been president since June 1951, doubted whether the province had the capacity to mount a mass campaign. Luthuli did not expect other chiefs to support the Campaign, as they had been strong supporters of Champion.

Chief Cyprian Bhekizulu, in particular, had sided with the government probably to protect his emolument and did not support the ANC initiative. Although there were widespread police raids, the spirit of the campaign was not dampened. The adverse press coverage by the white newspapers made planning very difficult. These newspapers which supported the Campaign; the Leader, Guardian and Advance did not have a big readership. Bantu World a white owned black newspaper

was particularly vicious in its criticism of the Campaign in Natal.

Wide ranging criticism had in fact been levelled at the Defiance Campaign from the very start. The minuscule APO, NEUM and NIO were particularly vocal. The unpopular Africanist BNC was no less so.

The NEUM had marginal support in Natal, its membership being largely limited to the Indian and Coloured communities. Whilst it did not initiate any crusades of its own it had condemned both the 1946 Passive Resistance and the Defiance Campaign because of its allegiance to the AAC. Besides the SACP it was the only other non-racial movement in the province. The NIO, an Indian ethnic political organisation operated within the community. It had no mass support but because of its elitism, elicited merchant class patronage. It had been excluded from the mainstream of political activity because of its collaboration with both Malan and Smuts. In ideology the party closest to the NIO was the Africanist BNC which paradoxically had been anti-Indian. Its claim of large scale African support had never been tested.

Despite opposition to the Defiance Campaign by the black opponents of the Congress Alliance it had been well planned in Natal, with the provincial JPC having enjoyed cordiality within its mixed committee of executives from both the NIC and the ANC. The late start on 31 August 1952 had, however, been requested by ANC (Natal) because it had not yet been ready.

The Campaign itself attracted world wide attention. In India the resistance was discussed at cabinet level. Britain's Christian Action Movement collected funds for the dependents of passive resisters and received the support of

Lady Violet Bonham Carter and several other British dignitaries.

Although the NIC and ANC (Natal) were ethnically organised batches of volunteers were mixed except when pass laws and curfew regulations were violated. Since these statutes had only affected Africans, Indians had not been part of these campaigns. Although defiers came from all over the province the centre of the Defiance Campaign was Durban. The batch numbers were small compared with those in the other provinces and the 1946 Indian Passive Resistance Campaign, but the supporting crowds were very large. At Nqutu 8 000 attended a cattle culling meeting and on the first day of resistance in South Africa, 26 June 1952, there were 5 000 supporters at Nicol Square.

Fines meted out to defiers ranged from 2s.6d. to £7 10s. Imprisonment ranged from 4 to 30 days. Punishment often included hard labour. Sometimes the group leaders received shorter prison sentence than their adherents in order to humiliate him. The first batch had been forced to sleep naked on Saturday which were bath nights. In order to split the alliance between Indian and African prisoners the former were given bread and a spoon of jam while the latter were offered hard boiled mealies and no jam at all. Confrontationists were engaged in pushing barrow loads of sand reclaiming the bay area. Those who failed to complete their task were incarcerated in solitary confinement and deprived of meal tickets. No hot drinks were allowed to prisoners of less than three months.

The Campaign in Natal was called off prematurely because of anti-democratic legislation that the National party had introduced to suppress it. For the first time in the history of the liberation struggle there was a united Campaign against the government under a single leadership.

This was a watershed in the Black politics of this country.

Conservative white solidarity against the black liberation movement was strengthened because of the fear that was instilled by the unity of the oppressed forces even though Natal was an English stronghold. In opposition to conservative white cooperation were the white democratic forces of the Liberal Party and COD who, because of their size, were ineffective

The DCC made many attempts to undermine the Campaign but its worst measure was the preventing of the use of Nicol Square for meetings by turning it into a parking garage. Until then the square had been the nerve centre of black politics in the province. It had been the centre of non-violent politicking by freedom fighters.

After the Campaign the DCC changed its inflexible attitude to African housing. It provided the basics: water, sanitary services, and loans, which had previously been denied to Africans. Housing plans had in future to accommodate the needs of African servants and workers or run the risk of rejection by the corporation.

Whilst the Defiance Campaign had started as a union of Indian-African activists, Naicker and Luthuli had called for a united front of all democratic forces. Luthuli appealed to Africans to develop the concept of a new Nationalism which would embrace all races, Naicker prophesied the evolution of a non-ethnic new organisation that would embrace all races.

The Campaign, which was to have been fought in three stages had to be aborted before the third stage had been reached because of the of harsh laws enacted by the government. The desire of the organisers to enlist 10 000 volunteers was not achieved but the final total of 8 507 after only two

stages had been undertaken was nevertheless, an excellent achievement. Natal's performance had, however, been the poorest with only 246 which amounted to 2.3% of the national total.

APPENDIX

Table 9
STATE OF THE ANC BRANCHES IN NATAL AT THE END OF 1947

NO.	BRANCH	MEMBERSHIP
1.	Charlestown	61
2.	Richmond	54
3.	Umzumbi & Enqabeni	40
4.	Empangeni	43
5.	Tayside	51
6.	Durban	221
7.	Colenso	30
8.	Dukuza (Bergville)	73
9.	Vryheid (Kambula still to come)	31
10.	Lower Tugela	86
11.	Buxedeni (Mtubatuba)	28
12.	Dwararand (Louwsberg)	124
13.	Mtubatuba	36
14.	Tugela Ferry	defunct
15.	Melmoth	60
16.	Impendle	61
17.	Noodsberg	28
18.	Pietermaritzburg	33
19.	Besters	26
20.	Dlomodlomo	15
21.	Paulpietersberg	30
22.	Bergville	58
23.	Kwambonami	69
24.	Estcourt	29
25.	Weenen	30
26.	Mpandwini (Bergville)	36
27.	Landskop	15
28.	Nongoma	39

The following areas needed attention:

NO.	BRANCH	MEMBERSHIP
A.	Kranskop	8
B.	Rockdale (Bergville)	4
C.	Unattached members	18

The total membership for 1947 was 1520

The following tables show the losses incurred by the various communities:

TABLE 10
1949 RIOTS: CASUALTIES DURING THE RIOTS

	DEATHS	INJURED
EUROPEANS	1	32
INDIANS	50	503
NATIVES	87	541
COLOUREDS	-	11
NOT IDENTIFIED	4	
TOTAL	142	1087
INJURED WHO DIED	58	

Table 11
1949 RIOTS: DAMAGE TO PROPERTY

	DESTROYED	DAMAGED
FACTORIES	1	2
STORES	58	652
DWELLINGS	247	1285

¹ Report of the Commission of Enquiry into Riots in Durban. UG 36/49, p17

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2:XB12 H.J.Bhengu
2:XC2 Yusuf Cachalia
2:XC9 A.W.G. Champion
2:XD1 Yusuf M.Dadoo

REEL 10A

2:XG15 Zainunni A. (Cissie) Gool

REEL 11A

2:XK6 A.M.Kathrada
2:XL25 Albert J.Luthuli

REEL 12A

2:XM33 Nelson R. Mandela
2:XM65 Joseph G. Matthews
2:XM84 I.C.Meer
2:XM93 Diliza Mji
2:XM97 Florence Mkhize2:XM126 Kay Moonsamy
2:XM130 James S.Moroka
2:XM160 H.S.Msimang

REEL 13A

2:XM1 G.M.(Monty) Naicker
2:XM2 M.P.Naicker
2:XM4 H.A.Naidoo
2:XM6 Billy Nair
2:XM12 Curnick Ndhlovu
2:XM32 Jordan K.Ngubane
2:XP2 P.R.Pather
2:XP3 Alan S. Paton
2:XR18 Sorabjee Rustomjee

REEL 14A
 2:XS34 Debi Singh
 2:XS35 J.N.Singh
 2:XY1 M.B.Yengwa

REEL 3B
 DA:14/5 African National Congress and the South
 African Indian Congress Joint Executive

REEL 3B
 2:DA19 ANC Natal
 2:DA19/1 ANC Natal Executive Committee
 2:DA19/2 ANC Natal and NIC Joint Actions
 2:DA19/3 ANC Natal Working Committee
 2:DA24 ANC Defiance Campaign
 2:DA25 ANC Stay-at Home Campaign

REEL 6B
 2:DN1 Non-European Conference
 2:DN2 Non-European Unity Movement
 2:DN3 Non-European United Front of South Africa

REEL 7B
 2:EJ2 Joint Passive Resistance Council of Natal
 and the Transvaal Indian Congress
 2:EN2 National Anti-Pass Council

REEL 8B
 2:EP1 Passive Resistance Council
 2:ES4 South African Indian Congress
 2:ES5 South African Indian Organisation
 2:ES5/1 South African Indian Congress. Youth
 Congress
 2:ES6 Springbok Legion

REEL 13B
 2:L13 I.C.U. Natal

REEL 14B.
 2:LS4 South African Trades and Labour Council

REEL 29B
 25:EN2 Natal Indian Congress
 25:EN3 Natal Indian Organisation

REEL 15A
 2:XC9 A.W.G. Champion

REEL 16A
 2:XC9 A.W.G. Champion

REEL 17A
 2:XC9 A.W.G. Champion

REEL 18A
2:XX2 A.B.Xuma

REEL 20A
2:YI1 Indian and Coloured Affairs

REEL 15
252:EA1 Anti-Segregation Council
252:ED2 Durban Combined Indian Ratepayers
Association
252:YU1 United Anti-Fascist Rally, 1950

REEL 22A
2:ES4 South African Indian Congress (Addenda)
25:EN2 Natal Indian Congress (Addenda)

REEL 7
1:A41 United Nations General Assembly

REEL 10
2:AK5/2 Native Representative Minutes

REEL 13
2:AV4 Government Information Office , New York and
Washington D.C.

B UNOFFICIAL ARCHIVAL

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 - (ii) Margaret Ballinger Papers. No. 2659-2779.
 - (iii) Agenda Book - South African Indian Congress Conferences
 - (iv) South African Indian Congress (SAIC) Papers
 - (v) S.Bhana Collection 957/220-258
 - (vi) Gengan George Ponnen - Manuscript
2. **Historical Papers Department University of Witwatersrand**
 - (i) African National Congress Collection (AD 2186)
 - (ii) A.W.G. Champion Papers (A922)
 - (iii) South African Institute of Race Relations Papers

- (iv) E.S. Reddy Papers (A2094)
- 3. Don Africana Library - City of Durban
 - (i) The DON Collection of African Books and Pamphlets
- 4. Unisa Documentation Centre for African Studies
 - (i) United Party Archives
Ref. 48
 - (ii) S.S.Singh Collection
ACC 105
 - (iii) Albert John Luthuli Papers
H.845
 - (iv) A.W.G. Champion Collection

C PRIVATE

- 1. GEORGE NAICKER
[14 years on Robben Island, 14 years in exile,
member ANC, NIC, SACP]
 - (i) political pamphlets
 - (ii) miscalleaneous documents
- 2. KAY MOONSAMY
[25 yeears in exile, former organising secretary
- NIC, national treasurer SACP]
 - (i) documents
 - (ii) correspondece
- 4. DENNIS V. NAICKER
[former grantee Cato Indian Education Society]
 - (i) brochure
 - (ii) documents
- 5. M.D. NAIDOO
[5 years on Robben Island, detained Passive
Resistance, former vice president NIC, former
secretary NEUF, Durban Branch, 10 years in exile,
advocate of the Supreme Court of SA]
 - (i) documents
- 6. L. ADAPA
[trade unionist, member NIC, SACP]
 - (i) documents
 - (ii) newspapers

11 ORAL EVIDENCE

(A) Interviews

Ahmed Kathrada, Johannesburg, [Member Mkhonto we Sizwe, NEC member ANC, executive member SACP 25 years on Robben Island]	19 February 1993 21 February 1993
Ahmed Bhoola, Durban [retired businessman]	14 April 1994
Billy Nair, Durban, [20 years on Robben Island, member Mkhonto we Sizwe, former general secretary SACTU, NECC member ANC, executive member SACP]	30 Febraury 1993
Chinna Naidoo [retired businessman]	16 April 1994
Dr F.Mouton, Pretoria, [lecturer in History, Unisa]	24 March 1993
Ebrahim Ismail, Durban, [Twice detained on Robben Island, first term - 16 years, second term NEC member ANC, member Mkhonto we sizwe, former executive member NIC Youth League, former member ISA]	4 June 1993 6 June 1993 7 June 1993
George Naicker, Durban, [14 years on Robben Island, 10 years in exile, member ANC, NIC, SACP]	9 January 1994
I.C.Meer, Verulam, [former executive member NIC, Batch leader of Defiance Campaign, detained during Defiance Campaign and Treason Trial]	27 April 1993 28 April 1993 29 April 1993 15 November 1993 16 November 1993
J.N.Singh, Durban, [former secretary NIC, batch leader Defiance Campaign, detained during Defiance Campaign]	1 November 1993 2 November 1993
Jacqueline Arenstein, Durban, [founder member COD, former member SACP]	10 October 1992 11 October 1992 12 October 1992 20 April 1993 21 April 1993

Joe Matthews, Durban, [founder member Mkhonto we Sizwe, former executive member ANC, member Inkatha Central Committee]	4 June 1993
Kay Moonsamy, Durban, [25 yeears in exile, former organising secretary - NIC, national treasurer SACP]	16 March 1993 14 October 1993 8 January 1993
Kisten Chetty, Durban, [victim of 1949 Riots]	16 February 1993 17 February 1993 14 March 1993
M.D.Naidoo, Durban, [5 years on Robben Island, detained during Passive Resistance, former vice president NIC, former secretary NEUF, Durban Branch, 10 years in exile, advocate of the Supreme Court of SA]	20 March 1993 21 March 1993 22 March 1993 12 June 1993 12 October 1993 13 October 1993
Natoo Babenia [16 years on Robben Island, member NIC, ANC, and Mkhonto we Sizwe]	20 October 1992 21 October 1992
Professor Tom Lodge, Johannesburg, [author Black Politics in SA since 1945, lecturer Dept. of Politics, Wits]	10 November 1992 11 November 1992 27 March 1993 28 March 1993
Professor Surendra Bhana, Durban, [former Head of History Department UDW]	15 October 1993 20 October 1993
Rowley Arenstein, Durban, [founder member COD, former member SACP, member Inkatha Central Committee]	15 March 1993 22 March 1993 14 October 1993 15 October 1993 16 October 1993
R.G. Pillay, Durban [former chairman Durban and Districts Branch of the NIC, trade unionist, member SACP, ANC]	8 October 1992 10 October 1992
Sonny Bhagwan [a former secretary NIC Youth League]	16 April, 1994
Swaminathan, Durban,	30 November 1993

[trade unionist, former member SACP,
member NIC]

Tim Nuttall, Pietermaritzburg, 22 March 1993
[lecturer, Department of History,
University of Natal, Pmb.]

Young Veeran, Durban, 8 May 1993
[former SA Indian Boxing Champion,
victim 1949 Riots]

(B) Telephone Conversation

Professor Jackie Grobler, Pretoria, 26 March 1993
[lecturer, Department of History,
University of Pretoria]

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1. House of Assembly Debates, Vol. 10, 1946
2. House of Assembly Debates, Vol. 12, 1946
3. House of Assembly Debates Vol. 59, 1947
4. House of Assembly Debates, Vol. 62, 1948
5. House of Assembly Debates, Vol. 64, 1948

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