

The Natal Indian Congress and the Indian Struggle Against Apartheid in South Africa 1940-1952



Naicker address mass meeting to launch the Passive Resistance Campaign - Durban 1946.

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Preface

Founded in 1894 by Mohandas K. Gandhi during the early years of his illustrious career, the Natal Indian Congress (NIC) is one of the oldest and most well known political organizations in South Africa. Representing a diverse Indian community in the Natal province of South Africa, this organization was originally created to serve as a channel of communication between the white government and the wealthy Indian trading elite in Natal, and to serve as a forum for the protection of the rights that Indians believed they were entitled to as subjects of the British crown. After 1945, however, it became clear that Natal, like other parts of Southern Africa, was gravitating towards a white supremacists' ethos this organization's purpose began to change. This change within the NIC was marked by a decline in the rich merchant leadership of the NIC and the rise of a younger, more educated and radical group of leaders. As a result of this leadership change, the NIC's political stance shifted from one of compromise and accommodation to one of defiance and protest.

The purpose of this research project is to analyze the Indian contribution to the struggle against Apartheid in South Africa. To do this, I will examine the changing political trends that occurred within the NIC during a critical period of its existence between the years 1940-1952 and explore the ways that these changing trends had an impact that was felt both domestically and internationally. I explore the power struggle that occurred between the conservative merchant elite and the politically powerless Indian middle and working classes of indentured origins. I also analyze the ways in which the new militant leadership launched the Passive Resistance Campaign of 1946-

1948, after ousting the conservative leadership in 1945 and explore the ways it, both domestically and internationally, affected the political situation of the Indian community in their struggle against apartheid in South Africa.

Despite the importance of the Indian contribution in the struggle against apartheid, there has been virtually nothing written about it by African historians that focuses exclusively on the activities of the NIC between the years of 1940-1952. While some contemporary scholars have given this important period some superficial attention as part of their larger works, none of them analyzed this time very closely and all of them have failed to capture the significance of the radical policy shifts and political changes that occurred within the NIC and the Indian community. This paper makes a contribution to the field of African history by giving a detailed account of the activities of the NIC during this turbulent time and explains the significance of these activities by describing how these events had a major impact on politics in both South Africa and the world.

In addition to reading the basic historiographic texts on the activities of the NIC between 1940 and 1952, I studied works that dealt with non-European protests against apartheid in South Africa in order to get a detailed understanding of the complex web of politics and inter-ethnic relations that governed South African politics during this time. I also used the Internet in my research to surf the ANC webpage and the webpage of South African historian, E.S. Reddy, both of which maintain detailed archive collections online of the activities of the Indian and African communities during the fight against apartheid.

For my primary sources, I examined the documents published by the NIC in their agenda books between the years 1940 and 1952. These agenda books include letters of correspondence, speeches given by the major political leaders, records and notes of

internal workings of the NIC and numerous resolutions and political statements published by the organization.

A major weakness in my primary sources is that the NIC agenda books tend to focus only on the activities and political views of the leadership elite within the NIC and neglect those of the Indian community. While I have read an enormous amount of literature published by the charismatic leaders of the NIC, I was unable to locate much information dealing with the experiences of the common, uneducated members of the Indian working classes that the organization claimed to represent.

I have attempted to fill in this gap by reading local newspapers that circulated during this time such as *Flash* and *Indian Opinion*. This search produced few results, since the overwhelming amount of political literature published by both the NIC and the South African Indian community comes from a rich foreign educated professional elite that controlled the Indian political establishment during this time.

Another weakness of my primary sources is that they fail to capture the full complexity of the inter-ethnic relations between Africans and Indians. While I have read much about the celebrated African-Indian unity between the leadership elite of the NIC and African National Congress (ANC), most texts published by the NIC and the ANC do not describe the tremendous tension between the working classes of these two racial groups. While the leadership elite of these two groups was boldly proclaiming non-European unity against white racism, their working class members were, according to my research, seething with hatred.

I have attempted to capture the complexity of this changing relationship by analyzing the sociological literature published on the inter-ethnic relations between

Indians and Africans in South Africa. I have also included in my research an analysis of the Durban riots of 1949 and its aftermath. This incident, and the way the political elites of the ANC and NIC dealt with it, is crucial in understanding the tensions that existed between these two racial groups despite the political alliance between the leadership elites.

My research was made possible by a generous SPUR grant from the University of California at Santa Barbara, College of Letters and Science. I also owe a debt of gratitude to my Indian friends, Razia Shah and Rohith Reddy at the University of Durban in South Africa who unselfishly took time from their busy days to send me copies from their university archives for my research. The fact that these South African Indians found the time and energy to help a stranger living more than 8,000 miles away bespeaks volumes for the kindness of the South African Indian community. I would like to thank all my fellow colleagues in my honors seminar as well as my seminar advisors at the University of California at Santa Barbara, Dr. Harold Marcuse and Dr. Jonathan Glickstein who helped proof read my paper and helped me find new ways to improve this research project. I would also like to thank the countless people in the libraries at UCSB, UCLA and interlibrary loan department who helped me learn how to become a better historical researcher and locate dozens of important documents for my research. Finally, I would like to thank my mentor and friend, Dr. Stephan F Miescher, who took time out of his busy schedule as a first-year professor to see me through all the stages of this project with patience, kindness and helpful criticism. My debt to him for his help in my quest to become a better historian are truly immeasurable.

Introduction

The Origins of the South African Indian Community

The history of the Indian community in South Africa begins in 1860 with the arrival of the first indentured servants from India¹. These indentured servants were brought by the British to work on the sugar plantations of Natal. In his book, *Insiders and Outsiders*, Bill Freund describes that until the Indians' arrival, Natal, annexed by the British in 1843, was a classic example of a colony that lacked the essential work-force component that a new capitalistic system demanded. While there was a small British settler population, which quickly grabbed up all the land the colonial government gave to them, they were too few in number to run their large farms. Employing white labor was too expensive and unprofitable. As a result of this problem, the settler community began to look for other sources to supplement the labor shortage.²

The native African population, while numerous, were by no means willing to work for a wage and, generally, were content to work their own land and remain aloof to the social, economic and political possibilities offered by the new colonial regime. The

¹ Actually the Indians have been in South Africa for as long as the Afrikaners (this refutes the old Afrikaner notion that Indians are an alien element to South Africa). Soon after Jan Van Riebeeck set up the first Dutch settlement at the Cape of Good Hope in 1652, people from India were taken to the Cape and sold into slavery to do farm work on Dutch owned farms. While this first group of Indians gradually lost their Indian cultural identity, and integrated into Afrikaner culture through marriage and/or sexual relations with the Afrikaners. Their descendants are currently become part of the racial group known as the "Coloureds" of the Cape. For more information on this interesting topic please see E.S. Reddy's Homepage Indian Slaves in South Africa at <http://www.anc.org.za/un/reddy/index.html>, 10-5.

² Freund, Bill, *Insiders and Outsiders: The Indian Working Class of Durban 1910-1990* (Pietermaritzburg: University of Natal Press, 1995), 1-8.

few Africans who were willing to work on the plantations wanted to work on their own terms and at their own convenience. In addition to this, several scholars such as Keletso E. Atkins, point out that most white plantation owners had trouble overcoming the many cultural barriers when it came to determining when and for how long African contract workers were willing to work. For example, the Zulu system of telling time on the basis of lunar patterns and their unwillingness to work after dark during the harvesting season lead to several incidents and lost crops—something that forced the plantation owners to look elsewhere for their work force.³

After unsuccessfully trying several solutions it was eventually decided by the British authorities in 1860 to import indentured servants from India. This system was already in place in about a dozen British colonies, making it well established and easy to use in Natal. Attracted by promises of wages, sustenance and land after their indenture contract expired, thousands of Indians, mostly from lower sudra and untouchable castes from the poorest agricultural regions surrounding Madras and Calcutta, decided to emigrate to escape the grinding poverty, caste discrimination and overpopulation of rural India. This policy of emigration was supported by the British Raj who saw it as a way to make money for the imperial government of India and to give jobs to the thousands of Indian workmen unemployed as a result of the flood of manufactured goods from Britain.

³Keletso E. Atkins, 'Kafir Time': *Preindustrial Temporal Concepts and Labour Discipline in Nineteenth-Century Colonial Natal*. (*Journal of African History*, 29, 1988), 229-244.

Life for these indentured servants from India was far from liberating and was in reality not much better than contracted slavery⁴. Freund explains:

Indenture, like slavery before it, represented the revival of a system of abeyance. The indenture contract allowed for the employment of wage workers, under the conditions giving a very high level of control to the masters... Masters were virtually entirely free to set the terms of work; they could prevent the workers from leaving the grounds.⁵

The British government attempted to protect these indentured servants by appointing an official called the Protector of Immigrants. However, this official was either simply ignored by the colonial government or too reluctant to interfere in ways that might anger the plantation owners⁶. As Maureen Swan noted:

Employers sought to keep costs low by denying workers their contract rights and by a concomitant reliance on labor-coercive techniques. Plantation workers were overworked (as much as a seventeen or eighteen hour days during the overlapping crushing and planting seasons), malnourished and poorly housed. These aspects of their existence gave rise to abnormally high disease and death rates ... In short, there is a solid weight of evidence in the Protector's files to suggest that overwork, malnourishment, and squalid living conditions formed the pattern of daily life for most agricultural workers.⁷

Detailing the role Indentured Indians played in the development of the agricultural economy of Natal, Swan also describes a second group of Indian immigrants that dominated the economic, social and political life of the Indian community in South Africa

⁴ For more information on indentured servants see: Hugh Tinker's, A New System of Slavery: The Export of Indian Labour Overseas 1830-1920 (London: Oxford University Press, 1974)

⁵ Freund, 2.

⁶ For a useful history of the sugar industry in Natal see: Peter Richardson, "The Natal Sugar Industry, 1849-1905: An Interpretative Essay," *Journal of African History* 23 (1982), 515-527.

⁷ Swan, Maureen, Gandhi-The South African Experience (Johannesburg: Raven Press, 1985), 25-26.

throughout much of its early years.⁸ These were the "passenger Indians". Unlike the indentured Indians the majority of passenger Indians came from Gujarati trading communities around Bombay. Emigrating to Natal at their own expense, this heterogeneous group was composed of Muslims and Hindus from the trading castes and soon established a string of family-owned-and-operated stores all over Natal and the Boer Republics. Because they often used family labor and dealt in bulk, these Indian merchants were able to undersell their competitors as they fanned out across South Africa. They were also able to corner the market that sold goods to the low-income indentured Indian clientele.⁹ As a result of their austerity, hard work and clever business practices, these merchant Indians soon began to play a major role in the economy of Natal.¹⁰

Early Discrimination Against the Indian Community

As both indentured and passenger Indians flowed into the colony of Natal, the white population began to become increasingly apprehensive about the rapidly increasing role that Indians played in the economy of Natal. While most white plantation owners did not object to the presence of indentured Indians, whose value to the colony's economy was openly acknowledged, many whites were alarmed by the vast numbers of Indians who decided to stay in the colony once their term of indenture ended. The artisans and

⁸ For more information on Indian Immigration to Natal during this time see: L.M. Thompson, "Indian Immigration into Natal (1860-1972)," *Archives Yearbook for South African History* 15, 2 (1952), Chapter 5.

⁹ For an economic analysis of the merchant Indians see: Vishnu Padayachee and Robert Morrell, "Indian Merchants and *Dukawallahs* in the Natal Economy c. 1875-1914," *Journal of Southern African Studies* 17,1 (1991), 71-104.

¹⁰ Swan, 3-10.

day laborers among the white community began to fear losing their jobs to the newly freed “coolies”¹¹ who were willing to work for less money. Also, many white traders felt threatened by the invasions of the so-called “Arab”, whose capital and resourcefulness was beginning to challenge the white traders’ virtual monopoly on trade with the Africans¹². By the 1890s, Indians outnumbered whites in Natal and many whites began to fear that they would be swamped in a sea of cheap goods and labor.¹³

These anxieties manifested themselves in a series of oppressive laws passed in the 1890’s by the white-controlled colonial legislature that was aimed at crippling the role the Indians played in the political and economic life of Natal. The first of these was the Franchise Law Amendment Act, which effectively stripped the entire Indian community of its right to vote. Next, the white-controlled legislature passed a law that targeted newly freed indentured servants of Natal, known as Act 17. This law required all free indentured Indians to pay a three-pound tax once their contracts were terminated, or face reindenture or return to India. For indentured servants, who earned an average of ten to twelve pounds a year, this was a substantial burden that forced many to accept deportation or reindenture.¹⁴

The next two laws were aimed at the passenger Indians. One of these, known as the Immigration Restriction Act, empowered the immigration officers of South Africa to apply a series of literacy and English fluency tests at the point of entry. Since this law

¹¹ a new racial slur used by whites in Natal against the Indians.

¹² Bhana, Surendra, Gandhi’s Legacy: The Natal Indian Congress 1894-1994 (Pietermaritzburg: University of Natal Press, 1997), 1-7.

posed no threat to English immigrants coming to Natal, it quickly became clear that this legislation was aimed at incoming merchants from Natal who often spoke English as a second language. The second law, known as the Dealers Licenses Act, was enacted to curtail the growth of the passenger Indians' role in the trade of Natal. This law empowered a licensing officer to review trade licenses annually and gave him the authority to refuse renewals on any number of grounds from personal hygiene to the nature of an Indian merchant's trade.

Gandhi, Passive Resistance and the Creation of the NIC in 1894.

Faced with these oppressive laws, the Indian community in Natal began to mobilize politically. The first segment of the Indian population to mobilize was the merchant elite. They launched protests, conducted lobbying campaigns and hired lawyers from India and Britain. One of these lawyers was a young lawyer from Gujarat, named Mohandas K. Gandhi. Inexperienced, timid and painfully shy of public speaking, Gandhi was so deeply shocked by the indignities that the Indian community routinely suffered at the hands of the whites that he quickly overcame these handicaps and became a bold and loud voice for the Indian community. Feeling a shared sense of outrage, Gandhi and the Indian merchants he was hired to represent met on August 22 1894 and formed the Natal Indian Congress (NIC), the first major political organization representing the Indian community in South Africa.

¹³Freund, 5.

It is important to note, however, that while Gandhi and his merchant allies claimed to represent the entire Indian community, the NIC was a rather conservative organization that mainly reflected the interests rich merchant Indians. The NIC had an annual membership fee of three pounds, which in a state where the average yearly income of an Indian resident was ten pounds, effectively excluded all but the richest Indian merchants. Thus there was an overrepresentation of the commercial elite on the NIC executive, making it primarily concerned with trade and immigration issues rather than the plight of the poor and powerless indentured Indians who comprised the majority of the Indian community.¹⁵

In its early years, the NIC also displayed a racist and ethnocentric attitude toward African political organizations. According to Bhana, there are no records in the NIC's early files that even show a consideration of the African majority as a potential ally in the struggle against the white-controlled government. Rich Indian merchants viewed black South Africans as naturally inferior and "children of the soil" fit only to work as servants and stock boys in their homes and businesses. Many poor indentured servants seemed to get a psychological satisfaction from the fact that no matter how miserable their lives were, their plight was somehow better than that of the "kaffirs".¹⁶ Even Gandhi displayed racist attitudes toward political cooperation with the Black majority. He expressed outrage at having to share the same facilities with Blacks in jail and wrote in 1909, "We

¹⁴Bhana, 14-16.

¹⁵Bhana, 10-12.

¹⁶ A derogatory term used by whites and Indians to describe black South Africans.

cannot ignore the fact that there is no common ground between them (black South Africans) and us in daily affairs of life.”¹⁷

Despite these major weaknesses, the Natal Indian Congress still became an influential organization that resisted oppressive legislation using two main tactics.¹⁸ The first and most popular form of resistance revolved around a legal-constitutional challenge to oppressive legislation and relied on South African Indians taking their case abroad to the British and Indian governments. This approach was based on the concept that Indians were British subjects and, thus, should enjoy protection under the doctrine of Imperial equality¹⁹, and that the British government should uphold this principle in the colonies under its control. The NIC believed the laws passed by the Natal colonial government violated these principles and that they were unconstitutional and un-British.

In the beginning, this was Gandhi's position. He admired the British empire and implicitly accepted the benefit of an imperial brotherhood that transcended race and ethnicity. With this pro-British spirit, Gandhi and the NIC did everything they could to show their support for the British. For example, Gandhi and the NIC, in an attempt to prove their loyalty to the British crown, helped organize an ambulance corps and a relief network during the long and bitter South African War (1899-1902) and violent Bambatha rebellion (1906). In addition to this, the NIC organized petition drives and letter-writing

¹⁷Bhana, 21-22.

¹⁸Bhana, 18-27.

¹⁹ See Queen Victoria's "Declaration of Imperial Equality in 1857.

campaigns. They also sent representatives abroad to lobby the British and Indian governments against the rapidly developing racial system in South Africa.

This approach was not very successful. After the long and bitter South African War, the British government realized that its continued influence in the region depended on Boer-Briton amity, and neither Boer nor the English-speaking settlers were willing to yield on their stance toward the Indians. Britain was not likely to jeopardize its Imperial interests in the region by championing racial equality for the Indians.²⁰

The second form of resistance the NIC embraced, was a direct challenge to the government—through non-violent resistance. Unlike the legal-constitutional approach, this policy revolved around passive defiance of unjust laws with the hope that people would see the wrongs in their actions. Not everyone in the NIC was willing to accept Gandhi's approach. Many members of the commercial elite were not willing to go to jail and risk being heavily fined in a campaign that they viewed as unlikely to succeed. Some even openly challenged Gandhi's leadership. Because of this division among the rich merchant elites that were controlling the NIC, the main support of the first passive resistance campaign came from the indentured servants and poor free Indians. After a series of massive strikes, protest marches and defiance campaigns—Gandhi—following a long and painful struggle where he, along with many of his fellow protesters overcrowded British jails, was finally able to extract a few concessions from the South African Union

²⁰ See Shula Marks & Stanley, "Lord Milner and the South African State," *History Workshop*, 8 (1979).

government of General Jans Christian Smuts.²¹ Under pressure to reach a settlement with Gandhi because of a white railway workers' strike, Smuts was eager to start negotiations with the protesters. After days of tedious protests and debate, an agreement was reached and formalized in the Indian Relief Act of June 26, 1914. Under this act, the three-pound tax against indentured servants was repealed, the right of entry of South African born Indians into other parts of South Africa was restored, and an official clause was added that promised a fair and liberal administration of laws affecting Indians.²²

After his initial success, Gandhi left South Africa in 1914, never to return. Gandhi believed that his work in South Africa was completed and that the Indian Relief Act was a "Magna Carta" of Indian rights. Yet, as later events would show, the Indian position in South Africa would rapidly deteriorate in the decades ahead. In the 1920s, the new Union government of South Africa began to include nationalist Afrikaners who wanted to regain political, economic and social control of South Africa for the white Afrikaner population. Throughout the 1920s and 1930s, old issues that affected the Indian community such as trade licensing, immigration restrictions, and general segregation, gradually began to creep back onto the political scene. In 1924 and 1925, two bills--the Class Areas Bill and the Areas Reservation Bill--effectively nullified the Gandhi-Smuts agreement and again threatened Indians with residential and trade segregation.

²¹ For more information on Gandhi's Passive Resistance Campaign of 1913 see: Maureen Swan, "The 1913 Natal Indian Strike," *Journal of Southern African Studies*, 10, 2 (1984). See also Beall and North-Coombes, "The 1913 Disturbances."

²² Bhana, 30.

The Indian community reacted to this by renewing its old political protests and petition drives, but the protests largely fell on the deaf ears of white parliamentarians who viewed the Indian community as an alien element that threatened white dominance in South Africa. Echoing a common feeling of disillusionment that Indians would never be treated as British subjects in South Africa, M.D. Barmania declared in an address before the South African parliament:

From the first to the last (the history of the Indian community in South Africa is the) story of a deteriorating situation, of promises made and promises broken; of pledges given and pledges violated, and a withering away of rights and erosion of principals, It is a case of tragic decline.²³

After a few years of inactivity following the departure of Gandhi from South Africa, the Natal Indian Congress was revived in response to a new anti-Indian feeling in Natal by a group of merchants lead by P.K. Naidoo. At their first meeting on March 6, 1921, this group passed a series of resolutions aimed at reforming the now defunct NIC. The most important of these reforms included a substantial reduction in the extremely high membership fee--a move that was designed to ensure that a more diverse cross section of the Indian community would participate in the NIC.

Despite these reforms, however, the basic political hierarchy of the NIC, with the rich conservative merchant elite controlling all power, remained unchanged. This political structure set the stage for a power struggle that was to occur in later years as a result of the conservatives' inability to deal with renewed anti-Indian legislation passed by the

Union government. This ultimately resulted in a militant takeover of the NIC in 1945 and a new era in the history of the South African Indian community, which is the subject of the rest of this research project.

²³ M.D. Barmania, Parilmentary Address 1927. From Bhana, Surendra & Bridgial Pachai, eds., *A Documentary History of South African Indians* (Cape Town & :Johannesburg: David Philip Publishing, 1984), 155.

Chapter 1

Events Leading Up to the Militant Takeover of the NIC in 1945

The years after Gandhi's departure was a time of division and disillusionment for the NIC and the Indian community. Up until 1945, the NIC, despite a series of reforms that gave other segments of the Indian community representation, still remained an organization dominated by rich merchant elites. These elites, while displaying a patriarchal concern for the poor Indian masses, were mainly concerned with their own interests rather than the interests of the entire Indian community. Relying on their old methods of accommodation and compromise, the conservative leadership became increasingly out of touch with the changing times and concerns of the Indian community. All of these problems soon manifested themselves in political fragmentation and general chaos in Indian politics throughout the 1920s and 1930s. While the old conservative leadership managed to reach two compromises with the white government over the years, the Cape Town Agreement of 1927 and the Pretoria Agreement of 1943, both of them ended in disaster for the NIC and the Indian community and eventually resulted in more political fragmentation and disillusionment. Yet, out of this political turmoil emerged a new generation of leaders who, unlike the older merchant elite, were generally more radical, more confrontational with the government, and more in touch with the changing

times in South Africa and the world. In this chapter my goal is to trace the activities of the NIC through this turbulent time period and analyze the series of events leading to the militant takeover of the NIC, and give a series of political profiles on the background and ideologies of the leaders who emerged after the 1945.

The Conservative Decline

Faced with this rising tide of white nationalism, the NIC began to see the need for unified political action on behalf of the entire Indian community in South Africa. Combining forces with Indian congresses in neighboring states such as the Transvaal Indian Congress (TIC) and the Cape Indian Congress (CIC), a new federal organization called the South African Indian Congress (SAIC) was formed in 1923. The newly formed SAIC, seeing that local political protests and petition drives had failed to make any progress in stopping racial segregation, planned to make its struggle an international one. By sending deputations to India, the SAIC managed to get the support of the Indian National Congress (INC), and the Imperial government of India. The result of these efforts was a round table conference between the governments of India and South Africa. Even though the SAIC was excluded by the South African government in this conference, it remained confident that a settlement would be reached in its favor.

After many days of bickering and heated arguments an agreement was reached between the South African government and the government of India. This settlement, called the Cape Town agreement of 1927, centered on two issues. The first revolved around repatriating Indians voluntarily through a subsidized scheme that would

eventually send most of the Indian community back to India or a place within the British Empire. The second area addressed a deliberately vague policy of "upliftment" for those Indians who chose to remain in South Africa.²⁴

The SAIC and the NIC, while expressing several reservations about the Cape Town agreement, were nevertheless prepared to endorse it because of its apparently friendly and tolerant spirit. In a letter of March 18, 1927, to the newspaper, *Indian Opinion*, the SAIC stated:

We believe that this agreement is an indication of the desire to do right by us ... The Union Government has pledged itself to uplift our community if we can show them our willingness to conform to European standards of civilization in exactly the same way as the European section ... There is much in the Agreement which commends itself to us and reflects the patience and courage of the representatives of both governments and the earnest thought they have given to our problems.²⁵

Despite the endorsement of the SAIC and the NIC, this agreement bitterly divided the Indian community and its political establishment. This division soon led to factionalism and a general atmosphere of criticism directed at the NIC and SAIC throughout the 1930s. Throughout this turbulent time, the Indian political organization fractured into several minor political organizations. All of these organizations undermined the power of the NIC and SAIC and contributed to the decline of the Indian community's political influence as the Union Government imposed its policies on the Indian community.²⁶

²⁴ Bhana, 35-36.

²⁵ *Indian Opinion*, March 18, 1927. From Bhana & Pachai eds, 158.

²⁶ Bhana, 34-35.

The bitterest source of resentment was directed toward the colonization scheme. As mentioned earlier, the Indian community in South Africa throughout its early history had always been divided into two very distinct groups: indentured Indians and passenger Indians. The latter always dominated Indian politics generally considered themselves superior to the Indians with indentured origins. Differences between these two groups included separate native languages, castes, religions, cultures and, most importantly, economic positions. All of this contributed to a great divide in Indian political organization. The Cape Town agreement brought this tension to a boiling point. Many poor, ex-indentured workers viewed the repatriation scheme as a way of being sold out in favor of the interests of the wealthy Indian merchant elites. Also, many children of ex-indentured workers who were born and raised in South Africa expressed horror at being sent back to India, a land that they had never seen or to some far flung outpost of the British Empire such as British Guinea, North Borneo or Fiji. Moonsamy Naidoo sums up the feeling of the poor ex-indentured worker, in an article in the March 18, 1927, issue of the Natal Mercury:

Time after time, this Congress [the SAIC], which consists of a few wealthy Mohammedans and banians [rich passenger Indians] has sold our rights in the name of the community for their sole benefit. Congress tells the government that Indians are willing to repatriate themselves...Why should we? We are not doing harm to anyone; we are not competing with you. On the other hand, we and our children work hard and till the soil, making a living, and spending all our money here...we live here and we hope to die here...The bones of my forefathers rest in this country, and it is sacrilege for me to leave it.²⁷

²⁷ Natal Mercury, March 18, 1927. From Bhana & Pachai eds., 161-162.

This resentment among the poorer classes soon manifested itself in the Colonial Born and Settler Indian Association (CBSIA), which challenged the dominance of the Natal Indian Congress in Indian politics and robbed them of key supporters among the poor ex indentured Indians and their colonial-born children. Even within the NIC itself, petty bickering and internal divisions over the Cape Town agreement led to the creation of Natal Indian Association (NIA) composed mainly of dissenting groups within the NIC. As a result of this factionalism, Indian politics throughout the 1930s were increasingly chaotic and leaderless until 1943, after the CBSIA had merged with the NIA in 1938 and then finally the NIC, that the Indian community in South Africa finally spoke with one voice.²⁸

Out of this political turmoil emerged two conservative figures who were to play a major role in the Natal Indian Congress and Indian politics throughout the early 1940s. Their names were A.I. Kajee and P.R. Panther. Abdulla Ismail Kajee (1896-1947) was born in India and was first brought to South Africa as a child of a passenger Indian in 1901. Like most passenger Indians, Kajee ventured into his own retail business, A.I. Kajee Ltd in 1921 and grew wealthy. Entering political life in the 1920s, Kajee established himself as a shrewd politician and was one of the negotiators of the Cape Town Agreement.²⁹ His right-hand man was P.R. Panther (1897-1970) who much like Kajee was a passenger Indian and grew rich by founding a successful real estate and

²⁸ The Natal Indian Congress, *Papers Relating to the Natal Indian Congress 1940-1957* (Natal: Natal Indian Congress, Microfiche) "Outline of events in the history of South African Indian politics."

insurance business in the 1940s. Entering politics at about the same time as Kajee, Panther was a joint secretary of both the NIC and the SAIC. He was also a negotiator in the Cape Town agreement and a prominent member of the Indo-European Joint Council, a branch of the Union Government, that worked to create harmonious relations between white and Indian communities.³⁰

Regardless of their ideological differences, Kajee and Panther shared the basic philosophy of working closely with the white power structure. While their approach was very popular with the Union Government, it received only a lukewarm approval among the NIC leadership. Kajee and Panther won support from the South African parliament by publicly accepting the Cape Town agreement, and attempting to get political representation for the Indian community through a compromise with the Union Government, which was headed at the time by the moderate Afrikaner leader, Jans Christian Smuts. Reacting to rumors that Indians might be offered indirect representation in Parliament through the election of white representatives, Kajee wrote in the July 15, 1935 issue of the newspaper *Indian Views*:

We do not desire to alter the political complexion of this country ... There is a community of interests between Europeans and Indians in trade, industry, professions, farming and in every phase of life, and we are quite prepared to elect Europeans and to trusts them to do their best in the interests of all communities who have made this land their home and for the good of South Africa.³¹

²⁹ Karis, Thomas & Gwendolen M. Carter, eds., *From Protests to Challenge—A Documentary History of African Politics in South Africa 1882-1964 Volume 4: Political Profiles* (Stanford: Hoover Institution Press, 1977), 48.

³⁰ Karis & Carter, 124.

³¹ *Indian Views*, July 15, 1935. From the *Microfiche of Papers Relating to the Natal Indian Congress 1940-1957* (Natal: Natal Indian Congress, Microfiche from the University of Chicago).

The Kajee-Panther leadership managed to forage a coalition within the NIC that was able to keep power from their chief opposition group: the "militants". This group opposed all forms of compromise with the white power structure and wanted full racial equality for all Indians, in South Africa. This group wanted to openly challenge the white government through passive resistance. Over the next few years, however, control of the NIC gradually shifted from the conservatives to the militants over the conservatives inability to handle of the crisis caused by anti-Indian legislation in the early 1940's.

The issue that was referred to by the white community as "penetration" centered around the Indian community's ability to acquire land in predominantly white areas. This issue had been a major bone of tension between whites and Indians in Natal and Transvaal throughout the 1930s and resulted in the passage of the Occupation of Land Restriction Act of 1943. This Act, more popularly referred to as the "Pegging Act", stated that for the next three years all land transactions between whites and Indians needed government approval by an all-white citizens committee. The law, in essence, further enforced already rigid patterns of racial segregation in Natal.³²

The NIC and TIC furiously denounced the act and felt that its objectives were against the aims of the Second World War, which was being fought with the declared goal of securing freedom and justice for all. This act outraged many Indians in the NIC and TIC and contributed to the growing power of the militants. The Kajee-Pather leadership, while publicly opposing the act, attempted to approach Smuts with a proposal

³² Bhana, 49-50.

that would go into effect once the act expired. Under their proposal, an independent board consisting of three whites and two Indians was to review all transactions between whites and Indians in Natal. This proposal would also give Indians the right to own, but not occupy, land in white areas.³³ This proposal maintained racial segregation on the basis of a consensus that, while providing Indians with a voice, gave ultimate power to the white minority government. Despite the obvious shortcomings of his proposal, Kajee declared:

Compromises on both sides can achieve much. Let us not close the door to negotiation. We are prepared to occupy land in our own special areas, but we must have an equal right with the Europeans to decide which shall be those areas.³⁴

Kajee's proposal soon came under fire from both the Indian and white communities. Even though an aging General Smuts expressed support for Kajee's proposal, calling it the Pretoria agreement, Natal's white politicians, who had their own plans on how racial segregation would be handled, viewed Kajee's proposal as an imposition on their rights (as "civilized" whites) to govern South Africa. They contested that since Indians in Durban decided to forgo repartition and stay in Durban, they would have to endure segregation. On the basis of this sentiment, the Natal government scuttled Kajee's proposal by adding so many amendments that even accommodationists like Kajee could not accept it, dooming it to eventual defeat.

Kajee's toughest opponents, however, were not Natal's white politicians, but the NIC militants. The defeat of the Pretoria Agreement finally convinced many Indians that negotiations with the white government were hopeless and that it was time to pursue a

³³ Bhana, 51.

different strategy. Many militant verbal attacks on Kajee's proposal were soon broadened into blistering attacks on the entire NIC conservative leadership. Denouncing the failed proposal as a reactionary form of self-segregation, many NIC militants accused the "Kajee-Panther group" as one of collaborationists who were willing to simply give away the rights on the Indian community to appease a racist white minority government and promote "their" (those of the rich Indian businessman) interests. This feeling of frustration extended to the highest executive branches of the NIC. In the words of the embittered NIC president E.M. Paruk:

The world has seen the meeting of the distinguished heads of two great Democracies of the world, President Roosevelt and Winston Churchill ... They have declared the right of all countries to self government irrespective of colour or creed ... therefore I ask if we shall be raising our thoughts too high, if we too begin to think of securing some of the advantages of democracy for ourselves ... Must we forever remain a voiceless and voteless community, the butt of the racial Parliamentarian, a football to be kicked from side to side?³⁵

The Militants Takeover the NIC

This resentment against the conservative leadership soon manifested itself in a bitter power struggle between the NIC's conservative and militant factions. The militant segment formalized its resentment by creating the Anti-Segregation Council (ASC) within the NIC. In 1944, the ASC launched a campaign to oust the existing leadership. At a meeting in November 1944, the ASC announced its own program, separate from the Kajee-Panther program, which was to serve as a basis of NIC politics for the next sixteen

³⁴ A.I. Kajee, Committee Report, 1944. The Natal Indian Congress Agenda Book 1944 Microfiche.

³⁵ E.M. Paruk, Presidential Address, 1944. The Natal Indian Congress Agenda Book 1944 Microfiche.

years and demanded among other things: the restoration of the franchise on the common roll, the removal of provincial barriers, the elimination of all forms of colour bar, the introduction of free and compulsory education, the redistribution of land, and the subsidization of small market gardeners.³⁶

The ASC kept up the pressure against the conservative NIC executive through regular mass meetings, where militants were able to strengthen their support among embittered and disillusioned NIC members. Many in the NIC saw the failure of the Pretoria Agreement as a sign that the white government of Natal was never going to treat them as full citizens of South Africa. They viewed a confrontational Gandhian approach (the approach endorsed by the militants) as the best way to get what they desired from the government.

As support grew for the militant faction of the NIC, the Kajee-Panther leadership, fearing defeat, postponed NIC elections in 1945 and attempted to weaken the militants by proposing a decentralization plan the NIC. But the ASC was not to be denied success and forced the NIC leaders to schedule elections on October 21, 1945. The entire conservative leadership resigned their positions before the elections took place. An angry and embittered Kajee, sensing a smashing defeat, convinced his conservative cohorts to boycott the elections rather than be defeated democratically, which paved the way for the

³⁶ Secretary's Report, The Natal Indian Congress Agenda Book 1944 Microfiche.

militants to take control of the NIC in the October elections and usher in a new era in Indian politics.³⁷

Control of the SAIC and the CIC remained in the hands of the conservatives for a few years longer, until resentment and impatience with the accommodationists strategy reached such a point in 1948 that they too were taken over by militants, in 1948. The conservative leaders of the Indian community were dealt another blow by the death of one of their brightest and most articulate spokespersons, A.I. Kajeer died in 1947. This shifted the mantle of conservative leadership to Panther and his remaining cohorts. Conservatives who deplored the deterioration of Indo-white relations, as a result of the militant takeover of the NIC, soon formed rival political bodies like the Natal Indian Organization (NIO) the Transvaal Indian Organization (TIO) and South African Indian Organization (SAIO), which served as forums to represent conservative interests. All these organizations, according to their Agenda books challenged the "all or nothing policy" of the new NIC leadership and emphasized moderation and compromise with the Union Government and claimed that the new leadership "attempted to offend whites at every turn."³⁸ Yet, despite the creation of these organizations and the energetic efforts of some of their members to gain support, none of the new conservative organizations were ever able to dominate Indian politics like the new leaders of the NIC, TIC and SAIC, which reflected the final end to the rich merchants' dominance of Indian politics.

³⁷ Secretary's Report, The Natal Indian Congress Agenda Book 1947, Microfilm.

The Reason for the Conservatives' Decline and Overthrow

The reasons for the conservatives' sudden and rapid decline were many. As Bill Freund argues in *Insiders and Outsiders*, the Indian community throughout the 1920s and 1930s was undergoing a series of profound economic changes that resulted in a change of political thought. Throughout the 1920s, many ex-indentured workers left the agricultural sector and moved to the city to find work among the rapidly expanding manufacturing industry.³⁹

This rapid migration into already overcrowded cities, like Durban, had a substantial impact on Indian political thought. Many Indians, angry at their white employers over low wages and poor living conditions, contributed to the rapid rise in Union membership in Durban throughout the 1930s and 1940s. During this time of strikes and walkouts, the conservative leadership of the NIC, controlled by members like Kajee and Panther, tended to display only a quiet paternalistic concern for the problems of the workers. When issues like the Pegging Act emerged, many of these workers were furious because they saw it as an act that not only segregated them, but made their living conditions in the city go from bad to worse. The NIC's insistence on moderation and compromise with the white government was seen by many of these oppressed workers as the acts of a few rich merchants who were selling out their rights to appease a racist white government and preserve their economic interests. When the conservatives' reliance on compromise and the Imperial connection failed to produce tangible results that improved

³⁸ Bhana and Pachai, 207-208.

their poor living conditions in the cities, many workers began to search for a new voice to represent them and they found that voice in the militants.

It is also important to note that the 1940s, in addition to changing the way Indians lived in Natal, also brought a changing climate of intellectual thought. Moved by the British Empire fight against Fascism in Europe many Indians supported the British in World War II to save democracy and preserve political rights. Many Indians in South Africa, who were actually fighting in the war, began to wonder why they could not enjoy the rights that they had fought for too. They began to view racial injustice not as a fact of life but as something that was morally wrong and contradictory to Western ideals in a post-WWII era, many of which were published in several doctrines such as the Atlantic Charter and in the United Nations Charter. Also the end of World War II left Britain a weakened power. Promising independence to many of its former colonies, such as India, many Indians in South Africa wondered why they too could not enjoy some of the freedoms of self-determination.

The New Militant Leaders

The new militant leadership that took over the NIC was younger and more in touch with the changing events around the world than the aging conservatives. Many of them were members of the so-called "new elite" who, unlike the rich merchant elite, were born in South Africa and educated in British schools where they were introduced to

³⁹ Freund, 35-37.

Western concepts and philosophies like democracy, equality and the rights of man. Many members of this “new elite”, according to Freund could be called the new “working class” of Durban, composed of professional, civil servants, and others who worked in manufacturing and retail establishments rather than from a class of business owners.⁴⁰ This elite felt that the old leaders of the NIC did not adequately represent them and, as a result of this, was one of the driving forces that mobilized popular opinion against the conservative leadership, and provided a new voice for a generation of Indians.

Leading this generation of Indian leaders was Dr. Gangathura Mohambry (aka “Monty”) Naicker. Dr. Naicker was elected president of the SAIC twice and was the undisputed leader of the NIC for over 15 years. Unlike Kajee, Dr. Naicker was born in South Africa in 1910 and was the grandson of a poor indentured family that spent its meager earnings establishing a successful banana export business. At the age of 17, his father sent him to Scotland to complete secondary school and study medicine. When he completed his degree in 1934, he passed up several better paying positions to return to South Africa to establish his practice among the poor Indians of Durban.⁴¹

Working with Dr. Yusuf Dadoo, who had been his fellow student in Scotland, Dr. Naicker was one of the harshest critics of Kajee’s cautious and accommodationist and was one of the founders of the ASC. Running on a platform that promised equal rights for the Indian community, Dr. Naicker promised a Gandhian response to future racist legislation. Although considered at first to be a mere figurehead by some of his supporters, Dr.

⁴⁰ Freund, 40-43.

Naicker soon became recognized as a tireless organizer and articulate speaker for the NIC. Denounced by the white government as a communist because of his association with members of the South African Communist Party and labor unions, Dr. Naicker was more of a Gandhian than a Marxist. According to Bhana, throughout his many speeches over his years as president of the NIC, Dr. Naicker displayed great reverence for Gandhi, reading and re-reading his book *My Experiments with Truth* and stating, when he met with Gandhi in India soon after becoming NIC president:

Never before was my soul so wrapped in joy ... we were in the presence of a king of men, and in an instant we felt the glamour of royalty in the house ... We will never forget the warm smile which lighted upon both of us [Dadoo was with him] the smile of a hero we had loved and admired for thirty years.⁴²

It was this reverence for the weapon of passive non-violent resistance that made it the weapon of choice for the NIC after 1945 and resulted in a second passive resistance campaign being launched in 1946, just thirty-three years after Gandhi launched his.

In the neighboring state of Transvaal, another prominent figure emerged among the militants, Dr. Yusuf Mohammed Dadoo who led a takeover of the Transvaal Indian Congress (TIC). Although born the son of a rich Muslim businessmen at Krugersdorp in 1909, Dadoo avoided assimilation into the merchant elite and, instead, embraced communism. After Dadoo completed secondary school in India in 1927, his father sent him to the same medical school that Dr. Naicker attended in Scotland. After befriending Dr. Naicker, Dr. Dadoo returned to South Africa in 1936, where he immersed himself in

⁴¹ Karis & Carter, 107-108.

⁴² Bhana, 59.

radical politics, eventually becoming a member of the central committee of the Communist Party of South Africa in the 1940s. During this time Dr. Dadoo emerged as a leader of the militant block of the TIC, and was elected president of the TIC in 1945.⁴³

Unlike most members of the Indian political establishment in South Africa, Dr. Dadoo, along with Dr. Naicker, was a strong advocate of closer cooperation between the Indians, Africans, and so called "Coloureds". In 1939, he took a bold initiative in forming a movement called the Non-European United Front, which although short-lived, proved to be one of the first efforts to unite the non-European communities in opposition to the white government. Dadoo maintained regular contact with, and was well-known and respected among, several African political organizations. Dadoo helped organize the National Anti-Pass Council (NAC), an organization comprised mainly of Africans united in opposition to the hated pass laws in South Africa, and headed it until 1943, when A.B. Xuma of the African National Congress took it over. Dadoo was jailed several times for civil disobedience and was, during one of his terms, dramatically brought to Johannesburg to stand trial with 51 Africans for his role in the African mineworkers' strike. Dr. Dadoo never gave up his dream of a non-European United front in South Africa and in a July 4, 1940 letter to Professor D.D.T. Jabavu, president of the All-African Convention, he remarked:

The time has come for the non-European peoples to assert their mighty power of mass unity to attain the natural rights of citizenship which have been so ruthlessly and systematically denied to them by the successive governments of this country. My contact with our people, particularly our African brethren, has convinced me

⁴³ Karis & Carter, 21-22.

beyond a shadow of a doubt that they are conscious of the way in which they are exploited to make the European capitalists rich and powerful and they are also conscious of the task before them ... that of freeing themselves from the bondage of imperialists slavery. What they need most of all at the present moment is a strong, honest and realists leadership which could and would express in sincere and scientific manner the will of the non-European people as a whole.⁴⁴

Dadoo's reputation for personal courage, eloquence, and intellect was rapidly established, and it eventually made him one of the most powerful figures, along with Dr. Naicker, in Indian politics. Dadoo's role in promoting unity between the African National Congress and Indian Congresses must be seen as critically important to Indian political activity.

In addition to Dr. Dadoo and Dr. Naicker, there were numerous other militants who made their appearances on the Indian political scene for the first time. Instead of coming from the rich Indian merchant elite, this new group represented segments of the Indian community that felt they were neglected by the conservatives. Among these was the appearance of union organizers H.A. Naidoo and M.P. Naicker. H.A. Naidoo entered politics at the age of 15 and was very active in organizing African and Indian workers into trade unions. A militant communist and a member of the party's central committee, Naidoo was well-known and respected by both African and Indian workers for improving wages in more than twenty of Natal's major industries. Another prominent union organizer in the NIC was M.P. Naicker. Although lacking formal education, Naicker was a brilliant organizer and an articulate speaker who was able to unionize Natal's sugar

⁴⁴ Dr. Yusuf Dadoo to Professor D.D.T. Jabavu, 4 July 1940. From the *African National Congress Webpage*. F.S. Reddy's document collection on the South African Freedom Struggle.

workers and establish valuable contacts between Black and Indian trade unions. Both of these men were vital in gathering union support for Dr. Naicker's takeover of the NIC leadership. After the militant takeover in 1945, these two men played important roles in organizing the first passive resistance campaigns.⁴⁵

J.N. Singh and I.C. Meer were two law students who helped mobilize students at the University of the Witwatersrand (Wits) in support of the militant faction of the NIC. Contemporaries and friends of Nelson Mandela, who was also a student at Wits, these two students helped establish a link between Black and Indian intellectual circles and were central in establishing closer racial ties. In his autobiography Nelson Mandela affectionately recalls an experience with these two men that illustrates their commitment to a color blind South Africa:

One day, Ismail [I.C. Meer] and J.N. [J.N. Singh], and myself were in a rush to get to Kholvad House, and we boarded the tram despite the fact that while Indians were allowed, Africans were not. We had not been on long when the conductor turned to Ismail and J.N. and said in Afrikaans that their "Kaffir friend" was not allowed on. Ismail and J.N. exploded at the conductor, telling him that he did not even understand the word "Kaffir" and that it was offensive to call me that name. The conductor promptly stopped the tram and hailed a policeman, who arrested us took us down to the station, and charged us.⁴⁶

Using their legal and editorial skills, these two students were crucial participants in the NIC media campaigns. I.C. Meer was given the task of editing *The Passive Resister*, a publication that would be crucial in mobilizing the Indian community for

<http://www.anc.org.za/ancdocs/history/solidarity/india.html>.

⁴⁵ Karis & Carter, 38-40.

⁴⁶ Mandela, Nelson, *Long Walk to Freedom: The Autobiography of Nelson Mandela*. (Boston, New York, Toronto, London: Little, Brown and Company, 1995), 91-92.

passive resistance. Both of these men helped gain the support of the educated elites and university students for the militant takeover of the NIC.⁴⁷

After 1945, women, for the first time, began to play an active role in the activities of the NIC. Among the leading politically active women of the time was Dr. Kasavello Goonam. Dr. Goonam, much like Dr. Naicker, was trained as a doctor in Edinburgh and returned to Durban in the 1930s where she was quickly drawn into politics. She soon became involved in an organization known as the Women's Liberal Group, which was the first Indian political organization that provided a voice for women. After the militant takeover in 1945, Dr. Goonam was one of the most active and articulate speakers in the NIC, bringing gender issues such as, education for children and health care for the elderly (taking care of the kids and the elderly was usually the role of the women in the Indian community) to the attention of the male-dominated NIC for the first time. One of the leading figures in the first passive resistance campaigns, she displayed her talents as a forceful and charismatic speaker and successfully mobilized Indian women in Natal against the white government. Her links with women's groups helped her develop close political relations with Dr. Naicker and Dr. Dadoo.⁴⁸

The Events Leading up to the Passive Resistance Campaign of 1946-1948

Soon after taking power, the new militant leadership sent a deputation to General Smuts led by Dr. Monty Naicker. The new NIC leadership presented Smuts with a

⁴⁷ Karis & Carter, 86 and 143.

memorandum outlining their demands for the Indian community and made it very clear that the new leadership of the NIC was not going to compromise on them. In the memorandum, the new NIC demands included a repeal of the Pegging Act, an extension of franchise to the Indian community, an end to segregation and racial zoning, an improvement of housing and education and a round-table conference between the political leaders of India, South Africa and the South African Indian community. General Smuts made it very clear that their requests were quite unrealistic, but stated to the deputation that he would do what he could.⁴⁹

While the Indians reiterated their uncompromising demands for equal rights, the white-controlled government began to display an increasingly hostile attitude towards the new leadership of the NIC. Labeled "extremists" by the Union Government, many white politicians made it clear that their demands were unattainable and that if they were unwilling to compromise they would get nothing at all. In the words of the white mayor of Durban, Rupert Ellis Brown:

One of the most difficult obstacles that we have to encounter in any of our attempts to help the (Indian) community, or to bring about reform is the extremists—the all or nothing type of man—the man who sees only one solution to any problem ... and will not be happy until he gets it ... he is nothing but a drag on the wheels of progress.⁵⁰

Instead of getting any of their demands, the new NIC militant leadership was confronted with its first political crisis when the land issue resurfaced in 1946. When the

⁴⁸ Karis & Carter, 34.

⁴⁹ Bhana & Pachai eds., 185-189.

⁵⁰ Mayor of Durban, Rupert Ellis Brown, statement to the NIC, Natal Indian Congress Microfiche.

Pegging Act of 1943 expired, the Smuts government, yielding to pressure from increasingly nationalistic Afrikaner political groups who threatened to drive him from power, passed a new law designed to segregate Indians in the cities called the Asiatic Land Tenure and Indian Representation Act of 1946. This law essentially made the provisions in the Pegging Act continue indefinitely and required that all land transactions between whites and Indian be approved by the white government. Yet, the Smuts government, sensing a strong Indian opposition to the act, made a provision in the bill that offered the Indian community indirect representation in parliament and provincial legislatures through white representatives. Smuts' goal in this law was to offer Indian limited political rights in exchange for an acceptance of segregation.⁵¹

This act, which was hatefully called the "Ghetto Act", infuriated the Indian community. The NIC, under the leadership of Dr. Monty Naicker (who had just returned from a trip to gain support for South African Indians struggle for equality), had already rejected the act before it was even passed in parliament. In a letter, recorded in the NIC's 1945 Agenda book, Dr. Monty Naicker showed no sign of backing off from his opposition to the Ghetto Act:

We expect that the Ghetto Act will be unconditionally withdrawn, and that steps will be taken to remove the other disabilities against us ... We stand for non European collaboration as the best means of waging a struggle for the full implementation of the rights of all peoples of SA ... To all who think we are not strong enough to continue the struggle we say: That with 8,000,000 out of 10,000,000 organized in a determined struggle, supported by India and Asia, and

⁵¹ Secretary's Report, NIC Agenda Book 1946.

the rests of the peace-loving peoples of the world we must win, just as all the countries in Asia ... are winning through independence.⁵²

After another deputation to General Smuts failed to produce any positive results in resolving the escalating conflict over the Ghetto Act, the NIC organized a mass meeting at Curries Fountain on February 20, 1946, to proclaim a day of protests, pledges, prayers, and a cessation of all work activities. In an emergency meeting on March 30, 1946, the NIC declared its intention to launch a massive passive resistance campaign if the Ghetto Act was passed. Sensing that passage of the law was imminent, a Passive Resistance Council (PRC) was created to prepared for a statewide campaign.⁵³

The NIC actions received support from groups in all other provinces. The TIC under Dadoo's leadership elected a fifteen-member PRC at a mass meeting. J.N. Singh was appointed its official secretary. From that point, the Transvaal and Natal PRC's joined forces to form one joint PRC headed by both Naicker and Dadoo. While the much smaller CIC, which was still in the hands of the conservatives, refused to support the movement, several Indians in the Cape providence formed three separate PRCs in Cape Town, Elizabeth and East London and pledged to coordinate their efforts with the PRC in Natal and Transvaal.⁵⁴

On June 2, 1946, the Ghetto Act was passed by an overwhelming majority in the government. The Indians quickly responded by declaring another day of protests, pledges, prayers and a cessation of all work activities on June 13. Meeting in the historic Red

⁵² Dr. Monty Naicker, Presidential Statement, 1945. From Bhana and Pachai eds, 192-193.

⁵³ Secretary's Report, NIC Agenda Book 1946.

Square in Durban, over 15,000 Indians from all genders, castes, religions and social classes (this a rare display of Indian solidarity) solemnly pledged to do everything they could to oppose the law. After that, the first procession of passive resisters, led by Dr. Monty Naicker, marched in the all-white neighborhoods by Gale Street and Umbilo Roads, pitched their tents, and awaited arrest⁵⁴. The second passive resistance campaign, launched just 33 years after Gandhi launched his, had begun in South Africa.

⁵⁴ Secretary's Report, NIC Agenda Book 1946.

⁵⁵ Secretary's Report, NIC Agenda Book 1946.

Chapter 2

The Passive Resistance Campaign of 1946-1948 **and its Aftermath**

The Passive Resistance Campaign of 1946-1948 marked a major turning point in the history of Indian politics in South Africa. For the Indian community, this campaign symbolized a final end to the bitter divisions that had plagued the Indian political establishment throughout much of its history and marked the beginning of an united Indian stand against white racism. Despite this rare display of Indian solidarity, this campaign also provoked a harsh reactionary backlash from the white government against the Indian community. This included stripping the Indian community of their few remaining political rights, a brutal persecution of the passive resisters and a white boycott of Indian merchants in Natal. Despite the backlash however, the Passive Resistance Campaign also accomplished several positive things on both a domestic and international scale. Domestically, it gained the attention of the oppressed non-European majority, who began to see the Indian community as potential allies in their struggle for racial equality. This attention soon manifested itself in a political alliance known as the "Three Doctors Pact" in which the leaders of the Natal Indian Congress (NIC), the Transvaal Indian Congress (TIC) and the African National Congress (ANC) agreed to cooperate and form

an united front against white racism in South Africa.⁵⁶ Internationally, the Passive Resistance Campaign gained the attention of progressive forces from around the world, most notably from a new independent India. The Indian government was especially instrumental in using the newly created United Nations to publicize the problems of the Indian community in South Africa.⁵⁷ In this chapter I will define the ideology and outline the events of the Passive Resistance Campaign as well as analyze the composition of the groups who organized, supported and engaged in the campaign.

The Passive Resistance Campaign Begins.

On June 2, 1946, the Asiatic Land Tenure and Indian Representation Act was passed by an overwhelming majority in the South African legislature. The Indian community and the newly created Passive Resistance Councils (PRCs) quickly responded by declaring another day of protests, pledges and prayer and a cessation of all work activities on June 13. Meeting in the historic Red Square in Durban, over 15,000 Indians solemnly pledged to do everything that they could to oppose this new law. After this dramatic rally, the first procession of seventeen passive resisters, seven of whom were women, led by Dr. Monty Naicker, marched into the all white neighborhoods of Gale

⁵⁶ I will explore this in Chapter 3.

⁵⁷ I will explore this in Chapter 4.

Street and Umbilo Roads, pitched their tents, and waited to be arrested for their blatant defiance of the Ghetto Act.⁵⁸

The first response from the white authorities was to simply ignore the passive resisters. Believing that the campaign was a temporary fad organized by a small minority of firebrands in the Indian community, the South African police felt that the passive resisters would tire and go home out of boredom if they were simply ignored. Yet after eight days of waiting, it became clear that the protestors were not going to go away on their own free will. After receiving several complaints from whites living in the neighborhood, the South African police finally decided to act by arresting all seventeen of the protestors, including Dr. Naicker.⁵⁹

After they were arrested, the protestors were charged with "trespassing" as defined under the provisions of the Ghetto Act. Once in court, all the protestors used their court allotted time not to defend the legality of their actions, but to issue statements protesting the Ghetto Act. All of these statements were recorded by journalists and supporters of the Passive Resistance Campaign and then submitted to South Africa's major media outlets. Among the most important court statements issued on behalf of the passive resisters was the statement issued by Dr. G.M. Naicker which noted:

I am a South African born Indian, [a] peaceful citizen of this land. Recently [the] Government has passed the Asiatic Land Tenure and Indian Representation Act, of 1946, which deprives my fellow countrymen and myself of certain basic elementary human rights. In protests to this unjust and inhuman law I have

⁵⁸ First Biennial Provincial Conference Agenda Book, May 30-June 1 1947. (Report on Passive Resistance, Microfilm, University of Chicago).

⁵⁹ Report on Passive Resistance, Part 2: Progress of the Campaign Agenda Book 1947.

occupied land which [the Act] debar me from. I am not challenging [the] Durban City Council's ownership of the land nor am I engendering hostility to any section of the [white] community...⁶⁰

By reading the court statements of the protestors it is possible to understand the true goals of the Passive Resistance Campaign. Relying on the same tactics Gandhi employed in 1916, Dr. G.M. Naicker and his fellow passive resisters attempted to defy the laws that they believed were fundamentally unjust and gain the sympathy of both the domestic and international community. The aim of this defiance was not to spite or infuriate South Africa's European population, but to enlighten them through the Indians' suffering to show the injustice and fundamental unfairness of the laws they were protesting. This was the essence of Gandhian *Satyagraha* (a Hindu term translating to "firmness in truth"). *Satyagraha* involves redressing wrongs through inviting rather than inflicting, suffering and resisting the adversary without rancor and fighting him without violence. Engaging in this form of protest, Dr. Naicker, along with hundreds of other Indians in South Africa, chose to sacrifice their livelihood and liberty rather than submit to laws repugnant to their consciences and sense of self respect.

Repeatedly, the leaders of the NIC publicly stated both in the media and in their Agenda books that they were conducting their protests in a nonviolent way and that they were not anti-European. When arrested, many of the new radical leaders of the NIC even attempted to give gifts such as flowers and hand-made wood slippers to their white

⁶⁰ Statement Made in Court- Dr. Monty Naicker, ANC webpage, <http://www.anc.org.za/ancdocs/history/congress/gm1946.html>.

jailers. This tactic of combating racial injustice with peaceful protests and brotherly love was designed to gain the sympathy of the Europeans. This feeling is best summed up by NIC secretary, J.N. Singh, who remarked in the 1947 NIC Agenda book:

Congress [NIC] leaders are not anti-European. We have and will do our utmost to bring about [a] friendly understanding between the two peoples. We, unlike the European leaders have never gone in for racial hatred. We have consistently explained to our own community that there is no reason why there should be racial friction. We have always maintained that South Africa is large enough and rich enough for all South Africans to live side by side in peace and prosperity ... We are against the Union government's racial color bar, which is fascists in essence. We are against that section of Europeans vested interests who, also caring nothing about their own people, have spread false propaganda for their own selfish ends.⁶¹

Dr. G.M. Naicker and all seventeen protestors were eventually found guilty of trespassing as defined under the Ghetto Act. They were discharged after being cautioned that harsher sentences awaited them if they continued to defy the Act's provisions. The protestors, however, were undeterred by the warning of the court. Soon after being released, Dr. G.M. Naicker and his seventeen fellow protestors headed back to Gale Street and again occupied their camp in defiance of the Ghetto Act. This time, the South African police did not wait for the protestors to go away. Instead, the police had them promptly arrested as soon as they reoccupied their camp. Once again in court, all the protestors were charged with violating the provisions of the Ghetto Act. Again they issued statement of protests and were released after the magistrate gave them a sharply worded condemnation and a suspended sentence of seven days of hard labor.⁶²

⁶¹ J.N. Singh, Report on Passive Resistance, Part 1--Political Analysis of the Struggle, Agenda Book 1947.

⁶² Report on Passive Resistance, Part 2: Progress of the Campaign, Agenda Book 1947.

When the protestors occupied the camp for the third time and were arrested, the court finally issued prison sentences to all seventeen of the protestors. The leader of the resisters, Dr. Naicker, received the toughest sentence allowable by law: six months imprisonment with hard labor. After the protestors were sent to jail the camp on the corner of Gale Street was torn down by the South African police.⁶³

The arrest of their president did not deter the NIC and the TIC from continuing their Passive Resistance Campaigns. Soon after the arrest of Dr. Naicker, a second group of passive resisters led by a female physician, Dr. K. Goonam, reoccupied the vacant lot on the corner of Gale street and built another camp on top of the very site where Dr. Naicker had built his. Shortly thereafter, the police arrested Goonam and her nineteen followers (9 of whom were women). Once in court, all the resisters issued statements of protest both to the court and to the local media. In her statement before the magistrate, Dr. Goonam reiterated Dr. Naicker's previously expressed goals of the campaign:

In occupying the resistance camp I was protesting against that oppressive and pernicious law recently enacted (the Asiatic Land Tenure and Indian Representation Act) against my people who had no part in framing it. This Act spells disaster, ruin and a state of semi-serfdom to our people who contributed greatly to the prosperity of this country ... It is not me, sir, that you are judging and condemning but all the freedom loving people of this country—nay—of the whole world, who made no small sacrifice to achieve and secure this freedom ... I plead guilty, sir, to the charges with which I am faced and ask the court to impose the maximum sentence possible, for I shall consider it a privilege to suffer the full vigor of the law, in the vindication of the rights of my people.⁶⁴

⁶³ Report on Passive Resistance, Part 2: Progress of the Campaign, Agenda Book 1947.

⁶⁴ *Flash* Volume II, issues 26-50, (Passive Resistance Council, Microfilm, Center for Research Libraries).

Dr. K. Goonam's group were not the only Indians occupying white land in protest of the Ghetto Act. Soon after the arrests of Dr. Goonam and her followers, hundreds of Indians mobilized into groups and occupied land reserved only for white use only all over Durban. By May of 1947, 117 groups of resisters, comprising a total of 1,386 Indians, had been arrested for trespassing on white land in Natal.⁶⁵

Another group of Indian protestors from the neighboring state of Transvaal led by Dr. Y.M. Dadoo, president of the TIC, mobilized 27 groups of resisters, consisting of 289 Indians, into camps in white neighborhoods in Natal where they were all promptly arrested.⁶⁶ After a heated exchange with the magistrate, in which Dr. Dadoo denounced the court, the government and South African capitalism, Dr. Dadoo delivered his famous "answer to the magistrate's question" speech before being sentenced to a three month prison term with hard labor. Dadoo's statement was recorded and preserved in *Flash* and several other domestic and international publications:

The Magistrate: For what reasons are you not concerned with that other law?
[The Riotous Assemblies Act]

Dr. Dadoo: Because we are carrying out a campaign of Passive Resistance against the Ghetto Act and it is no fault of ours if the government chooses to side track the real issue and invoke the aid of the Riotous Assembly Act. We shall continue carrying on the struggle against the Ghetto Act. Our struggle has the support and consent of the Indian people in South Africa, and is a struggle which has the widest support in India. We hope our action will show [the] democratic-minded people all over the world that in discharging our duty as passive resisters, we are not only doing a service to the Indian people, but we are doing our duty to all true democrats and fighting for our rights in South Africa. To the Indian community I say that the struggle will be a long and hard one, but that should not daunt them; they should rally to the call and do nothing that will impair the self-respect

⁶⁵ Report on Passive Resistance, Part 3: Statistical Analysis of Campaign, Agenda Book 1947.

⁶⁶ *Flash* Volume II, issues 26-50, (Passive Resistance Council, Microfilm, Center for Research Libraries).

national honor of the Indian people. I hope they will continue their struggle with renewed vigor, but in a non violent manner in keeping with their code of Passive Resistance and do what men and women have done in war just concluded—a war fought for democracy and decency.⁶⁷

Dr. G.M. Naicker in Natal and Dr. Dadoo in Transvaal were not the only Indian communities who carried on the struggle against the Ghetto Act. On a smaller scale, PRC's in the Cape and Basutoland also sent groups of passive resisters into white neighborhoods in Natal. The NIC's 1947 Agenda book records three groups of resisters from the Cape containing a total of 27 Indians and one group from Basutoland, consisting of eight resisters. While these campaigns were small in number, they did succeed in expanding the scope of the passive resistance movement to other areas of South Africa where only small Indian communities resided. They also succeeded in bringing the problems of the Indian community to the attention of local governments other than the ones in Natal and Transvaal.⁶⁸

The European Response

As groups of passive resisters began to flood into white neighborhoods, both the South African police and the white community became increasingly hostile and intolerant of the Indians. This attitude soon resulted in violence and brutality against the passive resisters. Cases involving verbal harassment, physical assaults, stabbing and savage

⁶⁷ *Flash* Volume I, issues 1-26, (Passive Resistance Council, Microfilm, Center for Research Libraries).

⁶⁸ Report on Passive Resistance, Part 3: Statistical Analysis of Campaign, Agenda Book 1947.

beatings, are recorded throughout NIC Agenda books and publications of *Flash*. One

hospitalized passive resister, Miss Zainab Asvat, noted in a statement to *Flash*:

The behavior of these Europeans, who claim to be a civilized people, is shocking. They swooped down upon the six of us, [with] two women, like a pack of mad dogs, and knowing full well that we would make no attempt to retaliate, assaulted us brutally!⁶⁹

The NIC's "Report on Passive Resistance" also records that "Squads of European hooligans were organized to terrorize the Passive Resisters. Defenseless men and women were assaulted, tents burned, passing cars stoned and some stationary ones set on fire."⁷⁰

The most extreme case of European brutality was directed at the 17th group of passive resisters from Durban. Soon after the resisters set up camp they, like so many groups before them, were immediately harassed by a mob of angry white residents. Among the resisters was an off duty policeman, Krishnensamy Pillay, who on the night of June 21, 1946, was assaulted by an angry mob of white residents while in the vicinity of a resistance camp. During the assault, Philly was mercilessly beaten unconsciousness by a gang of about a dozen Europeans, armed with sticks and knuckle-dusters. Philly was then left for dead in a gutter, bleeding from several lacerated head wounds. After regaining consciousness later in the hospital, he managed to tell his story to Mr. Debi Singh, the acting president of the NIC after Dr. Naicker was jailed, and Dr. Dadoo before dying from his wounds on Sunday June 30, 1946.⁷¹

⁶⁹ *Flash* Volume I, issues 1-26, (Passive Resistance Council, Microfilm, Center for Research Libraries).

⁷⁰ Report on Passive Resistance, Part 2: Progress of the Campaign, Agenda Book 1947.

⁷¹ *Flash* Volume I, issues 1-26, (Passive Resistance Council, Microfilm, Center for Research Libraries).

The murder of Krishnensamy Philly was used by the NIC and the Passive Resistance Councils to reinforce the principles of Satyanagraha. Despite European brutality, *Flash* publications urged the resisters to continue using nonviolent methods to protest European laws and brutality. Abiding to the principles of nonviolent protest, the NIC held a enormous funeral procession for Krishnensamy Philly, which was attended by over 10,000 mourners and held in blatant defiance of South African law. During the funeral procession, mourners marched through both Indian and white neighborhoods, to remind residents of the Indian community's determination to protest injustice and demonstrate their moral superiority to the racism of the white community.⁷²

Besides the local resident and police brutality, the South African government responded to the Passive Resistance Campaign by modifying a law known as the Riotous Assemblies Act. The amended law included a provision to prohibit any large gatherings in the white areas of Durban. Under these provisions, the government of South Africa made prison sentences harsher for passive resisters who continued to occupy white land. The white authorities notified the protestors of this new law using a bullhorn mounted on a mobile police van, that announced to the protesters in Durban that their gathering was unlawful under the Riotous Assembly Act and that the protestors had five minutes to disperse. After the crowd of Indians refused to disperse, the white authorities sent in the police and arrested forty seven Indians under the amended Riotous Assembly Act. For several days the police continued to arrest groups of passive resisters under this amended

⁷² *Flash* Volume II, issues 26-50, (Passive Resistance Council, Microfilm, Center for Research Libraries).

law. Yet, once again, this did not deter the passive resisters who continued to occupy the resistance camps and flood Durban's jails.⁷³

When imposing harsher sentences on the passive resisters had failed to deter the NIC and resulted in overcrowded jails, the South African government adopted another tactic. Starting on July 1, 1946, the court imposed a three-pound fine on first-time offenders and a one-month jail sentence with hard labor on second time offenders. This tactic however, much like the tactics before it, failed to deter the protestors. As the 1947 NIC Agenda book proudly proclaimed in bold capital letters "NOT A SINGLE RESISTER PAID HIS FINE." Even though in a few cases police seized the properties of offenders and sold them at auction with the fines deducted, the white authorities generally did not succeed in collecting the fines imposed on the protestors.⁷⁴

Resistance Continues

The arrests of the leaders of the Passive Resistance Campaign, the white brutality and the new government legislation aimed against the resisters, were just the type of responses the NIC and the Passive Resistance Council wanted. By treating the protestors, who were using only nonviolent methods, harshly, the white minority government of South Africa was eroding its position of moral superiority and political legitimacy. Part of the political ideology of white politics in South Africa rested on the assumption that the white race was naturally superior, both intellectually and morally, to all other races. Yet

⁷³ *Flash* Volume I, issues 1-26, (Passive Resistance Council, Microfilm, Center for Research Libraries).

this claim was challenged both domestically and internationally during the Passive Resistance Campaign when the white government, who was assumed to be morally superior, imprisoned, abused, and at times even killed protestors who were using nothing but nonviolent methods. During the campaign the NIC made it seem, both in South African and before the entire world, that the Indian community had gained a position of moral superiority through their nonviolent protests of fundamentally unfair laws. This, as I explained earlier, was the ultimate goal of passive resistance. Even through the campaign failed to thwart any of the legislation directed against the Indian community it was still a success in the eyes of many Indian leaders.

The NIC and TIC also mobilized popular support and gathered sympathy for their cause through their publications. Among these were two weeklies: *Flash* and *The Weekly News Bulletin*, and an important monthly newsmagazine titled *The Passive Resister*, a publication distributed all over South Africa and edited by I.C. Meer and his fellow colleagues at Wits University. In addition, several books and pamphlets were also published such as *Five Months of Struggle*, *Resist the Ghetto Act*, *We Shall Resist*, and *How We Live: An Album of Photographs Showing the Living Conditions of Indian People of South Africa*. While much of this literature was aimed at the Indian community in South Africa, several copies of these publications were sent overseas to sympathizers in India, the United Kingdom, Communist Bloc countries. They were even sent to the

⁷⁴ Report on Passive Resistance, Part 2: Progress of the Campaign, Agenda Book 1947.

United States, where the NIC and the SAIC were attempting to present their case before the United Nations Organization in New York.⁷⁵

On the campaigns first anniversary, the NIC and TIC held a massive meeting in the place where the protests began: the Red Square of Durban. During this meeting, Indians celebrated their one year of defiance with a festival of Indian culture, in which Indians feasted on Indian cuisine, danced to Indian music, viewed traditional Indian dances and listened to such prominent Indian speakers as Dr. Dadoo and Dr. Naicker, who had recently been released from jail. At this meeting, certificates of honor were distributed to all those who had served jail sentences. Then, many Indians were asked to relate their experiences before the crowd. Among these speakers was Dr. Dadoo who proclaimed:

It has been a year in which the Indian people in this country have covered themselves with glory and honor by their example of courage and determination and by their deeds of heroism and sacrifices...Faced with the deadly onslaught of the government on its already rapidly dwindling rights and privileges, the Indian community resolved to resist and suffer rather than submit to ignominy and dishonor. The only asset the Indian people possessed was faith in the strength of their united stand, their preparedness to sacrifice and their ability to withstand the rigors of a struggle...The forward march of the Indian people and that of all the oppressed people in South Africa will go on...Let us on this anniversary pledge to continue our noble struggle under the leadership of Natal and the Transvaal Indian Congresses; let us totally reject the disruptive moves of the reactionaries; let us go forward in full cooperation with all Non-European section and progressive Europeans for a democratic South Africa. **WE SHALL RESIST!!!**⁷⁶

⁷⁵ Bhana, 75-76.

⁷⁶ Message on the First Anniversary of Passive Resistance, June 1947.
[Http://www.sacp.org.za/docs/history/dadoo](http://www.sacp.org.za/docs/history/dadoo).

After this speech by Dr. Dadoo, the meeting concluded with a drive to register more passive resisters for the second phase of the campaign, which was scheduled to resume in October 1947.⁷⁷

Early in 1948, the PRCs in Natal and Transvaal expanded the scope of their Passive Resistance Campaign to protest the Immigration Regulation Act of 1913. This act, which prohibited, among other things, the interprovincial movement of Natal Indians to Transvaal, was despised by all Indians both rich and poor.⁷⁸ Gandhi had also protested this act with passive resistance 30 years earlier. After the assassination of Gandhi in 1948, the leaders of the NIC and TIC decided to time their campaign immediately after

Gandhi's death to take advantage of the worldwide mourning and to show that despite all that he accomplished for the people of India through passive resistance, there were still countries like South Africa where passive resistance against racism was being continued.

On January 25, 1948, a group of fifteen resisters from Natal, led by Dr. G.M. Naicker, crossed the Natal-Transvaal border at Volksrust. Meeting them was Dr. Dadoo and another group of about fifteen resisters from Transvaal. Naicker and Dadoo, after advancing from their respective borders, shook hands as they met at a road sign that marked the exact boundary between the two provinces. Following a dramatic ceremony that included speeches from Dadoo and Naicker before an audience of onlookers, the two groups proceeded to Johannesburg where they walked into an Immigration Office and

⁷⁷ Bhana, 74.

⁷⁸ Bhana, 74-75.

were promptly arrested. Once put on trial, Dadoo and Naicker, appealing to the world sentiment in the wake of Gandhi's death, issued a joint statement:

Gandhi—[is the] father of the struggle Your Worship. It is in this great cause and noble struggle that we called upon volunteers to cross borders and bear the penalty of the law. We consider it an honor to do so. The passive resistance struggle which we are conducting is based on truth and non-violence and is associated with the name of the greatest man of all times, Mahatma Gandhi, on whose death in tragic circumstances just a few weeks ago, the whole world wept ... Gandhi too defied the unjust laws of South Africa and suffered imprisonment during the 1906-1913 Passive Resistance struggle ... This struggle of the Indian community against racial discrimination of all kinds is part and parcel of the whole struggle of the Non-European and democracy-loving peoples of South Africa to turn this country into a genuine democratic state in which our multiracial population will live and work in harmony. It is in view of these considerations that we are pleading guilty to the charge. We are willing to bear the full penalty of the law.⁷⁹

Soon after giving their statement to the court, both Dadoo and Naicker, along with their fellow resisters, were given six-month sentences with hard labor for violating the Immigration Act of 1913. Not much later, however, more groups of resisters began to flood into the border region between Natal and Transvaal. Among the people leading the groups of passive resisters was Manilal M. Gandhi, the son of the late Mahatma Gandhi and editor of the largest Indian-owned newspaper, *Indian Opinion*. Even though he led resisters across the Natal-Transvaal border on three separate occasions, the authorities never arrested Gandhi's son. The authorities, probably acting on higher orders, did this to deny Gandhi's son the publicity his arrest would have brought him.⁸⁰

⁷⁹ Statement to the court by Dr. Dadoo and Dr G.M. Naicker, March 3, 1948. [http:// www.sacp.org.za/docs/ history/ dadoo-a.html#1](http://www.sacp.org.za/docs/history/dadoo-a.html#1).

⁸⁰ Bhana, 75.

The Passive Resistance Campaign came to a final end by the middle of 1948 with the election of the Nationalists Party, who promised to strengthen racial segregation and crack down on non-European protests.

Assessing the Value of the Passive Resistance Campaign

In assessing the value of the Passive Resistance Campaign and its importance to South African history, it is important to observe three of its most important results. First, an analysis of NIC Agenda books and statistical case studies of the campaign all indicate that the Passive Resistance Campaigns constituted a rare moment of racial solidarity on behalf of the Indian community. Throughout most of its history, the NIC has been plagued with bitter internal divisions that have hindered unified action. But in the Passive Resistance Campaign, Indians overcame their differences and worked together as a single community in opposition to white racism. While this support was no means universal among Natal's 200,000 and Transvaal's 30,000 Indians, many contemporary historians such as Surendra Bhana estimate that nearly 20,000-30,000 participated either directly or indirectly in the campaign, which is a fairly broad measure of support when compared to other political movements in South Africa. Second, even though the Passive Resistance Campaign failed to arouse sympathy among the white community and resulted in a harsh backlash against the Indians, it did succeed in gaining the attention of other non-European

groups in South Africa, including the oppressed black majority.⁸¹ Third, this campaign gained the attention of the international community and the United Nations.⁸²

In proving the first point, it is important to examine the statistics published by the NIC that observe which segments of the Indian population participated in the Passive Resistance Campaign. According to statistics released by the NIC, this campaign represents an important moment of Indian solidarity against white racism. For a community that comprised no more than 250,000 that was plagued with countless political, religious, social and economic divisions, the campaign was a remarkable feat.

One of the largest of these diverse groups was the poor factory workers, who made up 529 of the total of 1,719 resisters.⁸³ Their strong support for the campaign can be traced to the feverish efforts of three prominent union organizers: Yusuf Dadoo, H.A. Naidoo and M.P. Naicker. Many of these members had close ties to the most powerful labor unions in South Africa. According to one veteran communist official the strength and discipline of Indian labor unions made the community's working classes "the most militant workers in South Africa during the 1940s." Bill Freund describes how Indian factory workers and union organizers, despite their small numbers, formed tightly organized labor unions that played a major role in the labor unrest and strikes that crippled Natal throughout the 1940s. The militant character of Indian labor unions not

⁸¹ In Chapter 3 of this project I will explain how the passive resistance campaign set the stage for the "Three Doctors Pact" between the NIC, TIC and African National Congress and the creation of an united non-European front against white racism during the turbulent years of the anti-Apartheid struggle.

⁸² While I will explore this topic in Chapter four, it is easy to see that the NIC's protests, while falling on deaf ears within the South African government, was heard by very powerful and prominent figures all over the world.

only allowed several union organizers to seize control of the NIC in 1945, but also enabled them to mobilize Indian factory workers in support of the Passive Resistance Campaign, and to protest the Ghetto Act, which threatened their living standards and wages.⁸⁴

In addition to the factory workers, there were over 604 passive resisters who worked in service-related fields. This group was very heterogeneous, containing waiters, watchmen, bus conductors, city counselors, mechanics and social workers. All of these diverse groups, despite their many economic and social differences, shared an opposition to the Ghetto Act. The reasons for their participation in the campaign were probably similar to those of the factory workers. While this groups did not form tightly organized unions like the factory workers, many of them fought and petitioned the South African government unsuccessfully for an improvement in their wages and living standards. They saw the Ghetto Act as a threat not only the Indian community, but also to the social services that they provided as well as to their own job security. Since all other previous methods of resistance had failed for them, members of this class saw passive resistance as the best way to oppose the Ghetto Act.⁸⁵

Indian housewives also played an important role in this movement. This group made up 233 members of the total number of passive resisters (which made up nearly all of the 279 women who participated in the campaign). Housewives were among the most

⁸³ Report on Passive Resistance, Part 3: Statistical Analysis of Campaign, Agenda Book 1947.

⁸⁴ Freund,, 50-63.

⁸⁵ Report on Passive Resistance, Part 3: Statistical Analysis of Campaign, Agenda Book 1947.

vocal groups that participated in the campaign. Thanks to the efforts of Dr. K. Goonam, who helped mobilize several women's groups in support of the campaign, Indian women, for the first time in the history of the NIC, played an active role in Indian politics. Reasons for their political activism were numerous. First, there was a change in the attitude toward women in politics after the militant takeover of the NIC in 1945. No longer an "old boys" club controlled by wealthy male shop merchants, the NIC focused now on mass activism involving all segments of the Indian community—which included women. This sudden change is recorded in several NIC Agenda books, which show the presence of a few Indian women on their executive board. The Agenda books also addressed issues affecting Indian women such as education, health care and the lack of social services.⁸⁶

Another reason for the political activism of the Indian women in South Africa, was the poor standard of living that non-European women faced in the city ghettos. According to several articles published in *Flash*, Indian women were deeply infuriated about the Ghetto Act because they felt that this law directly affected them and decreased their already low standard of living. Indian women were also concerned with several issues that were drastically affected by the passage of the Ghetto Act, including education for Indian children, healthcare for the elderly and better housing. Since the majority of Indian women spent most of their time either taking care of their children and elders at

⁸⁶ NIC Agenda Book 1947, meeting minutes.

home, or working in jobs as teachers, nurses or social workers, the Ghetto Act seemed to them to be an unjust law worth protesting.⁸⁷

There were several others who participated in the campaign in addition to these three groups. They included members of the Indian middle and upper classes. Among these were forty two students from the University of Witwatersrand, who edited many of the PRC's publications and helped mobilize support for the campaign among students and intellectuals in South Africa's Non-European Universities. Since the Ghetto Act affected the Indian community's access to education, particularly higher education, many students saw it as their duty to help the NIC's campaign.⁸⁸

There were also fifty two resisters from the community's professional classes, which included rich doctors, business managers and lawyers. Like Mahatma Gandhi, who himself was a lawyer educated in Britain, they were part of a educated elite who had endured countless humiliations and crude insults by less educated whites as a result of racists attitudes and their segregated status. Many members of this class saw the Ghetto Act as an insult to a group of people who had always done their best to assimilate into European society. This class of people, which included Dr. Naicker and Dr. Dadoo, were the bitterest opponents of racial segregation and the most active leaders of the campaign.⁸⁹

⁸⁷ *Flash* Volume II, issues 26-50, (Passive Resistance Council, Microfilm, Center for Research Libraries).

⁸⁸ Report on Passive Resistance, Part 3: Statistical Analysis of Campaign, Agenda Book 1947.

⁸⁹ Report on Passive Resistance, Part 3: Statistical Analysis of Campaign, Agenda Book 1947.

Perhaps the most interesting group that participated in the campaign was the groups of 183 rich merchants and business owners. Even though some members of this group belonged to the old ousted Kajee-Pather leadership and were opposed to the new militant NIC leadership, several merchants realized that the days of merchant dominance in Indian politics were over. Since the Ghetto Act prevented them from accessing lucrative markets in white owned areas of Durban, many merchants understood that the traditional conservative methods of accommodation and compromise had failed. Many of them also realized that the time had come to work with, rather than against, the new leadership.⁹⁰

Even though only 1,719 protestors were actually arrested in the campaign, several South African history scholars like Surendra Bhana estimate that at least 20,000-30,000 Indians participated either directly or indirectly in the Passive Resistance Campaign. Many Indians supported the campaign through service in volunteer positions ranging from canteen chores, such as making food for the resisters, to media activities such as editing NIC publications to social chores, and aiding the resisters' families once a protestor was arrested.

The most important of these volunteer chores was raising funds. Since resisters had no way to support their families during their long stays in jail, help was needed to pay a maintenance allowance for the resisters and their families.⁹¹ One of the main sources of these funds came from the Indian Merchants' Committee. Soon after Dr. Naicker and the

⁹⁰ Report on Passive Resistance, Part 3: Statistical Analysis of Campaign, Agenda Book 1947.

first batch of resisters went to prison, over ten leading merchants in Durban immediately formed the Indian Merchants' Committee to raise funds for the jailed protestors' families. According to the 1947 NIC Agenda book, this organization was a major political force among the Indian elite in South Africa and was highly successful in raising large amounts of funds from individual donors and merchant associations from all over South Africa. In addition to this, local merchants also created the PRC Canteen, which used donated land, furniture, and crockery, served over 26,500 meals to the passive resisters using liberal gifts of vegetables and meat from Indian markets and groceries stores.⁹²

The Woman's Action Committee also raised nearly a third of the funds used in the NIC's campaign budget. Working tirelessly this committee organized highly successful pledge and donation drives. Their most successful fundraising event was the "Freedom Fair" held at Curries Fountain. This event, which attracted people of all races in South Africa, was designed not only to celebrate Indian culture, but to attract financial support and sympathy for the campaign.⁹³

A final source of funds was provided by the Indian Students Committee. This committee, composed mainly of young Indian boys and girls from local schools around Durban, played a very noteworthy part in the campaign raising nearly 10% of the campaign's total funds. Risking the wrath of their teachers and the South African Education Department, these students were able to carry out several fundraising drives in

⁹¹ Bhana, 76-77.

⁹² Report on Passive Resistance, Part 3: Statistical Analysis of Campaign, Agenda Book 1947, 16-17.

⁹³ Report on Passive Resistance, Part 3: Statistical Analysis of Campaign, Agenda Book 1947, 16.

Durban gathering almost 1,000 pounds. Groups of young girls from junior schools in the suburbs also formed "gifts and comforts" squads and visited the resister camps every Friday, bringing small gifts like cigarettes and refreshments.⁹⁴

Even though the South African government attempted to deepen cleavages in Indian politics by giving selective recognition to conservative organizations like the NIO, TIO, and the SAIO, Indian support for the Passive Resistance Campaign remained strong during the entire campaign. While these conservative organizations received governmental support by rejecting the confrontational approaches of the NIC-TIC leadership and by their willingness to compromise with the European government, they were never able to play a dominant role in Indian politics. After the Nationalist Party came to power in 1948, Dr. Malan's, Minister of the Interior, TE Dongas, publicly declared that these conservative organizations were the only "acceptable channels" within the Indian political establishment. Thus the NIO, TIO and SAIO, which were hatefully referred to by the NIC as "puppet organizations", became a divisive wedge in Indian politics.⁹⁵

This "divide and conquer tactic", however, largely failed. South African historians like Surenda Bhana are quick to point out that these organizations were never very popular and were composed mainly of a few wealthy merchants who were willing to barter away the rights of the Indian community in exchange for a few political concessions. Consequently, the NIO, TIO and SAIO were only able to function for a

⁹⁴ Report on Passive Resistance, Part 3: Statistical Analysis of Campaign, Agenda Book 1947, 17.

couple of years after being founded before slowly fading away. There were numerous reasons for the slow disintegration of these organizations. The new leaders of the NIC and TIC firmly believed that the Indian community had the natural right to receive full and equal treatment as citizens of South Africa. Because of the conservatives numerous past failures, most Indians were willing to take a risk with the NIC and TIC, and began to view organizations like the NIO, TIO, and SAIC as aiders and advocates of apartheid. This display of Indian solidarity within NIC and TIC, despite the South African government's efforts to divide them, is apparent in the membership records of these two organizations, which boosted a combined paid membership of over 35,000 in 1947. This was the highest membership in these two organizations' history.⁹⁶

The White Backlash Against the Indian Community.

This rare display of Indian solidarity against racism failed to gain the sympathy of the majority of whites in South Africa. The most immediate result of the Passive Resistance Campaign was a harsh backlash from the white community. Despite the Indians' efforts to enlighten the white community through nonviolent methods about the prevailing injustice and fundamental unfairness of existing laws, many whites viewed the Passive Resistance Campaign as a form of treason. One such man was J.D. Rheinallt Jones of the South African Institute of Race Relations (SAIRR). Even though the South African Institute of Race relations was composed mainly of white moderates sympathetic

⁹⁵ Secretarial Report for the Year Ending 30, May, 1948, Agenda Book 1948.

to the needs of the Indian community, J.D. Rheinallt Jones denounced the Passive Resistance Campaigns for introducing elements of force. Jones believed that this was only destined to infuriate the white community and to ultimately destroy the Indians' hopes for democratic rule.⁹⁷ The Passive Resistance Campaign was also furiously denounced by the white press, who engaged in a pattern of anti-Indian reporting, giving the campaign bad publicity if any at all.⁹⁸

As a result of this hostility, a white backlash against Indians in Natal developed. This backlash manifested itself in police and resident brutality against the passive resisters, as well as tougher laws aimed at deterring the protestors. This also resulted in a rapid deterioration of the Indian community's political status. In February of 1947, Natal's white community, angered over the Indians' continued defiance of white law, overwhelmingly rejected, by a margin of more than 90%, a referendum offering Indians a limited form of municipal representation through white representatives on a communal roll. Local Afrikaner merchants, seizing the opportunity to eliminate their Indian competitors in 1947 also organized a boycott movement against Indian traders. After two boycott conferences were held in 1947, several Afrikaner agricultural, cultural, and political organizations banded together to choke off Indian trade in Transvaal and Natal.⁹⁹

The newly elected Nationalists Party took a hard line against the passive resisters. Formulating a new policy against the Indians in 1948, the new government stated that it

⁹⁶ Agenda Book 1948.

⁹⁷ South African Institute of Race Relations, *Annual Reports Issues #14-20, 1942-1949* (Johannesburg: Morija Printing Works. 1942-1949.) Report #18, 176-198.

would not follow the policies of negotiation and compromise embraced by the government of General Smuts. The Nationalists Party leader, Dr. Malan, displaying a characteristic arrogance, flatly refused to talk to the NIC's leaders and promptly withdrew the communal franchise clause offered under the Asiatic Land Tenure and Indian Representation Act. Malan also tightened the land tenure sections of the bill and introduced racial restrictions on the sale of certain goods in Natal. To add insult to injury, Dr. Malan had his Minister of the Interior, T.E. Dongos, vehemently denounce the NIC as a communist organization that flouted the laws of white civilization and committed treason by calling for outside help.¹⁰⁰

While this white backlash can be viewed as a negative result of this campaign, it also helps prove my second point in assessing the value of this movement. Despite the rapid deterioration of the Indian communities political status and the breakdown of its relations with the white community, the Passive Resistance Campaign of 1946-1948 brought the Indian community closer to the other oppressed Non-European groups of South Africa--the subject of Chapter 3 in this thesis.

⁹⁸ Bhana, 77-78.

⁹⁹ Bhana, 78-79.

¹⁰⁰ Bhana, 80-81.

Chapter 3

The Creation of a United Non-European Front

Even though the Passive Resistance Campaign was almost entirely an Indian affair, several other political organizations opposed to racial segregation expressed their support and many directly participated in the resistance struggle. Their support of the campaign ultimately foreshadowed an united multiracial front against apartheid that was to be formed in the following decade. This chapter will analyze the way the Passive Resistance Campaign of 1946-1948 changed the relationships that the Indian community had with the other racial groups in South Africa and explore the way these changes brought the Indian community closer to the African population, ultimately resulting in the creation of a non-European front against the apartheid regime throughout the 1950's.

One non-European racial group that supported the Passive Resistance Campaign was the so-called "coloureds". Even though the coloureds were not as politically organized as their Indian and Black counterparts, the 1947 NIC Agenda book records several messages of support from coloured organizations. In addition to verbal support, these coloured organizations sent 48 resisters (33 men and 15 women) to participate in the campaign.¹⁰¹ Coloureds were, much like Indians, primarily urban dwellers and were simultaneously threatened with racial segregation as a result of white nationalism. Many

¹⁰¹ Report on Passive Resistance, Part 3: Statistical Analysis of Campaign, Agenda Book 1947.

coloureds saw the Passive Resistance Campaign as an appropriate way resist the coloureds second-class citizenship status.¹⁰²

Perhaps the most interesting people who joined the Indians in their struggle were the handful of white liberals and progressives who opposed racial segregation. These groups included white human rights organizations such as the Council for Asian Rights (CAR), the Council for Human Rights (CHR), as well as several local churches. NIC Agenda books record a total of 8 white passive resisters--four men and four women--who were willing to go to jail for an issue that did not affect them.¹⁰³ Among this group of white resisters was a local reverend, named Michael Scott, who protested the South African government's claim that the Ghetto Act had its roots in Western civilization and Christianity:

It is a mockery of our religion to claim the sanction of Christianity for this Asiatic Land Tenure and Indian Representation Act...Christian people will not be deceived into passive acceptance of injustice by specious speeches about "Democracy". Democracy does not mean freedom of one people or race to oppress another people. Legislation which imposes a colour bar, which artificially, and by force, obstructs the development of a people, whether socially or culturally, or which prevents them [from] exercising their God-given talents and skills is contrary to the creative will and purpose as many of us Christians are able to interpret it.¹⁰⁴

The most important allies Indians made during the passive resistance struggle were those within the black community. As a disfranchised minority making up no more than 2% of South Africa's total population, many leaders within the Indian congresses

¹⁰² A racist term created by the South African government to describe people of mixed races.

¹⁰³ Report on Passive Resistance, Part 3: Statistical Analysis of Campaign, Agenda Book 1947.

¹⁰⁴ *Flash* Volume I, issues 1-26, issue #1- A Christian Pleads Guilty, Reverend Michael Scott.

realized that they could not change a white political structure that was determined to hold on to power without allies within South Africa's oppressed black majority. Consequently, many members within the Indian congress' ruling elite attempted to strengthen their political situation by improving their relations with black political groups and by slowly moving toward a formal organizational alliance.

The idea of an united non-European front against white racism was not new in South African race politics. It can be traced all the way back to the late 1920s with the creation of the non-European United Front (NEUF) in 1927 and the creation of the Non European Unity Movement (NEUM) in 1943. Even though these organizations had the same political goals as the NIC, they also had radical Marxist outlooks. Therefore, many rich merchants, who made up the NIC's leadership until 1945, refused to cooperate with them and even made efforts to hinder or destroy them.¹⁰⁵

After the militant takeover of the NIC in 1945, however, the NIC's attitude towards an united non-European front changed dramatically. Many of the newly elected leaders of the NIC-TIC leadership such as Dr. Dadoo, M.P. Naicker and H.A. Naidoo, had close connections to prominent black intellectuals within the multiracial Communist Party of South Africa (CPSA) as well as black unions. After 1945, NIC Agenda books began to make references to injustices faced by the black community and, for the first time in the history of the NIC, began to make suggestions for a multi-racial alliance against white racism. One of these statements was recorded in the 1947 Agenda book:

¹⁰⁵ Report on Passive Resistance, Part 1: Political Analysis of the Struggle, Agenda Book 1947, 3-4.

¹⁰⁵ Bhana, 80.

The Indian people have now learnt the fallacy of sectional and isolationists principals. By their experience in the resistance struggle they have learned the necessity of allies and that their natural allies are the other oppressed Non European groups, together with progressive Europeans ... Thus today the Indian people are no longer alone. They are gaining the practical support of over 7,000,000 of the population of South Africa.¹⁰⁶

During the Passive Resistance Campaign, African organizations like the African National Congress (ANC) pledged their support for the campaign and some even sent members of their organizations to directly participate in the protests. NIC Agenda books record that a total of sixteen Africans took part in the campaign. Several prominent Africans also expressed admiration and envy for the discipline and organization of the campaign. One such man was Nelson Mandela, who was leader of the Youth league in the ANC during this time, who stated in his autobiography:

The Indian campaign became a model for the type of protests that we in the Youth league were calling for. It instilled a spirit of defiance and radicalism among the people, broke the fear of prison, and boosted the popularity and influence of the NIC and TIC. They reminded us that the freedom struggle was not merely a question of making speeches, holding meetings, passing resolutions and sending deputations, but of meticulous organization, militant mass action, and above all, the willingness to suffer and sacrifice.¹⁰⁷

Because of this support, the NIC-TIC leadership opened up to the possibility of an alliance with the African National Congress. The idea for this alliance came from the Indian congresses who on January 9, 1947 sent a letter to the African National Congress' working committee appealing for non-European unity. After discussion at two subsequent working committee meetings, the committee decided on February 13, 1947 to meet with

¹⁰⁶ Report on Passive Resistance, Part 1: Political Analysis of the Struggle, Agenda Book 1947, 3-4.

¹⁰⁷ Mandela, 104.

the leaders of the Indian Congresses and discuss common problems and terms for a multiracial alliance.¹⁰⁸

The most dramatic result of this meeting was the landmark "Three Doctors Pact" between Dr. Naicker of the NIC, Dr. Dadoo of the TIC and Dr. Alfred Xuma of the ANC. This pact which was signed on March 9 1947, during the height of the Passive Resistance struggle, pledged the three organizations to a "Joint Declaration of Cooperation". The three organizations agreed to coordinate their efforts and fight for "the attainment of basic human rights and full citizenship for all sections of the South African people." They agreed to coordinate their efforts on six major issues: for the full franchise for all South Africans; for the recognition of African trade unions; the removal of all land restrictions against non-Europeans and the provision of adequate housing facilities; the extension of free and compulsory education for non Europeans; the abolition of Pass Laws and provincial barriers against Indians, and finally the removal of all discriminatory and oppressive legislation from the Union's statute book.¹⁰⁹

Assessing the Value of African-Indian Unity

Just how strong and significant this alliance was is a matter of debate among South African historians. Bill Freund argues that the alliance was weak because Indians on the whole were better off economically than their African counterparts. He suggests that economic inequality led to a tremendous job rivalry between the two communities,

¹⁰⁸ Bhana, 80-81.

among the middle and working class', throughout the 1940s and 1950s. According to Freund, Indians controlled more of the lucrative middle class management positions, as well as more of the scarce working class factory jobs, than blacks. These economic inequalities severely hindered Indian union activity because whenever members of an Indian union attempted to go on strike white factory owners would simply replace them with unemployed blacks.¹¹⁰ It was this atmosphere of racial economic inequality, combined with the severity of white racism, that bred an atmosphere of hatred and mistrust between the working classes in Indian and black communities. Freund remarks:

Militancy in the Indian cause did not flow easily into support for a Congress Alliance and the politics of the ANC, given the circumstances of job rivalry and Indians feeling threatened by Africans claiming what they had long seen as 'their' jobs. At best, the NIC leadership could try to talk about Africans and their leadership as mistreated people who deserved sympathy, and who were waging a different if allied struggle; they were a nationality oppressed because of their colour. Indian activists outside the leadership could (even) be racists themselves.¹¹¹

Historians like Surendra Bhana, however, point out that despite economic inequality, Indo-African unity was genuine at least among the educated elite who controlled the TIC, NIC and ANC. Bhana maintains that while the racial relations among the working classes were never good, the relations between their political organizations were surprisingly quite close. Bhana further explains that leaders of these political organizations often came from upper class families and shared a common set of political beliefs. All three organizations had leaders who had traveled abroad for their professional

¹⁰⁹ "Three Doctors' Pact", March 9, 1947, <http://www.sacp.org.za/docs/history/dadoo>.

¹¹⁰ Freund Chapter 4, "It is my Work" Labor Segmentation and Militancy, 1935-1960, 50-63.

training, (many of them were even close friends in college) and had broadened visions that revitalized the politics of the bodies they headed. Many of these leaders also maintained close ties to multiracial organizations such as the South African Communist Party (SACP) and to Natal's trade unions. Bhana concludes that because of these close connections, leaders of these organizations were able to unite both African and Indian political organizations against white racism.¹¹²

Despite the divisions within the multiracial alliance, Surendra Bhana's argument seems to be more convincing than Freund's. Agreeing with Bill Freund's point about economic inequality as a major source of division between Indians and Africans, it must be noted that there was a genuine desire for racial unity among the leaders of these two communities. Several NIC Agenda books record messages of support not only from the ANC, but also from other African political organizations. Moreover, several NIC Agenda books reflect a genuine desire among the Indian leadership elite for racial unity and record an awareness of the problems confronting black South Africans. This desire for unity is evident in the fact that even during times of violence between the black and Indian communities the leaders of these political organizations continued to urge racial unity. One example that proves this point well would be during the Durban riots of 1949.

¹¹¹ Freund, 61.

The Durban Riots and the Strength of African-Indian Unity

The Durban Riots of 1949 had their roots in the tensions that existed between the poor Zulu working classes and rich Indian merchants in the city of Durban. The Zulus, unlike other groups within the African majority, shared a longstanding bitterness and hatred toward the Indian community. In order to understand this tension it is important to note that after the disastrous Bambatta rebellion and the Land Act of 1913, the Zulus were forced to give up their traditional way of life, which was based on small scale agriculture and aloofness toward the white man's economy and migrate to the city in search of jobs. As urbanization kept apace, the Zulus found themselves competing with ex-indentured Indian laborers and rich Indian merchants, who had a head start in acquiring the capital and job skills necessary to integrate themselves into the new capitalists economy. As a result, Zulus remained at the bottom of Durban's racial hierarchy. They worked in the jobs lowest paying jobs and lived a lives filled with filth and squalor in shacks owned by Indian slumlords. There was also little communication and considerable hostility between the poor working classes of both communities who often lived in close proximity of each other and competed for scarce factory jobs. These circumstances created a powder keg of tension between the Zulu and Indian communities.¹¹³

This tension finally exploded on January 13, when a petty incident involving the beating of a Zulu shop clerk by a Indian merchant escalated into a full scale riot. Over the

¹¹² Bhana, 81.

¹¹³ Ramamurthi, T.G. , *Non-Violence and Nationalism: A Study of Gandhian Mass Resistance in South Africa* (Delhi: Amar Prakashan, 1981), 62.

next five days, Zulu mobs tore through Indian neighborhoods looting and burning down Indian houses and businesses and indiscriminately killing every Indian they saw. These attacks were followed by street battles between armed gangs from both communities, which were followed by a military style assault on Durban by South African police and the military who killed more people than the rioters. When the dust settled 3 factories, 710 stores and 1,532 homes had been destroyed or damaged. In addition, 137 people were killed and 1087 were injured. Among the dead were 53 Indians, 83 Africans and 1 European, among the injured were 541 Africans, 503 Indians, 11 coloureds and 32 Europeans.¹¹⁴

After the riots, the new Nationalists government took full advantage of the propaganda value of this incident to reinforce their belief that South Africa's racial groups could never live together. The Nationalist government concluded that the only solution to the race problems in Durban was to 1) Racially segregate the Zulus out of Durban and 2) prepare the Indian community for eventual repartition to India.¹¹⁵

Despite the best efforts of the Nationalist Party to drive a wedge between the Indian and African political establishments, the Durban Riots of 1949, while illustrating the tension between the African and Indian working classes brought the political leaders of these groups closer together. After the riots leaders from the NIC, TIC and ANC joined forces and engaged in relief work, and helped victims on both sides. Leaders of these organizations also made public appearances in trouble spots and urged both sides to

¹¹⁴ Report on Durban Riots, Bhana and Pachai, 208-209.

restrain themselves. After the riots, the leaders of these organizations even created several Coordination Councils (CC) to provide a forum that allowed cross-racial dialogue to occur and encouraged greater cooperation between Africans and Indians.¹¹⁶

In addition to engaging in relief work, ANC President Dr. Alfred Xuma convened a "Joint Meeting of the Executives" between the ANC and South African Indian Congress (a federal body composed of executives from both the TIC and NIC), which was held in Durban on February 6, 1949. Refuting the assertion of the Nationalist government, the organizations agreed that the cause of the riots was traceable to "the political, social, and economic structure of the country based on differential and discriminatory treatment of the various racial groups and the prevailing temper in high places of racial hatred and intolerance". The joint meeting called upon Africans and Indians "to achieve close cooperation and mutual understanding and to stand together in their fight for liberation and their political, economic and social advancement."¹¹⁷

The Durban riots of 1949 illustrate both the strengths and weaknesses of the congressional alliance between the NIC, TIC and ANC. While the event illustrates that Afro-Indian unity was only present among the leadership elite in both communities, the congressional alliance between the NIC, TIC and ANC was nevertheless a significant event in South African history. The alliance improved communication between Indian and African communities and helped, at least partially, to diffuse tension between them.

¹¹⁵ Ramamurthi, 64-66.

¹¹⁶ Ramamurthi, 69-70.

The alliance also marked, despite all the political, social, economic and cultural differences between the Indians and Africans, the beginnings of a multi racial front against white racism. This ultimately manifested itself into the multiracial Defiance Campaign of 1952.

The Defiance Campaign of 1952

This display of political and racial unity in the wake of the trauma of the Durban riots could not have come at a better time. Throughout the 1950s, the Nationalist Party was in the process of passing a furious succession of laws designed to segregate and subjugate the non-European populations of South Africa. Running on a campaign centered around the twin slogans *Die kaffer op sy plek* (The "kaffir"¹¹⁸ in his place) and *Die koelies uit die land* (The "coolies"¹¹⁹ out of the country) the Nationalist were able to win in the elections of 1948. This was the first of many elections that would give them undisputed political power in South Africa for the next 40 years.

Soon after assuming power, the new Nationalist government passed a furious succession of laws: the Population Registration Act, which required all Non-Europeans in South Africa to register in a nationwide census; the Mixed Marriages Act, which made interracial marriages illegal; the African Building Workers' Act, which deprived African building workers of the right to work outside their reserves; the Separate Representation

¹¹⁷ "For Closer Cooperation"- Statement issued by the Joint Meeting of African and Indian Leaders on February 6, 1949. (Source: Karis and Carter, 1973, Vol. 2 doc. 46).

¹¹⁸ Derogatory Afrikaner term for the Africans.

of Voter's Act, depriving the so called "coloured" voters of the right to vote for the same candidates as white voters; the Native Laws Amendment Act, which turned tens of thousands of urban Africans into displaced persons in the country of their birth; the Suppression of Communism Amendment Act, which defined "communism" in deliberately broad terms and severally restricted the rights of free speech and assembly. The passage of these laws was so rapid that in one session, the all-white Parliament had passed more than 75 pieces of Apartheid legislation in one session. All of this legislation was designed to provide separate and unequal amenities to the non-European populations in railways, post offices, and other public places including places of entertainment.¹²⁰

The crown jewel of the Apartheid laws, however, was the Group Areas Act. This law was designed to ensure that there was no mixing of races with respect to the occupation of property for residential, trade or employment purposes. This law hit the Indian community especially hard because it choked off Indian trade to lucrative markets in white areas and displaced thousands of Indians who lived in "islands" or scattered settlements around white areas. Under this Act thousands of Indians lost their businesses and homes, and were forced to settle in remote areas several miles outside the city.¹²¹

Despite all their political, cultural, social and economic differences, the non-European population came together during this turbulent time and created a united front against Apartheid. The year 1950 saw the ANC and SAIC draw closer together. At a

¹¹⁹ Derogatory Afrikaner term for Indians.

¹²⁰ Naicker, M.P., *Defiance Campaign in South Africa 1952* (Johannesburg: Mainstream Publications, 1950), 1-2.

special conference convened by the ANC on May 7, 1950, June 20 was declared a non-European day of protests. The declaration was supported by all of the major African, Indian and coloured organizations. In his presidential address of 1950, Naicker denounced Apartheid as a fear-driven ideology that would reduce all to "perpetual bondage". He declared that the "cancer of racialism" was destroying all that was "healthy" in South Africa. He warned all English speaking Natalians that their support of this ideology would lead to their undoing. Then, to underscore the need for unity, he said that a non-racial democracy was an indivisible right for all non-Europeans in South Africa. The call for racial unity during this time seemed to be genuine, as reflected in NIC Agenda books after 1950, which recorded speeches made by several ANC officials (many of these officials were also regularly invited to perform the ceremonial tasks of opening the SAIC and NIC annual conferences).¹²²

On July 29, 1951, a Joint Conference involving the national executives of the ANC and SAIC, and the African Peoples Organization (a "coloured" organization), met in Johannesburg and decided to create a Joint Planning Council (JPC). At the conference the newly formed JPC decided that different non-European groups were to defy different sets of laws; the ANC volunteers were to concentrate on Pass Laws in urban areas and stock limitation regulations in rural areas; the SAIC and the coloureds were to defy provincial barriers, segregation in public places, and the Groups Areas Act. During the later stages, a multiracial campaign was to be directed against the Population Registration

¹²¹Naicker, M.P, 13-15.

Act and the Suppression of Communism Act. The JPC's plan was to write to the government to demand the repeal of the targeted laws. This it did on February 29, 1952. The Nationalists government predictably failed to respond, and the JPC decided to launch a second Passive Resistance Campaign (launched just 4 years after the Indian Passive Resistance Campaign).¹²³

The Defiance Campaign was launched on April 6, 1952, which was a significant date because it marked the arrival and settlement of the first whites 300 years before. Mass demonstrations occurred that day in all major urban centers. The organizers planned to run the campaign in three stages: first, they would commence, during which selected trained persons were to break laws in Johannesburg, Cape Town, Bloemfontein, and Durban; second, they would expand the campaign on new fronts; and third, they would coordinate the campaign countrywide. The resisters aimed to launch a movement that would basically bring the functioning of the state in South Africa to a halt in order to give themselves a chance to negotiate with the white South African government.¹²⁴

The campaign did not proceed as planned for a variety of reasons. Among them were the lack of adequate preparation and repressive (and often times violent) state action. A total of 8,557 were arrested in the campaign. There was, however, a strong regional variation in the strength and appeal of the movement; the turnout for the campaign was strong in the Cape and Transvaal, while in Durban, the headquarters of the

¹²² Presidential Address of Dr. Naicker, NIC Agenda book 1950.

¹²³ Ramamurthi., 82-82.

¹²⁴ Bhana, 82.

NIC, the response was relatively weak. For the Indians who did participate the 1952 campaign, it was largely a repetition of the 1946-1948 movement with mass rallies at the Red Square in Durban, press releases for local and overseas media, and the distribution of flyers all over the city. Many of the same individuals were involved as Apartheid laws and regulations were defied in public.

In the campaign, Dr. Naicker along with 21 resisters and over 4,000 supporters marched from Nicol Square in Durban to the Berea Road railway station. Once there ANC leader, Chief Albert Lutuli, addressed the crowd as Monty Naicker and the ANC's P.H. Similane and the other resisters violated the restrictions on using apartheid-regulated public facilities such as water fountains and restrooms. Later, Dadoo and several others continued to follow Naicker's example by using white-only facilities. Yet, despite the campaign's success in raising the political consciousness of blacks, less than 300 Indian resisters from Durban participated in the Defiance Campaign.¹²⁵

Following the campaign, the NIC blamed its failure on organizational difficulties. According to an eight-page document drafted in December of 1952 by the NIC for internal discussion, neither Indians nor Africans had been given enough time to prepare for the resistance campaign. Unlike the Passive Resistance Campaign of 1946-1948, communication about the campaign throughout Natal was limited, and many Indians had no idea up until the very last minute where and when the renewed resistance was supposed to take place. On the African side, Chief Albert Lutuli (who became President of the

¹²⁵ Ramamurthi, 92-93.

Natal ANC only in late 1951) had only learned about the campaign just a few weeks after taking office, giving him very little time to properly mobilize the African population of Natal for the campaign.¹²⁶

Yet there were also other factors that the leaders of these organizations refused to talk about that also played a role in Natal's poor performance in the Defiance campaign--mainly the prejudices that existed between Indian and Africans. Many Indians during the resistance movement were more concerned about being reduced to the status of "natives" than attempting to achieve racial equality, a goal which many of them felt was increasingly unattainable in the new Apartheid state. Also, many working class Indians (who had memories of the Durban riots fresh in their minds) still harbored a deep mistrust toward the Africans and felt threatened by the rising competition of the Africans for jobs and trade. On the other side, many Africans resented the intrusion of Indians on "their" struggle. Many conservatives (who later formed the nationalist Pan Africanists Congress in later years) also felt the "Africa was for the Africans" and the Indians, much like the whites, were foreigners to the African continent. Yet despite the prejudices between the two communities, the leaders of the ANC and the NIC, remained committed to the principal of Afro-Indian unity, both throughout the campaign and in its aftermath.

Besides the organizational difficulties, the resisters also faced extreme political repression from an angered white government. By the end of July, when the number of resisters arrested crossed 1,500, the Minister of Justice instructed the police to abandon

¹²⁶ Status of the Defiance Campaign, NIC Agenda Book 1952

all restraint in its dealings with the volunteers who were already being treated harshly in the prisons. Enraged Africans soon rioted when the police in Brighton decided to break up protests by using indiscriminate shooting. In response to the rioting (which was condemned by both the ANC and SAIC) the government attempted to decapitate the movement through nationwide police raids on the homes and offices of the leaders.

The Defiance Campaign was finally crushed with the passage of the Criminal Laws Amendment Act and the Public Safety Act of 1952, which made it impossible to organize any large scale campaign. Under the Criminal Laws Act, anyone participating in a campaign of protest was fined 300 pounds or sentenced to three-years in jail combined with a whipping of ten strokes, and a person leading a campaign was fined 500 pounds or given a five-year sentence combined with a whipping of twenty strokes. The Public Safety Act empowered the Governor general to declare a "state of emergency" lasting up to a year, when parliamentary and judicial functions could be suspended and any protestors could be summarily arrested and detained for a period of up to thirty days.¹²⁷ Thus the year of hope, which began on June 26 1952 ended ushering in an era of despair.

Even though the Defiance Campaign did not live up to the expectations of its organizers, it nevertheless set the stage for future collaborative ventures between the ANC and the Indian Congresses. The campaign launched them into a new strategy of coordination and multiracial resistance, and their destinies became linked from then on as the congressional alliance between the NIC and ANC came firmly into place.

¹²⁷ Ramamurthi, 88-89.

In conclusion, coordination between the Indians and the other non-European populations in South Africa, while plagued with countless economic, political, social, and cultural differences was more than a matter of ideology but rather one of practicality. The Indian while politically united and organized, as demonstrated in the Passive Resistance Campaign of 1946-1948, were numerically insignificant making up less than 2% of the total population in the Union. Thus, the impact of their individual campaigns, however successful, was bound to be limited. Hence, an alliance in the form of the "Three Doctors Pact" of 1947 with the vastly more numerous Africans brought concrete advantages and allowed future resistance campaigns to be larger and more effective. This apparent African-Indian unity, however, was not without its complications. Deep racial tensions between the working classes and communal prejudices between the two communities continued to exist despite the declared goal of racial unity by the NIC and ANC. This tension manifested itself in the Durban Riots of 1952 and the Defiance Campaign. In spite of all of these shortcomings the leaders of both the ANC and NIC deserve warm praise for attempting to do whatever they could to unite the two racial groups against their common enemy—white racism.

Chapter 4:

The International Aspects of Indian Resistance **1940-1952**

While the Indian Passive Resistance Campaign of 1946-1948 resulted in Indian solidarity and non-European unity against white racism in South Africa, it also had international implications. As a voteless minority, numbering no more than 250,000 (comprising 2% of South Africa's total population), many Indians in the NIC and TIC often looked to their 400 million compatriots in India for moral and political support. Even though India (unlike South Africa, which was virtually a independent member of the Commonwealth after 1913) was ruled directly by a British viceroy until the 1940s, many people in India had a deep sympathy for their compatriots in South Africa who were also struggling against racism. As a result of nationalist agitation throughout the 1920s and 1930s Indians, gradually gained political power in India. As they obtained more control over their country's domestic and international affairs, their attitude toward South Africa's racist policies became increasingly hostile. This chapter explores the international effect of the anti-Indian policies of South Africa and analyzes the way in which India, a rising power after World War II, helped mobilize world opinion against South Africa.

Relations between India and South Africa during World War II.

When World War II broke out on September 3, 1939, Viceroy Lord Linlithgow informed India's political leaders that they were at war with Germany. Although there was general moral support in India for Britain, there was also a reluctance to immediately show active support for the war struggle. The familiar American expression "No taxation without representation" soon became to the Indian National Congress (INC) "No popular war support without an independent government". Yet the fall of France and the grave threat posed to Great Britain softened the INC's policy towards the British. On June 1, 1940, Gandhi announced, "We do not seek our independence out of Britain ruin." After the British war cabinet promised INC leaders a constitution, a move that virtually guaranteeing eventual independence, the INC's leadership began to express more support for the war effort; some even volunteered to serve in Indian units that distinguished themselves in Middle East operations and later in campaigns against the Japanese. The Indian example was followed by the Indian community in South Africa. While there were certain eminent Indian leaders like Dr. Yusuf Dadoo who opposed the war for its "imperialists aims", most political leaders and organizations rallied behind the war effort and by 1941 more than 1,200 South African Indians, mostly from Durban, joined the transport corps.¹²⁸

While Indians in South Africa were supporting the war effort, the increasingly powerful Nationalist Party (who had many members with political views sympathetic

toward Nazi Germany) was seething with Indian resentment. While the Afrikaner Nationalists in the Union government were debating a host of anti-Indian bills, many Indian soldiers from India were experiencing the South African "Colour Bar" for the first time. Since South Africa was a major transit point for war goods being shipped to Europe (bypassing the Axis controlled Mediterranean) Indian soldiers, technicians and workers were often required to spend brief periods of time in South African ports and cities. This quickly created a major embarrassment for the British as Indians who sat as full members on the War Cabinet and fought on the war front as equals to the British came under a different system of laws in South Africa. In 1942, a formidable array of angry Indians from England and India sent an avalanche of letters to the British government describing how the "Colour Bar" stared them in the face wherever they went in South Africa: in cafes, cinemas, railway carriages, shops, post offices, and public libraries.¹²⁹

Despite being busy with their own struggle for independence at home, Indians, as a result of their experiences with the "Colour Bar" in South Africa, began to take a more profound interest in the problems of Indians in South Africa. In the words of the High Commissioner for South African Indians, Sir Shafa'at Khan:

[The] Colour Bar in Durban, Cape Town and other ports along the coast subjected the cream of Indian leadership in the defense forces of our government, en route to and from India, to humiliations on many occasions. There have been some very ugly incidents...Indian high-ranking officers and others [who] found for the first time such a thing as a colour bar, have been astonished at the patience and

¹²⁸Pachai, Bridglal. *The International Aspects of the South African Indian Question 1860-1971*. Cape Town: C. Struik (PTY) LTD., 1971, 151-152.

¹²⁹Pachai, 155.

fortitude with which the Indian community in the Union has borne these humiliations for the last 80 years.¹³⁰

These protests soon exploded into a diplomatic confrontation between India and South Africa with the passage of the Trading and Occupation of Land (Transvaal and Natal) Restriction Bill, which was hatefully referred to by Indians as the "Pegging Act."¹³¹ In addition to provoking embittered protests from the Indian community in South Africa, this bill marked the beginning of an international confrontation between India and South Africa. As the bill was being debated in Parliament, the Indian High Commissioner, despite the limitations placed on his office worked strenuously against the proposed measure. He also promoted the amalgamation of the Natal Indian Association and the Natal Indian Congress to unify protests against white racism by the Indian community.

After mobilizing domestic protest, the High Commissioner informed Gandhi and several other INC leaders about the proposed legislation. Soon after being informed, the India government reminded the Union Government that both governments were signatories to the Cape Town Agreement and that the proposed legislation was a violation of the policy of "upliftment" in the agreement in addition to being an affront to the national honor of India. As support for the bill grew in South Africa, Indian leaders from all parties and all walks of life spoke out clearly against the proposed act. At a mass

¹³⁰ Sir Shafa'at Ahmad Khan. Report from the High Commissioners Office, The Contribution of India in the Struggle against Apartheid, African National Congress Webpage <http://www.anc.org.za/ancdocs/history/solidarity/india.html>.

¹³¹ See Chapter 1 for a description of the Pegging Act.

meeting held in Bombay, several politicians said that all the talk about the fine performance of Indian troops in World War II meant nothing when in South Africa Indians were being subjected to obnoxious legislation like the Pegging Act. These political leaders made it clear that faith in the British Empire was diminishing fast in India and would completely vanish if the measure passed.¹³²

British officials in United Kingdom, while giving lip service to the complaints of Indians both in India and South Africa, stressed that the matter was a domestic concern of South Africa's and that Britain was too busy fighting the war to do anything. In reality, however, it was Britain's desire for wartime supplies and ports in South Africa that again superseded the British government's willingness to fight for equality on behalf of the Indian community in South Africa. Just as it had done in the past, Britain was putting her own imperial interests before the interests of the Indians throughout the Empire.¹³³

The Pegging Bill also received international attention throughout Europe, Asia, and Africa and even brought forth denunciations from axis radio stations in Berlin and Tokyo. In Berlin, Hitler's propaganda Ministers, took full advantage of this incident and proclaimed that Britain had no right to declare war against Germany when she invaded Poland because, according to General Smuts himself, each country should deal with its own domestic affairs and should treat the inhabitants living within their borders in its own way. In Tokyo, the Japanese propaganda ministry stressed that since Indians were

¹³²Pachai, 171-172.

¹³³Pachai, 172.

being squeezed out of Africa, they were fully justified in squeezing the Europeans out of Asia.¹³⁴

Despite these embarrassing proclamations and the worldwide attention this bill received, the Pegging Act was still passed by the South African government on April 22, 1943, infuriating Indians throughout the empire. During this time, one of the men in the Indian Overseas Department (IOD), Dr. N.B. Khare, decided to induce the Indian government to act against South Africa. In May of 1943, Dr. Khare, the former Prime Minister of the Central Provinces and Berar and member of the viceroy's council, took charge of the IOD. With the approval viceroy Lord Linlithgow, Khare convened a conference of prominent Indian leaders to discuss the situation that had developed in South Africa as a result of the Pegging Act's enactment.

The conference resolved that the India government should take steps to vindicate the self-respect of Indians domiciled in South Africa. Dr. Khare acted on these recommendations by amending the Indian Reciprocity Act of 1943, which sought to enforce economic sanctions against South Africa on all goods not necessary to the war effort. While questions arose over how the government was to decide which goods or materials were necessary for the war effort, many officials in the government remained adamant about punishing South Africa.¹³⁵

The question of how to punish South Africa became more difficult when the conservative Lord Wavell succeeded Lord Linlithgow as viceroy in October, 1943. The

¹³⁴Pachai, 170.

new Viceroy informed Dr. Khare that he was prepared to use his veto power to stop the India's actions against the Union Government. The new viceroy stated that he was not prepared to approve steps against the Union Government because of his close association with General Smuts and his belief that sanctions against South Africa would cripple the war effort in Britain. Yet the Indians remained firm in their demand for action--even a symbolic action--against South Africa, reminding the British government of its moral responsibility toward the Indians. Against Lord Wavell's wishes the Central Legislative assembly passed a motion stating:

The position arising out of the recent Pegging legislation in South Africa must be taken into consideration with a view to enforcing the Reciprocity Act and adopting measures to redress the grievances of Indian in South Africa.¹³⁶

Lord Wavell could no longer brush the issue aside in the face of mounting criticism. In a last ditch effort to prevent a diplomatic confrontation, Lord Wavell attempted to personally correspond with General Smuts and call another conference between India and South Africa. When no reply was received from General Smuts, Lord Wavell finally allowed the Executive Council to deliberate on the retaliatory measure. After some amendments by Lord Wavell, a newly amended Reciprocity Act was reluctantly approved by the frustrated viceroy.¹³⁷

The newly amended act was aimed at punishing white South Africans who visited, resided or did business in India, with three sets of rules. The first provision stated that

¹³⁵Pachai, 173.

¹³⁶Motion in Central Legislative Assembly, African National Congress Webpage, The Contribution of Indian in the Struggle against Apartheid.

non-Indian citizens of South Africa, while members of the Commonwealth, were prohibited immigrants and as such were not allowed to enter or reside in India without obtaining exemptions or entry permits. The second provision declared that non-Indian South Africans could not acquire any property without a permit or occupy any land or premises in India. The third provision stated that local franchise rules debarred persons of non-Indian origin who were domiciled in the Union, outside the Cape Province, from voting in Indian elections unless already on the electoral roll before the commencement of the act.¹³⁸

Since few white South Africans resided, visited or did business in India the passage of the newly amended Reciprocity Act was largely a symbolic political protest. Nevertheless, it did lead to several bizarre incidents. Experiences like one about two Europeans from South Africa who landed at Karachi, who (fearing deportation) left hurriedly for home as soon as they arrived and a board at the Taj Mahal Hotel reading "South African Europeans not allowed"--insignificant in themselves--were nevertheless India's latest and most belligerent reply to the problems of Indians in South Africa. Despite its practical insignificance, the bill remained a symbolic expression of India's determination to take action against South Africa.¹³⁹

In sum, the Pegging Act created internal and external complications for South Africa. In India the government and the people were bitterly opposed to it. This bitterness

¹³⁷Pachai, 173-174.

¹³⁸Indian Reciprocity Act 1943, African National Congress Web Page, The Contribution of India in the Struggle against Apartheid.

soon manifested itself into a series anti-South African bills in the Executive legislature. The Reciprocity Act of 1943 was the first of these bills and essentially did to white South Africans in India what whites in South Africa did to the Indian community with the Pegging Act. The domestic and international protests against the Pegging Act helped set the stage for the future protests that were about to take place both in South Africa and in the United Nations during the turbulent decades of apartheid.

The Post War Diplomatic Relationship between South Africa and India

The post World War II era marked a time of rapid transition for Indians in South Africa and India. For the Indians in South Africa, the failure of the Pretoria Agreement marked the end of the compromising and conservative leadership of the NIC and TIC and the rise of a new militant leadership headed by Dr. G.M. Naicker and Dr. Yusuf Mohamed Dadoo.¹⁴⁰ In India, these years were marked by a gradual transition to complete independence from Britain, as well as bitter communal conflict between Hindus and Muslims. All of these events were happening as the victorious allied powers were creating the United Nations, a new influential political body where South Africa was honored when her prime minister, General Smuts, was invited to write the preamble to the Charter of the new organization. This section's goal is to analyze the changes that occurred in South Africa, India and the world after World War II and to show how these events influenced the Indian community's struggle against racism in South Africa.

¹³⁹Pachai, 178-179.

Even though the Pegging Act was passed and implemented over Indian objections, Indian protests against the act did not stop. The issue was again raised by India at the Commonwealth Relation Conference in London in March of 1945, when former Agent-General for South Africa, Kunwar Sir Maharaj Singh, vehemently denounced South Africa. He claimed that if the Commonwealth was to continue to exist, all forms of racial discrimination needed to be abolished. He added that the act was galling to the Indian community of South Africa and an insult to the national honor of India.¹⁴¹

Despite these continued protests by India, General Smuts was still in office and the official United Party attitude remained the same as before. After the act expired (after lasting three years) on January 21, 1946, General Smuts made an announcement in the House of Assembly on a proposed measure that was to take the place of the Pegging Act. The new act, called the Asiatic Land Tenure and Indian Representation Bill, was finally revealed in the House of Assembly on March 15, 1946, which extended the provisions of the Pegging Act indefinitely in exchange for a token representation of the Indian community in parliament through elected white representatives.

The introduction immediately brought forth renewed protests from Indians in South Africa and India. In South Africa, the new militant leaders of the Indian Congresses, Dr Naicker of the NIC and Dr. Dadoo of the TIC, launched a massive

¹⁴⁰ See Chapter 1 for details.

¹⁴¹ Kunwar Sir Maharaj Singh, Speech before the Commonwealth Conference March 1945, African National Congress webpage.

Passive Resistance Campaign¹⁴². As part of their resistance the leaders of the campaign decided to get the government of India involved with a telegram to Delhi stating:

Honor of India at Stake. The situation demands immediate action to uphold the honor and dignity of Indians abroad. Urge Government of India should raise the question at the General Assembly of UNO¹⁴³

India's response to the call for help from the Indian community in South Africa was immediate and swift. Even though the steps that were taken against South Africa were against the wishes of the viceroy, the timing of the actions could not have been better. Since the war was over and a promise had been made by the British government that full national independence would be accorded to India, the viceroy, along with the British government, realized that they could no longer overrule the Indian government's foreign policy objectives. Taking full advantage of its new independence in foreign affairs in April of 1946, India gave a formal notice of its intention to terminate the Favored Nation Trade Agreement between India and South Africa. India also imposed sanctions on certain goods to South Africa. While these trade sanctions by India did not devastate the South African economy it did hit the agricultural sector, where the stoppage of grain and rice shipments forced some South African farmers to either start growing these products on their own, in place of more valuable cash crops like sugar or coffee, or import them from other parts of the Commonwealth at higher prices.¹⁴⁴

¹⁴² See Chapter 2 for more details.

¹⁴³ Monty Speaks--Speeches and Writing of Dr. G.M. Naicker, African National Congress Webpage.

¹⁴⁴ First Biennial Provincial Conference Agenda Book, May 30-June 1, 1947. (Report on Passive Resistance, Microfilm, University of Chicago). Political Chronology of the Struggle.

The government of India also launched a diplomatic offensive against South Africa. It recalled Mr. R.M. Deshmukh, the Indian High Commissioner in South Africa, and later announced that the commissioner would not be sent back, owing to the racial policies of the Union Government. Later, the Indian government submitted a famous resolution to the General Assembly of the United Nations. Despite this international humiliation, the Union Government remained unshaken. Since the Ghetto Act was not repealed, the diplomatic challenge by India marked the first time that the United Nations would be used as a body to solve this international problem. The eyes of millions now turned to the UN.¹⁴⁵

The Worldwide Diplomatic Offensive of the NIC and TIC.

After the Indian government recalled its commissioner and submitted a resolution of the Indian case to the UNO, the NIC leadership decided to launch a massive international diplomatic offensive to gain worldwide support for India's UN resolution.

The NIC and TIC sent delegations to India, the United States and Britain, to present their case. These deputations addressed public and private meetings and played a major role in gathering financial and political support for the Passive Resistance Campaign.

The most important deputation was the one destined for India. This deputation was composed of two of the most influential leaders of the movement: Dr. Dadoo and Dr. Naicker. Just out of jail after serving six-month jail sentences for their roles in the Passive

¹⁴⁵Progress of the Campaign, NIC Agenda Book 1947.

¹⁴⁵NIC Agenda Book 1947.

Resistance Campaign, Naicker and Dadoo were eager to do whatever they could to further their cause. In March of 1947, they visited India to attend the Asian Relations Conference and met several Asian leaders, including Mahatma Gandhi, Pandit Jawaharal Nehru and Mohammed Ali Jinnah, to discuss the problems of Indians in South Africa. After delivering speeches all over India, Naicker and Dadoo were able to win the support of virtually every major political party in India. These included the Indian National Congress, the Muslim League, the Communist Party, the All India Women's Conference and the All India Students Federation. They also gained support from other Asian countries like Indonesia and Indochina, who themselves were involved in anti-Imperialists struggles at the time. Throughout the historical meeting, Dadoo and Naicker addressed the All India National Congress and proposed several countermeasures against South Africa. Virtually every member of the Congress, from merchant to communists, from Maharaja to Democrat, agreed that the Anti-Asiatic measure was not a domestic affair but an international one, and an affair that should involve India.¹⁴⁶ India's future prime minister, Jawaharal Nehru also expressed his support stating:

I do expect UNO and the rest of the British Empire, if they are earnest about it, to disassociate themselves from South Africa and cut her away from the family of nations if she follows the Nazi doctrine. If the UNO, Europe or America do not do that the time will soon come when all of Asia may do that and so might Africa.¹⁴⁷

After winning the support of a nation of 400 million and a emerging power in Asia, both Naicker and Dadoo were able to use their trip abroad to infuse their Passive

¹⁴⁶Progress of the Campaign, NIC Agenda Book 1947.

¹⁴⁷African National Congress Webpage, The Contribution of India in the Struggle Against Apartheid.

Resistance Campaign with a new feeling of pride and confidence. In his report, Dr.

Naicker proudly exclaimed:

We have been inspired by India's great leaders and national organizations [for their] continued and unswervingly support along their path to independence, but also by the fighting spirit of the masses of India, who everywhere greeted us with spontaneous enthusiasm and encouraged us to fight with increased vigor. Whatever internal differences may exist in India we found that the people and leaders were unanimous about their compatriots in South Africa ... Both India and Asian leaders recognized that we in South Africa were not only fighting for our rights, but also to preserve the national honor and dignity of all Indians and Asians, and Dr. Dadoo and I know that we spoke in your name when we made it clear to all that we would not flinch whatever the trials that fate may have in store for us.¹⁴⁸

A second delegation, consisting of Ashwin Choudee and P.R. Pather, departed for the United Kingdom on May 5, 1946. Choudee and Pather delivered speeches and presentations to liberal groups all over England; such as the India League of Great Britain, the Communist Party, the Indian Students Association of Edinburgh, the Society of Individuals, the Society of Friends, the Fabian Society, the International Missionary Council and the Women International League. All of these progressive organizations, in response to the NIC-TIC delegation, soon adopted resolutions condemning the Ghetto Act and demanded that it be repealed.¹⁴⁹

A third delegation, led by Mr. Ashwin Chondree, left for the United States of America on July 10, 1946. Much like the English deputation, Chondree was able to launch a writing campaign and a speaking tour of the eastern USA. Even though the US

¹⁴⁸Presidential Address, Dr. GM Naicker, NIC Agenda Book 1947.

¹⁴⁹Pachai, 193.

was the least receptive country visited by the NIC and TIC¹⁵⁰, Chondree managed to bring the problems of South African Indians to the attention of such groups as the Indian League USA, American Civil Liberties Union, American friends of India and the Council on African Affairs. Chondree was also able to win the support of a few liberal US politicians, who in the wake of the Supreme Court case, *Brown vs. Board of Education*, stood opposed to racial segregation. One such politician was Congressman Emanuel Celler, who wrote a letter to the NIC stating:

I present my compliments to the members of the Natal Indian Congress...I for one agree that many of the provisions of this law tend to ghettoize the Indians in Natal, and that the restrictions placed on them are inexcusable...We in the United States, especially in the Southern States, are no less guilty of this kind of shocking attitude. I have fought discrimination wherever I have met with it.¹⁵¹

Despite the support of a few organizations and politicians, the deputations to the United Kingdom and the USA were not as successful as the one sent to India, because politicians in the UK and the US, both viewed the Ghetto act as a matter of domestic rather than international concern. In the United Kingdom, this feeling stemmed from the concern that many Englishmen had for their fellow countrymen in South Africa. Moreover, in the 1940s the UK still had nominal control over a huge empire. For British politicians, the passage of any anti-South Africa laws would endanger their imperial interests and draw attention to the empire's racist policies.

¹⁵⁰ It is important to note that during this time the US also had a rigid system of racial segregation in place during this time.

¹⁵¹ Messages and Letters, NIC Agenda Book 1947.

In the United States, the reasons for these feelings are more clear-cut. Unlike the UK, the United States during this time had a rigid system of racial segregation in place. If the United States were to support any resolutions or laws against South Africa, their own system of racial segregation would also come under fire. At any rate, because of these attitudes both the United Kingdom and the United States opposed the Indian resolution in the United Nations. Even though these deputations failed to convince the governments of the UK and USA to help the NIC and TIC, however, they still made people aware of what was going on in South Africa and encouraged some groups within these countries to come out in opposition against South Africa—something which foreshadowed the anti-Apartheid movements in these countries.

In conclusion, the worldwide diplomatic campaign launched by the NIC and TIC had a tremendous impact on world politics in the wake of the Indian resolution within the UN. In India, the deputation composed of Naicker and Dadoo played a major role in unifying the diverse political elements of both India and the of Asia against South Africa, making them valuable opponents against racial segregation. In the USA and the UK these deputations, while they failing to win the sympathy of the government, helped to make the local populace aware of what was going on in South Africa, and helped mobilize domestic organizations against it.

South Africa before the United Nations.

While the NIC and TIC were organizing the Passive Resistance Campaign and conducting a worldwide diplomatic offensive against South Africa, India was involved in

a debate within the UN over the legality of South Africa's racist policies. Thus, the stage was set for an international showdown in the United Nations. In South Africa, the SAIC (which was at the time under a conservative leadership) announced that a congress delegation comprised of Sorabjee Rustomjee, H.A. Naidoo, A.I. Kajee and P.R. Pather, would leave for New York on September 21, 1946, to present their case to the Indian delegation at the United Nations.

But before they could present their case, an old quarrel between the militant and the conservative factions within the Congress erupted within the UN delegation. This quarrel entered a more dramatic stage when the militants in the delegation, Rustomjee and H.A. Naidoo, announced their resignation from the SAIC and their decision to represent the Joint Passive Resistance Council of the NIC and TIC. In response to this defection, the Joint Passive Resistance Councils of the NIC and TIC disowned the remaining SAIC delegates, Kajee and Pather as not being representative of local Indian opinions and interests.¹⁵²

It soon became quite clear to all concerned that the instability of Indian unity at a critical phase in the struggle was weakening the Indian case before the UN. Eventually Mr. Nehru, the future Prime Minister of India, intervened. He stated that the Indian government would recognize the decisions of the conservative SAIC only if they were endorsed by the militant NIC and TIC. This endorsement requirement by the Indian government (which attempted unify the Indian community into one voice in the United

¹⁵²Pachai, 199-200.

Nations) was largely unsuccessful because both the NIC and TIC's decisions were not binding with those of SAIC.¹⁵³

General Smuts took full advantage of this political division by giving selective recognition to the delegation most sympathetic to the Union Government: the conservatives within the SAIC. In an effort to further divide the Indian Congresses, Smuts claimed, in a letter to Nehru that the "Groups representing all classes of Indian were dissatisfied with the conduct of the affairs by the Natal Indian Congress whose leadership was under an ideological influence of which they disapproved and whose approach they consider harmful to Indian interests."

Angered by this statement, both Dadoo and Naicker wrote a statement to the press in India and South Africa claiming that the NIC could boost a membership of 35,000 out of 228,000 Indians in Natal and a democratically elected leadership that was responsive to the needs of the Indian community. Claiming that the "Groups representing all classes" were nothing more than a bunch of angry merchants who met in secret and acted as puppets of the prime minister, both Naicker and Dadoo urged the Indian delegation to recognize them as the sole voice for the Indians in South Africa.¹⁵⁴

Despite efforts by the Indian delegation to unite the quarreling factions, the duality of Indian opposition in South Africa persisted and two official delegations proceeded to New York. They both carried with them the same picture of the South African scene, yet

¹⁵³Pachai, 200-201.

¹⁵⁴Smuts Refuted, Joint Statement by Dr. Naicker and Dr. Dadoo, African National Congress Webpage.

were insistent on presenting the picture differently.¹⁵⁵ During the opening of the General Assembly, the India government moved to have its resolution regarding "The Treatment of Indians in South Africa" added to the agenda. When this item came up for approval, General Smuts immediately motioned that the item should be removed from the agenda on the grounds that the matter was an issue of domestic concern in accordance of Article 2 (7) of the UN Charter, which stated:

Nothing contained in the present charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require Members to submit such matters to settlement under the present charter ...¹⁵⁶

Yet the member states of the United Nations disagreed with Smuts. The General Assembly ruled by a majority vote that the item should be referred to separately; first to the Political Committee and then later to the Legal Committee. Creating a joint committee to deal with the issue, the member states of the UN decided to hold six meetings to discuss the issue.¹⁵⁷

In the first meetings, Mrs. Sevinta Pandit and Mr. Raja Chagla, arguing on behalf of the India government, stated to the General Assembly that most Indians in South Africa were permanent residents of South Africa and thus entitled to the rights that all white citizens were granted. They declared that since 1860, the history of the Indian community in South Africa had been a series of broken promises. Mrs. Sevinta said that

¹⁵⁵Pachai, 100.

¹⁵⁶Department of Public Information, United Nations. *The United Nations and Apartheid 1948-1994*. United Nations, New York, 1994. appendix i.

¹⁵⁷Pandit, 201.

in 1913, Indians had become citizens of the Union of South Africa, bearing the burdens of citizenship without the rights of franchise. In her opinion, the South African government by its general policy and by the enactment of the Ghetto Act of 1946, had violated the Cape Town Agreement of 1927 as well as the fundamental principles and human rights defined by the UN Charter. Mr. Chagla, noted that the Charter would be merely a scrap of paper if any signatory could, with impunity, violate its terms without the United Nations having any right to take action. In conclusion, Chagla called upon the United Nations to exercise its collective wisdom and employ their moral and political sanctions in the interests of justice.¹⁵⁸

Arguing on behalf of the Union of South Africa, Mr. Heaton Nicholls claimed that the UN resolution was being exploited as a political weapon in order to further India's political aims. He said that the bulk of the Indian population in the Union of South Africa enjoyed a higher standard of living than their kin in India, and that the reasons for their backwardness within the Union was that they were still subject to the same caste distinction as their Indian counterparts. The problems of the Indian community in South Africa, he asserted, were superimposed on the problems of the native population. Mr. Nicholls added that the Indians were always regarded as temporary residents of Natal. He stated that he could not agree with the claims of certain delegates that the mere fact of discrimination of any kind constituted a violation of the UN Charter. Political rights, he said, were not fundamental. If it were so, he claimed, it was tantamount to saying that the

¹⁵⁸UN Blue Book, 200-202.

most progressive races should be retarded by the less progressive, if in fact they constituted the majority. In the opinion of the Union Government, equality in fundamental rights and freedoms could only be assured in a multiracial state by a measure of discrimination in non-fundamental rights. Mr. Nicholls asked the General Assembly to respect the "great experiment in human government" that was South Africa.¹⁵⁹

During the proceedings of the Joint Committee, India withdrew her resolution that was submitted at the opening of the meeting in favor of one sponsored by France and Mexico. The Franco-Mexican resolution stated that the treatment of Indians in South Africa had impaired the friendly relations between India and South Africa and that unless a satisfactory settlement was reached the relations would be further impaired. The resolution also called for the treatment of Indians in South Africa to be made to conform to the treaty obligations of the past, also taking into account the Charter of the United Nations.¹⁶⁰

Similarly, South Africa withdrew her original resolution in favor of an unfriendly amendment to the Franco-Mexican resolution, which was tabled jointly by the United States, the United Kingdom, and Sweden, calling upon the International Court of Justice to give an advisory opinion on the question of whether the issue was within the domestic jurisdiction of the Union of South Africa in terms of Article 2 (7).¹⁶¹

¹⁵⁹UN Blue Book, 202-203.

¹⁶⁰UN Blue Book, 204.

¹⁶¹UN Blue Book, 205.

After more heated debate in the General Assembly, the Franco-Mexican resolution as recommended by the Joint Committee was almost adopted by a vote of 32 to 15 with 7 abstention (a two thirds majority was needed to pass the resolution in the General Assembly). The South African resolution asking that the meeting refer the dispute to the International Court of Justice was defeated by 31 votes against, 21 in favor and 2 abstentions. An analysis of the voting reveals certain regional and political patterns of voting. Among the members of the General Assembly, virtually every communist, Asian and African nation took a hard line against South Africa, while white settler countries within the Commonwealth like Canada, New Zealand and Australia, together with right wing dictatorships like Argentina and Spain, sympathized with South Africa.¹⁶²

Despite the initial failure of its first resolution, the Indian government adopted several resolutions against South Africa in later years. Soon after the South African Parliament passed the Groups Areas Act in 1950, the governments of both India and Pakistan, in a rare moment of agreement and cooperation, immediately canceled a scheduled round table conference with the South African government and again referred South Africa to the United Nations. The conflict between races and ideologies was ventilated again at the United Nations. Once again, by a vote of 40 to 1 with 12 abstentions, the item: "Treatment of people of Indian origin in the Union of South Africa"

¹⁶²UN Blue Book, 231.

was included in the agenda in the sixth session of the General Assembly, despite protests from South Africa.¹⁶³

After heated debate between the South African and Indian governments, another resolution was adopted in September of 1951, by a vote of 41 to 2 with 13 abstentions. It called for South Africa to delay its enforcement of the Groups Areas Act and set up a three man commission within 60 days to investigate the race problems of South Africa and eventually work out a settlement that would improve the relations between South Africa and India.¹⁶⁴

The South African government immediately denounced the resolution and stated it would not cooperate with the United Nations in any aspect of this resolution's implementation. It continued to regard the United Nations' resolutions as intrusions in matters, which were entirely the concern of a sovereign, independent state. Despite the Union Government's attempts to ignore the international protest against its policies, the non-European population was gradually mustering its strength and resources to launch a nationwide campaign of defiance on February 29, 1952. Again, the domestic protests within South Africa soon manifested themselves in the United Nations. Criticism against the Union Government again came from many quarters as representatives from the SAIC and the increasingly powerful African National Congress (ANC) traveled to New York and rallied world opinion against South Africa.¹⁶⁵

¹⁶³ Pachai, 240.

¹⁶⁴ UN Blue Book, 221-222.

¹⁶⁵ Pachai, 241-242.

On September 12, 1952, the India government, in response to the protests from both the SAIC and ANC, met with the permanent representatives from the governments of Afghanistan, Burma, Egypt, Indonesia, Iran, Iraq, Lebanon, Pakistan, Philippines, Saudi Arabia, Syria and Yemen and adopted a petition declaring their united opposition to apartheid in South Africa. In addition to requesting that a topic addressing the Defiance Campaign be added to the meeting agenda, the petition stated that a continuance of the repressive measures would "aggravate race conflict in Africa" and ultimately "endanger world peace".¹⁶⁶

As a result of world outrage against South Africa's policies in 1952, three resolutions were passed against South Africa in the seventh session of the General Assembly of the United Nations. In light of these developments, and the increasingly hostile climate at the United Nations, it began to seem futile for South Africa to continue to argue its case that apartheid was a matter of domestic concern protected under Article 2 (7) of the UN Charter. This had been done several times and it had been rejected by the nations of the world. The only way for the Union Government to succeed at the United Nations was to change its policies at home. But it consistently refused to do so. Thus, the only action the Union Government could take was to declare all United Nations resolutions as *ultra vires* and therefore null and void.

Yet it was precisely this stubbornness to change that led South Africa down the dark path to becoming a pariah state as more nations began to emerge from old colonial

¹⁶⁶ UN Blue Book, 223-224.

empires in Asia and Africa. While the Union Government could ignore the protests of other nations in the United Nations, it could not ignore the economic sanctions placed on South Africa and the political support domestic opposition groups like the ANC and SAIC received from other nations. Both of these international factors eventually led to apartheid's eventual destruction.

What did this International Movement Accomplishment?

In assessing the value of the international aspects of the South African Indian question, it is important to notice three things. First, as Indians in India obtained more control over the domestic and international affairs of their homeland, their stance against South Africa became more hostile. Since the Indian community in South Africa had no local, provincial or national representation, the Indians in South Africa relied on presenting their grievances to their "big brother" overseas, giving India a role in South African politics. But for the greater part of British rule India was under the direct control of the British Viceroy, who placed the empire's imperial interests over the rights of the Indian people. Yet as Indian nationalists gained more control over the domestic and international affairs of their country, their ability to take effective action against South Africa increased.

Second, the contribution of the Indian Congresses cannot be underestimated. The NIC and TIC deputations to India, the United Kingdom and the United States, played a major role in mobilizing a worldwide opposition of progressive forces against South Africa. While the deputations to India had a greater impact on the international scene, it is

important to note that the deputations to the UK and USA, in spite of failing to influence governmental policy, they played a major role in winning the support of progressive groups against the South African government. Since many of these groups helped shape public opinion, this awareness helped create domestic protests against South Africa within these nations in the 1960s and 1970s. These protests eventually got the US and UK to impose sanctions on South Africa in the 1980s.

Third, and most important, India's UN resolutions marked the beginning of South Africa's international isolation due to apartheid policies. Apart from the United States, Britain, Britain's white settler colonies and a handful of Latin American dictatorships, South Africa was for the first time virtually isolated from the rest of the world after 1948. Even among those sympathetic to South Africa's case, support seemed to be political pragmatic and by no means friendly. The passage of the Franco-Mexican resolution also demonstrate the new power the United Nations and the increasing difficulty that South Africa faced in justifying its racist ideology before a rapidly changing post-colonial world; a world where non-Europeans had an increasingly important say in world politics and the white minority in South Africa had a more difficult time rationalizing its racist ideologies and its policies.

United This change in world politics had significant consequences for the minority government, but provided a rallying point for Nationalist politicians who felt threatened by the United Nations. During the 1948 election campaign, the Nationalists Party leader, Dr. Malan, furious at the UN condemnation boldly proclaimed in a campaign speech:

Will the European race in the future be able to maintain its rule, its purity, and its civilization, or will it float along until it vanishes forever, without honor in the black sea of South Africa's non European population ... Will South Africa shake of those exaggerated foreign complexes of which the present government is possessed and eventually pay attention to the interests and requirements, and not least to the legitimate grievances, of large sections of our people? ... As a result of foreign influences, the demand for the removal of all color bars and segregation measures is being pressed more and more continuously and vehemently, and all this means nothing less than the white race will lose its ruling position and that South Africa will sooner or later have to take its place among the half caste nations of the world.¹⁶⁷

Malan's words demonstrate the increasing insecurity and xenophobia that many white South Africans began to feel as a result of renewed domestic and international protest. Even though Malan was able to mobilize the white masses for an election victory in 1948 against General Smuts, his draconian ideology found no sympathy in a rapidly changing world.

With the decisions against South Africa in the UN General Assembly--the first of many on the South African Indian question--an important milestone was reached in the history of the South African Indians. Even though the victories seemed to only be only moral ones, the important thing, both in India and in the Indian Congresses in South Africa was that the matter had reached an international level that was deemed to be of sufficient importance to find a place on the agendas of the General Assembly of the United Nations. Since most African nations were still under the control of colonial governments between 1948-1952, the diplomatic offensive launched by the Indian Congresses and India was a precursor to the larger diplomatic offensive by the ANC and

¹⁶⁷ *Facts on File--South Africa and Apartheid*. Edited by Robert W. Peterson. New York: Facts on File

Africa in later years. In short, these diplomatic conflicts helped set the stage for the much bigger protests that were to occur in the following decades.

Conclusion

Looking at the turbulent years of change and racial discrimination in South Africa between 1940 and 1952, one can see that the role that the NIC, TIC and SAIC played against the minority government was historically significant to the South African freedom struggle. While the Passive Resistance Campaign of 1946-1948 and the Defiance Campaign of 1952 failed to thwart any of the minority government's racist legislation it nevertheless affected Indian politics, and had an impact that affected both domestic politics in South Africa and international politics in the United Nations. This final chapter summarizes the basic arguments of this thesis and shows how these Indian protests, while failing to repeal anti-Indian legislation, had an impact that gave this small minority a voice that was to be heard all over the world.

Indian Political Consciousness

The Indian Passive Resistance movement radically altered the nature of Indian politics in South Africa. When the organization was founded by Mahatma Gandhi in 1894, the NIC started with narrowly conceived goals and a restricted membership. During its early years, the NIC was an organization dominated by a wealthy merchant class that preferred to negotiate and compromise with the white government, and accept a second class status as citizens rather than openly protesting anti-Indian legislation. This rich Indian merchant class was also willing to give up the political rights of the larger Indian

community in exchange for concessions that preserved their own political and economic dominance.

This policy, analyzed in chapter one, was a complete disaster. It resulted in a severe division within the Indian political establishment between the mostly foreign-born, rich merchant elite and the poor, South African-born working class Indians of indentured origins. This division exploded after the Cape Town agreement of 1927, which factionalized Indian politics for decades. It was not until the passage of the Pegging Act in 1943 that the conservatives within the NIC, led by A.I. Kajeer and P.R. Pather, finally came under fire within the NIC.

When the militants took control of the NIC in 1945, the policies and leadership of this organization was radically altered. The new leaders of the NIC had professional or working class backgrounds and represented a younger generation that was on the whole, more educated and more in touch both with the needs of the urbanized Indian working class and with changing world opinion about racism and colonialism.

Denouncing the old conservative policies of negotiation and compromise, the new militant leadership adopted a policy of open defiance against racist legislation passed by the white minority government. The shift in the basic objective of the NIC from the attainment of concessionary privileges to recognition of the Indian community's inherent rights cannot be overemphasized. This shift marked the beginning of the Gandhian revival in South African Indian politics. The Passive Resistance Campaign of 1946-1948 was organized on the basis of Gandhi's political philosophy, *Satyagraha* (a Hindu term translating to "firmness in truth"). The essence of this philosophy revolved around the

correction of wrongs by inviting rather than inflicting, suffering and combating the adversary without rancor and without violence in an attempt to make him see the evil of his ways.

Evoking this philosophy, the leaders of the NIC centered their campaign around the defiance of segregation laws. Makeshift camps were erected in vacant lots on land reserved for white settlement only. This action, done in blatant defiance of the white government's laws, resulted in the protesters immediate arrests. Once put on trial the protesters, rather than using their court allotted time to defend themselves, denounced segregation before the court and national media. Even though most of the protestors were sentenced to jail terms, new groups of resisters continued to occupy the vacant lots for almost two years. Indian militants also defied laws restricting the movement of Indians from Transvaal to Natal. It was these protests, combined with mass rallies held by the Indian leadership, that gave the NIC both domestic and international publicity as a voice for the Indian community in South African politics.

While the campaign failed to repeal the government's legislation and resulted in a white backlash, this campaign still had a major impact on domestic politics in South Africa. For a community numbering no more than 250,000 in 1945 and plagued with countless political, economic, cultural, religious, and caste divisions, the Passive Resistance Campaign of 1946-1948 was undeniably a remarkable feat. Even though only 1,719 resisters were arrested, many scholars¹⁶⁸ estimate that at least 20,000-30,000

¹⁶⁸ Surendra Bhana, B. Pachai.

Indians participated either directly or indirectly in the Passive Resistance Campaign. These participants, while not passive resisters themselves performed a myriad of tasks ranging from fund raising activities to making food for the resisters, from writing and editing NIC publications to aiding the families of resisters who had been arrested.

This rare display of Indian solidarity against white racism was one of the most important outcomes of this campaign. Since its creation, most of the NIC's history had been plagued by bitter internal and external divisions that had prevented it from having a voice in South African politics. However, the militant takeover of the NIC in 1945 unified the Indian community in a way it had never been before. This unity was evident in the diverse composition of groups that participated in the campaign. These groups included poor factory workers, Indian housewives, students, civil servants, rich professionals and even rich merchants who were former members of the NIC executive before 1945. These groups of people, despite having diverse political and economic interests, were unified by the NIC in opposition to racial segregation.

This radical policy of defiance was to continue until the early 1960s, when the South African government, using the Sharpeville massacre on March 21, 1960, as a justification, crushed the NIC as a political organization. While not banned by the government, unlike the African National Congress, the NIC was still crippled by individual bannings of many of its most articulate leaders like Dr. Dadoo and Dr. Naicker, who faced constant harassment and intimidation by the South African government, were finally driven underground or into exile.

Although the NIC ceased to exist after 1961, it created a political consciousness among the Indian community that persisted throughout the darkest years of apartheid. This political consciousness could be best termed as a "culture of defiance". Even though the Nationalist government was able to ignore the demands of the Indian resisters during the Passive Resistance Campaign of 1946-1948 and crush the multiracial Defiance Campaign through brute police actions, they were unable to suppress the spirit of defiance that remained with the Indians in South Africa after the destruction of the NIC.

This new culture of defiance manifested itself in the continued defiance of white laws. For example, after 1961, many of NIC's former leaders worked covertly to try to boycott puppet government organizations like the South African Department of Indian Affairs and work actively to prevent Indians from being absorbed into the political structures of the apartheid state. In addition to this, there was, according to historian, Surendra Bhana, a sort of "cultural boycott" that manifested itself into a plethora of groups promoting Indian languages, religion and culture, all of which organized events to celebrate this new "culture of defiance". Bhana, who as a South African Indian experienced this "cultural boycott", noted:

I noticed that (the "cultural boycott") almost every year up to the early 1980's, when the cultural boycott movement made its appearance, there were swamis, singers, dancers, actors traveling from India, and elsewhere. There was something like a spiritual revival as temples, mosques, and churches, as well as local organizations stepped up their activities.¹⁶⁹

¹⁶⁹Bhana, 140.

This "cultural boycott" re-entered formal politics when the NIC was revived in 1971. After holding a series of mass rallies, the NIC was able to mobilize the Indian community against the South African draft and boycott the tricameral parliamentary election proposed by the Botha government¹⁷⁰. This, combined with a whole series of defiant actions, led me to the conclusion that the NIC and the "culture of defiance" it created was instrumental in preserving Indian culture and frustrating the National Party's efforts to win Indian support for its government. This was something which ultimately helped destroy the system of apartheid domestically.

Impact Campaign had on Other Non-European Political Groups.

In addition to radically altering Indian politics, the new NIC leadership also altered the political consciousness of other oppressed non-European groups. After the militant takeover in 1945, the attitude of the NIC leadership shifted from ethnocentrism to non-racialism. Since the establishment of the NIC in 1894, the organization was mainly concerned about issues that affected the Indian community and it displayed an ethnocentric, or even racist, attitude toward other non-European groups in South Africa. When the militants took over in 1945, however, all of this changed. Realizing that the Indian community was a voteless minority that made up no more than 2% of the total population in South Africa, many of the militants saw the need, for the first time, to find allies among the other non-European groups in South Africa and then to mobilize them

¹⁷⁰ This was a failed attempt by the Botha government to integrate Indians and so called "coloureds" into

for mass action. The Passive Resistance Campaign of 1946-1948, while failing to win the sympathy of the white communities, managed to successfully gain the attention and support from other so called "coloured" and black political organizations, and was instrumental in promoting multiracial unity against white racism.

An agreement between the ANC, NIC and TIC—the so-called "Three Doctors Pact"—was an important outcome of this shift in strategy. Signed on March 9, 1947, during the height of the Passive Resistance struggle, this pact marked the first time in the history of South Africa that both the Africans and the Indians agreed to cooperate in a common political struggle against white racism. The "Three Doctors Pact" promised mutual cooperation between the NIC, TIC, and ANC in the struggle for universal franchise, recognition of trade unions, free education, and the removal of all discriminatory and oppressive legislation from the Union's statute book. This alliance became possible by the fact that the many members of the new militant leadership, like Dr. Dadoo and Dr. Naicker, had strong personal connections both within African trade unions and the multiracial Communist Party of South Africa (SACP). Their enlightened understanding and desire to find a common ground with the ANC were two of the most important and everlasting contributions of the NIC to the South African freedom struggle.

Partially owing to the persistence of the leaders in the NIC, TIC and the ANC, the idea of an united front against white racism became a reality in 1951, when the South African Indian Congress (an organization composed of representatives from both the TIC

the political structure by giving them political rights while continuing to exclude the African community.

and NIC) agreed to join hands with the ANC and launch the Defiance Campaign of 1952. This campaign, which was conducted much like the Passive Campaign of 1946-1948, united people of all races against apartheid policies. While it was crushed by government oppression and the arrest of over 8,000 protesters, it marked an impressive display of non-European solidarity against white racism.¹⁷¹

Between 1952 and 1955, this alliance was eventually expanded to include the South African Coloured People's Organization (SACPO) and the white organization, the South African Congress of Democrats (SACOD). This broad front came to be known as the Congress of the People (COP). Its insignia depicted a wheel with four spokes that represented united action under the slogan "Mayibuye Afrika." It was the COP that laid the groundwork for the mass multiracial conference that eventually adopted a document known as the Freedom Charter the Freedom Charter, a document that would serve as blueprint for anti-apartheid protests in the future. Without the initial cooperation between the Indians and Africans this alliance would have never been possible.

African-Indian solidarity, however, had its limitations. It existed primarily among the leadership elite of the ANC and the NIC. Since there was a class division between the ideals of political equality among the well-off professional middle class leaders of these organizations and the desire for economic equality among the poor Indian and African working classes, this alliance was not as strong as it appeared on paper or in the political rhetoric of the NIC and ANC leaders.

¹⁷¹ See Chapter 3.

The affluent middle class leaders could seek racial unity because many of them shared a common economic, political and social culture. Most of the leaders of the ANC and NIC were born into wealthy upper class families, and many of them grew up side by side, attending the same non-European schools and enjoying a common middle or upper class culture. Many of them also went abroad for higher education and attended the same institutions. When these students returned home to South Africa, they shared a common humiliation of being insulted by oppressive laws that reduced them to second class citizens. Thus, because of this shared class background and these similar problems it was easy for members of this group to envision an united non-European front against political inequality.

But between the vast majority of poor working class Indians and Africans, however, there was tremendous tension stemming over economic inequality and job rivalry. It is important to note that Indians as a community were better off economically than the Africans in Natal.¹⁷² Indians occupied more of the lucrative middle class management positions as well as more of the scarce working class factory jobs than their black counterparts. It was this atmosphere of racially based economic inequality combined with the severity of white racism that bred an atmosphere of mistrust and even hatred between Indian and African working classes.¹⁷³

¹⁷² For more information see Chapter 3.

¹⁷³ See Freund book *Insiders and Outsiders--The Indian Working Class of Durban 1910-1990*, Chapter 3, *Labor Segmentation and Militancy, 1935-1960*.

This tension exploded in the Durban riots of 1949, when blacks, angered over a petty incident involving an Indian shopkeeper beating a young African employee resulted in a massive riot where rampaging black mobs burned down Indian businesses and killed dozens of Indians in an indiscriminate manner. The Durban riots underscored the obstacles to African-Indian unity. Yet the aftermath suggests that these obstacles could at least be partially overcome. For example, after the riots NIC, TIC, and ANC leaders joined forces and engaged in relief work, helping victims on both sides. These leaders also made public appearances in trouble spots, urging both sides to restrain themselves. The organizations also created several coordination councils to provide a forum for cross racial dialogue between Indians and Africans. Despite these efforts by leaders on both sides, the NIC and ANC only had limited success in defusing the tensions between the working classes.

In sum, according to most of the research that I have conducted on non-European unity in the apartheid state most Indo-African unity, while very important on a symbolic and political level, was existent only among a small minority at the top of the leadership hierarchy in both organizations. Tension stemming from racial and economic inequality remained a major source of tension between the working classes within the Indian and African communities throughout the years. This tension is very important in understanding the true nature of Indo-African relations despite the cooperation among their political elites.

The Campaign's International Effect

Finally, in addition to altering the domestic politics of South Africa, the campaign had a significant international impact. Before 1945, and throughout the colonial period, the South African government found it easy to justify its racist ideology before the nations of the world. Since most of Asia and Africa was under European control, many whites both in Europe and in South Africa constructed Asians and Africans as naturally inferior races, and reinforced that any attempt to treat them as equals would hinder the advancement of white civilization. The South African government used this commonly accepted rationale to justify much of the anti-African and anti-Indian legislation that it enacted.

However, World War II, the Holocausts, and the collapse of imperialism fundamentally altered these feelings and weakened the support for the racial hierarchy in South Africa and elsewhere. Witnessing the atrocities of the Nazi death camps after WW II, many Europeans grew more critical of imperialism and extreme nationalism and the feelings of racism that these institutions seemed to encourage. It was this change in attitude, including the realization that racism nearly destroyed European civilization, that led many Europeans across the political spectrum to see racism as a discredited and dangerous ideology.

In addition to this change in attitude, a damaged Europe was increasingly unable to maintain its hold on its Asian and African colonies as Europe's imperial ideology came to be challenged by a new European-educated local elite. This soon resulted in the independence of most of Europe's colonies and the creation of a so-called "Third World".

These new countries emerged independent with a fierce hatred for both imperialism and racism. When combined with the anti-imperialist voice of the Second World, countries in Eastern Europe, the USSR and China, these Third World voices soon put South Africa in an increasingly defensive and precarious position before the court of world opinion.

The establishment of the United Nations also had a major role in these changing world opinions and politics. By providing a forum in which the newly independent nations of Asia and Africa could voice their opinions, these nations wasted no time in directing their protests against all forms of racism and imperialism. The UN thus, facilitated the discrediting of South Africa's ideology and system of government.

At the forefront of these international protests against South Africa was India, the former crown jewel of the British Empire and the first Third World country to win independence from an imperial power. As people in India gradually obtained more control over their country's domestic and international affairs, their attitude toward South Africa's racist policies became increasingly hostile. This hostility soon erupted into an international incident, when World War II broke out and Indians who were staying in South African ports in transit to Britain experienced first hand the racial segregation of South Africa. These bitter experiences exploded into a diplomatic confrontation between India and South Africa with the passage of the Pegging Act in 1943. While this first confrontation was defused by the intervention of the powerful British viceroy, it resulted in the first piece of anti-South African legislation passed by the Indian Parliament: the Reciprocity Act of 1943, which discriminated against South African Europeans residing in India.

As Indian leaders pushed toward complete independence from Britain after the war, their continued hostility toward South Africa's racist policies soon led into another diplomatic confrontation. Following the passage of the hated Ghetto Act, the government of India retaliated against South Africa with the recall of its high commissioner, the imposition of trade sanctions, and the submission of a resolution to the General Assembly of the United Nations. Both the NIC and TIC did their parts in the diplomatic offensive, by sending deputations to Britain, the USA and India in an effort to promote international awareness and win support for India's UN resolution.

When the struggle of South African Indian was presented to the United Nations, the nations of the world learned about the racist policies of the South African government. Even though the deputation sent by the NIC was plagued by internal divisions, it was still able to successfully continue its protests against the passage of the Ghetto Act in this new international forum. Despite South Africa's best efforts to convince the rest of the world that the "Indian problem" was a matter of domestic concern, the majority of UN members supported a resolution condemning South Africa's treatment of the Indian community. The only support South Africa was able to muster was from a hand full of right wing dictatorships in Latin America, and a few white settler countries in the Commonwealth and the USA. This incident marked the first time that South Africa was condemned by the world and it was a precursor to the diplomatic offensive launched by the ANC in later years with the support of an independent Africa.

Concluding Remarks

Throughout its long and checked history, the NIC has been a voice for the Indian community in South Africa, particularly during the turbulent years between 1940 and 1952. Although a relatively small organization representing a small community, it has had a voice that has been heard both at a domestic and international level. In its journey from 1894 to present, the NIC has also experienced remarkable change. This research focused on the important changes that occurred during the 1940s and early 1950s. During this important time, the NIC transformed itself from an organization with a narrow set of goals and a restricted membership based on constitutionalism and compromise, to an organization representing all of the diverse segments of the South African Indian community based on direct action and defiance. Its objectives were broadened from the attainment of concessionary privileges to the attainment of inherent rights, from ethnocentrism to non-racialism and from a small domestic political organization to an international voice in the United Nations. All of these changes were manifested in the way that the NIC transformed the political consciousness of Indians during this time as well as in the way that the organization altered politics both domestically in South Africa and internationally in the United Nations.

Pictures From the 1946-1948 Passive Resistance Campaign.



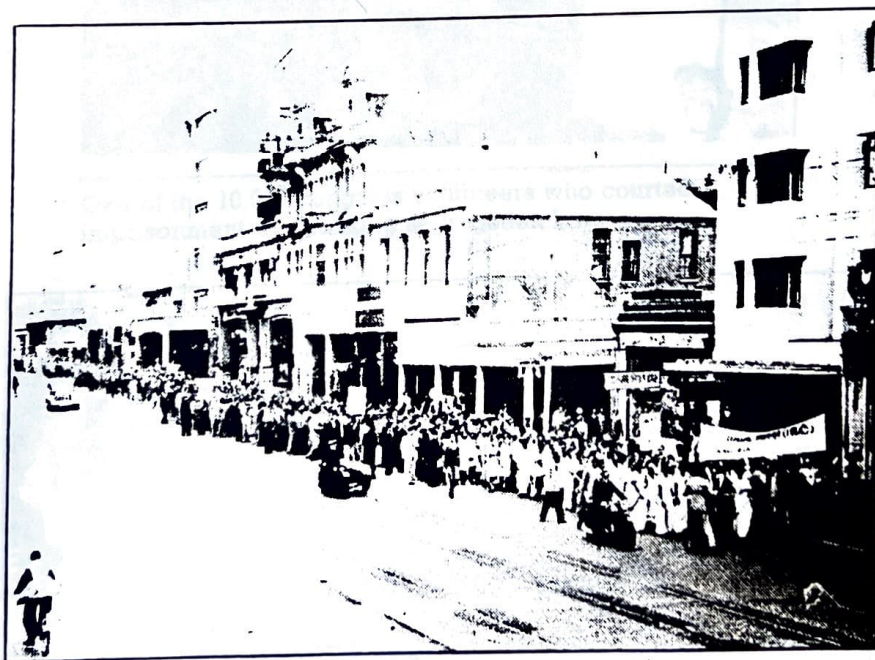
Indian protesters await arrest in a makeshift camp in a "whites only" area of Durban.



Dr. Dadoo marches to the Transvaal-Natal in a illegal border crossing in protest of the Immigration Regulation Act of 1913.



Mrs Albert Christopher address "Red Square"
meeting - Durban 1946.

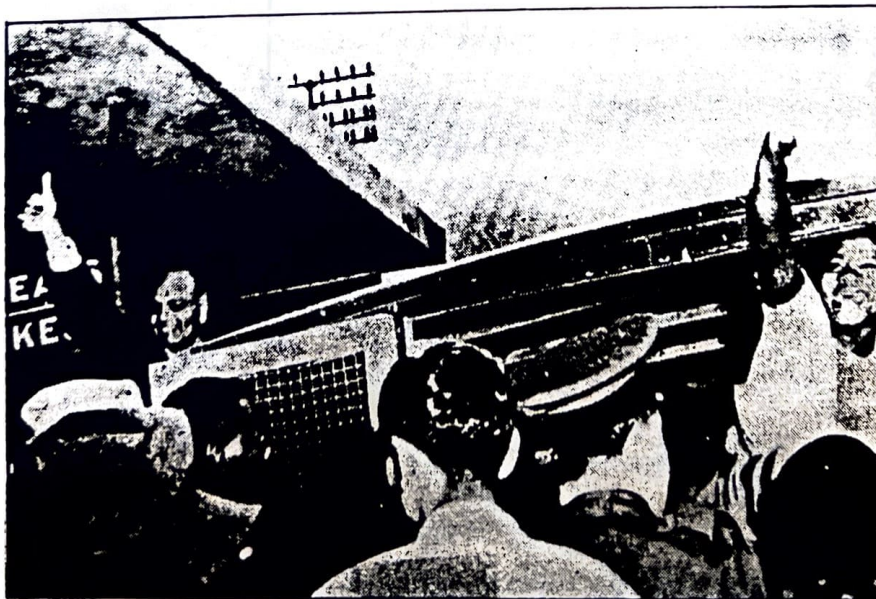


Congress march into city centre.

Pictures From the Multiracial Defiance Campaign of 1952



One of the 10,000 congress volunteers who courted imprisonment by breaking segregation laws.



Dr. Naiker and A.N.C. members being arrested.

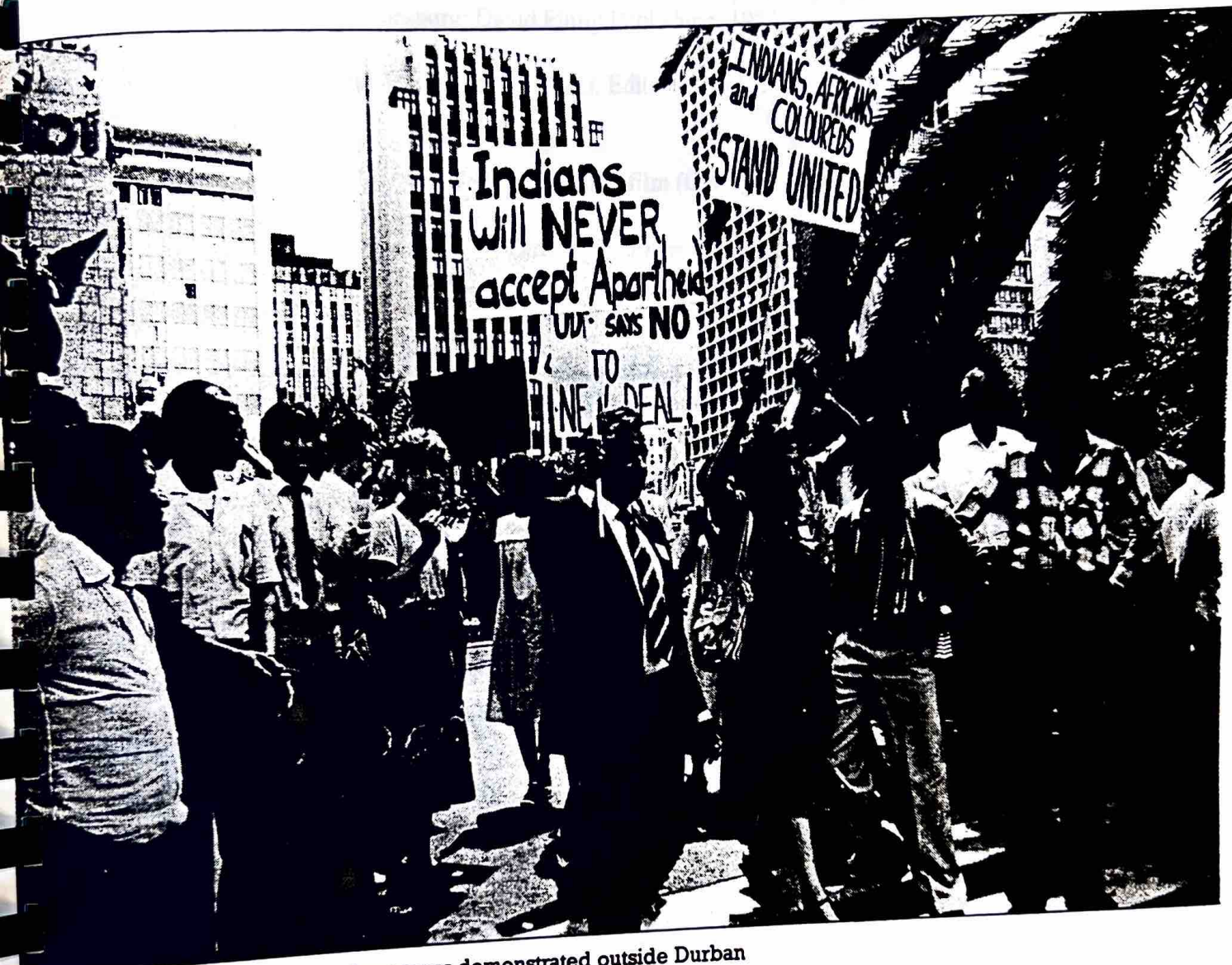


Release of women resisters from Durban prison.



Mass march through Durban city centre.

The Creation of a "Culture of Defiance" and Non-European United Front.



Mewa Ramgobin and members of congress demonstrated outside Durban City Hall against P.W. Botha's meeting.

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