I REMEMBER

Reminiscences of the Struggle for Liberation and the Role of Indian South Africans, 1924-1958

by

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Edited by

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INTRODUCTION

On my visit to London in early 1986, Ramni Dinat gave me a set of photocopies of AC Meer's memoirs in *The Leader*. She knew that was the best present she could give me as I was then engaged in research on the role of India and Indian South Africans in the struggle for the liberation of South Africa. I started reading the articles that night and was fascinated.

I had been interested in South Africa since my student days in India in the early 1940s and led Indian students in a demonstration against South African racism in New York in 1946. When I joined the United Nations Secretariat in 1949 my assignment included research on the racial problem in South Africa, and I read every book and paper I could find on the subject. For more than twenty years – from 1963 to 1984 – I was in charge of United Nations action in support of the liberation struggle. I had met Sorabjee Rustomjee and HA Naidoo in 1946, and later came to know Dr. Yusuf Dadoo, MP Naicker, MD Naidoo and other Indian veterans of the liberation struggle, as well as many of the young activists who came into exile. I thought I was very well informed on the subject.

But the memoirs of AC Meer opened new horizons. I obtained and read, over and over again, the later instalments of the memoirs. They showed better than all the books and articles I read, the difficult process by which Indians came to recognise that their future depended on unity with the African majority, as well as the efforts of Indian leaders to persuade leaders of the ANC and the African Youth League to join in building a united front which led the great mass resistance since 1952 under African leadership.

I came to know about the many Indians from all walks of life who contributed to the movement, the debates that took place, and the education of churches, as well as a number of whites to cleanse themselves of the poison or racism. That deepened my understanding of the history of the liberation struggle. Many names that I had read came to life and I almost felt that I was living the struggle.

The narrative about the oppressive and spiteful actions of the authorities against Indians, the stories of many Indians, children of indentured labourers, who overcame adversity to become doctors, lawyers and educators, the sacrifices made by the community to build schools and other institutions which government deliberately denied to the community, was an essential and inspiring background to the role of Indians in the movement for freedom and equality for all the people of South Africa.

I had known little about AC Meer, except that he was one of the leaders of the Natal Indian Congress and was in Natal's first batch which Dr GM Naicker led in the Defiance Campaign of 1952. I admired his simple and detailed account of

history based on his own memory, reinforced by research in the Indian weeklies of the period and other sources.

The memoirs appeared every week, covering a full page of *The Leader*, for five years from1985 to 1990, except for a short interruption after the death of AC Meer on June 20, 1987, and were avidly read by people in South Africa and abroad. They were of great interest to older people who had participated in the various campaigns. More important, they were most timely as tens of thousands of youth were entering the liberation struggle and needed to know the history of the movement for freedom and democracy.

I was disappointed, as were many others, that the series suddenly stopped in 1990 – when the memoirs had covered only up to the middle of the treason trial of 1956-61.

It was sometime after that I learnt that the memoirs were actually those of Ismail Meer and were attributed to his brother as he had been under banning orders. I could not complain about the suspension of the memoirs as Ismail had to undertake important missions after the release of his friend, Nelson Mandela.

I had known of Ismail Meer since the passive resistance of 1946 when he was editor of *Passive Resister*. Dr. Dadoo spoke to me about Ismail for whom he had the highest regard.

Ismail was a writer, speaker and activist with a sense of history and an international outlook. He was one of the first radicals in the Indian community who espoused socialism and helped organise trade unions.. The Liberal Study Group, of which he was a founder, played a significant role in promoting unity of all opponents of racism. He was a friend of Nelson Mandela from his college days and was one of the architects of the unity of Indians and Africans in the struggle for liberation.

The memoirs are a record of the liberation struggle, with special attention to the contribution of the Indian community. They show that the small Indian community had reason to be proud of its contribution to the struggle and its ideology. They recognise and pay tribute to numerous people who participated in the struggle for democracy and made sacrifices.

This series was described as the "Meer family saga, dealing with the life and times of MI Meer, and through it giving you glimpses of our history." It speaks much about his cousin MI Meer whom he greatly respected and his editorials in the *Indian Views*. It narrates the public activities of members of the family – who played a significant role in the liberation movement – and is hence oriented towards Natal, but it presents a broader picture. Ismail himself played a prominent role in the movement in Natal as well as the Transvaal.

As a leader of the people in struggle, Ismail provides an analysis of the development of the movement, and the differences and conflicts within the movement, which is valuable for a study of history. Though he participated in many debates and struggles within the community against the conservatives, he does not hesitate to acknowledge the merits of his former adversaries.

On my visit to South Africa in 1995, I pleaded with Ismail that he should condense and publish the memoirs in a book, for the present generation and for posterity, while making the full texts of the articles easily available. He explained that he had little time to do that because of his political responsibilities and said that he would be happy if I could undertake the task.

It has taken me a long time, because of the enormity of the task and my other commitments, to condense the extensive memoirs into the size of a book and edit them. This was only possible with the constant guidance and encouragement of Professor Fatima Meer.

This book is only a small fraction of the memoirs and I had to take liberties and recast the text to transform it into a manuscript for a book. I have concentrated mainly on the political aspects of the struggle for liberation. The sections on culture and sports are not covered adequately. It was painful to omit the wealth of information on the efforts of the community to overcome adversity through self-help and sacrifice and the stories of Indians who triumphed despite all the hurdles placed in their path by the greed and the hostility of the white racists.

I hope this book will be seen as merely an introduction and will encourage scholars to refer to the full text of the memoirs in *The Leader*. I would also suggest that it should be read in conjunction with Mr. Meer's autobiography (Ismail Meer, *A Fortunate Man,* Zebra Press, Cape Town, 2202).

I would like to pay tribute to Ismail Meer, AC Meer and S Bramdaw, the publisher of *The Leader*, for their courage in making these memoirs available during the State of Emergency when the apartheid regime had resorted to enormous repression against the mass democratic movement. I must record my gratitude to Professor Fatima Meer, an eminent scholar and fearless militant, who has been a source of inspiration and advice to me for many years.

E. S. Reddy

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AUTHOR'S NOTE

This is a personalised history of events in South Africa from about 1924 to 1958, based primarily on my recollection as I experienced it.

It is essentially an oral history which I narrated in a weekly column in *The Leader*, under the name of my brother AC Meer, because I was prohibited by the apartheid regime, from 1951 to 1990, from being published. I have in addition to my memory, depended on reports and articles in the *Indian Views*, the *Indian Opinion* and *The Leader* . The column was discontinued in 1990 when I had reached the events of 1958, as the new situation in the country required me to undertake other tasks.

As the readership of *The Leader* was Indian, my focus was on the history of the Indian people – the disabilities they faced, their achievements in the face of adversity, their resistance to apartheid and their role in building the mass democratic movement which ultimately triumphed against apartheid.

A 'personal' history is bound to be biographical. My history is thus also from the perspective of my family in which my cousin MI Meer was the central figure.

I became personally aware of events in South Africa from the mid-1920s, when I was a young boy living with my parental family in Waschbank. My awareness was largely restricted to what I gained from discussions in my father's house and shop as he conversed with older members of the family and colleagues. One of my first recollections is the visit with my family and neighbours to the railroad station to see Mrs. Sarojini Naidu, poet and associate of Mahatma Gandhi, who was on her way to Durban. Her visit emphasised the great affinity of Indian South Africans with India and Indian national leaders which made their position distinct and different from that of other Non-Europeans.

My participation in political activities began in the late nineteen thirties when I became involved in the emergent trade union movement and joined with others in founding the Liberal Study Group.

I was among the first group of Indian youth who believed that there can be no liberation of Indians as an isolated community and that we should align with the African majority and build a broad front to fight for a democratic society.

In pursuing this policy and ideal, I have been in prison several times and suffered banning for forty years. Our home was subjected to bombing. My wife and son, my brother and my cousin have similarly faced persecution. But there could be no retreat for us as attainment of freedom and dignity needed sacrifice. We are proud of our contribution and conscious of the greater sacrifices of many others.

I have had the privilege of knowing and working with great South Africans – Chief Luthuli and Oliver Tambo, Yusuf Dadoo and GM Naicker, Alan Paton and Mabel Palmer, Cissy Gool and Moulvi Cachalia, Bram Fischer and Nelson Mandela, to name but a few. I enjoyed the continued friendship of several people with whom I had to occasion to disagree, such as Chief Gatsha Buthelezi.

Though this account was written for Indian readers, especially to acquaint the younger generation of the long struggle for equality, I do hope that it would be of some interest to others.

For, I think it is essential for every community to know how apartheid affected others and how all communities contributed to the common struggle so that the decades of vicious propaganda by the racists to divide the people and provoke conflicts can be overcome.

Reconciliation can only come with an awareness of the injustices to all sections of the population so that they will not be allowed recur in any form – and a conscious effort to destroy the remnants of prejudice so that the rainbow nation can be built on a secure foundation.

I. C. Meer

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PROTESTS AGAINST SEGREGATION IN THEATRES AND TEA ROOMS

WOMEN'S STERLING ROLE IN MANY FACETS OF STRUGGLE

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MONTY NAICKER, CENTRAL FIGURE IN INDIAN POLITICS

FREEDOM MONTH: WHAT THE MONTH OF JUNE HAS MEANT TO THE MEERS

PART I

1924-1929

Editor's Note

Nineteen twenties were the period of childhood of Mr Meer in the village of Waschbank, near Dundee in Kwazulu-Natal. The Satyagraha of the Indian community, led by MK Gandhi from 1906 to 1914, was very much in the memory of his family.

These reminiscences of Ismail Meer start from the mid-1920s with the visit to South Africa of Mrs. Sarojini Naidu, poetess and national leader of India, as an envoy of Mahatma Gandhi to the Indian community in South Africa. Mr Meer, then a child of five, was taken by his father to a reception for her in Glencoe.

He came to know the ICU which organised African workers in his village. Clement Kadalie and AWG Champion, leaders of the ICU, stayed as guests of his father during a visit to the village to address the workers.. Mr Champion, who later became a leader of the ANC in Natal, visited them several times and became a lifelong friend of the family.

From discussions at his home and in the village, Mr Meer learnt about Abdulla Abdurahman, grandson of a slave from Bangladesh and a friend of Gandhi, who strove to unite the African, Indian and Coloured people in the struggle for human rights, and was one of the early leaders in the struggle for freedom. He became aware of the constant harassment of the Indian community by the white racist authorities in flagrant violation of the Gandhi-Smuts agreement of 1914.

The agreement was the result of a struggle by the Indian community under the leadership of Gandhi, against humiliating laws and gross racial discrimination. Over ten thousand people went to prison, and some forty thousand workers in plantations and mines went on strike – the biggest strike in South Africa until then. A number of people were killed.

Under the Gandhi-Smuts agreement, the government conceded the principal demands of the struggle, though not full civil rights to Indians. Gandhi trusted the overnment's promise to administer existing laws in a just manner. He hoped that the Indian community could in time educate European public opinion to see the justice and indeed the necessity of granting Indians full civic rights.

But the hopes of Gandhi and his colleagues were frustrated. After a brief interregnum during the First World War, racist agitators in the European community began to incite hatred of Indians and demand measures to make their

lives so miserable as to force them to leave the country. The major political parties vied with each other to pander to the racists in the European community.

In 1924, the Smuts Government introduced the Class Areas Bill to enable the government to segregate Indians both for residence and trade. Mrs. Sarojini Naidu, who was in Nairobi to attend the East African Indian Congress, accepted the invitation of the Natal Indian Congress and visited South Africa at that critical time. She spent three months in the country meeting members of the government and leaders of opinion and addressing numerous meetings. The Indians in South Africa elected her President of the South African Indian Congress, which was formed to unite the Indian community to meet the challenges.

Of particular significance of the visit of Sarojini Naidu was her emphasis that the struggle of the Indian people was part of the struggle of all the people of South Africa, and her special concern for the African people. As the Reverend CF Andrews, who visited South Africa in 1926, wrote: "...there was a passionate warmth of love in her soul, which went out to these poor, crushed, defeated, exploited children of the soil whom every one appears either to patronise or to despise. They were her own children, and she was a mother to them. Therefore they love her name and cherish it among themselves as a household word." (Young India, March 11, 1926).

The Class Areas Bill was deferred because of a government crisis and general elections. But the Hertzog government which came to power approved a Natal Ordinance to deprive Indians even of municipal franchise. It introduced the Areas Reservation Bill, which was even more oppressive than the Class Areas Bill and enforced the "civilised labour" policy depriving thousands of African, Coloured and Indian workers of their jobs.

At a round table conference in 1926, the governments of South Africa and India (then under British rule) announced an agreement under which South Africa would organise a scheme of assisted emigration of Indians from South Africa. India was invited to appoint an Agent in South Africa. South Africa undertook "uplift" the remaining Indians to adopt "Western standards." But it was only interested in the emigration of Indians, which proved a failure, and did little for the education of Indians. The Agents appointed by the British rulers of India caused divisions in the Indian community and prevented support by Indians to the efforts of Dr. Aburahman to unite the non-white people.

VISIT OF SAROJINI NAIDU AND FOUNDING OF SAIC

To my mind India's greatest "ambassador" to South Africa was the Congress leader and poetess Sarojini Naidu.

March 7, 1924, was like any ordinary day in Cape Town. The all-white, male-only South African Parliament was considering the Class Areas Bill introduced by the Interior Minister, Patrick Duncan, with the fullest approval of General Smuts, the Prime Minister and leader of the South African Party. The Bill sought to introduce compulsory segregation of Indians in trade and residence.

What was unusual about this day was that seated in the gallery of Parliament was Mrs Sarojini Naidu who had been invited to this country by the Natal Indian Congress (NIC) and who had since her arrival serious political discussions with General Smuts, Patrick Duncan and all the opposition leaders of the House.

No black person had received as much publicity in South Africa as Sarojini Naidu since her arrival. The disenfranchised South Africans loved her every move and followed her with pride.

To have this sari-clad black woman holding discussions with the Prime Minister and attending Parliament and then declaring that she had found many of the speeches in Parliament "full of blind prejudice, selfishness and ignorance," was a new experience for South Africa.

Mrs Naidu campaigned in South Africa for three months and *Indian Views* rightly observed that never in the history of South Africa had a visiting personality been shown so much love, affection and respect by the deprived people of this country as Sarojini Naidu who charmed them with her oratory in both English and in Urdu.

While the Class Areas Bill was still at the Second Reading stage, dramatic political events shook the Smuts Government. The South African Party unexpectedly lost a by-election at Wakkerstroom. General Smuts dissolved Parliament and white South Africa was unexpectedly in the throes of an election, and the fate of the Indian population, facing statutory segregation, was left temporarily in the balance.

During the intervening period before the elections, the year-old South African Indian Congress (SAIC) met in conference and requested Sarojini Naidu to preside.

Since Gandhi's departure from South Africa in 1914, the NIC and the Transvaal British Indian Association (TBIA), founded by him during his 21 years stay in South Africa, had become dormant. The SAIC was formed on May 31, 1923, with Omar Hajee Amod Jhaveri as president and VSC Pather as secretary. Its

constituent bodies were the NIC, the TBIA and the Cape British Indian Council. The formation of the SAIC and the contribution of Mrs Naidu were vital to the eventual emergence of the new spirit of the 1940s.

The 1924 Conference, with Mrs Naidu in the chair, approved her suggestion that a Round Table Conference be held between the Governments of India and South Africa with participation by the SAIC, "for the adjustment of questions involving the rights, liberties and responsibilities of Indians domiciled and born in South Africa."

It elected Mrs Sarojini Naidu as its president, succeeding Jhaveri, thus bringing the SAIC closer to the Indian National Congress of which she was also elected president in 1925.

At the huge farewell meeting held in her honour at the Durban Town Hall, on May 22, 1924, Amod Bhayat, the NIC president, paid a glowing tribute to her, in a speech read out by the young Sorabjee Rustomjee. Sarojini Naidu referred to the plight facing Indian South Africans as temporary and added that these difficulties "have no abiding place in the evolution of Africa."

Sarojini Naidu left the shores of South Africa on 25 May in the British steamship *Karagola*. In a lengthy article in its Gujarati section, *Indian Views* recalled how thousands of people of all groups gave her a multiracial send off; how she stood on the deck with dozens of garlands adorning her; and how, until the boat had moved out of the harbour, she kept showering those below with hundreds of petals from the flowers of her garlands. A large body of enthusiasts had hired a number of small boats and accompanied the *Karagola* to the harbour entrance to bid her a final *au revoir*.

Sarojini Naidu, the poetess of the freedom struggle of India, fought British imperialism all her life demanding India's independence and as emphatically equality for women in all spheres of human activities. In 1947, she became the Governor of the United Provinces (now *Uttar Pradesh*), the first woman in the Commonwealth to fill such a high office.

ICU, CLEMENT KADALI AND AWG CHAMPION

The village of Waschbank is in a fertile valley where maize and ground nuts grow in abundance. It was in this valley in the 1920s that the Industrial and Commercial Union (ICU) had some of its most successful meetings in the agricultural areas of South Africa.

The ICU was founded in 1919, seven years after the birth of the ANC in 1912. Its founder, Clements Kadalie, was undoubtedly the most articulate and charismatic

leader among South African blacks at that time. He was born in Malawi, trained as a teacher, first worked in Rhodesia and then moved to Johannesburg where he worked as a mine clerk. He worked as a packer and delivery man in Cape Town before he founded the ICU to fight for higher wages and better life for all blacks.

In an article in *New Leader* of September 30, 1927, he said:

> "Deprived of all political means of redress for their grievances, the African workers saw in economic organisation their one hope of freedom.
>
> "In 1919 the Industrial and Commercial Workers' Union of Africa was formed with a membership of 24.
>
> "Despite every imaginable persecution and oppression, and the non-co-operation and in some cases even the enmity of the white trade unions, the ICU now has a membership of some hundred thousand aboriginal natives, Coloured and Indian workers.
>
> "It must be reckoned as one of the biggest factors in the history of South Africa at the present time."

Mashaba, Kadalie's man in Waschbank, persuaded my father to make an office available for the local ICU. He then organised a meeting on our land opposite our shop on a Sunday, and his two guests were to stay with us. When they arrived I met Kadalie for the first time.

The second guest, AWG Champion, proved to be no stranger. He had worked as a clerk in a legal office in Dundee and later joined the police force there before leaving for the gold mines in Johannesburg where he too, like Kadalie, worked as a clerk and later became president of the Transvaal Native Mine Clerks' Association.

When Kadalie, Champion and Mashaba addressed the farm workers at Waschbank that Sunday, the town had never before seen such a huge gathering consisting of many thousands of people. They contributed over two thousand pounds to fight the white farmers for their injustices to their workers. Firms of attorneys were engaged in Dundee and attorney Molineuxi's successes in the court strengthened the ICU Waschbank branch.

After Champion moved to Durban, MI Meer, my cousin and editor of the *Views*, who had also known Champion from his Waschbank and Dundee days, instructed Chamberlain Nakasa (father of Nat Nakasa), who was the chief English compositor of the *Views*, to set the types and print the ICU leaflets free of charge for Mr Champion.

At first Champion lived in a house in the Grey Street complex owned by a community leader, Ismail Gora, who successfully defied all attempts by the Durban Corporation to eject Champion.

For many years Champion wrote a weekly column in *Ilanga* and he continued to work from his office at the end of Grey Street, towards the race course. Among the important writings of Champion which have remained with us are his petition to the Prince of Wales and his pamphlet *Blood and Tears*, written in 1929.

Violence broke out around the ICU headquarters in the Grey Street complex in Durban in the afternoon of Friday, June 14, 1929, and six Africans and two whites were killed. The violence continued in the afternoon and evening of Monday, June 17, 1929, at the Point and in Queen and Prince Edward Streets in Durban. Among the large number injured were three Indians.

Indian Opinion of June 21, 1929, reported that "a gang of irresponsible white youth" raided the deserted Central Hall, the headquarters of the ICU in Durban, and "threw the contents of the office out of the windows, including typewriters, stationery, thousands of papers and other documents..." It said that "an ugly feature of the whole thing... was that European civilians took the law into their own hands and fired revolver shots in the crowd."

Justice de Waal's finding, published in August 1929, declared that the violence was due to the white civilian mob which attacked the ICU Hall, causing damage to life and property.

The authorities, however, took action against Champion who proved to be an outstanding ICU organiser: he was banned and banished from Durban under the Riotous Assemblies Act for three years. This was, I believe, the first case of such arbitrary action in South Africa.

The ICU virtually ceased to exist by 1932. It had been destroyed by its increasing conservatism and inability to deliver to its members because of internal splits and failure to adapt itself to the organisational challenges of the depression years.

In the post-ICU period Champion became the Natal president of the African National Congress.

When the unfortunate riots of 1949 took place in Durban, Champion worked with the NIC in a move to present a united front before the riot commission. He was one of the signatories of the joint declaration signed by the Indian and African Congresses in February 1949.

The last speech of Champion that I heard was the oration he gave at the funeral of Debi Singh, general secretary of NIC during the 1950s.

HERTZOG MANIFESTO FOR WHITE UPLIFTMENT

The South African Party was defeated in the elections of June 1924 and Smuts himself lost his Pretoria West seat. The victorious General Hertzog formed a coalition with the Labour Party. This coalition government gave the required green light to the Natal Provincial Ordinance to disenfranchise the Indians even from the municipal governments in Natal.

The foundation of the racist structure on which Hertzog began building his government in 1925 had been laid in the laws of the English-speaking Parliament of the Colony of Natal, and the Volksraad of the Afrikaner Republics of the Transvaal and the Free State, with the mother of Parliaments, in Britain, playing the role of supervising architect.

In 1896 the British Parliament sanctioned the abolition of the parliamentary franchise of Natal's Indians; in 1909 it passed the Act of Union, denying the African, Coloured and Indian voters of the Cape the right to be elected to the newly-created Parliament of the Union of South Africa which came into existence in 1910.

Hertzog saw the solution to the "Indian problem" in repatriation. Pending repatriation, his government introduced the Areas Reservation Bill to bring Natal and the Cape Province into line with the Transvaal in restricting Indian trading and land owning rights.

No man, woman or child in the Indian community in South Africa, numbering almost 200,000 in 1926-1927, was a holder of a British or Indian passport. In 1927 almost 63 percent of them had been born in South Africa. They had been fully integrated in the country but to the Nationalists of General Hertzog and Dr Malan they were "a foreign and outlandish element" which could not be assimilated and therefore had to be repatriated, or rather expatriated, from the country .

The Areas Reservation Bill would be joined by the Coloured and Native Bills and the Nationalists would, thereby complete the edifice of segregation. Under Dr Malan, Africans lost their communal representation and Coloured people lost their constitutionally guaranteed rights and the reconstructed Nationalist edifice acquired its new Verwoerdian look.

The Mines and Works Amendment Act of 1926 overrode a court ruling of 1923 and, once again, colour bar was made legal in the mining industry.

In vigorously pursuing the much publicised "civilised labour policy," poor Afrikaners (at one stage 60 percent of the total Afrikaner population) were

replacing African, Coloured and Indian workers, at inflated salaries, even in unskilled jobs in government-owned enterprises such as the railways.

In 1924 over 1,800 Indians were employed on the railways. Nearly 1,200 lost their jobs because of this "civilised labour policy"; by 1936 the number of Indians employed in railways had fallen to 562.

Sections 107 and 144 of the Liquor Bill of 1926 too were designed to eliminate Indian workers in the liquor industry by prohibiting their employment, even as drivers of liquor vans, because the Bill denied them access to licensed premises.

The anti-Indian agitation which had commenced against Indian traders was now extended to Indian workers.

ABDURAHMAN DEPUTATION TO INDIA

The SAIC Conference, held in Cape Town in 1925, obtained the services of Dr Abdullah Abdurahman to lead its delegation to India. It consisted of AU Mirza from the Transvaal and five members from Natal, namely, Amod Bhayat, VSC Pather, Sorabjee Rustomjee, JW Godfrey and Pandit Bhawani Dayal.

This deputation sailed for India on November 23, 1925. Two days later, the Paddison deputation of British India sailed in the opposite direction from India to South Africa. Included in that delegation were Sir Syed Raza Ali and GS Bajpai.

The Abdurahman deputation was well received in India. It held lengthy discussions with MK Gandhi, now no more a Mr Gandhi, but a Mahatma. At the fortieth session of the Indian National Congress held in Cawnpore (now Kanpur), the President, Mrs Sarojini Naidu, in a moving address, spoke of our plight in South Africa and asked Congress to assist us.

The sixteen thousand people attending the Congress gave Dr Abdurahman a big round of applause when he scathingly referred to the white case in South Africa and India's weak position as a British possession. He declared: "If you had some battleships today, if you had your army, a little handful of the so-called whites who were vomited on the shores of Africa from the slums of Europe would not have dared do what they are doing today."

He went on to say: "If the British Empire only means exploitation of non-European races, if it stands only for letting Europeans exploit the weak - the sooner the life of this Empire is done with the better it is for the world."

The delegation had an important meeting in Madras with VS Srinivasa Sastri who had visited Canada and Australia - in response to their invitations at the 1921

Imperial Conference - to represent to the Dominion Governments "the necessity of conferring the full franchise on the lawfully resident Indians."

Meanwhile, in South Africa, the Paddison deputation, essentially on a fact-finding mission, persuaded Malan to refer the Areas Reservation Bill to a Select Committee which it could address. Later it succeeded in getting Malan and his government to agree to the holding of a Round Table Conference, pending which the Bill was stayed.

Introducing the Areas Reservation Bill - the forerunner of the Group Areas Act of 1950 – Dr DF Malan, the predikant of the Dutch Reformed Church, had told the House of Assembly on July 23,1925, that his government was agreeable to discussing the position of Indian South Africans with India if repatriation and the reduction of their numbers was the main item on the agenda. But the British insisted on a wider discussion without excluding repatriation.

DR ABDURAHMAN - PIONEER OF UNITY OF BLACK PEOPLE

Dr Abdurahman visited Durban on March 24, 1926, on his return from India. The same evening his delegation was greeted triumphantly at the Rawat Bio Hall in Victoria Street, Durban, the scene of many political meetings in the third decade of the twentieth century. He made a speech in which he dealt with the need for unity among Africans, Coloureds and Indians to overcome their common grievances.

He said that Indians, Africans and Coloureds were being put into water-tight compartments. The trend of legislation was clear and any person "who accepted that (division) is a fool and a traitor to his own country."

"To my mind," he continued, "there should be no division between black and white and the sooner we make common cause in South Africa as a solid block, as non-Europeans ... the sooner we will get our grievances remedied."

“Industrialisation had brought together large masses of workers and there was inherent power there, which only needed organisation, direction, guidance and proper care, and if that is given, the trouble in South Africa will be over,” he said. "The African, Coloured and Indian must use the power they have to show the Europeans, not that we have any hatred against them, but that we are determined to see right and justice done in South Africa." We want a South Africa in which "both white and black can live together in peace and harmony," Dr Abdurahman concluded amidst loud applause.

By 1926, Dr Abdullah Abdurahman had become a household name among Indians throughout South Africa.

Grandson of a Bengali sold as a slave in the Cape, he was born in Wellington in 1872, and went to a mission school. He left Cape Town in 1888 for the University of Glasgow where he obtained his medical degree, did post-graduate work and returned to the Cape in 1893, the very year in which Mohandas Karamchand Gandhi arrived in South Africa.

In 1902 the thirty-year-old Abdurahman became a founder member of the leading Coloured organisation, the APO, and three years later, in 1905, its President.

He could have become an extremely rich man had he confined himself to his medical practice but he was a person fully committed to the blacks of South Africa and continued to serve them in his own way all his life, at much financial loss to himself.

He represented white and black voters in the Cape Town City Council and the Cape Provincial Council. He was a City Councillor for thirty-five years and a member of the Cape Provincial Council for twenty-five years until his death in 1940. He was the only black person ever to serve on a Provincial Council in South Africa.

Dr Abdurahman had been actively helping the ICU of Kadalie and had played an important role in 1920 in having Kadalie's deportation order to Nyasaland cancelled. In his autobiography Kadalie states that in 1920, when there was a riot in Port Elizabeth, the ICU insisted that the Commission of Inquiry into the fatal shooting of twenty people should include a non-European: the government acceded to the ICU request by appointing Dr Abdurahman, first black person ever to be appointed in such a capacity.

South Africa is indeed indebted to Dr Abdullah Abdurahman, a man of many achievements. The Non-European Conferences were a fitting tribute to this towering personality among black leaders of his time.

Dr Abdurahman was essentially a conservative man. In the 1930s the radicals were very critical of him but by that time his further contribution was Zainunnissa, his daughter. Mrs Z (Cissie) Gool believed in one person one vote in a non-racial South Africa. She became a City Councillor, obtained her Master’s degree in History and a degree in Law. In 1938 while her father was still alive, she headed the radical Non-European United Front with Yusuf Dadoo as its Transvaal leader and HA Naidoo the Natal leader.

APPALLING DISCRIMINATION IN EDUCATION

Upto 1899, the public schools in Natal were open to all without any racial discrimination. In that year, Sir Henry Bale, the Attorney General and Minister of Education combined, threw out Indian boys from white schools and created the Higher Grade Indian School in Durban for boys, which was later called Carlisle Street School. Sir Henry's action did not extend to girls and infants. In 1905, girls and infants were also thrown out of the white schools.

In 1926, whilst the Nationalist Pact Government of Hertzog busied itself with plans to repatriate Indians, the SAIC assembled data to establish that Indians were reaching out to western standards, but were hampered by the lack of schools.

In 1926 there was not one secondary school for Indians throughout South Africa. There was one private school in Durban called "Marine College" at which a few students were being prepared for the matriculation examination; these students included GM Naicker, Goonam Naidoo, Sirkari Naidoo, YC Meer and Miss S Moodly.

Colleges and universities were closed to Indians; no technical or industrial education was provided for them; no teacher training college was available to them; and the Natal University College had refused admission to an Indian student who wanted to prepare for entry to a medical school.

Referring specifically to the case of a student named B Somers, the Congress pointed out that this student's application to be admitted as a candidate attorney had been opposed by the Natal Law Society which had said that no lectures in law were available to Indians at the universities.

The Congress called for a complete revision of government policies in respect of Indian education, pointing out that the provincial authorities in Natal and the Transvaal were totally unhelpful. The position was better in the Cape where Indians and Coloureds had the same access to education as whites.

In 1926 the Natal Indian Teachers' Society held its very first conference at which its president, A Rai, called on the community to recognise "the fraternity of all the communities of the country and the bonds which bind them together in the pursuit of common aims and objectives under a common government."

The small struggling shopkeepers made possible the erection of Sastri College, the first Indian high school in South Africa when the state was not prepared to help. They also took a lead in building hundreds of primary schools throughout Natal.

The Indian workers too did not lag behind, nor did the Indian teachers. The poor helped the poor. The poor uplifted the poor.

Indians in Natal have made an unparalleled contribution in self-help; they uplifted themselves with their own toil and sweat.

CF ANDREWS – GANDHI'S ENVOY

Dr Abdurahman had made a passionate plea to Gandhi to return for a short while to South Africa for the impending Round Table Conference pleading, "all troubles would vanish just as snow melted before the morning sun." India, however, could not spare the Mahatma but in the person of *Dinabandhu* CF Andrews, Gandhi had found a faithful and loyal proxy who understood the Indian situation in South Africa. He came to us from Rabindranath Tagore's Santiniketan, the Abode of Peace.

Before leaving for South Africa on September 14, 1926, he went to Sabarmati to counsel with Gandhi. He saw Gandhi every day for a fortnight and had talks with him which were "priceless," discussing every aspect of the Indian question carefully to enable him to prepare the Indian case and to create the right atmosphere in South Africa.

His arrival in Durban coincided with the outbreak of a smallpox epidemic and he immediately got to work, reporting on it and advising the people on how to take precautions against it.

Gandhi said in *Young India* that Andrews' presence in Durban was a Godsend. Without him the outbreak of smallpox might have created a panic both among Europeans and Indians; he felt that Europeans might have taken dangerously drastic measures paralysing Indians with fear.

Andrews visited the troubled and quarantined spots daily; took reporters from *Natal Advertiser* (now *Daily News*) and *Natal Mercury* to the unhygienic municipal housing barracks occupied by the municipal workers. He condemned private landlords, campaigned vigorously for vaccination and spoke in a forthright manner to Indians about their attitude to hygiene. He was speaking to Indians as an adopted Indian who had spent most of his life in Indian homes, praising the Japanese poor for their high standard of cleanliness and regretfully stating that Indians required to have a good look at themselves. "When I see things like the back of Stratford Road in Durban, or Shire's or Chetty's barracks... when I see filth in those places I have to hang my head in shame and I cannot be proud at all," he wrote.

In his first letter to Gandhi, Andrews informed him that the Parsee Rustomjee home at 110 Field Street "is all pulled down and the site sold to a European!" Andrews' exclamation is meaningful because this home was almost sacred to

Indians; it had in fact become a *Dharamshala*. It was here that Gandhi had almost been lynched.

110 Field Street was full of old memories. It was one of the oldest properties occupied by Indians, purchased on a long lease by Haji Aboobaker Amod - one of the earliest merchants to settle in Natal. The property was sublet to Parsee Rustomjee who had occupied it until his death. When the lease expired the Durban Town Council refused to renew it and advertised it for sale, prohibiting Indian bids. The property thus passed into European hands with the connivance of the Durban Town Council.

There had been fourteen land sales within the Borough, all reserved for whites. It was no wonder that the first segregated housing for Indians at Cato Manor, which was then outside the Borough, was rejected by the NIC who wanted Indians to be housed within the Borough like the Europeans. Overcrowding and the resultant insanitation was worst for Indians in Durban where a 1921 survey recorded that 952 Indians lived per dwelling compared to 55 whites and 380 Africans.

A Licensing Officer made the admission, a few years later, that whereas he was granting trading licence to every white applicant, he was refusing licence to every Indian applicant as a matter of course. And no appeal lay from the licensing authority to the Supreme Court.

The work of *Dinabandhu* Andrews continued on many different fronts. He wrote copiously on varied subjects in a variety of newspapers; addressed an African gathering in Johannesburg, presided by the well-known Selope Thema, at which he explained the Indian case; and addressed the South African Trade Union Congress at the Drill Hall.

CAPE TOWN AGREEMENT CAUSED GREAT DISSENT

The Round Table Conference of the Governments of South Africa and India went on for fifteen days in Cape Town from December 17, 1926, to January 12, 1927.

The official delegation of the Government of India was led by the Tamil-speaking Honourable Khan Bahadur Sir Muhammad Habibullah Sahib, K.C.I.E., member of the Governor General's Executive Council.

South African Indians followed the arrival of the Habibullah delegation with keen interest. They were confused by the numerous speeches of VS Srinivasa Sastri, one of the delegates, extolling the Union Jack and the British Empire.

The terms of the Cape Town Agreement between the two governments, embodied in eight paragraphs, were made public in a simultaneous announcement in India

and South Africa on February 21, 1927. Annexed to the Agreement was a summary of conclusions reached by the two Governments under four separate headings: (1) scheme of assisted emigration; (2) entry of wives and minor children; (3) upliftment of the Indian community; and (4) appointment of Agent.

The much advertised "Uplift Clause" talked of the "duties of civilised governments" and about adoption of "Western standards" by a few Indians who could perhaps condescendingly be regarded as a permanent part of the South African population.

Gandhi, in his *Young India*, in June 1926, dealt with this concept of "Western standards" and asked whether an Indian who was paid thirty shillings per month was expected to "live like the European artisan in a five-roomed brick-built cottage and wear the European costume from top to the toe and eat European food."

The Agreement divided the Indian community. The Transvaal Indians were particularly inflamed by the Agreement. The SAIC supported it. Its constituent, the TBIA, founded by Gandhi in 1903, opposed it on the grounds that the restrictions on the entry of wives and minor children from India violated their family rights, and broke off from the SAIC. A faction, encouraged by Sastri, founded the Transvaal Indian Congress (TIC) on December 18, 1927.

Indian Views of MI Meer and *African Chronicle* of PS Aiyar supported numerous Indian bodies in the country who condemned the Agreement as a whole. *Indian Opinion* supported it.

Besides causing divisions within the Indian community, the Cape Town Agreement (and the events following), resulted in division within the ranks of English-speaking Natal. The Natal Provincial Council rejected the Agreement with Smuts' man, CF Clarkson, later to become Smuts' Minister of the Interior, emphasising that the Agreement would give the whites no protection against "Asiatic encroachment."

The Agreement was seen by Dr Malan as having its main objective to get as many Indians as possible repatriated. He added in the *Star* of April 12, 1926, that the energies of the Round Table Conference were directed towards achieving that end with the co-operation of the Government of India.

Within five years it had been conclusively proved that Indian South Africans could not be bribed by payment of money to give up their birthright in South Africa. The assisted emigration scheme started with 1,655 Indians leaving for India in 1927, 3,477 in 1928 and 1,314 in 1929. In 1932, they totalled 2,881, the highest number since 1929. By 1940, the scheme collapsed; only 48 applied for repatriation that year.)

FORT HARE CLAUSE AND EDUCATION OF INDIANS

Fort Hare had opened its doors to Indian students years before the 1927 Cape Town Agreement.

Among Fort Hare's earliest Indian students to share integrated lectures and hostel accommodation with African and Coloured students were GM Naidoo, Oswald Christopher, Sivajee Bramdaw, Dhanee Bramdaw and Arthur Dawson Lazarus from Newcastle in northern Natal, whose home had virtually become Gandhi's headquarters in the 1913 passive resistance campaign.

In 1927, none of the English-speaking universities of the Cape, Natal and the Transvaal practised academic freedom, though no law barred them from doing so. Their doors were closed to Indian South Africans and to all black students of the country.

With this background in mind we must look at the hypocritical provisions in the Cape Town Agreement dealing with the "upliftment of the Indian community." Paragraph two of this so-called "uplift clause" stated that it was "difficult for the Union Government to take action, in advance of public opinion..." But the Union Government was willing "to consider sympathetically the question of improving facilities for higher education by providing suitable hostel accommodation at the South African Native College at Fort Hare and otherwise improving the attractiveness of the institution for Indians."

The Fort Hare Clause, *Indian Views* observed, indirectly sanctioned the prohibition of Indian students at the Universities of Natal, the Witwatersrand, Cape Town and Rhodes.

The "attractiveness of Fort Hare" for Indians could not be improved by the racist South African Government, the Government of British India or the moderate SAIC leaders.

In any event nothing came out of the Fort Hare clause for, in fact, nothing was intended.

The Cape Town Agreement, many argued, had made Indian South Africans "birds of passage." One of the issues raised was that of Indian education and the Natal Provincial Council was persuaded to hold a Commission of Inquiry into Indian education. The pertinent question was why the white rulers should bother about educating Indians when they were birds of passage, the majority about to be repatriated? The Smuts-supporting Natal Provincial Council had objected to the Cape Town Agreement, which had dealt with education for Indians, on the ground that it was not consulted.

The Provincial Executive now constituted itself into an Education Commission and refused to appoint any educational experts on it. It planned an enquiry to pass judgement on its own activities. The only outsiders were two experts sent by India; their presence gave the Commission some respectability.

Kailas Prasad Kichlu was a well-known Indian educationist and was a Deputy Director of Public Instruction in the United Provinces. In 1928, whilst he was in South Africa, he was appointed Vice-Chancellor of the University of Agra. He was a most impressive man who thrilled South African audiences with his mastery of the Urdu language. With him came Miss C. Gordon, a lecturer in kindergarten methods at the Government Teacher Training College at Saidapet in Madras. As was to be expected, the Commission ignored the Kichlu memorandum and findings.

The Indian community of Natal presented their case magnificently through the NIC of AI Kajee, Sorabjee Rustomjee and PR Pather; the South African Indian Federation led by SP Nicholas, CM Anglia and RM Naidoo; and the Natal Indian Teachers' Society led by TM Naicker, its president.

The politician-commissioners heard oral evidence from the Federation spokesmen who presented a forceful case for equal treatment with whites. The Commission, on the other hand, accused the Indians of not doing anything for themselves in education.

FC Hollander reminded the Federation that under the Cape Town Agreement there would be a diminution of Indian population. And the chairman, J. Dyson, said that the feeling against Indians was so acute that the Provincial Council had "passed a resolution against the spending of money on Indian education as the Indians were endangering trading conditions of Europeans."

When SR Naidoo gave evidence on behalf of the Pietermaritzburg Branch of the NIC, he was lengthily questioned by CF Clarkson, who was later to become Smuts' Minister of the Interior:

> Mr Clarkson: I put it to you that 80 percent of the Indian community have no intention of leaving Natal.
>
> Mr Naidoo: I think a little over 50 percent will remain here.
>
> Mr Dyson (Chairman): I think it is a very conservative estimate. We are not going to embark on any big scheme if 50 percent of the children are going to disappear...

The first Indian agent appointed in terms of the Cape Town Agreement, VS Srinivasa Sastri, gave evidence during April 1928 pointing out that a teacher-

training college-cum-high school would be donated by Indians at a cost of almost twenty thousand pounds. In answer to Mr Kichlu he said that the Durban municipality would not give more than two acres of land although six acres had been requested. He assured the Commission that qualified teachers from India would be forthcoming.

Sastri had made it clear in a Pietermaritzburg speech that he did not advocate that Indians and Europeans should sit side by side in schools.

> "I certainly do not plead for the elimination of all racial barriers, and I do not urge that blood should mix, but I am pleading against the erection of barriers by the Government."

The NIC memorandum to the Commission is indeed a valuable historic record of our community's educational endeavours. It is printed in full in *Indian Opinion* of April 20, 1928.

The NIC gave a vivid picture of how the colour bar was introduced and how out of approximately 32,000 Indian children of school-going age in Natal, only 9,934 were in nine government schools and 44 community-built aided schools. In the nine government schools there were 1,858 boys and only 153 girls, making a total of 2,011 children. Of the 44 aided schools 21 were controlled by missionary bodies.

The NIC pointed out that in 1928 the Central Government allocated a grant of £ 5-5-0 per Indian and Coloured child to the Province of Natal whilst the grant for a white child was £ 17-17-6. In addition, the province allocated £ 50,000 per annum, from its revenue to which Indians also contributed, for white education. On the other hand, it did not even use the full Indian grant on education and had accumulated funds from this grant which were being used for whites. This was a very serious accusation against which the Commission had no defence.

The Commission submitted its report to the Administrator and it was published in the Provincial *Gazette* of May 24,1928. *Natal Witness* on May 25, 1928, referred to the report as a "sorry and shame-faced document."

INDIAN DIPLOMATS IN SOUTH AFRICA, 1927-1946

The last clause of the Cape Town Agreement stated that the Government of South Africa had requested the Government of India to appoint an Agent "in order to secure continuous and effective co-operation between the two Governments."

The first Agent of the Government of India, the Honourable VS Srinivasa Sastri, arrived in South Africa in 1927.

Sastri, who had declared himself to be an avowed "moderate" at an Indian gathering, openly confessing that in India "moderates were despised" and militants like Gandhi venerated, provoked high Indian anger when he told a white audience at Escombe in Natal: "The Union Jack wherever it flies has brought peace and goodwill." He added that the Empire "recognises the great principles of fair play and justice in an even-handed manner between people and people, between race and race ..."

From 1927 to 1946 the Indian diplomatic post in South Africa was occupied successively by three Agents, two Agents-General and two High Commissioners. After the withdrawal of the High Commissioner by India in 1946 in protest against the racist South African Government, RT Chari, the Secretary, and JL Malhautra, Assistant Secretary, were in charge of the High Commission until it was closed in 1954.

During the 27 years that the Government of India had diplomatic relations with South Africa, we who remember those years recall the following representatives:

Agents: Sir VS Srinivasa Sastri from 1927 to 1929; Sir Kurma Venkata Reddi from 1929 to 1932; *Kunwar* Sir Maharaj Singh from 1932 to 1935.

Agents-General: Sir Syed Raza Ali from 1935 to 1938; Sir Benegal Rama Rau from 1938 to 1941.

High Commissioners: Sir Shafa'at Ahmad Khan from 1941 to 1945; R Deshmukh from 1945 to 1946 when he was recalled by India.

THE NON-EUROPEAN CONFERENCE OF 1927

Dr Abdurahman convened the first Non-European Unity Conference in the Kimberley City Hall from 23 to 25 June 1927. Despite opposition from some “moderates,” the SAIC sent three delegates - V Lawrence, Ahmed Ismail and S Rahim. For three days African, Coloured and Indian delegates, radicals and conservatives, discussed matters affecting the underprivileged black people of South Africa. Such discussions had never taken place in the country before or after the coming into existence of the Union of South Africa in 1910.

On the first day Conference unanimously adopted its first resolution in which it described itself as representing "non-European organisations and communities of the four provinces and South West Africa" and stated that "the interests of South Africa as a whole can best be served by closer co-operation among the non-European sections of South Africa and closer co-operation between Europeans and non-Europeans." The resolution was adopted unanimously.

The Indian delegates had a problem. They did not have a mandate from their organisation to commit themselves to the conference resolutions, though V Lawrence struck the correct note. Conference proceedings record this veteran Congressman saying: "The salvation of the non-Europeans lay in unity." He added that unless they combined they could not get what they wanted from Europeans. Mr Ismail of Cape Town in his speech said that the Conference represented the opinion of non-Europeans of South Africa.

Dr Abdurahman recognised the "peculiar position" of the Indian delegates since the Indian Government had appointed an Agent, Srinivasa Sastri, to negotiate with the South African Government on behalf of the Indian community. He moved that "the Indian delegates be relieved from responsibility… for the resolutions."

Dr WB Rubasana, a former Cape African MPC, seconded the motion, stating that in the absence of the Agent of the Indian Government, who was arriving in a few days time, nothing should be done to compromise "their Indian friends." The resolution was adopted unanimously.

On the second day, with Dr Abdurahman in the chair, the Conference unanimously urged upon all non-European organisations and recognised communities to associate, as far as possible, in their respective districts and to co-operate with one another on all local and national questions.

Dr Abdurahman spoke on many subjects but perhaps his best contribution came on the "civilised labour policy" which the Hertzog Government had introduced. In an emotionally charged condemnation he said the civilised labour policy "deliberately robbed men of the opportunity of earning a livelihood according to the capacity God Almighty gave them, and when they deprived a man of that opportunity, they murdered his wife and children and were nothing less than cold-blooded murderers..." Strong words, but the black people felt strongly on such issues and Abdurahman was their spokesman.

The Northern Natal delegate, AWG Champion, was, as usual, in the absence of Kadalie, the most charismatic delegate with a deep knowledge of the plight of black workers. He told the Conference that he was praying night and day that one day we should see all races in South Africa on a footing of equality as regards education, the vote, economic conditions, titles and honours and the right to sit in Parliament on a par with Europeans.

All the outstanding African leaders were present at this Conference and so were the Coloured leaders. Among them were Professor DDT Jabavu, Sol T Plaatje, JT Gumede, CAF Calvert, Chief Zibi and Reverend Jas A Calata. Although Clements Kadalie was absent at the 1927 Conference, he took a very active part in the next Conference in 1930 and so did Reverend ZR Mahabane.

SAIC CONFERENCE IN 1928

The SAIC held its conference in Kimberley from 2 to 5 January 1928, shortly after the first Non-European Conference.

Sarojini Naidu remained the SAIC president and JW Godfrey was elected deputy president.

Rhodesia, as Zimbabwe was then called, sent eight delegates who participated in their fraternal capacities. Among those who welcomed the delegates was Sol Plaatje, secretary of the ANC, who had moved the non-European co-operation resolution at Dr Abdurahman's 1927 Conference.

Solomon Tshekisho Plaatje (1876-1932) was a prolific journalist and pamphleteer, an inspired leader and man of letters. His novel *Mhudi* is the first novel in English by a black African.

AI Kajee, who was to dominate the conservative leadership for decades to come, presented his secretarial report, a carefully worded document. Kajee's star was then on the ascendancy.

Dhanee Bramdaw covered the SAIC conference for the *Witness*. He was, at the time, compiling the speeches of Sastri for publication.

My cousin, MI Meer, as editor of *Indian Views* was highly critical of Sastri and of the SAIC which he saw as sycophantically following him. He condemned it for its complicity with the “condonation scheme” which further restricted Indian domicile rights. He supported the South African Indian Federation formed in opposition to the SAIC. The SAIC retaliated foolishly by refusing him access to its 1928 Conference reports and resolutions. Ironically, the Conference was held in Kimberley at the invitation of MI’s maternal uncle, Ahmed Mahomed, a leading Kimberley Indian. MI’s brother, AI, was also in Kimberley at the time.

In an editorial on January 13, 1928, *Indian Opinion* paid a special tribute to Mr and Mrs Ahmed Mahomed for their "generous hospitality" to the delegates to the SAIC Conference, exceeding one hundred, "who had been fed and accommodated by the Mahomeds. *Indian Opinion* continued, "every member of their family was in attendance on the delegates and visitors to the Congress at all hours of day and night... Even when the delegates dispersed, after midnight from their Conference, Mr Ahmed Mahomed's dinner table was ready for them."

In his lengthy presidential report, Godfrey dealt exhaustively with all aspects of Indian life and labour in South Africa. His speech on co-operation between

Indians and Africans was published in *Indian Opinion* of January 13, 1928. He said:

> "You know that the first Non-European Conference was held in this very town on June 24, 1927, and that our representatives attended and took a restricted part in the proceedings. The executive of our Congress felt that before taking full participation in such a Conference it would be wise and desirable that the views and authority of this Congress in Conference was first ascertained. We extend reciprocal sympathy to the Bantu races in their political difficulties but the question we shall have to ultimately consider and answer is whether our mutual interests will be best served by acting jointly or by acting separately or to join forces only when common difficulty arises.
>
> "The non-Europeans in the Union comprise other communities beside the Bantu and ourselves and the political status of each vary one from the other. Those complications make the subject a difficult one."

The SAIC was strongly influenced by VS Srinivasa Sastri, the Indian Agent, against co-operating with other non-Europeans. Opening the Conference, he advised Indians against non-European unity and spoke out against the teaching of Indian languages in South Africa. This brought him into conflict with the Arya Pratinidhi Sabha and others. *Indian Views* in its editorial of January 27, 1928, said that English "is the language that has made Mr Sastri eminent the world over," but added that it was ridiculous for anyone to tell Indians in South Africa to do away with Hindi, Gujarati, Urdu, Telugu or Tamil.

On his return to India, Sastri stated in Bombay on February 16, 1929, that he had set his face against non-European unity, and explained: "Once the Indians have identified themselves, or closely associated themselves, with other people, the Government of India cannot help them, and without the backing of the Government of India, our community would be lost." (*Indian Views*, February 22, 1929).

The Conference resolution on Non European unity (number twenty-two) read:

> "This Conference expresses general sympathy with the other non-European peoples in South Africa and authorises the executive to take such steps as it deems fit with regard to the Non-European Conference in the light of discussions in this Conference and after examining the constitution of the Non-European Conference when it becomes available."

It was clear that the SAIC had succumbed to Sastri who threatened that the British Government in India would withdraw all support to it if it co-operated with other oppressed South Africans. Consequently, to the best of my knowledge, the SAIC did not send delegates to the 1931, 1932 and 1934 Non-European Conferences.

It was not until 1939 that the Non-European United Front was formed in the Cape, Natal and the Transvaal, headed by Cissie Gool, HA Naidoo and Dr Dadoo respectively. When Dr GM Naicker became the president of the NIC, his and Dr Yusuf Dadoo's policy of co-operation between all blacks - Africans, Coloureds and Indians - received the greatest support from organised Indian workers of Natal.

ALBERT CHRISTOPHER ELECTED LEADER

There was large-scale dissatisfaction with the SAIC and many longed for a new leadership.

Some built their hopes on Albert Christopher who returned from England, just prior to the 1928 SAIC Conference, as a fully qualified barrister-at-law. This colonial-born Indian had already made his mark in Indian politics and had tremendous sympathy for Indian workers. He and his wife Gadija Gool, and his young daughter Zuleikha, were given a rousing welcome at the Durban railway station and at a reception held at the Parsee Rustomjee Hall on January 26, 1928.

The eighth session of the SAIC elected Albert Christopher as deputy president in place of JW Godfrey and retained Mrs Sarojini Naidu as the president of the organisation. AI Kajee's place was taken by Advocate II Hazaree with Ebrahim Mall as treasurer. The headquarters were shifted to the Transvaal.

The Christopher group took the first steps in the establishment of technical education which saw eventual fruition in the technicon named after Mohammad Lappa Sultan.

SASTRI'S LEGACY

Sastri completed his two-year term and on Monday, January 28, 1929, sailed from Durban for Bombay.

He was given a civic reception at Klerksdorp in the Transvaal on September 15, 1928, but the deputy mayor of the town, Morgan Evans, a Welshman, could not tolerate the honour extended to the "ambassador of the coolies." In a demonstration organised by him, the lights were switched off after Sastri began his address and as PS Joshi records in *Tyranny of Colour*, "Under cover of bewildering darkness, a stink-bomb and rotten eggs were thrown at Mr Sastri, who fortunately had a miraculous escape."

Sastri addressed a white gathering at Grahamstown in November 1928. A report in *Indian Views* of November 30, 1928, said Sastri had caused amusement among his listeners by stating that to get into jail was the "passport to popularity in India" and that Gandhi was the apostle of this technique. "The great quality of going to jail," Sastri had added, "was that you could then say you did not care how things went whilst you were in; you had done your bit, and you were a prisoner, whereas if you were a free man you were open to have all your actions questioned." (laughter.)

Gandhi was to confuse his own supporters when, in March 1929, speaking at Ahmedabad, he referred to Sastri's sneering sarcasm against him, but then went on to say that although their political opinions were poles asunder, there was greater affinity between Sastri and himself than any other two persons!

When Sastri left in 1929, the Cape Town Agreement and its implementation had divided Indians into separate bodies in each province and nationally. Under his influence, the SAIC refrained from re-electing Sarojini Naidu as President, and elevated Advocate Christopher from Deputy President to President.

On the other hand, Sastri, the "silver-tongued orator of the British Empire," who had taken part in the Imperial Conferences in London, was an outspoken advocate for the upholding of India's *izzat* in India and abroad as has been recorded for posterity in *Sastri Speaks* by Dhanee Bramdaw who was assigned by *Natal Witness* to cover the first Agent's office. He encouraged Indians to build a high school for boys and they collected ₤ 20 000 and built Sastri College and a teacher training centre which they donated to the all-white Provincial Council, following on the Education Commission in which Kichlu of India had taken part.

FOUNDING OF SASTRI COLLEGE

Whilst the Assisted Emigration Scheme was at its height, the foundation-stone of Sastri College was laid in the presence of two Indian Agents, the outgoing Sastri and the new agent Sir Kurma Reddy, on August 24, 1928. The college was officially opened on October 14, 1929. Its students attended the college for the first time on 10 February 1930 - 210 of them, with 131 in Std. VI, 36 in Std. VII, 29 in Std. VIII, 6 in Std. IX and 5 in Std. X.

The South African Government was expected, in terms of the Cape Town Agreement, to build schools for Indians to “uplift” them. It took no steps in this direction and it was left to the community to do this, which it did with its own resources.

The original plans for Sastri College had provided for a six acre site, with residential quarters for the principal of the College, and a hostel for students, but these had to be abandoned when the Durban municipality grudgingly gave only two acres of land.

Sastri College became identified with the new spirit in the community - to uphold human dignity and oppose all forms of artificial barriers. This dominating spirit was reflected in many of its students who became important leaders in many branches of the life of our people. The same spirit was reflected among its most outstanding teachers, led for many years by Arthur Dawson Lazarus, who was the principal from 1951 to 1961.

The opening of Sastri College resulted in the closure of the Carlisle Street School, also known as Marine College, as a Higher Grade School and a suitable function was held to say farewell to its retiring principal. The Dartnel Crescent Indian Girls School was subsequently housed in that building in 1930.

V Sirkari Naidoo, who was later to join Sastri College's staff, gave a dinner at the Peter's Lounge, Durban, in January 1930, to pay tribute to the part played by Marine College in providing secondary education to Indian boys and girls. This function was also attended by other past students, including Ashwin Choudree and Bahadur Somers. It was placed on record that two of the College's students - GM Naicker and KM Mistry - were then studying medicine at Edinburgh. Among those present were the Reverend A. Lamont, former principal of Marine College who was now the Mayor of Durban, and DG Gifford, the registrar who had run the College at much financial loss to himself.

SIR KURMA, LACKEY OF BRITAIN

Sir Kurma Venkata Reddi arrived in South Africa to succeed Sastri as the Agent of British India, before the latter had left the country, thus giving the NIC the opportunity of holding a joint farewell-and-welcome reception at the Durban Town Hall on January 23, 1929.

The press in India was critical of Sir Kurma Reddi's appointment. Allahabad's respected *Leader* called it a "highly unsatisfactory appointment" to meet the situation in South Africa. The *Maratha* of Poona said that Sir Kurma's appointment had been greeted with regret in India. "He is neither by his qualifications nor by his training equal to the task that is set to the Indian Agent there... Sir Kurma is out and out a (British) Government man."

Sir Kurma Reddi gave us a taste of this in his speech at a civic reception in Kimberley in April 1929, reported in *Indian Opinion* of April 26, 1929. He told his predominantly white, if not only white, audience, with the Deputy Mayor of Kimberley, B Cohen, in the chair: "We in India have a sacred reverence for the

Crown, and one reason is that we believe there is the spirit of God in our King Emperor.” “Before the advent of the British," Sir Kurma continued, much to the satisfaction of his white audience, "there had been no Indian nation, merely different countries, different constitutions and different laws. It was only when the British came to that vast land, they had reason to claim that they were one country, one nation and in the declaration of Queen Victoria, of blessed memory, India obtained her *Magna Carta*, which they value to this day."

Sir Kurma concluded his speech to a thunderous applause from his English-speaking audience when he said: "You can therefore take it that our faith, our fidelity, reverence and love to the throne is undying." This at a time when Gandhi, Nehru and Azad had already suffered at the hands of the British imperialists who were ruling India against the wishes of her people.

Sir Reddi was picking up the threads from Sastri, but without Sastri's "silver tongue" or oratory, his successor was denigrating our beloved pre-British India.

PART II

1930-1939

Editor's Note

Indians suffered grievously from the depression. Mr. Meer's family had to leave Waschbank and move to Durban where ten members of the extended family lived in two rooms with little income.

A second round table conference of South Africa and India was held in 1932 when new anti-Indian legislation was introduced in South Africa. The Indian government agreed to a "colonisation scheme" to settle Indian South Africans in another territory. A "Colonisation Committee" was set up to investigate territories where Indians could be settled. Its recommendation in 1934 suggesting British North Borneo, British New Guinea and British Guiana as offering the best prospects for colonisation were rejected by the Indian government and the Indian community. But this episode divided the Indian community.

Regrettably South African Indian politics were affected by personal rivalries and feuds among the leaders and the community could not deal with the challenges Some Indian leaders agreed to voluntary racial segregation, so long as it was not imposed by legislation, as suggested by the India's Agent. The sad state of Indian organisations was reflected in the mass resignations of leaders from the South African Indian Congress and the Natal Indian Congress in January 1936 while the Indian community was facing serious problems because the Agent, Sir Raza Ali, happened to marry a Hindu woman.

The non-European conferences organised by Dr. Abdurrahman in the early 1930s clearly emphasised the imperative need for uniting of the non-European people and even people across the colour line to secure an end to racial discrimination. They discussed the possibility of passive resistance and boycott of firms following an all-white labour policy as a means of struggle. But the Indian organisations of the time did not participate in these conferences and the African and Coloured organisations were not yet prepared for effective militant action. Much work remained to be done in educating them and organising them under courageous leadership willing to make sacrifices.

In the mid-1930s, young radicals organised Indian trade unions and socialist ideas began to spread in the community. Mr. Meer, by then a young journalist, was in 1937 one of the founders of the Liberal Study Group in Durban, a non-racial think tank which included trade unionists and intellectuals. A Non-European United Front was formed in 1939 with Mrs. Cissie Gool as Chairman; Dr Dadoo was secretary in the Transvaal, and HA Naidoo in the Natal. They

were active in propagating the need for unity of the oppressed people and democratic whites.

DR ABDURAHMAN AND NON-EUROPEAN CONFERENCES

The second Non-European Conference was held in Cape Town from 4 to 6 January 1930.

The pivotal resolution moved at this Conference was to call for passive resistance to oppose Pirow's Riotous Assemblies Amendment Bill, designed to crush the ICU and other non-European trade unions. It was defeated only after Dr Abdurahman himself cautioned against it. He said:

> "There is not a single man in South Africa who could make a success of passive resistance. You must have a leader who is prepared to make sacrifices, such as Gandhi in India. We have not such a man."

The Conference condemned the Native Bills of the Hertzog Government and proposed a round table conference of European and non-European leaders. It called for free education for all non-European children and reaffirmed its determination to strive for equal political franchise for all the people of the Union.

The Conference also passed a resolution, proposed by the Reverend ZR Mahabane, supporting the people of India in their "noble struggle" for self-determination.

The Third Non-European Conference took place at Bloemfontein on 5 and 6 January 1931. It began with the singing of *Nkosi Sikele i-Afrika* and a prayer by Reverend ZR Mahabane. Professor DDT Jabavu, who chaired the Conference, called upon the convenor, Dr Abdurahman, to open the Conference. Dr Abdurahman emphasised the importance of co-operation, not only among Africans, Indians and Coloureds, but also between blacks and whites in South Africa. He attacked the numerous racist laws which banned and banished non-Europeans and the Native Service Contract Bill which he said "was designed to keep the Natives as slaves on white farms."

The Conference condemned the "civilised labour policy" which deprived thousands of non-Europeans of employment, as cruel and unjust; denounced the Colour Bar Act; condemned the Native Servants Contract Bill; and declared that "any legislation based on the principle of differentiation on the grounds of race, colour or creed, will in the end prove disastrous to our country."

The well-attended Conference, whose minutes do not record the presence of any Indian delegates, adopted its unity resolution, approving the "urgent necessity of establishing a central body of the constituent Associations of Bantu, Coloured and Indian Organisations of South Africa..."

The Conference decided to send a five-person deputation to Europe to place the non-European point of view before the people of Britain and the League of Nations in Geneva. But owing to financial reasons, Dr Abdurahman was unable to go and eventually only Professor Jabavu went on the mission. He produced a well-reasoned, 18-page pamphlet on behalf of the Non-European Conference to highlight to the world the plight of the "Non-Europeans of South Africa."

Dr Abdullah Abdurahman convened his fourth and last Non-European Conference at Port Elizabeth. A short report of its proceedings appears in *Indian Opinion* of January 12, 1934. It states that the Conference was attended by over 50 delegates representing Coloured, Malay, African and Indian communities and was presided over by Professor Jabavu of Fort Hare.

I do not know the names of the delegates who attended nor have I seen the minutes of the Conference. There is nothing that I have come across in the records of the Indian Congress suggesting that the Indian Congress took part in this gathering.

Among the resolutions passed at the Conference, as quoted in the *Opinion*, was one calling for a boycott of firms which implemented the "evil all-white labour policies." The resolution called for a blacklist to be compiled of all goods made by such firms using white labour only.

Another resolution called for the introduction of legislation to fix minimum wages for unskilled and farm labourers. It called on the Government to abandon the "all white labour policy," because it was "economically unsound in this country where the overwhelming population was non-white." The resolution called for equal opportunities for blacks and whites in all fields in South Africa.

DR ABDURAHMAN'S VISIT TO DURBAN IN 1935

Dr Abdurahman and his wife visited Durban in July 1935 to address a public meeting which I attended.

The Muslim Institute in Queen Street was packed to capacity with no standing room to hear Dr Abdurahman who spoke from his heart. His brilliant speech occupies the entire page 267 of *Indian Opinion* of July 19, 1935. He made a lasting impression on me as he expounded on non-European unity. He said:

> "As the oppressed classes consolidate themselves and show a united front, they will compel the Europeans to accede to at least some of their demands.
>
> "We have seen that the group system leads to destruction. By consolidating the African, Coloured and Indian, we can gain much."

Dr Abdullah Abdurahman, although the only non-European member of the Government-appointed fact-finding commission on the Coloured community, talked in public and in private a language we respected. He pointed out to his audience in Durban that all blacks should unite just as the white Boers and Britons had united. He emphasised:

> "The Prophet of Islam has said that reasoning lights the torch to heaven…
>
> "If God did not make distinction between man and man, we have no right to do so and until we are regarded as equal in this country, there is no such thing as democracy for us. We cannot achieve anything by remaining different groups. We can by co-operation show the white man the spirit of democracy."

His ideas came like a fresh breeze blowing across our race-polluted South Africa. He was the forerunner of ideas later expounded by Dr Yusuf Dadoo, Monty Naicker and Albert Luthuli.

Dr Abdurahman often visited Durban with his wife who hailed from Scotland. They lived at the residence of EM Paruk, who for many years played an important role in the NIC.

Dr Abdurahman's critics maintained that the four Conferences were significantly called when General Smuts was virtually out of power, to embarrass General Hertzog because Abdurahman was a great supporter of Smuts. I reject this argument and regard Dr Abdurahman as a political giant of his time.

He founded the African People's Organisation (APO) in 1902 before the founding of the ANC in 1912. He went to London in 1906 and 1909 to protest against the all-white Parliament which came into existence in 1910 as a result of, let us never forget, an Act of the British Parliament passed in 1909. He addressed meetings on behalf of all the disfranchised blacks in South Africa - African, Coloured and Indian.

The deputations led by Dr Abdurahman and Mohandas Karamchand Gandhi to London were among the first to internationalise opposition to South Africa's racism.

HA Naidoo, Yusuf Dadoo and Abdurahman's daughter, Mrs Z (Cissie) Gool, formed the Non-European United Front on the foundation laid by Dr Abdurahman who was the first Indian to refer to himself as African and to work closely with Africans.

NIC LEADERS IN THE 1930S

Durban Indian life in the thirties was dominated by a number of political personalities. I soon learnt that they were far more interested in their personal careers than in the people they claimed to represent.

The NIC was recognised by both the South African and Indian governments. There was thus intense competition among the political personalities to aspire to its leadership.

But those who claimed to speak in the name of the Indian community were too immersed in politics of personalities. They did not understand what was happening internationally – and they were far too absorbed in local Indian politics to realise the need for an urgent united front of all the oppressed peoples, the non-Europeans of the country.

A.I Kajee, though conservative, was an exception. He read extensively on international matters, beyond South Africa and India, and in his Ryde Avenue home he had a fine collection of Left Books from Sydney and Beatrice Webb to Palme Dutt.

He was an active member of the Left Book Club organised in the mid-1930s in Durban, as elsewhere in South Africa and in the world, to discuss the Book of the Month published by the new publishing house of Victor Gollancz.

SOUTH AFRICANS JOIN CIVIL DISOBEDIENCE IN INDIA

In India in 1929, the Indian National Congress declared unequivocally that its objective was complete independence. In his Presidential address at Lahore Jawaharlal Nehru said: "Independence for us means complete freedom from British domination, and British imperialism." Gandhi himself moved the main resolution.

The resolution was passed at the stroke of midnight on December 31, 1929, the flag of independence was unfurled and the Indian National Congress went into action with its cry of "*Inquilab Zindabad*" (Long Live Revolution). India was on the march at the head of the anti-imperialist world with Nehru emerging as Gandhi's heir and anti-colonial hero. These events had profound effect on us in South Africa.

In that emergent revolutionary climate, Sir Kurma Reddi, the Indian Agent General in South Africa, at a social reception advised Indian women not to interest themselves in politics. Their menfolk, he said, were quite capable of doing that. Women's duty was to look after their homes and their children, and to tend the ill and the needy.

The women were too polite to contradict Sir Kurma but what a waste of *samoosas* and *bhajias* and teas to hear such nonsense! It is a pity that Miss Goonaruthnam Naidoo, the young medical student from Edinburgh, who was on holiday in South Africa, was not present at the Trades Hall or else Sir Kurma would have received a tongue lashing he wouldn't have forgotten.

The editor of *Indian Opinion* who had given uncritical support to Sastri, was compelled to comment on Sir Kurma's advice to our women. In an editorial dated December 26, 1930, *Indian Opinion* said:

> "We respectfully disagree with this view expressed by Sir Kurma. Why should not our women take part in politics? When the great passive resistance struggle was carried out in this country... the members of the Transvaal Indian Women's Association played a noble part in it."

In 1930, *Indian Views* was giving full support to Gandhi and *Indian Opinion* was beginning to shed its pro-Sastri stand because of his opposition to the civil disobedience campaign. The SAIC began to speak out in support of India's struggle for freedom.

Thousands of our people in the length and breadth of South Africa rallied in protest when Jawaharlal was arrested and imprisoned. This was followed by the arrest of Mahatma Gandhi himself. The arrests came in rapid succession and Sorabjee Rustomee addressed meeting after meeting condemning British imperialists' attempt to destroy India's Congress.

When Sarojini Naidu was arrested, Mr Rustomjee said at a huge meeting in Durban on May 22, 1930: "Not a week passes by without the imperial bureaucracy showing its nailed fist to one or more of our nationalist leaders in India..." Before the meeting ended, news reached us that Sarojini Naidu was sentenced to six months' imprisonment.

The protest meeting also heard that among those sentenced in India were three South Africans: Manilal Gandhi, Imam Abdul Kadir Bawazeer and Swami Bhawani Dayal Sanyasi, editor of *Hindi* who had played a vital role in publicising the condition of expatriates to India.[1]

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[1] The British-controlled Government of India did very little to assist those who accepted the so-called "assisted emigration scheme." It was left to Swami Bhawani Dayal, then a vice-president of the NIC, to expose to the world the tragic plight of the victims of this inhuman method of ridding

After the Gandhi-Irwin Pact of March 3, 1931, all the political prisoners were released, including the three South Africans, each of them having served approximately nine months in prison. We were proud of their sacrifices.

Gandhi had defied the law prohibiting the private manufacture of salt by people living on the sea coast and tens of thousands of volunteers followed. Under the agreement with the Viceroy, this law was abolished and properties confiscated for refusal to pay taxes were restored. Peaceful picketing for economic objectives was also made legal. In return Congress agreed to suspend Civil Disobedience and to participate in the Round Table Conference on constitutional reform with Gandhi as the sole representative.

South African Indians were elated with the 1931 victory of the peoples' struggle in India and drew hope that they too would overcome their oppression.

The Defiance of the Unjust Salt Law in India in 1930 bears very close comparison with the Defiance of Unjust Laws Campaign of the Congress movement in South Africa in 1952.

FUNERAL OF AMOD BHAYAT

In 1931 I attended the funeral of the passive resister and Gandhi's colleague, Amod Bhayat, who had represented us in India in the Abdurahman delegation of 1926. A report of the funeral in the *Indian Views*, June 5, 1931, said it was one of the biggest held in the community in Natal up to that time. The report praised the great contribution of "a man of great experience and hardly any formal education."

DEATH OF IMAM BAWAZEER

Imam Abdul Kader Bawazeer Saheb, who had served imprisonment in South Africa and in India, passed away at Gandhi's *Ashram* at Ahmedabad in December 1931, leaving behind his only daughter, Aminabibi, her husband and children.

Reverend CF Andrews, who had known the Imam Saheb for almost 20 years, said in his tribute:

South Africa of its Indian citizens. His report received widespread publication, including in *Indian Views* and *Indian Opinion*. Bhawani Dayal returned to South Africa in 1932 and again played an active role in the NIC with AI Kajee.

> “Imam Bawazeer had been one of Gandhi's important lieutenants in the Transvaal where he had headed the Hamidia Islamic Society formed in 1906. He had joined Gandhi in India with a fine record of service in South Africa where he had been imprisoned on several occasions.”

DR MALAN ACTS AGAINST INDIAN TRADERS

In January 1930 Dr Malan set up a Select Committee to inquire and report on illegal occupation by Indians of trading premises in the Transvaal. The Committee was empowered to recommend whether an amendment to the existing law was desirable. This action followed a decision of the Supreme Court regarding the application of the Gold Law of 1908 in places such as Springs.

There was no right of appeal to the Supreme Court against the decisions of the white Licensing Officer and the all-white municipalities. Every year, the Congresses would pass resolutions for the right of appeal to the Supreme Court and the Government would turn this down as regularly. Evidence was given before the Select Committee by whites and Indians, including the representative of the Government of British India.

MD Bharoochi, president, and PK Desai and SM Desai, joint secretaries of the TIC, submitted a memorandum to the Select Committee in May 1930. They pointed out that 36 wholesalers and approximately 800 retailers were already suffering under Law 3 of 1885, the Gold Law of 1908 and the 1919 measure curbing Indian trading and landowning rights in the Transvaal.

The Select Committee, in 1930, made three recommendations:

> (a) that Asians be prevented from acquiring any property in any form in the future, outside areas set aside for them;
>
> (b) that the Gold Law be strictly enforced, even in townships such as Springs as from May 1, 1930; and
>
> (c) that trading licences be issued only to Asians who were lawful owners of the occupied premises.

The recommendations of the Select Committee were embodied in the Transvaal Asiatic Land Tenure (Amendment) Bill, which was introduced in the House of Assembly in May 1930. Dr Malan and his Government were out to destroy the little shops scattered in the Transvaal and confine Indians to ghettos.

HARASSMENT OF INDIAN TRADERS BY LICENSING BOARDS

The Indian business community in the thirties was made up primarily of shopkeepers, wholesale merchants and agents of large companies, some international. Kajee was of the latter group. The vast majority of Indian traders in South Africa were Gujarati-speaking and had shown remarkable progress in adversity. Among them were the descendants of men who had helped MK Gandhi found the Natal Indian Congress in 1894.

The white rulers and traders wanted to exclude them from the so-called free enterprise system.

Very few of the Indian traders had come to this country with any commercial experience in India. In fact, those from Surat and the villages surrounding Surat had come with a strong agricultural background.

Jawaharlal Nehru makes this observation about the Gujarati traders in his *Discovery of India*:

> "The people of Gujarat, Kathiawar, and Cutch were traders, manufacturers, merchants and seafaring folk from ancient times.
>
> "They are now among the most prominent leaders in industry and commerce. Religion or a change of religion made no difference. The Parsis... may be considered as Gujaratis for this purpose.
>
> "Among the Moslems the most prominent sects in business and industry are the Khojas, Memons and Bhoras.
>
> "All these Gujaratis not only dominate industry and business in India, but have spread out to Burma, Ceylon, East Africa, South Africa and other foreign countries."

Typical of the Gujarati trader in South Africa was Mahomed Ahmed Meer, the settler-founder of the Meer clan in this country, who arrived in Natal in 1882 at the age of 17 and established, without capital, business in Durban, Johannesburg, Dundee and Waschbank.

The Gujarati traders in South Africa, however, were neither Khojas nor Bhoras. I knew of only one Khoja family, the Keshavjis in Pretoria. The Muslim Gujaratis were Vohras from Surat and Kathor and surrounding villages and Memons from Kutch and Kathiawar.

During the thirties, it was the mercantile class of Indians that the whites resented most and their efforts were pointed particularly at getting rid of them or of their

businesses. When the Afrikaners would be firmly seated in Government under the Nationalist party, their stated policy would be to make things so difficult that they would leave the country of their own accord.

The participation of the South African government in the Round Table Conferences was based on the expectation that the Indian government would facilitate their repatriation.

In the meanwhile, provincial ordinances were used to curb the development of Indian traders. In Durban the first Indian shops had been established alongside white shops in West Street, the Indian shopkeepers sitting in traditional style on their *gaddees* (cushioned seating on the floors) rather than behind counters in European style. By the time I came to Durban in 1931, there were no more Indian traders in that part of West Street extending from Grey Street eastwards to the Indian Ocean, an area in which numerous Indian shops had previously existed.

Although there was strictly no racial bar to Indians legally, the white Licensing Officer and the Municipality in Durban were refusing licences to Indians. The same applied elsewhere in Natal.

In 1931 the refusal of the transfer of licence of Gora Mahomed and Co., in West Street exposed the racist policies adopted by the Licensing Officer and the Durban Municipality, which received the backing of the Supreme Court of the Natal Provincial Division.

In an editorial of November 6, 1931, under the heading "Law Crushes Justice," *Indian Views* criticised the judgement of the Judge President, Mr Justice Feetham, for holding that the licensing officer's decision was not racist. It pointed out:

> "For full forty years Gora Mahomed & Company carried on business at 492 West Street. They then found themselves compelled to apply for a transfer to 478 West Street to premises only a few yards away - because the owner of 492 West Street (Kajee Brothers) had served them with notice to quit. Nevertheless their application was refused by the Licensing Officer of Durban and the Durban Town Council upheld his decision."

Besides facing the opposition of the Durban Town Council, represented by leading senior Counsel, Gora Mahomed & Company had also to face objections from two Indian objectors, Kajee Brothers and the Favourite Store. No such objections by traders were allowed in the other provinces at that time.

With the enactment in the Transvaal of the 1931 Licensing Ordinance, which came into force on June 4, 1932, municipalities and rural licensing boards were given autocratic powers to refuse licences, as had been done in Natal many years earlier. There was no right of appeal to the Supreme Court.

THE MEER FAMILY MIGRATE TO DURBAN

As a direct consequence of the economic crisis in the depression years, the drift from rural to urban areas had gathered momentum sharply. Indian traders and Indian workers were severely affected, and many migrated to the urban areas and among these was my family. We arrived in Durban in 1931.

I soon became aware of the two classes of Indians living in Durban, the middle class of shopkeepers, and the working class Indians.

The shopkeeping class was concentrated in the Grey Street complex where they lived in flats above the shops; the working class, including market gardeners, lived in self-built wood and iron cottages, or in rented premises on the margins of the Grey Street complex.

Whatever the class of Indians, their dwellings were invariably overcrowded, largely because of joint or extended family living. My parents, sister and I moved into a two-room flat above the shops in Pine Street where my elder brother AC was living with his wife and son. We were a little later joined by my eldest brother HC and his wife and daughter. So we were in all eight adults and two children in two rooms. Our income was derived from a cut, make and trim (CMT) "factory" my brother AC ran in the flat, with all the occupants barring my parents helping. So our residence doubled as our factory. The income from this business was so small that my brother threw in the towel.

The Durban Housing Survey of the University of Natal reported 1,501 Indian flats in the municipality and 8,161 houses occupied by Indians. Plans to segregate Indians were drawn up as early as 1923 (Class Areas Bill) but these plans were suspended.

SECOND ROUND TABLE CONFERENCE AND SECOND VISIT OF SAROJINI NAIDU

The NIC held a mass meeting on November 21, 1931, in the Durban Town Hall to discuss the Second Round Table Conference between the Governments of India and South Africa which was to take place in Cape Town from 12 January to 4 February 1932.

Among the speakers were two women, both young and in their twenties, coming from well-known families in India and Cape Town. They were Sushila Behn

Mashruwala and Gadija Gool, who had a few years previously become Mrs Manilal Gandhi and Mrs Albert Christopher, respectively. These two speakers were following in the tradition of Sarojini Naidu, who had come from India in 1924 and was to be with us again in 1932. The speeches of these two young ladies, then brides of a few years, were indeed historic for a community which had only 49 students in the entire Mitchell Crescent Girls School.

Sorabjee Rustomjee, Albert Christopher, JW Godfrey, AI Kajee, SR Naidoo, Bhailal Patel, MB Naick and Omar Jhavary were the other speakers.

The SAIC convened an Emergency Conference in Johannesburg on December 31, 1931, and January 1, 1932, at which fifteen resolutions were passed. The Conference called for the withdrawal of the Transvaal Land Tenure Bill and the repeal of the Transvaal Licensing Ordinance of 1931. Both measures were directed against Indian advancement in commerce and further restricted their land ownership. This was happening simultaneously with the Round Table Conference between the Indian and South African Governments. So much for the integrity of that Conference.

The Indian delegation led by Sir Fazli Hussein, and consisting of Sir VS Srinivasa Sastri, Sir Kurma Reddy, Sir Geoffrey Corbett, Sir d'Arcy Lindsay and Mrs Sarojini Naidu as members, and GS Bajpai as secretary, arrived in Johannesburg on January 4, 1932, the very day when Jawaharlal Nehru was imprisoned in India during the civil disobedience which was resumed after the failure of the Second Round Table Conference in London. By 10 January all the national leaders of India were back in prison under the iron rule of the new Viceroy, Lord Willingdon.

At a public reception in Kimberley for the Indian delegation, on its way to Cape Town, Sir Fazli Hussein let the cat out of British India's bag, when in the presence of the city's mayor he said:

> "Both my Government and yours have agreed that none of our people should permanently settle in this country and having agreed to this and with good will on both sides, we hope to reach satisfactory settlement." (See Bridjlal Pachai, *The South African Indian Question, 1860-1971*, page 134)

If any doubt remained that the purpose of the conference was repatriation - with the British Raj's fullest complicity in getting rid of Indians from South Africa - it was dispelled.

The Second Round Table Conference began on January 12, 1932, with the South African delegation comprised of Dr DF Malan, Oswald Pirow and EG Jansen representing the Nationalist Government and Patrick Duncan and G. Heaton Nicholls representing Smuts' Party. The presence of the two parties emphasised

that Hertzog and Smuts were united in their plan of ridding South Africa of all its Indians, with the backing of the Government of India.

The only person who did not seem to fit in with the white racists and the numerous "Sirs" of the British at the Conference was Mrs Sarojini Naidu, who had come to South Africa after spending a term of imprisonment at Poona for defying the might of the British Empire. She was the only voice of free India - the voice of the future India. We were therefore keenly interested in hearing and reading her speeches. The crowded City Hall in Johannesburg on January 6, 1932, listened with rapt attention when Sarojini told the Indian South Africans that they should make their contribution to the common cause of South Africa and help build a new and great South African tradition.

Her speeches were like a fresh breeze. At the Cape Town reception at the City Hall, on January 12, 1932, Sastri questioned her presence in the delegation and requested her to reveal the secret history of how she came to be part of it, whether she was asked or did she ask. This impertinence and open insult infuriated the audience. He was patronising and jokingly insinuated that she was not a *bona fide* member.

Sarojini's reply was swift. "Mr Sastri," she said, "you will be sorry that you demanded a public explanation. I only came here because my leader (Gandhiji) was not quite sure of the wisdom of the *men* of the East (laughter) - and insisted that the delegation be reinforced by the immemorial wisdom of the *women* of the East." There was overwhelming applause and relief.

Dr Abdullah Abdurahman, who had led the SAIC delegation to India during 1926-27, renewed his friendship with Sarojini at the reception. She was in great demand during her short stay and addressed gatherings in many parts of South Africa. Her most memorable message to the Indian people was made in the presence of Dr Abdurahman at a Cape Town reception held on January 11, 1932. She said:

> "The problem solved for the Indian section of the South African nation will be the problem solved for all the people of colour in South Africa.
>
> "Therefore in working for that section known as the Indian nation, we are working for the human cause, without discrimination or preferential treatment for our own.
>
> "I have no use for narrow nationalism, either in India or outside. I am one of those who hold that the test and measure of civilisation is the breaking down of barriers that keep nations, races and creeds apart..."

That meeting was organised by the Cape Indian Congress which replaced the Cape British Indian Council, and had become a constituent of the SAIC.

The Second Round Table Conference failed to make any progress. It admitted that the repatriation scheme had failed. It was while discussing an alternative that the colonisation scheme was mooted on the recommendation of G Heaton Nichols or Sastri.

Dr Malan wanted to know from the Conference whether any colonisation scheme would attract Indian traders from the Union "as the Europeans in South Africa objected primarily to the presence of Indian traders." At the request of the Indian delegation, the SAIC officials - including Albert Christopher, PR Pather and Manilal Gandhi - on "patriotic grounds," gave the Conference a written and signed document of co-operation on colonisation. The Colonisation Scheme thus saved the Conference from complete failure, but it splintered Indian unity.

PS Joshi in his *Tyranny of Colour* says that this "agreement was a betrayal of the Indians of South Africa. Its principle of land-settlement abroad obviously considered them to be temporary guests of the country... The Indian Government could not rectify the error they committed in 1927." He saw the Agreement as a blunder and the Colonisation Scheme a disaster.

Although the Conference ended on February 4, 1932, no official joint statement was issued by the two Governments until April 5, 1932, when it was published in Delhi and Pretoria. The communiqué admitted that the assisted emigration scheme was "practically exhausted owing to economic and climatic conditions in India, as well as the fact that 80 percent of the Indian population was now South Africa-born." It continued:

> "The Government of India will co-operate with the Government of the Union in exploring the possibilities of a colonisation scheme for settling Indians both from India and from South Africa in other countries.
>
> "In this investigation, which should take place during the course of the present year, a representative of the Indian community in South Africa will, if they so desire, be associated..."

ATTACKS MOUNT AGAINST TRADERS

On April 5, 1932, the very day on which the joint communiqué of the Indian and South African governments was released the Transvaal Asiatic Land Tenure Bill was re-introduced in Parliament by Dr DF Malan. He refused to grant the SAIC an interview on the Bill. A petition to Parliament by Sorabjee Rustomjee, AI Kajee and PR Pather for the Congress to be heard at the bar of the House was also refused.

Malan informed Parliament that the Bill was of "purely domestic concern" to South Africa.

The Bill became law, as Act 35 of 1932. A Commission was appointed under Justice Feetham to compile a register of all Indians, Chinese and Coloureds residing legally or illegally on land proclaimed under the Gold Law of 1908, and make recommendations to the Minister of the Interior.

Even before the Feetham Commission began its work, and during its long slow progress, the Transvaal white Municipalities were acting against Indian traders under the autocratic powers given them by the Ordinance which had taken away the rights of the Supreme Court to intervene.

The SAIC boycotted the Feetham Commission; the TIC under its new president, GK Thambi Naidoo, who had been Gandhi's lieutenant in South Africa, considered passive resistance against it. Delegates from all over the Reef met at the Patidar Hall and rejected participation in the Feetham Commission.

Manilal Gandhi, writing from India in December 1932, said that the Mahatma hoped that there would be no need to start passive resistance against the Asiatic Land Tenure Act and added: "Father did wish the (Feetham) Commission would make such concessions as would satisfy the whole community and the community may not have to take the steps it proposes to take."

The economic crisis of the depression years made the Indian trader an easy target of the political parties of both Hertzog and Smuts which soon after the appointment of the Feetham Commission, formed a coalition government from which Dr Malan opted out to form the official opposition.

Hertzog and Smuts were united in plans for ridding South Africa of all Indians by repatriation and colonisation, their chief target being Indian traders.

INDIANS CHALLENGE THE LOSS OF MUNICIPAL VOTE AND THE COLOUR BAR

In 1924, Indian South Africans lost the municipal vote in Natal on the ground that they were not parliamentary voters.

Samuel Walter Abraham of 83 Beatrice Street, Durban went right up to the Appellate Division unsuccessfully challenging the Borough Ordinance of 1924, which took away the Indian municipal vote.

In July 1932 an application was filed by RM Naidoo to have his name included in the Durban municipal voters' roll on the grounds that he was of Aryan stock, and

consequently of European descent. Maynard Page, the Chief Magistrate of Durban, was not impressed with the logical viewpoint of RM Naidoo and ruled that his name could not be entered on the municipal voters' roll because "he was a descendent in the male line of a country which in 1896 did not have elective representative institution" and by virtue of that fact he did not have the parliamentary vote in South Africa.

In the 1930s, Mr Rasool of Pietersburg, in the Transvaal, successfully challenged in the Supreme Court race discrimination in Post Offices.

Earlier our cousin Ebrahim Cassimjee Motala of Verulam had refused to buy his railway ticket at Verulam, because of colour bar at the station, which he too challenged successfully. Pending the abolition of the colour bar, he walked all the way to Ottawa to buy his ticket and entrained for Durban from there.

KUNWAR MAHARAJ SINGH, INDIA'S THIRD AGENT

On Wednesday morning on August 2, 1932, the *SS Karanja* docked at Durban and the Congress warmly welcomed India's third Agent to South Africa, *Kunwar* Maharaj Singh, "a prince with the common touch," who had gained much popularity in India.

The new Agent arrived with his wife, the popular *Kunwarani*, her daughter, five-year-old Prem, and her brother, Samsher Mayadas. They were greeted by a large gathering with bouquets and garlands.

The *Kunwarani* was no stranger to Durban where she had called a few years previously as Miss Mayadas on her way from England to India after graduating from Oxford. She was a well-known member of a leading Christian family of India.

Unlike Sastri and Reddy, the *Kunwar* did not bore us with any great praise of the Union Jack and the British Empire. However, in terms of his instructions from the British-controlled Government of India, he collaborated with the Feetham Commission, although the SAIC boycotted it. The Government of India also placed him at the disposal of the Colonisation Enquiry Committee and these involvements made him the target of some of the Indian leaders.

On the day of their arrival, at the public reception given at the Royal Picture Palace under NIC auspices, the *Kunwarani* said amidst great applause that she and her husband identified themselves with Indian South Africans, and told them: "We belong to you."

In his first interview, the *Kunwar* referred to the serious unemployment among Indians and at a meeting of the unemployed a few days later at the Victoria Picture Palace he publicly said that "the Government and the municipalities had paid inadequate attention" to those without work.

The *Kunwar* was born in 1878. His father, Raja Sir Harnam Singh, gave up his right to succeed to the throne of Kapurthala State, one of the largest kingdoms of Punjab, when he accepted the Christian faith.

The *Kunwar* was educated in England. He went to Harrow and graduated at Oxford, where he excelled in tennis and obtained his half-blue in boxing. In 1902 he was called to the bar and returned to India, where he became a popular administrator in the Indian Public Service.

He rose from a Magistrate to a Collector and then served as the Deputy Secretary of the Government of India, later becoming Commissioner of Allahabad and eventually Vice President of the Jodhpur State Council.

Both the *Kunwar* and the *Kunwarani* won the hearts of the ordinary people by dealing with basic issues affecting them.

The *Kunwar* was knighted in 1933 whilst in South Africa. Sir Maharaj and Lady Maharaj Singh remained in South Africa until 1935 when the new Agent General, Sir Syed Raza Ali assumed office.

The *Kunwar* and *Kunwarani* moved freely among our people, although they lived at the Marine Hotel and not at 383 Currie Road, the house where Sastri had lived next door to the house of Advocate RK Khan.

The Agent made the *Indian Views* office, 137 Grey Street, one of his regular venues where MI, Dhanee Bramdaw and others had in-depth discussions with him, often ending at the residence of MI in Convent Lane, between West and Smith Streets.

At the fifth anniversary of the Indian Child Welfare Society, held at Durban on September 12, 1932, after Mrs Gadija Christopher had presented her impressive secretarial report, it was announced amidst thundering applause that the *Kunwarani* had kindly consented to accept the presidentship of the society. The *Kunwarani*'s efforts to increase the enrolment of Indian girls in our primary and high schools received the wholehearted support of *Indian Views* and an increasing number of members of the community.

1933 was the year of the *Kunwar* and the *Kunwarani*.

The *Kunwarani* not only founded and revived women's associations, but also laid the foundation stone of the new Church of St. Aidan's Indian Mission in Sydenham on August 22, 1933.

From the pulpit of St. Mary's Cathedral in Johannesburg, the *Kunwar* - wearing the hood of a Master of Arts of Oxford - told his white audience on January 12, 1933, that the Bible was an Asian Book and reminded the Christians that "the Lord took the human form as an Asian."

We had no hesitation in understanding why when India obtained her independence in 1947, *Kunwar* Sir Maharaj Singh was given the important post of Governor, a post similar to the one given by Nehru to Sarojini Naidu.

DEATH OF RK KHAN

On Saturday October 8, 1932, Rahim Karim Khan passed away in the early hours of the morning at his residence, leaving behind him his adopted daughter Thelma. His wife Madeleine had died only five months previously.

From his Currie Road home, his body was taken to the residence of Sorabjee Rustomjee at 17, First Avenue, where people of all communities assembled to pay tribute. Over two thousand people - Indians, Africans, Coloureds and whites - attended his burial at the Brooke Street Cemetery.

When Gandhi commenced his fight against the move to deprive Indians in Natal of the parliamentary franchise, he founded the NIC in 1894 and in the early period of this body Advocate RK Khan became its secretary, holding that office for five formative years. RK Khan joined Gandhi in his legal practice when their offices were in Mercury Lane, in the heart of Durban's white commercial area.

After Gandhi left South Africa RK Khan continued with the legal practice in Mercury Lane but eventually he bought his own property at the corner of Smith Street and Little Grey Street and named it Madeleine Building after his wife.

After making a modest bequest to his adopted daughter, he left his entire fortune of forty thousand pounds for the establishment of the RK Khan Hospital and dispensaries. In 1932 that amount was equal to a million pounds of 1986.

He was indeed a *hatim taai* - a benefactor *par excellence* of the community, whose life remains unwritten by our historians.

RK Khan was born in Bombay on March 24, 1874. His father was Secretary to the father of Aga Khan who financed the young Rahim's education. He was

educated in Bombay and in England where he was called to the Bar after qualifying as a Barrister at the Lincoln's Inn.

Arriving in South Africa he established a thriving legal practice and took part in all aspects of the activities of the community. He was a leading Congressman both in the NIC and the SAIC, and acted as the efficient chairman of SAIC at the 1930 Emergency Conference.

He volunteered and served with Gandhi in the Ambulance Corps during the Boer War as leader at Colenso and Spionkop.

His generosity was reflected during his lifetime when he gave large donations to the Congress, and to such causes as the building of Sastri College. He also took the lead in founding the Orient Club. He was a trustee of the trusts created by the generous Parsee Rustomjee.

COLONISATION SCHEME DIVIDES INDIAN POLITICIANS

1933 saw Smuts and Hertzog forming the coalition government and AI Kajee and Albert Christopher opposing each other over the Colonisation Commission Enquiry Committee set up by JH Hofmeyr, the new Minister of the Interior, under the chairmanship of an ex-magistrate of Johannesburg, James Young. The Commission resulted in a split in Congress. The Colonial Born and Settlers Indian Association (CBSIA) was formed under the presidency of Albert Christopher, in opposition to the SAIC. The ensuing six years saw bitter and petty wrangling between the personalities of the CBSIA which included Manilal Gandhi, SL Singh and Haffejee and those of SAIC.

The NIC continued to be recognised and the CBSIA failed to gain recognition from the Governments of India and South Africa and from India's Agent, the *Kunwar*. *Indian Opinion* editorially attacked the *Kunwar* in such a manner that even Henry Polak from London lodged his protest. "When I remember that Mahatma Gandhi was the founder of *Indian Opinion* and that I had the honour to be its editor... I feel distressed and ashamed that such an article should have appeared in the columns of the paper."

Albert Christopher and Manilal Gandhi said that they were opting out of their undertakings on Colonisation Commission because the enquiry was not initiated by India but by South Africa. But Manilal Gandhi, who had supported the colonisation enquiry even at the SAIC Emergency Conference, became the target of attacks by the Congress, *Indian Views* and Bhawani Dayal. These attacks and replies, published in the Indian weeklies, give some understanding of the nature of the conflict which existed for six long years during which scores of mass meetings were held to woo the Indian workers, in particular.

In *Indian Opinion* of November 10, 1933, Bhawani Dayal attacked Manilal Gandhi for turning his weekly into a partisan paper and for departing from the "high traditions" of the former editors such as MK Gandhi, MH Nazar, Henry SL Polak and AH West. Manilal replied to Bhawani Dayal and then refused to publish a subsequent article by Bhawani Dayal, calling it malicious.

AI Kajee consolidated his position as the Indian leader, strongly supported by JW Godfrey who became the new president of the NIC and Swami Bhawani Dayal Sanyasi. He met delegation after delegation of Indian workers, farmers and merchants, dealing with many issues affecting the community as a whole.

Sorabjee Rustomjee was an enigma in 1933. He resigned as the treasurer of the SAIC and did not seek election to any office in the NIC. At the TIC Conference held in 1933 at the Trades Hall, SM Nana, the president, severely criticised Mohamed Jajhbhai's Transvaal Indian Commercial Association for giving evidence before the Feetham Commission, which the Congress was boycotting.

In the presence of such confusion, the leadership of Indian political bodies could not be expected to deal effectively with the challenges of the newly created United Party to non-Europeans.

Mahatma Gandhi refused to take sides on the colonisation issue between the views of the Congress and the CBSIA for the entire period of six years from 1933 to 1939 and the same had been the attitude of *Dinabandhu* Reverend CF Andrews.

The Report of the Colonisation Enquiry Committee dated February 26, 1934, was published as the Official Government Blue Book early in July 1934. It came as an anti-climax that British North Borneo, British New Guinea and British Guiana were recommended as countries which offered the best prospects for colonisation. No one took the recommendations seriously either in South Africa or in India.

Sir Fazli Hussein, who had headed the Indian Government delegation to the Second Round Table Conference in Cape Town, took part in the discussions on the Colonisation Report at the Council of State in India on August 9, 1934, pointing out its prohibitive financial implications. The Standing Emigration Committee of the Central Legislature met the next day and totally rejected the recommendations of the Young Commission.

But the division among Indian spokesmen in South Africa continued until the amalgamation of the two bodies and the formation of the Natal Indian Association on October 8, 1939.

DEATH OF ISMAIL AH MOOSA

In April 1934 the community received the news of the tragic death of Ismail AH Moosa, who passed away at the Port of Jedda in Arabia on his return from pilgrimage to Mecca. Both *Indian Views* and *Indian Opinion* wrote obituaries, recording Mr Moosa's contribution to the community.

Indian Opinion of April 27, 1934, pointed out the keen interest of Ismail Moosa from the days of Gandhi in community activities. He was educated at Higher Grade Indian School, had been very successful in his business undertakings and "he was the very first Indian in South Africa to import a Rolls Royce car for his personal use."

The Durban of 1934 remembers the Rolls Royce of Ismail Moosa, offering a challenge to the whites engaged in conspicuous consumption in Durban.

Professor Gokhale, who came to Natal in 1912 when MK Gandhi was still in South Africa, was the guest in Durban of Ismail AH Moosa at his Clarence Road home, a home which was later to accommodate members of the Paddison and Habibullah delegations.

In the days when Indians were asked to conform to "western standards" - whatever that may mean - Ismail Moosa's life style was one which displayed conspicuous yet very dignified consumption at its height.

LITTLE GREY STREET RENAMED BAKER STREET

Indian Views of September 7, 1934, reported that a petition had been presented in 1934 to the Town Clerk of Durban "by owners and renters of business houses, hotels and boarding houses, and residential flats" of Grey Street extending from West Street to the Esplanade, to have the name of that section of Grey Street changed. The petitioners wanted that section of Grey Street distinguished from the rest of Grey Street which was Indian-occupied. They were ready to abandon Sir George Grey at the altar of racism.

As a result of this petition, followed by a similar request for Little Grey Street, Broad Street and Baker Street came into existence as monuments to the racists of Durban of the year 1934. The white racists of Durban did not have to wait for a Nationalist Government in 1948 to teach them anything new.

The only African trading in the Grey Street complex, when my family arrived in 1931-32, was Khuzwayo's Hairdressing (and, I think Music Saloon).

The West Street complex of the Central Business District (CBD) had been closed to non-white traders - especially Indians - following the Supreme Court ruling in Gora Mahomed's case in 1931. That judgement made other white licensing officers in Natal bold enough to introduce similar prohibitions against Indian traders at a time when no law existed preventing Indians trading in the CBD areas of any town in Natal.

INDIAN SHOPKEEPERS IN GREY STREET COMPLEX

My early years in Durban were spent in the central Indian part, dominated by the Indian mosque and the Victoria Street Indian market which sprawled on the road in the morning and then disbanded.

The shop keeping Indian community was predominantly Muslim. The Hindus constituted a minority of the Gujarati speaking community, but the Gujaratis, Hindu or Muslim, bonded easily because of their common language in the flats above the shops. Few non-Gujaratis lived in the central area, and those who did lived somewhat on its fringes in backyards. There were a few non-Gujarati traders who also lived among the Gujarati traders. By night, the only language you heard spoken in Grey Street complex was Gujarati. There were very few non-Gujarati shopkeepers.

Indian traders were essentially confined to the Grey Street complex and by the time the Meers arrived in Durban in 1931-1932, most of these were Gujarati-speaking traders who had come to the country without any capital as passenger Indians.

The ex-indentured Indians had entered commerce as early as 1875. When Aboobaker Amod, the first passenger merchant, arrived in Durban, there were six non-Gujarati shopkeepers; two were Naidoos, one a Panday and three Singhs. By 1880 the ex-indentured traders reached their peak; they held 30 of the 37 retail shop licences issued to Indians in Durban. There were only seven passenger Indian retail traders. By 1885, however, of around 66 Indian stores in Durban, only six were owned by ex-indentured Indians. The decline was rapid and by 1936, there were very few ex-indentured shopkeepers left in Durban.

THE INDIAN MARKET ON VICTORIA STREET

The central Indian business area was dominated by the Juma Masjid and the Victoria Street Market which was spread out on the pavement and road from the very early morning. After market hours the road was opened again to motor traffic.

Many articles in the Indian weeklies of 1934 deal with the new Squatters Market. In a way Durban and I were sad that Victoria Street had lost that wonderful nightly conglomeration of horse carts under which, in the light reflected from the humble lantern, the *Quran* and the *Ramayana* were recited by the farmers who brought their vegetables and fruits at night to be in time for the early morning clientele.

In 1932 the Rawat Bio Hall in Victoria Street was rechristened as the Royal Picture Palace. It continued to remain one of the chief venues for Congress mass meetings which continued to be held at very regular intervals.

Indians suffered great poverty during this decade and the Durban Housing Survey found them to be the poorest of all race groups. Their plight was so bad that a soup kitchen was opened by the community at the Sport Ground in Durban during July 1932 and hundreds were fed daily at this venue.

In 1936, Indian women hawkers were not the only persons without shoes. In fact almost seventy percent of Africans, Indians and Coloureds could not afford to buy shoes with their income.

Although there was no law such as the Group Areas Act in 1936 and no housing schemes had come into existence, I remember how the Indian population of 88,226 was generally spread over greater Durban.

The Urdu-speaking Muslims and the Hindi-speaking Hindus were heavily concentrated in the added areas, particularly in Sydenham, Overport and Mayville, with some in the Riverside area which I believe, also had a fair number of Tamil and Telugu-speaking Indians.

STORY OF ST. AIDAN'S HOSPITAL

I was visiting "MI" in Convent Lane in 1934 and I remember the discussion which took place on the need to train Indian nurses. *Kunwar* Sir Maharaj Singh, the new Agent of India, and *Kunwarani* and Dhanee Bramdaw were also present.

The *Kunwarani* was emphasising that there was not a single training centre for Indian nurses in the whole of South Africa and that unless the numbers increased rapidly at the Mitchell Crescent Girls' High School, the community would face a disaster. There were then under 40 Indian girls receiving high school education in Natal and none at a University.

Today, in 1986, there are approximately 3,000 Indian girls at Durban-Westville alone, constituting 47 per cent of the total enrolment at this one centre. Yes, times have changed on education for Indian girls. There are now, in 1986, one thousand girls who cannot get admission for teacher training and there is now no shortage in respect of training for nursing.

But then the whole question of hospital facilities and health provision has a very humble beginning.

The story of St. Aidan's Hospital is worth recalling. The Reverend BLE Sigamoney reminded us, in *Indian Opinion* of January 18, 1935, that when he was principal of Isipingo Indian School, Miss OM Cole, the St. Aidan Mission's Sunday School teacher, who was a qualified nurse, gave him £50 on condition that he started a hospital with this donation. He wrote:

> "The place at the corner of Leopold and Cross Streets, which was occupied by the late Mr SP Mahomed, became vacant. The house was rented at nine pounds per month.
>
> "Miss Cole agreed to pay one year's rent and gave her services free... Miss Cole managed the hospital single-handed and the visiting doctor was Dr McCord.
>
> "It was in the hospital that a room was found for the *Kunwarani* to sleep in while she was passing through Durban in 1927 as Miss G. Mayadas."

That house was condemned by the health authorities and one of the last acts of the *Kunwarani*, on January 16, 1935, was to lay the foundation stone of the new St. Aidan's Hospital on the site on which it stands today.

The Countess of Clarendon opened the hospital in July 1935. The first patients were admitted on August 1, 1935, and the old hospital in Cross Street closed.

Indian Views of July 26, 1935, reported that the new building cost seven thousand two hundred pounds and that this amount had been fully paid.

The same issue of the *Views* reported on "Durban's new one hundred thousand pound hospital," which was being built at Congella. The paper added that this would be the largest self-contained non-white hospital in South Africa with accommodation for 486 Africans and Indians. This was the King Edward VIII Hospital which was under construction in 1935.

VISIT OF ALL INDIA FOOTBALL TEAM

I remember the sigh of relief which greeted the community in the midst of the "Colonisation *Tamasha*" when the *SS Karanja* steamed into the Durban harbour on Wednesday, May 30, 1934, with the much-awaited All India football team on board, as the guests of the South African Football Association.

It was a great victory for PB Singh who had been in India negotiating for this visit and also doing useful work on the unfortunate South African expatriates, the victims of the Assisted Emigration Scheme of the Cape Town Agreement of 1927.

The match played on Saturday, June 8, 1934, against Natal brought nearly ten thousand spectators together at Curries Fountain to witness what was the historic first match played in South Africa against India. George Singh, who had the year before joined the staff of Sastri College as a BA graduate from Fort Hare and who was now the Sastri sportsmaster, had qualified for a position in the Natal team.

Throughout the stay of the All India team in South Africa, even the "Indian leaders" forgot their differences; instead of abusing each other, they were attending soccer matches.

SIRKARI NAIDOO

The most outstanding educational success recorded in the country in 1934 was that of V Sirkari Naidoo.

I remember MI Meer and Dhanee Bramdaw discussing Sirkari Naidoo's success when they were planning at 137 Grey Street, Durban, to give this achievement wide coverage both in the *Views* and through Reuters.

Indian Views of February 16, 1934, said in its report: "That indigent circumstances are no bar to intellectual progress has been proved beyond doubt by Mr V Sirkari Naidoo, a Durban youth, who has just passed the final BA examination." MI Meer continued with Sirkari's success story in the following words:

> "The son of a poor Indian farmer, Mr Naidoo spent many a weary day under the sweltering heat busy ploughing his father's land.
>
> "His future was dismal with no ray of hope. There was no hope of ever acquiring even primary education. But there is a tide in the affairs of men and before long young Sirkari found himself in school.
>
> "He worked and studied and under the most indigent circumstances he matriculated from Marine College. Thenceforward circumstances were

more favourable for not long afterwards he qualified as a senior Indian teacher and secured a post at the Carlisle Street Government school.

"Simultaneously with his appointment, he commenced studying for the BA degree which he successfully passed last month. As a teacher the Department of Education soon realised his abilities, and a little over a year ago promoted him to Sastri College.

"Besides taking the final BA examination, Mr Naidoo took the T1 also at the same time and passed in six courses. He has also been credited with the first year B.Sc. He intends to take both the Ll.B. and the M.Sc.

"It is gratifying to note that Sirkari Naidoo is assisting a number of poor boys by coaching them for the university examinations. Mr Naidoo is still a youth and his noble example should serve as a stimulus to other young men."

This brilliant man served Sastri College and later became one of our first black researchers at the University College of Natal.

He died at a very young age but his work and contribution will live for all time.

PETTY RACE PREJUDICES

In 1934 the world was beginning to take note of the dangers which fascism posed but the world was largely immune to what was happening in South Africa where the blacks were being increasingly oppressed through the old colour bar laws, and new racist laws which were being added at every session of the all-white Parliament.

Even anti-Semitic sentiments were most fashionable in high places in the Nationalist Party of Hertzog and the purified Nationalist Party of Dr Malan.

The "*Kaffir,*" "*Hot' Not*" or "*Coolie*" was being "too big for his boots," if he was seen with a briefcase and was likely to be accosted in certain white areas such as those adjoining Vrededorp in Johannesburg.

In April 1934, a Ladysmith white magistrate convicted an African woman in the District Criminal Court for wearing trousers. Reporting this incident in the *Opinion* of April 13, 1934, the paper's columnist pointed out that many white women were doing so on the Durban beach and it was wrong to assume that the African woman concerned was "impersonating the opposite sex." But that was the South Africa of 1934.

VISIT OF PRINCE GEORGE

In the year 1934, Prince George of Britain arrived in South Africa. And the personality clash reached a new height of folly as the NIC and CBSIA leaders vied with each other to honour him on behalf of the Indian people.

"His Royal Highness was heartily welcomed" by the *Opinion* and the *Views*.

In its issue of March 9, 1934, the *Opinion* records: "Among those who were presented to the Prince on behalf of the Indian community on his arrival at the Durban Town Hall were Messrs JW Godfrey, BM Paruk, AI Kajee, Sorabjee Rustomjee, Bhailal M Patel, TM Naicker, VSC Pather, Swami Bhawani Dayal and Advocate Albert Christopher, who was the only person drawn from the Colonial Borns, the rest were from the Congress and the Teachers' Society."

Indian Opinion wrote numerous editorials on Prince George's visit, attacking the Congress for wanting to monopolise the Prince "to regain the waning influence of the Congress by showing the outside world that the Congress is so influential as to have the honour of dining with the Prince and presently also with H.E. the Governor-General."

The *Opinion* added that in this the Congress had the "support of the great influence of the Agent of the Government of India - which in our humble opinion is misused."

The British Royal visit presented a very sorry spectacle of our community and the clash of personalities was most embarrassing. No one in the Indian community spoke out against British imperialism.

I found it difficult to understand the welcome given to Prince George by the SAIC which was also preparing an illuminated address for presentation to King George V on the occasion of his Silver Jubilee on May 6, 1935.

Hajee Cassim Adam, the first Indian in South Africa on whom the title of Khan Bahadur was conferred by Lord Willingdon, Viceroy of India, presented this address to the King in London. The Khan Bahadur, a Pretoria merchant, was then vice-president of the SAIC.

While the SAIC was busy paying tribute to King George V, the Durban-based paper *Umsebenzi* (The Worker) published an article attacking King George and as a result Edward Roux and Josiah Ngedhlane were convicted of *Laesae Majestatis* and sentenced to four months' imprisonment. This conviction and sentence were, however, set aside on appeal.

The Afrikaner nationalists, who were totally against the politics of Roux and Ngedhlane, were in sympathy with the *Umsebenzi*'s views on the British King Emperor. And generally speaking the majority of Indian South Africans were no supporters of the British Royal family.

FIFTEENTH SAIC CONFERENCE, 1935

In February 1935 when the SAIC met in Conference at its fifteenth session in Durban at the Royal Picture Palace, *Kunwar* Sir Maharaj Singh was elected president. This was a fitting tribute to the *Kunwar* who was now following in the footsteps of Sarojini Naidu who had held the same post in the SAIC ten years previously.

VSC Pather was elected deputy president with AI Kajee and SR Naidoo as joint secretaries and BM Patel and SM Paruk as joint treasurers.[2] Once again the strong man Sorab had refused to run for office whilst retaining a hold over Congress, and Kajee continued to strengthen his position.

The *Kunwar* and the *Kunwarani* left with much goodwill from the community.

SYED RAZA ALI, FOURTH AGENT OF INDIA

Syed Raza Ali, the fourth Agent of India in South Africa, was welcomed at a public reception by the Congress at the Town Hall of Durban on February 14, 1935.

The Syed Saheb, who became a knight of the British Empire after his arrival in this country, was no stranger to South Africa. In 1925 he had come as part of the Paddison delegation which paved the way for the holding of the first Round Table Conference.

He had studied at Aligarh College and at the University of Allahabad where he obtained his B.A., LL.B. degrees and thereafter he had practised at the bar at the High Court of Allahabad.

He had taken part in the *Swaraj* and *Khilafat* movements but had opposed non-co-operation. He presided at the All-India Muslim League conference in Bombay in 1924 and was a member of India's delegation to the League of Nations in 1929.

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[2] The *Kunwar*, soon after his arrival in India, thanked the SAIC for electing him president but declined to accept the post, and hence VSC Pather continued to head the Congress.

I remember him as a genial person who appealed for unity between the Congress and the Colonial Borns when he spoke at his welcome reception. It was impossible to predict then that this diplomat from India would marry a South African Indian, Miss Sammy of Kimberley, and that that would create a political storm within the Indian Congress in South Africa. But to that we will return later.

Sir Syed, with his Aligarh background and his interest in Urdu literature, naturally became a person to whom people with similar interest were drawn.

The stage was hence set for the holding of the first *Mushaera* in Durban at the Pine Street *Madressa* and Sir Syed took the chair at this function at the instance of the convenors.

KEEP *"COOLIES"* AND *"KAFFIRS"* IN THEIR PLACE

Tielman Roos, the "Lion of the North" who had resigned from the highest Appeal Court in the country, was declaring in the Town Hall of Ermelo on March 17, 1935, that "*Coolies*" and "*Kaffirs*" must be kept in their place. He was opposed to whites buying from "*Coolie* shops" and he objected to whites working on the roads over which "*kaffirs*" drove luxurious motor cars. This, according to Roos, brought the whites into contempt.

While the "Lion of the North" failed to become Prime Minister, his attacks on the "*Coolies*" and the "*Kaffirs*" found a very large measure of support among the white racists of South Africa.

Prime Minister General Hertzog, answering a question in Parliament by CR Swart, admitted that in the Free State Congress of the Nationalists he had said that "Natives as a general rule lacked the instinctive feeling requisite in handling of dangerous machines, and that accordingly in my opinion legislation would be necessary to place the driving of motor vehicles under proper control so as to prevent native drivers becoming a source of danger to the community."

In the Transvaal Provincial Council in May 1935 the United Party and the Nationalists united to end employment of white women in Indian stores. The motion was moved by DJ Naude (Malanite, PP Rust) and seconded by Mrs C. Badenhorst (United Party, Vrededorp).

This was essentially a psychological battle against the inferiority complex suffered by the white rulers who felt insecure at so many different levels.

They had to "kill their fear" of the Indian, African and the Coloured who carried a briefcase or drove a motor car, for in both these acts the insecure white considered himself challenged and threatened in his domination of the blacks.

Shortly after his speech at Ermelo, Tielman Roos died and at the funeral of this saviour of the whites there was an attendance of 50,000 white South Africans.

LOSKOP KILLER STRIKES AGAIN

Fear swept through the country shops throughout Natal in 1929, while we were still at Waschbank, when the shopkeeper Suleman Ismail Kharwa was murdered by the "Loskop killer," who had remained at large and had claimed the lives of four more Indian shopkeepers on his list of death.

In 1935 on November 4, the "Loskop killer" struck again but his victim, shopkeeper Ahmed Sulemanjee Patel of Tabamhlope, survived although badly injured. It was the killer's sixth year of terror and yet the Government was refusing to grant Indians firearm licences even for the purpose of protecting themselves.

SOME INDIAN LEADERS ACCEPT "VOLUNTARY" SEGREGATION

I remember the publication in 1935 of the Feetham Commission Report in four separate parts, the gist of which was that the 202 acres of land which Indians had occupied on May 1, 1930, be exempted from the operation of the Transvaal laws. The Commission's recommendation to give Indians the right to occupy and own land in these demarcated ghettos was embodied in the Asiatic Land Tenure Amendment Bill. The ground was carefully being prepared to impose further statutory segregation on the Indian community with the implementation of the recommendations of the Feetham Commission Report.

This Bill was sent to a Select Committee and there the SAIC, much to our surprise, submitted a memorandum in conflict with its boycott of the Feetham Commission.

But even more surprising was the evidence given before the Select Committee by Sir Syed Raza Ali. He accepted the principle of voluntary segregation, departing from the stand of both the Congress and the Government of India. He was severely criticised by the *Views* and the *Opinion* but the rot had set in.

AI Kajee and SM Nana followed in Raza's footsteps on the question of employment by Indians of white women and this line of thinking led later to the Pretoria Agreement.

It was the existence of a weak leadership in South Africa which made possible the shocking public acceptance of voluntary segregation by Sir Syed Raza Ali.

I remember the agitation during May 1935 in the Transvaal Provincial Council where DJ Naude (Malanite P.P. Rust) moved that the Government be requested to prohibit white girls working for Asians or Coloured persons. (Obviously in 1935 no white girls were in the employ of any Africans).

Naude agreed that in some cases the white girls were paid well by their Asian employers, but he insisted that the practice should be stopped for the sake of the future generation.

This agitation continued for some time and following in the footsteps of Sir Syed the conservative Congress leadership was eventually to suggest that no law should be introduced but they would get the Indian employers voluntarily to dismiss all their white women employees.

Whilst this type of political thinking was taking us away from our struggle for full citizenship rights, I remember the publication of the details of the Hertzog Bills which became law in 1936.

In *Indian Opinion* of May 24, 1935, Dr Edgar Brookes outlined what was in store for the African population, both in respect of land rights and parliamentary representation.

The so-called Representation of Natives Bill was to abolish the common roll and instead create a communal roll under which Africans would be represented by a few whites in the House of Assembly, the Senate and the Cape Provincial Council.

Was this the first case of communal franchise on a separate roll in South Africa? In 1946 the entire Indian community rejected such an offer to them under the Asiatic Land Tenure and Indian Representation Act. But in 1935 no such clear opposition was coming from the African people who elected under this measure people such as Margaret Ballinger, Sam Kahn, Edgar Brookes, Fred Carneson and others as their representatives to Parliament and the Cape Provincial Council. And in the Native Representative Council created under this law prominent Congress leaders took part, including Albert John Luthuli, until its manifest "toy telephone" characteristic became better known.

Sir Syed Raza Ali's statement approving voluntary segregation, the Hertzog Bills and the African attitude to them were most disturbing and I remember how these matters were occupying our minds.

KAJEE'S ASSURANCE TO HERTZOG'S SELECT COMMITTEE ON ASIATIC BILLS

Whilst giving evidence before the Select Committee, Kajee, on behalf of the SAIC, said that "in order to avoid the application of legislative compulsion, we are willing to secure, by voluntary action, the cessation of all employment of the kind to which exception has specially been taken." He explained:

> "Personally, I would go so far as to say that we, as Indians, would consider a proposal to dismiss our European female employees, but we do not want to be insulted by having this legislation inflicted upon us. We would rather do it voluntarily."

There was an uproar in the community at this assurance and the CBSIA organised public protest meetings at Kajee's assurance.

General Hertzog, on the other hand, announced that the Government "has decided to accept the undertaking of the South African Indian Congress to the Select Committee" and therefore the Asiatic Bills were being dropped.

The tremendous work done by Kajee, Nana and Ahmed Ismail on this issue and on the Feetham Commission had now made them the unchallenged leaders of the Congress in Natal, the Transvaal and the Cape.

V Lawrence and JW Godfrey were now drawing nearer to Kajee. Swami Bhawani Dayal was busy arranging the marriage of his niece to Maganlal, a leading member of Kajee's staff and he too came to be identified as a "Kajee man."

I remember these realignments, as I do the joining of "Kajee's Congress" by Cassim Anglia who had led the Federation for years and had been in total opposition to the Congress.

In Durban the CBSIA called a meeting at the Victoria Picture Palace to protest against the "Kajee assurance." I remember how this meeting was invaded by Kajee supporters and there was chaos. The chairman, Advocate Albert Christopher, had to declare the rowdy meeting closed.

Outside the cinema in Victoria Street, I remember over six hundred people assembling and being addressed by Anglia in support of Kajee.

NATIONAL LIBERATION LEAGUE, FORERUNNER OF NON-EUROPEAN UNITED FRONT

Before Sir Syed Raza Ali and AI Kajee gave evidence on the Anti-Asiatic Bills which had been referred to the Select Committee, I remember reading in the Press, for the first time, of the existence of the National Liberation League in Cape Town headed by Dr Abdurahman's daughter, Cissie Gool.

The League held a mass meeting in the Mother City attended by over two thousand Coloureds, Indians and Africans, and a sprinkling of whites, to protest against the racist measures before Parliament. It was addressed by AI Kajee, SM Nana, Dr Goolam Gool, MA Gamiet and others. It heard Mrs Gool say that there was nothing wrong with mixed marriages. The meeting received wide publicity and was ushering in the Non-European United Front which was to follow in a few years time.

SIR SYED SUPPORTS SEGREGATION

I remember the community's shock reaction to the statement by Sir Syed Raza Ali at the opening of the Indian ward at the Benoni-Boksburg Hospital when he virtually spelt out the provisions of the subsequent hateful Pretoria Agreement. He was reported as saying that "so far as residential areas are concerned, if there are any very strong feelings that Indians should not live next to the Europeans, that feeling should be respected." The Syed Saheb was going even further than the voluntary segregation he had advocated. He also supported separation of Indians from Africans.

Indian Views, in its editorial of November 1, 1935, took Sir Syed to task. MI Meer pointed out that segregation was totally unacceptable to Indians who were fully in support of the African opposition to it.

“Our friendship with Africans is well known, and we desire to strengthen that friendship by all means in our power," said the *Views* and added:

> "In their struggle against the Government policy of depriving them of franchise rights and curtailing their freedom, they have our sympathy and support.
>
> "Segregation in any shape or form... is hateful and wrong and we would not seek to better our position by advocating a policy of separation from the Africans."

I remember the further controversy created by Sir Syed when he addressed a meeting at Newcastle in December 1935 and said that as far as he was concerned he did not find the term "*coolie*" objectionable.

Perhaps Sir Syed was misunderstood in what he said but this statement of his gave the CBSIA an opportunity to call a public meeting condemning India's Agent.

The protest meeting served one other useful purpose. It also passed a resolution condemning the staff room segregation at Sastri College where the white and Indian staff members were provided with separate common rooms on purely racial basis.

In 1935, the first student from a Meer home in Durban to attend Sastri College was Chota (MM) Motala who had come from Dundee and was residing with MI at Convent Lane. The following year Mahomed Meer and I enrolled at Sastri.

Now with our direct contact with Sastri College we were able to get student reactions on such matters as the segregated staff rooms at Sastri, as well as an insight into how teachers such as George Singh and others functioned.

VIBRANT COMMUNITY LIFE: YOUTH GROUPS

Despite continuous attacks on Indian South Africans by the Central, Municipal and Provincial Governments, the community remained vibrant, and contributed richly to the culture and education of Indian South Africans. In Durban, the Gandhi Library and Rustomjee Hall were pivotal platforms for such activity.

I remember many historic gatherings in that hall including the one in 1935 when the guest of honour was George Bernard Shaw who proposed mixed marriages as a typical Shavian solution.

At the 1935 Conference of the Natal Indian Teachers' Society the president, GV Naidoo, deprecated the salary earned by Indian teachers. VK Naidoo moved for a higher salary than £15 per month which the graduates were then getting. The resolution was unanimously passed.

Emerging trade unions and numerous religious bodies were in existence in 1935 and they worked in harmony with each other.

The Hindu Young Men's Association (HYMA), founded by Bhai Parmanand in 1905, when this leading Arya Samajist visited South Africa, was a leading body in which RK Naidoo and TM Naicker played active roles. The HYMA formed a branch at Pietermaritzburg in 1908.

There were a number of youth organisations among Muslims. In 1935 the Muslim Institute came into existence and operated from premises in Queen Street in Durban.

I remember reading in the press that Dr GM Naicker, the new young medical practitioner in Durban, had been elected president of the Hindu Youth Club of

Durban. In *Indian Opinion* of November 15, 1935, there appears a short article on the youth bazaar he had organised. "Part of the proceeds of this bazaar will be donated to the Natal Indian Schools Soup-Kitchen Fund," said the *Opinion*, recording the first public activity of Monty Naicker, an activity far removed from what was to follow for more than three decades thereafter, and yet reflecting his concern about poverty which never changed.

Besides education and sports, religious matters dominated the life of the community which was politically engaged in trying to overcome the greed of the dominating white ruling group.

INDIAN RECEPTION TO LUTHULI IN 1935

In 1935 I first heard of Albert John Luthuli, who was then a teacher and a leader of African teachers.

The African (Native) Teachers' Association had held its 17th annual conference at Dundee and at this conference AJ Luthuli took an active part.

In *Indian Views* of July 26, 1935, a report was published of a reception by Nathoo V Morar at the Dundee Theatre Supper Room on July 4, 1935. The Supper Room was packed to capacity and Luthuli spoke thanking Mr Morar "for the excellent reception." He expressed the hope for a continued good relationship between Indians and Africans. Another speaker was BW Vilakazi who expressed pleasure at seeing all races together at the function.

UNIVERSITY OF NATAL STARTS CLASSES AT SASTRI COLLEGE

Long before the Nationalists came to power, the universities of Cape Town, Witwatersrand and Natal had closed their doors completely to all African, Indian and Coloured students, and in the Cape Town Agreement of 1926, Fort Hare was the only institution mentioned where Indians could educationally "uplift" themselves.

Indian Views of December 6, 1935, reported that the Natal University College (now called the University of Natal) had decided, as an experiment, to offer "university classes for non-Europeans" from 1936 and that Sastri would be the venue for the classes. This magnanimous all-white college proposed "to offer not more than five courses, namely English, Geography, Zulu, Botany or History and Economics" to non-Europeans.

The establishment of these classes was conditional on sufficient number of applications being received. Intending students were asked to write to the General Adviser (Mrs Mabel Palmer), Non-European Students, P.O. Box 1525, Durban.

In May 1936, the University College began its only classes for "Non-European Students" - segregated part-time lecturing - at Sastri College. These classes were conducted on Fridays and Saturdays by five lecturers under Mrs Mabel Palmer. Twenty-four students who had enrolled consisted of 14 Indian males, 8 African males, one Coloured male and one Indian woman, Gertrude Lazarus, daughter of Jesudason Lazarus of Northern Natal.

SOME EVENTS OF 1936

In 1936 the University of South Africa conferred the degree of Doctor of Philosophy *honoris causa* on the Reverend John Dube, the founder-editor of *Ilanga Lase Natal*, the first president of the ANC and the principal of the Ohlange Institute, adjoining the Gandhi settlement at Phoenix.

The Indian community rejoiced with the African community and the rest of South Africa at this well-deserved honour on which both the *Views* and the *Opinion* made favourable comments.

We rejoiced once more when, in 1936, Dr Abdullah Abdurahman was re-elected to the Cape Provincial Council defeating his European opponent, Mrs E Groves, in the constituency of Woodstock. Dr Abdurahman polled 1,830 votes and Mrs Groves 684.

1936 was the year in which in the midst of confusion the Indian trade unions were playing a positive role organising all workers in Durban.

It was hence natural that HA Naidoo, the most articulate trade unionist, was commissioned by *Indian Views* to write on "The Indian and His Future in South Africa." His two analytical articles which appeared in *Indian Views* of November 13 and 20, 1936, remain until this day a very valuable contribution on our community and its position in the 1930s.

In 1936 AI Meer was not actively connected with the NIC. He was writing interesting protest poetry and was a keen student of Islam and the politics of India. AI Meer's early writings deal with Kemal Ataturk and with the independence movement in India. Besides being connected with *Indian Views* in management and other capacities, he had opened his own printing press, the

Express Printing Press, where the Ajmeri Arcade is at present and virtually next door to the *Views* press.

I remember how in 1936 the first Muslim girl enrolled at the Mitchell Crescent High School for Girls in Durban. The breakthrough came when one morning Amina Butler alighted from a covered rickshaw and entered the High School in Carlisle Street.

The position in the Cape was different. Dr Abdurahman's daughter Waradia had already qualified as a medical practitioner in 1927 and his other daughter, later to be known as Mrs Z (Cissie) Gool, was getting the best of education, eventually obtaining her M.A. and LL.B. degrees.

And in the Transvaal too the young Khatija Nagdee was busy with her matric and was later to qualify at Witwatersrand University as its first Indian woman doctor when she was in her early twenties.

INDIANS OPPOSE SEGREGATED HOUSING

In 1936 the Durban City Council announced a scheme for the forceful removal of Indians from the "slums of Riverside and Mayville" and to house them in housing schemes to be created at Springfield and Cato Manor.

AI Kajee of the NIC strongly opposed the Council's move to create such segregated housing and pointed out how the municipality had neglected Indian needs in housing for decades. Kajee's condemnation of the Durban Corporation resulted in Councillor JM Harris saying that the Durban Municipality was "giving the Indians palaces compared to what they were accustomed to" and his remarks received the editorial approval of the *Natal Advertiser* (now *Daily News).*

The poor sub-economic houses proposed at Springfield and Cato Manor were no "palaces for human beings." MI Meer pointed out in *Indian Views* that Springfield and Cato Manor had been "chosen by the Council in accordance with its policy of segregation," and added:

> "We have always protested, on behalf of the Indian community, against any form of segregation.
>
> "We still protest, and we repeat that the segregation of the race is not in the best interest of the population as a whole, and it is unjust to those who are compelled to reside in the segregated areas."

Indian Views also pointed out that the "Natal Indian Congress has quite rightly stated that two pounds six shillings and one penny per month as rental was too

high for Indians, seeing their earnings were only three to four pounds per month." Dealing with rentals in housing schemes, the *Views* described how our people were ruthlessly exploited as unskilled workers.

The Durban municipality had failed to provide any housing for Indians until 1935 when it graduated from a town to a city. The Finance Committee of the Council then announced its decision, later abandoned, to build forty units of two rooms in Shepstone Street at the Point, at a rental of £1-6-4.

In Durban in 1936, there were no residential or trading areas set aside by law on racial grounds for Indian ownership and occupation. Chatsworth and Phoenix housing schemes or "scheming houses" had not come into existence but in trade the Licensing Ordinance was used to prohibit Indians trading in West Street and in other such areas. Segregation was, however, very much in the air. When the township of Durban North was created, Indians were excluded. Here the Township Ordinance was being utilised to introduce anti-Indian measures.

The so-called anti-Asiatic clauses inserted in the title deeds prevented Asians becoming owners of any of the residential sites sold by the white township developers of Durban North. And the developers sold exclusively to the whites.

There was a high concentration of Indian workers in the barracks provided by big employers. The largest was Magazine Barracks accommodating municipal workers. Most of these workers were Tamil and Telugu speaking South Indians.

The worst housing conditions in Durban were undoubtedly those obtaining at the Magazine Barracks. The housing was condemned by the health authorities in the nineteen thirties. But the municipality and the railways escaped the harsh effects of the Slums Act under which the authorities continued to demolish privately owned Indian homes causing tremendous bitterness in the community.

The vast majority of Indian workers lived outside the municipal boundary in the peri-urban areas in self-built wood and iron houses without adequate sanitation.

The Durban boundary was extended in 1931. There were then 17,860 Indians in the old borough of Durban against 59,250 Europeans, and 43,750 Africans. There was a very small Coloured population. The Durban population expanded by 96,000 when the Durban boundary incorporated the new borough; Indians constituted 51,000 of this population.

Appearing before the Borough Boundary Extension Commission, AI Kajee pointed out on behalf of the NIC that the Added Areas had brought into the City of Durban 51,000 Indians and only 23,000 more whites. For the 23,000 new white burgers six new white councillors had been appointed but Indians remained completely voteless.

Pointing out that Indians formed one-third of Durban's population, Kajee said that they contributed considerably to the municipal coffers as municipal taxpayers, and reminded the committee: "No taxation without representation is a principle justified both by history and ethics. We ask therefore that Indians should be given the municipal vote."

Indians were deprived by the Provincial Government of any exemption in respect of personal tax. Whereas whites and Coloureds earning less than seven shillings and six pence per day were exempt from personal tax, Indians were not. The Congress memorandum on this issue appeared in *Indian Views* of May 24, 1935.

Besides the Provincial harassment on personal tax, the Pietermaritzburg municipality introduced a by-law prohibiting hawkers in the City and thus in 1935 many poor Indians making a living by hawking suffered. Once again the ever-vigilant NIC was in the forefront of their struggle.

I remember filling in the census form in 1936, when the great count was taken. It showed that Indian South Africans, numbering 219,691, constituted 2.3 per cent of the total population of over nine million in the country.

Durban was the largest of the six towns and cities which had an Indian population exceeding two thousand in number, and Durban's Indian total was 88,226, followed by Johannesburg 10,109; Pietermaritzburg 9,088; Cape Town 3,740; Pretoria 2,980; and Port Elizabeth 2,459.

The Durban population of 88,226 included the added areas which had tremendously swelled our numbers, making Indians second to the whites numbering 95,003, with 68,698 Africans and 7,649 Coloureds.

There was a large, very dense concentration in the old borough and a larger concentration in the added areas. Living conditions were worse in these areas – Merebank, Clairwood, Cato Manor, Overport, Springfield, Sydenham, Greenwood Park etc., since they were not provided with adequate sanitation or roads. Most houses in these areas were wood and iron, built by the owners.

FURORE OVER AGENT-GENERAL'S MIXED MARRIAGE

In January 1936, Sir Syed Raza Ali, 53, Agent-General of the Government of India, married Miss Poonnoo V Sammy, 46, daughter of the late V Sammy, a merchant in Kimberley.

"One of the most dramatic weddings in the history of South Africa took place at the Johannesburg Carlton Hotel on Saturday morning," said the despatch from the

Africopa News Service to the newly-founded *Sunday Tribune* of Durban on January 19, 1936.

> "The bride, tall and of a distinguished appearance, was dressed in Indian fashion in a cloth of gold sari, while the bridegroom was in morning dress in the European manner and wearing a gardenia in his buttonhole.
>
> "Sir Raza Ali is a Muslim and his bride a Tamil and of Hindu faith. Therein was the drama, for as soon as the betrothal was announced only a few days ago, an agitation was started among the Indian people of the Union in opposition to the marriage."

Major Maynard Page, Chief Magistrate of Johannesburg, performed the ceremony. Sir Ernest Oppenheimer, M.P., who was accompanied by Lady Oppenheimer, gave the bride away.

Only about a score of relatives and friends were present and they had arranged "a charming scheme of floral decoration, the centre-piece of which was an enormous basket of dahlias, delphiniums, agapanthus and chrysanthemums."

Sir Ernest Oppenheimer, who proposed the toast to the bride and bridegroom, said that he had known the bride for many years and wished the couple many happy years.

The Agent-General and Lady Ali were the guests of Sir Ernest and Lady Oppenheimer at Brenthurst on Saturday evening and left the next day for Cape Town "where they will remain for the duration of the Parliamentary session," said the *Tribune.*

In an interview with *Tribune's* sister paper, the *Sunday Express* of the same date, Lady Ali said: "I first met my husband in May last year... Gradually we fell in love. What else is there for us to do but marry." "My married life is my own personal affair," said the Agent-General.

A sequel to the Agent-General's marriage was the resignation from the SAIC of VSC Pather, JW Godfrey, SR Naidoo and BM Patel, President, Vice-President, Joint Secretary and Treasurer, respectively, and three executive committee members, namely, Ashwin Choudree, V Lawrence and Sorabjee Rustomjee.

In a joint statement these seven top men of Congress explained that they had asked the Agent not to go on with the marriage, and it was not possible for them to co-operate with him. Their lengthy statement which appeared in full in the dailies and weeklies gave their reasons:

> "To the Eastern mind, having regard to its traditional and religious character, such matrimonial alliances are undesirable... This precedent

> may lead to considerable communal difficulties and will be regarded as an affront to the susceptibilities of the Hindu community."

Explaining that no other course was left open to them they added:

> "No one regrets this step more deeply than we do, because of our life-long association with the Congress, but this step seems imperative if we desire to continue to preserve unity in the whole of the South African Indian community."

The Arya Pratinidhi Sabha, under the chairmanship of RK Kapitan, held a public meeting protesting against Sir Syed's marriage and when the NIC met the following resigned from the organisation: BA Maghrajh, MB Naik, TN Bhoola, HA Thaker, SJ Randeria, VMM Achary, Satya Deva, VN Thumbadoo, P Daya, PH Dhupelia, Luchman Panday, A Sookdeo, RK Kapitan and KS Mistry.

Manilal Gandhi, in an editorial in *Indian Opinion*, condemned these resignations and the agitation arising from the marriage between Sir Syed and Miss Sammy. "This is not a case of abduction of an innocent woman who was forcibly being converted to another faith" said the *Opinion*. "We entirely fail to see what any amount of agitation is going to help anybody excepting just to increase the communal tension," added the *Opinion*.

Indian Opinion, however, stated that it would have been desirable if Sir Syed had refrained from entering into such a marriage, which it considered to be an act of indiscretion.

When we remember our history in the making, we must at all cost avoid the temptation of sweeping historical facts away under the carpet. It is our duty to emphasise that our community fifty years ago was a mature community and the resignations and protests did not lead to any "increase in communal tension."

MI Meer, in his editorial in *Indian Views* of January 24, 1936, said:

> "When two persons of mature years and understanding agree to marry it is a matter that concerns them alone. Under no circumstances are they under any obligation to consult the public.
>
> "We are therefore unable to appreciate the outburst of angry protests from the Arya Pratinidhi Sabha and the backing given these protests by prominent officials of the South African Indian Congress."

Pointing out that interfaith marriages had taken place before in South Africa without any such reactions, the *Views* quoted the case of "the most prominent

Congress leader of that time, Mr Albert Christopher" who, after his marriage, was elected President of the SAIC.[3]

Indian Opinion gave prominence to editorial comments from India in its issue of March 13, 1936, under the heading, "Congress Leaders' Action Denounced in India."

Bombay Sentinel said:

> "We cannot sufficiently strongly condemn the resignation of the office-bearers of the South African Indian Congress, as a protest against the marriage of Sir Syed Raza Ali with a Hindu lady.
>
> "There ought to be some sense of proportion in such matters and to say that the Agent's action has culminated in a crisis of national importance is not only ridiculous but idiotic...
>
> "The South African Indian Congress is not a branch of the Hindu Maha Sabha or a Sanatanist organisation. It is a purely political body, and as such it has nothing to do with the marriage of the Indian Agent."

Bombay Chronicle quoted Manilal Gandhi's editorial with approval and said that the statement issued by JW Godfrey on the resignations "is a study in senselessness." It added: "What sense there is in deserting the Indian Congress which has nothing to do with the bride or bridegroom it is impossible to discover."

And from Japan, Raja Mahendra Pratap, of the Servants of Mankind, who regularly contributed to the South African Indian weeklies, expressed surprise at the attitude of "my friend" Swami Bhawani Dayal. He said that he had no hesitation in congratulating the wedded couple and added: "We need more and more matrimonial ties among Musalmans and Hindus. Such relationships can make them one people."

In the midst of this controversy, the Cape Indian Congress found no difficulty in passing a resolution in support of Sir Syed and Lady Ali. Its Ahmed Ismail and SM Nana of the TIC continued to work with Natal's AI Kajee.

In the absence of the "Kings and King-makers" in the Congress, Kajee indeed became the *Sha-Yen-Sha*, the emperor, thus acquiring undisputed leadership of the Congress.

In its editorial criticising resignations from Congress, Manilal Gandhi had said: "This incident should be completely forgotten and the attention of our leaders

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[3] Albert Christopher, a Christian, married Miss Gadija Gool, a Muslim.

concentrated on more important problems." But "our leaders" failed to concentrate on important problems facing the world and South Africa.

BID FOR "RACE PURITY"

In the midst of the furore over the Raza Ali "mixed marriage," FJ Roberts (M.P. for Vrededorp) introduced in March 1936 the Prohibition of Mixed Marriages Bill in Parliament, seeking to make marriages between Europeans and non-Europeans unlawful in all parts of South Africa.

In the same month Jan Grobler (M.P. for Brits) tabled the notice of a motion calling for the appointment of a Select Committee to enquire into and report on the extent to which the prohibition of ownership of land by Asiatics in the Transvaal was being evaded by means of marriages between Europeans and Asiatics and, secondly, to enquire to what extent European girls were employed by Asiatics and what steps if any should be taken to prohibit such employment.

Explaining his "notice of motion," Jan Grobler emphasised that the Transvaal Congress of the United Party had unanimously decided to press for measures that would prevent mixed marriages between Europeans and Indians, and added:

> "I believe that the employment of European girls by Asiatics is a powerful factor in causing mixed marriages... It is clear that the great majority of these mixed marriages are contracted so that the Asiatics can buy land in the name of their European wives."

Grobler wanted to end "the possibility of Indians becoming the virtual owners of land in the Transvaal."[4] *Indian Views* published his views in its issue of March 20, 1936, under the heading "A Gracious Insult," and condemned any move to prohibit mixed marriages, as such prohibition was a denial of personal and religious freedoms.

Manilal Gandhi, in an editorial in *Indian Opinion* of April 17, 1936, said:

> "If it is merely a question of mixed marriages, that indeed could be settled without Mr Grobler trying to interfere with the inherent right of every human being of employing whomsoever he likes and of owning land which is the creation of God and is therefore a monopoly of no one."

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[4] According to the Report of the Mixed Marriages Commission (1939), only seven Asian males married white women and one European male married an Asian female in 1936. The country's total number of mixed marriages was 67.

After pointing out that "we are not in favour of mixed marriages," and that "Indians are just as anxious to preserve the purity of their own race," *Indian Opinion* concluded its editorial in the following words:

> "Indians are always ready to support any healthy legislation and we can assure Mr Grobler and his friends that if legislation to prohibit mixed marriages between Indians and Europeans or even Indians and Natives is passed it will not be opposed by Indians.
>
> "As we have pointed out above they have so far been able to preserve their race purity even in the absence of any restrictive legislation, but even so, such legislation will be welcomed as a blessing, for Indians are not at all desirous of having in their midst a mixed breed as there exists among the ruling race."

I remember how these words of the *Opinion* were received with shock and dismay. Our community did not welcome the law when it was eventually passed but opposed it and in 1986 when it was repealed, even the Afrikaner Churches and spokesmen declared this law to be in conflict with their religious beliefs. The views of the *Opinion* in 1936 found no public support in the Indian community, then or subsequently.

Attacking the editor of *Indian Opinion*, *Indian Views* said:

> "We make bold to say that with the solitary exception of his own unnatural and un-Indian waywardness in the matter there is not a single Indian in South Africa perverse enough to rejoice over the insult sought to be heaped upon his race by the Bill."

The SAIC and the CBSIA condemned the measure in the strongest terms, calling the Bill a stigma on the community.

There were public meetings against this law and typical of these was the mass meeting of the Colonial Borns held at Pietermaritzburg which unanimously passed a resolution, moved by BR Naidoo and seconded by RP Naidoo, protesting against "the principles of the Mixed Marriages Bill in that it inflicts a stigma of inferiority on Indians."

Even JH Hofmeyr, who was then the Minister of Mines and Education, opposed the Bill in Parliament and said that "by passing this Bill we are touching the pride of the whole Indian nation... Should we inflict this stigma on the great Indian nation...?"

Mr Derbyshire joined Mr Hofmeyr in this condemnation and told the House of Assembly "that the Bill was an insult to the three hundred and sixty million

people of India and was a direct provocation to that country," adding that no other country had passed similar legislation.

Leaders in India as well as the Press spoke with one voice in outright condemnation of this racist measure but notwithstanding all this opposition *Indian Opinion* persisted in extolling the measure, adding:

> "From the high moral point of view the Bill is to be welcomed for the ultimate result of it will be to save the Asiatic and the Native, who, we have no doubt, is, and must be proud of his race, from degradation."

MI Meer commented in *Indian Views*:

> "If we may venture upon a word of well-meant advice to the *Opinion* we would say that the sooner it desists from trying to justify its blunder over the Mixed Marriages Bill the better.
>
> "It is admittedly human to err, but to persist in one's error after it has been exposed for one by one's betters, is as admittedly a sign of moral perversity."

Whilst there was speculation that Hofmeyr would resign from the cabinet on this blatantly racial measure, the *Opinion* came back attacking those who said that the Bill was a stigma upon the Indian community.

> "If it is a stigma upon our community, is it not as much a stigma upon the European community?
>
> "Would Asiatics, as a race, be proud to see a sister of theirs taken away by an European? Similarly, how can we expect Europeans, as a race, to feel proud to see one of their sisters taken away by an Indian?"

When *Indian Opinion* was talking of "preserving race purity," Miss Hawa H Ahmed had already "creatively erupted" in the columns of *Indian Views* and now she retorted in her lengthy weekly series with these words on "Race Purity: A Cant":

> "Let those who prattle ignorantly of ‘race purity’ and the ‘evils’ of race-admixture know that the only people who could afford to boast of their ‘race-purity’ in these days are perhaps the Australian aborigines, the Icelanders and those people wrongly referred to as the Bushmen of South Africa."

In her fifth full page article in which she dissected the people of India, she pointed out that the "pure Indian race" had the blood in its veins of negroid Australian, Bhil, Gond, Dravidian, Aryan, Persian, Hun, Greek, Levantine, Assyrian,

Babylonian, Russian, Arab, Afghan, Turk and numerous so-called Europeans. "So much for the cant of race purity in as far as it concerns India and the Indian people."

HAWA H AHMED: THE MYSTERIOUS COLUMNIST

The mysterious Hawa H Ahmed, the thought-provoking columnist in *Indian Views* whose identity was kept a well guarded secret by MI Meer created a great deal of speculation in the community which knew all of its small band of writers who could be counted on the fingers of one hand.

Her vast knowledge on various topics and her attacks on the male-dominated society under capitalism made her most popular with the readers of the *Views*.

And many males wrote challenging her very existence. "No woman could write like that. It was a man parading in a woman's name, etc. etc." was being said and MI Meer kept assuring the readers that such a person existed and that he personally knew his woman writer.

To the disbelieving in 1938 the existence of Hawa H Ahmed had not been proved. To them Hawa was a myth, a creation of MI Meer in his zeal to promote the cause of Indian women in South Africa. To them only "seeing was believing."

And on August 19, 1938, they saw. In *Indian Views* of that date a special glossy supplement appeared with the photographs of Dr Goolam Gool and Mrs Gool. The following appeared under the photographs: "Readers of the *Indian Views* and a host of other papers will remember Mrs Gool as the brilliant 'Muslim Girl' writer, Miss Hawa H Ahmed." She was Halima Nagdee of Pretoria, daughter of Mr and Mrs AM Nagdee.

She continued to write for *Indian Views*. We welcomed her in Durban at a gathering organised by the Women's Liberal Group, a sister organisation to the Liberal Study Group.

PS AIYAR, VETERAN JOURNALIST

I remember that Saturday afternoon in March 1936 when a copy of *The South African Indian Review* was delivered to MI Meer at the offices of *Indian Views*, and how pleased MI was at the receipt of this new publication which came years after the demise of the *African Chronicle*.

MI Meer had always held PS Aiyar in highest respect and found his views, more often than not, coinciding with his. I remember how *Indian Views* welcomed this publication under the heading: "Mr Aiyar's Come Back."

> "Even in his old age, Mr PS Aiyar, that veteran worker in the cause of Indians in South Africa, has found it impossible to repress his irrepressible zeal to serve the community and all those who thought that he had retired from public activities must have experienced a pleasant shock of surprise upon receipt of his latest venture - *The South African Indian Review*.
>
> "We congratulate Mr Aiyar on the excellent get up of his monthly, the first issue of which lies on our desk. The magazine is replete with interesting articles on various subjects..."

PS Aiyar was the community's oldest living journalist, much respected by all.

HOFMEYER DELEGATION TO INDIA

Tremendous publicity was given to the South African Parliamentary Delegation, led by JH Hofmeyr, when it visited India for twenty-six days in 1936.

This all-white delegation, consisting of 11 members of the South African Parliament, was invited to visit India notwithstanding the enactment of the Transvaal Asiatic Land Tenure Amendment Act, No. 30 of 1936, creating new ghettos for Indians of that province.

Despite opposition in certain quarters, the SAIC and the Government of India regarded this second visit in ten years from South Africa's white rulers as an important event to promote improved relationship.

At the banquet given by the TIC to the delegation before its departure, at the Langham Hotel in Johannesburg on August 28, 1936, Hofmeyr called on Indians in the first instance to regard themselves as citizens of South Africa and urged their greater participation in social services.

Indian Opinion of September 4, 1936, very cautiously pointed out what was standing in the way of an Indian becoming a South African citizen and how much he had done in helping himself in social services even "when the whole atmosphere around him makes him feel he is an outcast." "The lot of the Indian in this country is very strange," observed the *Opinion*, and added:

> "He is blamed if he is thrifty and industrious; he is blamed if he is extravagant and luxurious.

"In the first instance the charge against him is that he lives on the smell of an oil rag. In the second: 'How dare the Indian thrive while so many poor whites are walking the streets?'"

The press in India gave wide coverage to the visit of the parliamentarians from South Africa with comments by the leading dailies and Indian leaders, including Sarojini Naidu who rightly asked the delegation to remember that goodwill towards India "can find its best and most fruitful expression in an attitude of friendliness, equity and understanding towards her sons and daughters in South Africa."

The Parliamentary Delegation saw many temples and mosques in India but we wondered how many of them had taken the trouble to see the works of our Jamaloodeen *Chacha* or the works of our temple builders such as Kistappa Reddy and Kothanar Ramsamy Pillay. Kistappa Reddy, for instance, has given us the Ganesa Temple of Mount Edgecombe and the Narainsamy Temple at Newlands.

Hofmeyr had said before his departure to India that people in South Africa - meaning the whites - had one-sided view of India, and had added: "There was the other India, of which South Africa knew all too little..."

In fact, white South Africans "knew all too little" about their fellow South Africans (Africans, Coloureds and Indians) and the trip to India did not materially improve their knowledge of Indian South Africans. How could it? They lived in separate worlds carved out for them and ignorance resulted in increasing prejudice as was to be revealed before the Broome Commission when whites gave reasons for objecting to Indian "penetration into white areas."

JAMALOODDEEN, THE ARCHITECT

I do not know when an Indian South African in Durban first engaged a qualified architect to design an Indian home.

The imposing home of the magnanimous EM Paruk at 383 Currie Road, was probably the only one, but one is not certain that even he built his house.

Almost all the Indian homes in the built-up areas outside the Grey Street complex, which were being occupied by the merchant elite, were homes which had been bought already-built. There were no Indian architects and in fact the Society of Architects was a body reserved for whites only in terms of its constitution.

Despite severe racial restrictions Indians were becoming outstanding builders and plan drawers and in this industry our genius was Jamalooddeen *Chacha*, who

designed numerous buildings and mosques and courageously spoke out against all injustices. His great creations include the mosques at Glencoe, Charlestown, Dannhauser, Weenen and Ladysmith. His last great gem is the Sufi Mosque in Ladysmith. The community has not focussed sufficiently on his deprivations by racist South Africa.

If the racists in South Africa had their way Jamalooddeen *Chacha*, who started as an odd jobman in the Dannhauser coal mines, would not have flowered and left behind proof of his God-given talent in the form of his artistic buildings. But he conquered in adversity and although this man of peace was detained for four months during the State of Emergency in 1960, when he was a much respected senior citizen, he never allowed his talents to die.

RECOGNITION OF INDIAN MEDICAL DEGREES

A statement issued by the Indian Medical Council in July 1936 was of great significance to Indian South Africans acquiring medical qualification in India.

The qualifications of Dr RM Nanji and Dr KM Seedat, obtained in India, were unacceptable, and I believe that this was so because Great Britain did not recognise Indian medical degrees fully.

In July 1936 the General Medical Council of Great Britain gave recognition to the medical qualification of the Universities of Bombay, Lucknow and Madras obtained since February 25, 1930, and to the MBBS degree of the University of Patna granted after May 11, 1935. This recognition paved the way for the recognition of certain medical degrees from India by the South African Medical and Dental Council.

Dr Nanji was the first Indian medical practitioner in Durban but he was from India. The first South African student to qualify in India would appear to be Dr Seedat who obtained his primary school education in Newcastle, in Northern Natal.

DEATH OF DR NANJEE

South Africa's first Indian doctor, Dr Ratanjee Mancherjee Nanjee, died on Wednesday, December 16, 1936.

He was a Zoroastrian scholar and died at the age of 76 at his residence at 144 First Avenue in Durban.

Indian Opinion of December 18, 1936, recalled that Dr Nanji had been the physician of Kasturba Gandhi when she fell ill in 1910. The *Opinion* tribute ended with the following words: "He had left about forty thousand pounds for the technical education of Indians and a life legacy to his wife." There was also a bequest for Africans, left in charge of Reverend John L Dube of the ANC and Ilanga.

TRAVELLERS TO INDIA

A short distance from the *Views* office in Pine Street was the business of Shaik Himed and Sons on the ground floor of Haqqani Building. It was here that you booked for travel to India on the British India Steam Navigation ships (later supplemented by the Calcutta Lines with such ships as the *Umvoti*).

The BI Agency for sea travel to India was originally held by Mahomed Anglia, father of Cassim Anglia.

Mahomed Anglia had arrived in South Africa before the turn of the century as a passenger Indian. He had been a municipal councillor in India and was fluent in English, French, Dutch, Gujarati, Hindi and Urdu.

He worked with MK Gandhi, and later succeeded him as secretary of the NIC. Before Gandhi left South Africa, Mahomed Anglia broke with Gandhi on the political issues of the day and while Gandhi was still in South Africa he started *Indian Views* in 1914 in opposition to *Indian Opinion* which Gandhi had founded in 1903.

But in 1936, both the *Views* and the *Opinion* were editorially supporting the Mahatma in India at a time when Jinnah and the Muslim League had not yet come to the fore with the demand for a Muslim Pakistan.

I remember how the *Indian Views* office and Mullah's Cafe became the important venues where Transvaal Indians called after booking their passage to India on the British India ships at Shaikh Himed's. The *Views* office, they claimed, provided them with much food for thought before they proceeded to Mullah's Cafe for *samoosas*, *biryani* and Mullah *Chacha's* famous Bombay Crush.

The visit to the *Views* was also made on their return from India or Mecca. Such visits paid handsome dividends as the *Views* published in its news columns the names of those going to and returning from overseas. And sometimes even the photograph of the traveller appeared.

Many of the BI passengers of 1936 took, besides other items, cases of pineapple jam to India to distribute in the villages as *murabba*.

Nearly all Transvaal visitors on the way to India visited Nellie, the baby elephant presented by the Maharaja of Mysore and housed at Mitchell Park. For 21 years from 1928 to 1948 Nellie, "the ambassador of goodwill from India," gave rides to thousands of children in Durban until she developed a bad temper and was sent away in 1948 to the Taronga Park Zoo in Australia, where eleven months after her arrival she fell into a moat, broke her spine and died. Her sad end was mourned by many in Durban.

On their return from India I observed that none went to Mitchell Park, because in India they had seen many elephants. The days of air travel are days of rush and these travellers have no idea of what they are missing as compared with the leisurely travel of the 1930s. The 21 days to India in the BI Lines, or to Southampton in the Castle Lines, created friendship for life with some of your fellow travellers and they had claims on you and you on them as *Jazbhais* (ship brothers).

Both the *Views* and the *Opinion* carried BI advertisements in each and every issue with a photograph of the famous BI boats such as *Karagola*, *Khandala* and *Karapara*. If you had eighteen pounds you could travel on the deck of these ships. The price of a second class ticket was about 54 pounds. During the 21 day travel you were allowed to cook your own food on the deck or you had the alternative of a "Muslim *weesee*" food served to you by the caterer on the boat for the entire period of 21 days for the sum of six rands or should you chose "Hindu *weesee*" - (I think this meant vegetables only) - you paid the sum of under five rands for all your meals on the voyage.

In those days, I must mention, Indian visitors from overseas or from other parts of South Africa had to be accommodated in private homes. None of the white hotels were open to us and we had none of our own.

The Muslim community had its own *Musafarkhana*, where all guests were welcome. Amod Haffejee had established his *Musafarkhana* in Alice Street, and I remember reading in *Indian Opinion* of 1922 its proclamation that its accommodation was open to all. Later the MS Randeree Charitable Trust was to make similar arrangements.

EMERGING RADICALS AND SUPPORT FOR SOCIALISM

I feel that our community was far better informed on national and international matters in the mid-1930s than it is today.

In his 1936 speech, accepting the office of the president of the Indian National Congress, Jawaharlal Nehru had said: "I am convinced that the only key to the solution of the world's problems, and of India's problems, lies in socialism and when I use this word I do so not in a vague humanitarian way but in scientific, economic sense." In the year that followed, we read about Nehru's visit to England - where his daughter Indira was at Oxford - and Europe, where he made his stand clear to the Western world.

In the company of Krishna Menon, Nehru went to the war zone in Spain and made common cause with the Republican forces fighting the fascist Franco. And with Indira, Jawaharlal went to Czechoslovakia and declared India's support for the people of that country against Hitler, condemning the Munich Pact as a sell out by France and England.

Nehru made it clear that to him world wars were caused by imperialism and that the colonial people fighting against imperialism were in fact fighting against all wars. He acknowledged the menace of fascism and was in support of a united front of all free people against it. But to him, India's freedom was essential to enable its resources to be meaningfully rallied against the fascist and Nazi forces.

In South Africa at that time there were many organisations in open support of socialism and these included craft unions with British backgrounds, political parties and educational bodies.

Mrs Mabel Palmer, of the "Non-European Classes" of the University College of Natal, was a declared Fabian Socialist who had come to this country at the invitation of the Workers' Educational Association, a body with similar beliefs. The Communist Party of South Africa, and the Labour Party with white members only, were also advocating a socialist future.

MI Meer of *Indian Views* had as his closest socialist contact, Duncan Burnside, who represented Umbilo in Parliament. What Burnside had to say was given much prominence in the columns of *Indian Views* in which Hawa H Ahmed, the mysterious woman writer, also from time to time, dealt with socialism and communism.

Our lawmakers fifty years ago had not banned discussions on communism, nor had the Communist Party then been declared an unlawful organisation.

Among the members of the Labour Party who assisted Indian, African and Coloured workers in Durban were Alec Wanless and Sydney Smith, both of whom also worked very closely with AI Kajee and the NIC.

HA Naidoo, George Ponnen and PM Harry, our well-known trade unionists, found it easy to work with Wanless and Smith and also with the NIC of AI Kajee who had now almost an exclusive grip over this organisation.

I remember how the Left Book Club in Durban brought all the socialist groups together in discussions of the Gollancz "book of the month." And I remember how the revival of the trade union movement was taking place, bringing back to memory its early days under such people as BLE Sigamoney.

FALKIRK STRIKE POINTED THE WAY TO INDO-AFRICAN UNITY

MI Meer would have been proud of his granddaughter, Shamim, had he been alive in 1986 to see the publication of her valuable book *Divide and Profit*, recording the history of Indian workers in Natal from 1860 to the present day.

In his editorials in *Indian Views* he had written much about Indian workers from time to time and it was in the *Views* that trade unionist HA Naidoo had written his first articles. And it is from the writing of MI in the *Views* in 1937 that I want to recall the historic Falkirk Strike to which Shamim refers in her book.

HA Naidoo came to the *Views* office to see me during June 1937. He was at that time the secretary of the trade union which had led the strike at the Falkirk Iron Factory at Jacobs, with PM Harry as the chairman.

The strike took place at the end of May 1937 and lasted into June and July. It involved over four hundred Indian and African workers, who were opposing low wages and no pay for overtime, and were requesting that work commence at seven in the morning instead of four.

Although little tangible result was gained the strike was a success. *Indian Views*, in its editorial of July 16, 1937, said that "the workers felt that they were taking part in the first round of a struggle for the right of the non-European to organise and to demand his fair share of the fruits of his labour."

Complementing the workers the *Views* said: "For the first time in South Africa a non-European body of workers has remained solidly behind their organisation and for over six weeks displayed a loyalty and a determination to achieve something which was, quite frankly, unexpected and which augurs well for further efforts in the future." With the solidarity shown by Falkirk's Indian and African workers, the *Views* said, "a new hope of extensive non-European organisation has arisen."

MI Meer dealt with the difficulties in getting the support of the white workers for such strikes but added that efforts in that direction should continue.

Alec Wanless and AI Kajee gave their full support to the striking workers and the NIC made common cause with them. Dealing with the NIC contribution towards the strike, MI Meer in his editorial said:

> "In providing the material needs of the Jacobs workers, the Congress made possible the display of strength by the workers.
>
> "We trust that this is the beginning of that close co-ordination of our community's interest by the Congress through which and by which only any appreciable forward movement is likely to be made."

Indeed the Falkirk strike was historic. Shamim's book *Divide and Profit* places this strike in its correct historic prospective. HA Naidoo, George Ponnen, PM Harry, L Ramsunder and others became the backbone of the NIC after 1945, under the leadership of Monty Naicker, when organised industrial workers were playing their political role effectively in the cause of freedom.

PM Harry was dismissed from Falkirk but he became a powerful figure in his own right. I remember when the first Indian Youth Congress was held in Durban in 1939 and how those against it had broken up this gathering. At its next session PM Harry rallied the Falkirk workers, all eight of them tall, big and strong. Under their protection the Indian youth had its first successful gathering, fearlessly attacking all that was wrong in the NIC of the Old Guard, led by AI Kajee.

THE INDIAN PRESS IN THE 1930S

I remember the defamation case instituted by Cassim Anglia against MI Meer in 1936, claiming damages in the sum of three thousand pounds for the publication in *Indian Views* of a report of a conviction in a criminal case. This case was important in that in the evidence before the judge the history of *Indian Views* is given from the days when it was founded by Cassim Anglia's father until 1936.

The public heard for the first time during the trial that AH West, who had worked under MK Gandhi, was assisting the English section of the *Views*. I recall that when the Mahatma was assassinated he wrote the editorial of the *Views* under his signature on Gandhi's contribution to the world.

To us Mr West was an important link with MK Gandhi's South African days - with the Phoenix Settlement and *Indian Opinion* which the Mahatma had founded in 1903-4.

Manilal Gandhi was assisted by his wife Sushila Behn. Like the *Views*, the *Opinion* was a family-run paper. Although these two newspapers often disagreed with each other, both had much in common and it was indeed a very sad day

when years later the *Opinion* ceased to publish. Some years later the same fate befell *Indian Views*.

I remember the coming into existence of *The Leader*, another family-founded and family-run weekly, the only such family paper in existence today.

I have not been able to obtain a photograph of the staff of *Indian Views* in 1936-37.

Chamberlain Nakasa was already in 1937 an author and his books, published by Shooter and Shutter of Pietermaritzburg in Zulu, were used in African schools as text books. He and his brother, Alpheus, were the main English "typesetters" of the *Views*.

Typesetting was then a laborious process, in that each letter had to be set manually, one by one; and the reverse process was required after printing was over to put the types back into the appropriate type trays.

All his life Chamberlain remained a restless person, interested in publishing and writing, and he received much encouragement from MI Meer. But it was not Chamberlain, but his nephew Nat, who became South Africa's well-known black writer and who died tragically in New York. I remember Nat the lad, in his early teens, coming to the *Views* on Saturdays and often helping Chamberlain in typesetting.

Chamberlain Nakasa had in 1937 spent all his savings to launch a monthly journal called *New Outlook.* The editorial board of very young people consisted of Mr Nakasa, B Asher, Dr Goonam, Farooqi Mehtar and myself. So far as I know there was no publication with such a mixed editorial board then in existence. It was welcomed both by the *Views* and the *Opinion* with favourable reviews.

I wrote an article for the *New Outlook* of April 1937 on "What is the Meaning of Civilisation?". I was described as a student at Sastri College, without mentioning that I was a teenager in Standard Seven. Influenced by MI Meer, I had been writing since 1935 in *Natal Advertiser* and in *Indian Views*.

New Outlook was a bright journal but unfortunately it did not last for many years. During the period it did, the young Farooqi, the younger Goonam and the teenager Ismail formed an enthusiastic team for Asher and Chamberlain.

New Outlook was followed by the *Call* which was published by a young group led by HA Naidoo, Cassim Amra, DA Seedat, George Ponnen, AKM Docrat, IC Meer and others who later became active in the Liberal Study Group, a think-tank which also discovered the talents of Peter Abrahams who became a world-renowned author.

Those interested in our history will find the first issue of *The Call* - reviewed in the *Views* of January 26, 1940 - of interest. I remember how well this valuable publication was received, in Durban in particular. HA Naidoo, George Ponnen and I were regular contributors and Peter Abrahams' poems appeared in it.

A collection of Peter Abrahams' poems, *I Speak of Freedom*, was his first publication ever. It was dedicated to Cassim Amra, and had a foreword written by me. It was printed by NV Mehta of the Universal Printing Press at the behest of DA Seedat, and the cost was "payable when able."

RITSON ROAD – OUR FLEET STREET

By the time the Meer clan had moved into the "Meer Faria," Ritson Road had indeed become our "Fleet Street." It was from Ritson Road that the Sastri College magazine was edited by me in 1939 and by Ranji S Nowbath in 1940; the editors then were residing with AI Meer and Dhanee Bramdaw respectively.

AI Meer, as far as I know, became the first Indian South African to be appointed a correspondent of a foreign newspaper, when *Blitz* of Bombay gave him that appointment. I remember the numerous despatches that he sent from 62 Ritson Road, "Press Collect" to Bombay. He also wrote copiously for local newspapers.

From 64 Ritson Road came the editorials of *The Leader* and then came the Faqir (RS Nowbath), at 84 Ritson Road, providing the editorials of *Indian Views* and from round the corner at Azad Court in Mansfield Road came the creative writings of Alif Meer, both in prose and poetry, both serious and often humorous.

In 1946 I was living in Johannesburg. Whenever I came visiting Durban, which was often, I despatched editorials of the Transvaal-based *Passive Resister,* and news for the *Cape Standard* and *Guardian,* from 62 Ritson Road.

Indeed Ritson Road had been converted into our "Fleet Street" at a time when there were only a handful of black journalists in the whole of South Africa. There were no black journalists in any white daily or weekly. The sole exception was Dhanee Bramdaw on *Natal Witness*.

Of all the journalists on Ritson Road, perhaps the person with the least formal education was MI Meer, having completed only Standard Five, and yet he was admired by all his colleagues as a brilliant writer in English, Gujarati and Urdu. His prose and poetry until this day continue to receive just acclamation.

VISIT OF SETH GOVIND DAS FROM INDIA

In 1937, the rift between the stand of the Government of India and the Indian National Congress on the South African issue was becoming clear with Sir Raza Ali advising Indian South Africans to accept a qualified franchise on the common roll. He had also admitted that he was not in a position to criticise strongly the race prejudices in South Africa.

With mounting local criticism against the Agency among Indian South Africans, the Indian National Congress sent Seth Govind Das, the Congress member of the Central Legislative Assembly in India, to South Africa. He arrived in South Africa on December 16, 1937, and what a relief it was when he asked Indian South Africans not to accept any qualified franchise - unequal with the whites - even if on the common roll.

The day after his arrival, that is, on December 17, 1937, this dignitary from India was refused permission to use a lift when he was paying a courtesy call on the liberal JH Hofmeyr who had been feted in India. Hofmeyr's private secretary was in the company of Seth Govind Das but the lift operator at the Standard Bank building in Pretoria was going to make no exception for any *groet coolie*.

A letter of apology from the assistant general manager of the Standard Bank merely helped to emphasise to South Africa and to the world, the way in which people of colour were treated in South Africa.

LIBERAL STUDY GROUP FORMED IN 1937

In 1937, I was among a group of young students, trade unionists and journalists who formed the Liberal Study Group. Dr Goonam became associated with the group's activities much later.

The first home of the group was in an office in Grey Street, almost opposite where the KMS House is at present. It met there once a week.

It had from its commencement a very mixed membership and one of its early members was Fay King Goldie, whose husband Andrew Goldie was in charge of the Left Book Club which held a monthly review of its "book of the month." I remember the publication of *India Today* by Palme Dutt. I reviewed this book to a good house, with AI Kajee being present and asking many pertinent questions from the audience.

The headquarters of the Liberal Study Group was later shifted to where the Ajmeri Arcade is. It was then a passage next to the *Indian Views* passage in a building in which AI Meer had his Express Printing Press.

At this new premises the Liberal Study Group had its own hall and in it was housed its modest library. It was in this hall that the newly arrived Peter Abrahams spent most of his time banging away on an old typewriter.

The Liberal Study Group was an open forum for all radicals, trade unionists and socialists. And the group invited even the conservatives in non-European politics to address its members.

I remember both AI Kajee and SM Nana addressing the Group in Durban during the course of 1940, when they were given a good hearing and then fired with a large number of questions.

Among those who addressed the group on numerous serious topics were Mrs Z Gool and AWG Champion. When Mrs Z Gool visited Durban she stayed at the Ryde Avenue home of Kajee, a home often visited by the group members to borrow left books which Kajee had in his library.

Kajee claimed to be in full support of the radicals of his day but added that he was "a victim of the capitalist system" - a very willing victim from his eighteen pounds a year as a shop assistant to one protecting the interests of the Indian merchants on so many different fronts. But it was to the credit of Kajee that he not only acted as a host to "Cissie" Gool but declared himself in full support of non-European unity when such unity was being opposed by many in South Africa and even in India.

DEPARTURE OF RAZA ALI AND SOME OTHER EVENTS IN 1938

After completing his three years of office as India's chief diplomat in South Africa, Sir Syed Raza Ali, Lady Poonnoo Ali and her sister Miss Sammy of Kimberley sailed for India on February 13, 1938.

Ali had come in 1935 as India's Agent and during his term of office in South Africa, he had advanced from an Agent to Agent-General. Besides, he had made two acquisitions in this country: the British knighthood and his bride, Miss P Sammy, and thus they were departing from South Africa as "Sir" and "Lady."

India's fifth diplomat to South Africa and its second Agent-General, B Rama Rau, C.I.E., I.C.S., arrived in South Africa only on May 18, 1938, and he was later joined by his wife and much later by his daughters, including the little Shanta Rama Rau, who later became famous in literary circles and whose name has been associated with the film "A Passage to India."

I remember the departure of Sir Syed and Lady Ali in February 1938 and the arrival of B Rama Rau in May 1938.

The new Agent-General had served the British Administration most faithfully.

Drawn from the Indian Civil Service, he was attached to the Simon Commission and later became a Deputy High Commissioner in London and represented British India at the International Labour Office.

Indian Opinion of March 18, 1938, said this of the new Agent-General:

> "He is not regarded as part of the people of India. To him all that counts is how best he can serve his *Ma Bap* at Whitehall..."

I remember Sir Benegal, a typical British civil servant, as a quiet personality, who was of a different mould than either the *Kunwar*, who later became a Governor, or Raza Ali who on his return to India, joined the Legislature and came out in full support of the Non-European United Front at a time when even the *Mahatma* was against it.

I want to deal with some of the events in the life of Agent-General Sir Syed before his departure from South Africa and the farewell receptions given to him, as these events will give us some insight into the life and labour of Indian South Africans.

I remember the publicity given to the opening of the Dadoo Ward at the Krugersdorp Hospital, the foundation stone of which was laid by Sir Raza Ali, who paid a glowing tribute to Hajee MM Dadoo, for his generosity.

In a whole page covering this story, *Indian Views* of January 14, 1938, gives three photographs, in one of which Sir Syed appears with the Dadoo family, including the young Dr Yusuf Dadoo, and Khan Bahadur Hajee Cassim Adam of Pretoria.

Indian South Africans had by 1938 built over 200 community schools, when such schools for the whites were being built by the government. Khan Bahadur Hajee Adam had extended this community self-help in education to the field of health by erecting the "Hajee Cassim Adam Ward" in Pretoria, adding a segregated ward to the government-built hospital.

I remember Sir Syed opening the Hajee ME Lakhi Ward at the Pietermaritzburg Hospital at a function where he said that Sir George Grey, after whom the hospital and Greytown and Grey Street were named, was once a British Governor in India.

In 1938 there was an Indian-owned restaurant in Kimberley which was for "whites only" and refused to serve any Indians, Africans or Coloureds. Even in

places like Verulam there were barber shops which had a reserved section for the use of whites.

Voluntary segregation and qualified franchise were some of the ideas left by Sir Syed with AI Kajee, SM Nana and Ahmed Ismail among others and one could see the Pretoria Agreement in the distance.

Yusuf Dadoo, Monty Naicker and K Goonam had not yet entered the political arena in 1938 to challenge the prevailing concepts, except that Dr Goonam was speaking out strongly against the NIC's closure of its doors to Indian women, a charge which AI Kajee was vehemently denying.

In *Indian Views* of June 28, 1938, a whole page is devoted to "Indian Social Reform Society," formed that month at the residence of Dr YM Dadoo at 47, End Street, Johannesburg.

The society was addressed by Dr Dadoo and its objects included abolishing of class and caste prejudice, emancipation of women, and elimination of all unnecessary rituals and customs in religious and social ceremonies.

The Society required each member to make ten declarations as a condition of membership. The first declaration was, "I shall discard all forms of oriental headgear, except when demanded by religious necessity."

The second declaration was: "I shall wear proper modern attire; modern attire requires the wearing of tie and collar with suit."

The declarations spoke out against child marriages and the *purdah* system and proclaimed in favour of full education for girls. They added: "I shall not take part in religious or communal factions."

The membership fee was ten shillings per year with an enrolment fee of ten shillings. Dr Dadoo was elected President with Hajee Mohamed Moosajee Coovadia as Secretary and Abdul Haq Moosajee Coovadia as Treasurer.

This society appears to have had an early demise.

In *Indian Opinion* of April 29, 1938, there appears a report of the activities of Dr GM Naicker in Durban at that time.

On Sunday April 17, 1938, the MK Gandhi School was packed to capacity when a grand variety concert took place under the auspices of the Hindu Youth Club. After prayers, Dr Naicker, the President, gave a brief summary of the club's activities. One of the club's biggest achievements in the past year, he said, was the formation of an outdoor Hindu religious lecturing group, under the leadership of

SS Reddy. The lectures were on the nature of missionary work and had proved a great success, reported the *Opinion*.

In 1938 the South African Youth Movement, with its headquarters at 175 Grey Street, in Durban, was drawing many young people to its activities and even AI Kajee began to feel threatened by this body's activities.

Indian Opinion of April 1, 1938, reported on one of the activities of this body: "Mr George Ponnen, enthusiastic member of the Youth Movement and a keen student of the South African labour problems, delivered an inspiring and interesting lecture on 'Trade Unionism.'"

And now let us return to Sir Syed's last thirty days in South Africa.

On January 18, 1938, South Africa's press headlined the story of the Agent-General and Lady Poonnoo being refused permission to use a lift in a Johannesburg building.

I remember reading about this incident in *Daily News* - the new name which *Natal Advertiser* had acquired. Sir Syed and Lady Ali arrived to keep a business appointment just as the representative of the firm concerned sent a representative to the vestibule to meet them.

The Agent-General for India sought permission to enter a lift, but his way was barred by the lift attendant, who explained that he had orders not to permit non-Europeans in the European lift. Sir Syed explained that he was the Agent for the Government of India, but the lift attendant was adamant.

The superintendent of the building later apologised but with the memory of this incident Sir Raza said at the farewell reception given by the TIC: "... you cannot blame the Indian for toying with the idea of a united non-European front, having regard to the treatment meted out to him politically, socially and economically."

And JH Hofmeyr forthwith retorted: "I hope that you (Indians) will have nothing to do with such an enterprise. You will do yourself no good but you may do yourself a great deal of harm."

Echoing Hofmeyr from Madras was Sir Kurma Reddi who said that the idea of such unity was "scandalous" and would "ruin Indian interests." And another "Sir" of the British, Sastri supported Sir Kurma.

Whilst Gandhi in India remained silent on this issue at that stage, *Indian Opinion* once again rushed in where even the Mahatma feared to tread. In its editorial of February 11, 1938 the *Opinion* said: "We know of no one in our community who is toying with this idea of forming a 'Non-European Front.'" After welcoming the remarks of Hofmeyr, the *Opinion* added:

> "Our sympathies should always be with the Bantu but the idea of forming a non-European front must be further from our minds. Such a front, we feel sure, will not be used either in the interest of the Bantu, but in the interest of those who lead it."

At the Durban farewell held in the City Hall, AI Kajee and V Lawrence were a few of the old guard of the Congress present as was to be expected with such large numbers resigning from Congress over Sir Raza Ali's marriage to Miss Sammy. And the CBSIA, which had failed to get recognition from the Agent and his Government, was now totally against the Agency itself until it was recognised.

When the Indian National Congress was meeting in Conference at Haripura in February 1938, the Colonial Borns sent it a cable reading as follows:

> "Colonial Born and Settlers' Indian Association appeal Indian National Congress disapprove appointment Agent-General on principal ground agency in South Africa impotent in absence of India's freedom."

There was no reaction from India to this cablegram.

AI KAJEE TELLS IT AS IT IS AND PROVOKES EUROPEAN ANGER

I remember Saturday, February 12, 1938, when the packed Durban City Hall, including a sprinkling of whites, heard AI Kajee bid farewell to Sir Syed and Lady Raza Ali and the tremendous ovation that Kajee received at his appropriate comments. The next day *Sunday Tribune* flooded the streets of Durban with its placards proclaiming "Kajee's City Hall Outburst."

The *Tribune* referred to the NIC's farewell reception to the Agent-General as "a virulent political agitation meeting." It interviewed several City Councillors including Councillor R Ellis Brown who considered "the use of the City Hall was abused," and added: "Certainly it will be difficult for them to get the hall again."

Not to be left out, Councillor Percy Osborn said: "Mr Kajee is entirely wrong in his reference to a United Front. The speech was most discourteous to the City Council. For Mr Kajee to turn this into a political meeting was extremely bad taste." Councillor AL Barnes said that Mr Kajee must have lost control of himself and added: "Apart from being ill mannered it was an outburst which, if taken seriously, can only be termed indiscreet, at the least." In similar vein spoke Councillors Mrs EA Benson and HH Harris.

I am giving details of Kajee's "Outburst" so that you may get a feeling of how the English-speaking whites of Natal wanted to keep "politics" out of everything, leave alone sports.

I believe that 1938 was a year of significance in the life of Kajee. His City Hall speech and the ovation it received from Indians proved that Kajee was closely in touch with the developments taking place among the youth and in the Indian trade union movement.

Kajee later opted in favour of policies which the Indian industrial workers opposed most vehemently, as did the youth. But in 1938, I believe, he was still toying with the idea of throwing his full weight behind the progressive group.

In the Falkirk strike, Kajee had played a pivotal supportive role and he had come to know and respect HA Naidoo who had led the strike with PM Harry.

Among the Falkirk workers who were dismissed as a result of the strike was KP Govender; Kajee not only took him into his office but Govender became Kajee's life-long associate in all his office work.

AI Kajee, stoically built firebrand whose anger at the discrimination against Indians at times burst with volcanic force, combined in himself both political and business leadership. He was very clearly the leader of the businessmen of the community. It is difficult to assess how much capital they commanded collectively, but they could be counted upon to contribute capital to Indian education and welfare, much of which Kajee organised in the nineteen thirties.

He was a man of limited formal education. But he had considerable oratorical skills and he used them effectively to present the Indian case as secretary of the Natal Indian Congress.

He lived at Ryde Avenue, with Sydney Smith, Alec Wanless and even Duncan Burnside dropping in there quite often. Wanless and Burnside were declared socialists and Wanless was deeply involved in organising Indian workers in trade unions. Kajee was also a great reader and kept up-to-date with all the left books that were then published. Members of the Liberal Study Group often borrowed his books.

This background to Kajee is important to understand his ambivalence in 1938 when he addressed the City Hall meeting. Such a fearless speech in the midst of so many "respectable whites" perhaps had never been made before at an Indian gathering.

Whilst the controversy was raging on "Kajee's outburst," *Indian Views* of February 25, 1938, gave the full text of Kajee's speech, pointing out that the objections of the *Tribune* and the City Councillors had no basis.

Kajee had commenced his speech by stating that "all is not well with the Indians in this country" and then dealt with the Non-European United Front in these words:

> "As far as the hysteria which has possessed the European press on the question of a united front, it is significant that a man like Mr Hofmeyr can speak of the wonderful heritage and civilisation of the Indian, yet when it comes to a question of the way in which he will be judged, the Indian is classed with non-Europeans."

Kajee pointed out that the Indian was asked to be patient and have faith, and asked:

> "But how can he do this when he finds that slums in Durban are being cleared but no houses are being built to accommodate those Indians put out of slums; that schools are not provided for 15,000 Indian children of school-going age; that industrial laws are passed, but when it comes to a question of giving him opportunities and allowing his children to be apprenticed to the skilled trades, these are refused him?"

In a vigorous denial of the charges levelled against him, Kajee stood his ground against the City Councillors and told the *Sunday Tribune* that he could with justice have added more to what he had said:

> "I might justifiably have added in my speech that the housing of the 3,000 Indian employees of the Durban Corporation is a blot on a civilised community, also that some 35 poor Indian men and women who have depended for many years on the hawking of fruit and vegetables have this year been refused renewal of their licences for reasons known only to the City Council's officials."

Kajee did introduce a new note in the quiet politics of 1938. He pointed out that certain Councillors were not even present at the farewell reception but were too ready to attack him. He pointed out that the City Hall reception was "to a distinguished holder of an important political office" and was organised by "a political organisation."

In *Indian Views* of March 11, 1938, two articles appear on the Non-European United Front, replying to the remarks of JH Hofmeyr and condemning him for advising Indians against such a front. The first article, by HA Naidoo who later became the Natal leader of the Non-European United Front, dealt fully with the subject.

And the still unidentified and mysterious "Hawa A Ahmed" took Hofmeyr and "Liberalism" to task and ended with the words "Forward Non-European United Front" in this first salvo which was followed by her further articles on this subject in the *Views* of April 15 and 22, 1938.

NIC AND TIC ELECTIONS, 1938

In 1938 the TIC conference elected EM Valod as its president with SM Nana and ZV Parekh as joint secretaries. Dr Dadoo was elected as one of the Vice-Presidents. He had been a TIC executive member from the time of his return from Edinburgh.

It was this executive, dominated by Nana, that later came under severe pressure by the Nationalist Group formed by Dr Dadoo and his associates.

In the Cape the Congress remained under the firm and strict control of Ahmed Ismail, a City Councillor for many years. In fact, no one was able to oust him from that body all his life.

On May 1, 1938, at the annual general meeting of the NIC, held at the Victoria Picture Palace in Durban, Swami Bhawani Dayal was elected President with EM Paruk as its Patron and AI Kajee and JW Godfrey as Joint Secretaries.

Among the ten vice presidents were AMM Lockhat, VSC Pather and V Lawrence. The list of executive members makes interesting reading and also highlights the fact that Sorabjee Rustomjee and his close associates who had resigned from the NIC in protest against Raza Ali's inter-faith marriage, had not returned to Congress although Raza Ali had returned to India. There was no doubt that Kajee was still in a sound position to control Congress while Rustomjee had plans of his own.

On December 10, 1938, the NIC Conference was significantly opened by the declared socialist, Duncan Burnside, M.P. whose speech received full coverage in the *Views* and the *Opinion*.

Condemning colour prejudice, Burnside pointed out that "it was doing a portion of the European population itself a considerable amount of economic harm."

Pointing out that the Indian "in the days of cheap labour was an economic asset of considerable value to Natal," Burnside said that "he is still an economic asset... if only the European will allow him that freedom of development which is the inalienable right of all human beings whatever may be the colour of their skins."

“AFROASIOCAPIAN”

I remember attending a meeting of the Liberal Study Group where the chairman introduced AWG Champion, the speaker of that evening, as a leading "African" and Champion commenced his speech by saying that he preferred to be called a "Native." He added in the typical Champion fashion that he was a true native of South Africa, and proud to be such and did not want his true identity to be lost by not being called a Native.

The Liberal Study Group had long discussions on the use of the term "non-European" at a time when the Non-European United Front and the Non-European Unity Movement had made its use fully *"halaal."*

The think-tank's sub-committee was not very helpful, however, when after a lot of discussion it came with the word "Afroasiocapian" as the appropriate word to refer to all the people drawn from the continents of Africa and Asia and those from the Cape brought from Europe and the Dutch possessions of the East.

UNITY MOVES: BIRTH OF NATAL INDIAN ASSOCIATION

There was concern in the Indian community about the fact that there were two Indian political organisations when the fledgling Colonial Born and Settlers' Indian Association (CBSIA) had split off from the NIC in 1933.

Manilal Gandhi had withdrawn from the CBSIA within months of joining it and was also calling for unity in his *Opinion*.

The Conference of the Natal Indian Youth Organisation, meeting in Durban on October 2, 1938, passed a resolution on "unity." In view of the "unsettled state of affairs in the Indian community, in so far as political activities are concerned," the Youth Conference felt that "the Natal Indian Congress and the Colonial Born and Settlers' Indian Association should immediately merge into one powerful body."

Everybody who was anybody in the Indian community was constantly calling for unity of the "spokesmen" of the community - a community which was without doubt firmly united in rejecting all aspects of segregation and which was urging the "leaders" to take a more militant stand and action against the white rulers of South Africa.

The conservatives in Natal had allied themselves either with AI Kajee or Sorabjee Rustomjee. With growing pressure against Sorab from both the Nationalist Bloc and the NIC, the NIA, which continued to get the backing of Sir Benegal Rama Rau, the Indian Agent General, but not of the Congress of India, was exposing itself as totally irrelevant.

AI Kajee and Sorabjee Rustomjee had much in common, both in respect of manipulations and domination, and policy. Their clash of personalities was unnecessary and one which the Indian community could not afford. *Indian Views* had always maintained that the CBSIA should never have come into existence and that there were no fundamental differences between the policies of the two bodies.

B Rama Rau, who had now acquired the title of "Sir," repeatedly advised a merger of the two bodies and on April 30, 1939, he formally addressed the Congress and the Colonial Borns "to forget the past and lay aside all personal feelings and join to combat the menace that threatened the future of the entire Indian community."

The "menace" was arising from the Asiatic Land Tenure and Trading Bill, a measure which sought to further restrict Indian trading rights in the Transvaal and create the ghettos recommended by the Feetham Commission.

Sir Sarvepalli Radhakrishnan, India's great philosopher, who later became President of India, visited South Africa between March 16, 1939, and April 14. His brilliant lectures made all of us his firm captives.

At a function given in his honour at the Phoenix Settlement, Radhakrishnan made a stirring plea for the unity of the NIC and the CBSIA, thus adding a most powerful voice to those making similar demands. But it would be incorrect to state as some have done that the merger was entirely a result of Radhakrishnan's call. There were many factors responsible for the merger.

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On April 30, 1939, after a joint meeting of the representatives of the NIC and the CBSIA, attended by 95 members and lasting over four hours, a statement was issued which appears in *Indian Opinion* of May 5, 1939. The main point of the statement was the acceptance of the merger "and that the choice of a name be left to Mahatma Gandhi."

At a joint meeting subsequently held at the residence of AE Shaikh, the merger formula was revised with Sorabjee Rustomjee, JW Godfrey, PS Aiyar, SR Naidoo and AE Shaikh representing the NIC and Albert Christopher, PR Pather, SL Singh, PB Singh and DS Chetty representing the CBSIA. The draft constitution was approved and the amalgamated body was to be the Natal Indian Association, as chosen by Gandhi. This was what MK Gandhi had called the new body he had formed when the NIC had turned against him.

CISSY GOOL ELECTED TO CAPE TOWN CITY COUNCIL

In 1938, Dr Abdullah Abdurahman had remained the only member of the Cape Provincial Council. He was also a member of the City Council of Cape Town to which we learnt with great rejoicing his daughter, Mrs Z Gool, was also elected.

Her election was welcomed by MI Meer in *Indian Views* on September 9, 1938, under the heading "A Great Victory." Paying tribute to her ability and personality the *Views* recorded this victory for both the non-Europeans and the women of the oppressed South Africans.

Pointing out the role of Dr Abdurahman as one of political and not economic involvement, the *Views* continued: "Mrs Gool represents an entirely different point of view… and she stands for a line of policy or action which results from a clear appreciation" of all the problems facing the community, including the need for "economic action."

I remember this editorial, covering a full page of the *Views*. It was welcomed by members of the Liberal Study Group, many of whose members were involved in the growing trade union movement and who were, like Mrs Gool, concentrating on "economic actions" for achieving their political objectives. The importance of the economic power of the underprivileged was often discussed by the Group. And the trade unions were able to gain some success in getting improvement of the wages of our industrial workers.

INDIAN EDUCATION: COMMUNITY'S EFFORTS

The "Uplift Clause" of the Cape Town Agreement was never implemented by the government. Instead the community continued to be "pushed down." The community's educational programme, however, continued unabated. After Sastri College, the community built high schools at Verulam and Umzinto, Orient, Gandhi, Desai and St. Anthony's. In 1948, a large number of pupils remained without accommodation, so the NIC opened Congress High School.

The primary education of our children in 1936 left a lot to be desired. In August of that year a deputation consisting of GV Naidoo, AD Lazarus, E Thomas, TM Naicker, R Barnabas, HS Done and RO Jithoo, all of the Natal Indian Teachers' Society (NITS), gave evidence before the Natal Provincial Education Commission. They asked for the reduction of our classes from 70 pupils to a maximum of 30 pupils.

In 1936, 40 new schools and 250 new teachers were required for Natal alone if education for Indians in primary schools became compulsory up to Standard Six. The Transvaal was also facing an acute shortage of teachers.

In 1966 there were 204 primary schools and five high schools built by the community - 72.3 percent of the total. Indeed a proud record, unparalleled in the history of education in South Africa.

Indian students could attend Lovedale College and Fort Hare, both of which also provided hostel accommodation. All the white centres were closed to all blacks. In September 1929 Dr Henderson of Lovedale College informed the SAIC, in a letter widely published, that there were 18 Indian students at the College who paid an annual fee of £36 and 10 shillings per year for tuition and hostel accommodation combined. Tuition fee amounted to £10 per year and boarding and lodging came to £25 per year, with £1 as entrance fee. For this sum students were given three meals, including one meal of curry and rice and vegetables, sometimes a roast and pudding once a week. A separate cook was employed to prepare their meals.

Fort Hare charged £40 per annum inclusive of hostel fees. Cost of education in India at the time was £60 per annum plus tuition fees.

These costs were beyond the reach of over 90 percent of Indian South Africans. However, their desire for education was great and they made great sacrifices and built schools.

The 1930s were deeply affected by the worst depression in history. The bravest in the community were our "basket women" who trudged the white residential areas barefoot with a heavy load of fruit and vegetables, to earn a living and help to educate their children.

These Indian women hawkers or peddlers were exercising their economic independence. I remember when I lived in Pine Street, seeing many of them - these free spirits - arriving tired at the corner of Grey Street and Pine Street, opposite the then Peter's Lounge, and after a short trip indoors leaving erect and full of pride for a hard day's work done.

There was also great interest in adult education. Advocate Albert Christopher's "workers' continuation classes" found popular support among indentured Indians. This, in the face of Sastri's claim that "indentured Indians in the Union had shown no receptivity for education."

In the third week of November 1930 the *Opinion* and the *Views* gave comprehensive two-page cover to commercial classes which were to be held at Sastri College in the evenings. The announcement disclosed that "the committee expects to start courses next year for apprentices who are required to attend technical classes under the Apprenticeship Act," particularly in the furniture industry.

The Workers' Congress founded in 1928 was doing all it could to provide technical education to our workers and those who intended to take commercial courses.

Under the able guidance, first of Anand Rai and then TM Naicker, the Natal Indian Teachers' Society was upholding the honour of teachers, the majority of whom received starvation wages in the aided schools. This led them to form their own trade union more than ten years after Sastri College was opened.

Our Lazarus was now a member of the executive committee of NITS and he was to become its president in the years to follow. In 1937 he was awarded a bursary to study race relations at Yale University in the United States. On July 1, 1937, he sailed for America carrying with him the good wishes of the entire community.

Sastri College remained a boys only College until 1935 when the first women students enrolled; Miss Francesca Lawrence and Miss Sybil Paul joined the T3B classes.

In the Transvaal, outside of the school building, in the school grounds, Gujarati continued to be spoken. And it was said that during the play and the lunch breaks at Sastri College the Transvaal students spoke to each other, even in Durban, in Gujarati.

A large number of our children suffered socio-economic conditions most unsuitable for studies. Many children worked at odd jobs after school hours in order to add to the meagre income of their families. The school, however, remained an important centre where they came to know each other's problems.

EDUCATION OF WOMEN

Two years after the opening of Sastri College, *Indian Views* of January 17, 1930, carried an official Departmental announcement that Mitchell Crescent School would become a girl's school. Its total enrolment, only 38 girls, would be taught by white women teachers, from Std. IV to Std. VII. Sastri College and the Mitchell Crescent School for girls were conceived and born under the dark shadows of repatriation.

MI Meer, who had championed the cause of education of our girls and women, gave great prominence, in *Indian Views* of October 2, 1931, to Sir Kurma's speech at the Mitchell Crescent Indian Girls' School in which he noted with regret that, among the total school population of 49, there was not a single Muslim girl. Unless the numbers increased substantially, he pointed out, the school's future would remain uncertain.

There was no Indian girl at a university then. Today, in 1986, there are approximately 3,000 Indian girls at Durban-Westville alone, constituting 47 per cent of the total enrolment at this one centre. There are almost one thousand girls who cannot get admission for teacher training and there is now no shortage in respect of training for nursing. Yes, times have changed on education for Indian girls.

On March 6, 1936, *Indian Views* and the *Opinion* published the Report on Indian Education in Natal by FD Hugo. One very significant comment in the report was:

> "As only about one quarter of 18,961 pupils were girls, it is estimated that some 10,000 girls of school going age are now not in attendance.
>
> "From this it will be seen to what extent the school accommodation will have to be increased once the apathy of Indians towards education for girls disappears."

There were deep-rooted socio-economic reasons for this situation which did not trouble Inspector Hugo, nor did he or any white in authority recommend free and compulsory education to make possible the enrolment of the 10,000 Indian girls, girls who were then not even able to find work in factories. But a fairly substantial number of them were exploited as cheap domestic labour in white homes and also in many Indian homes.

A MEMON BUILDS A SCHOOL FOR PATHANS

I attended the opening of the new community-built school in Booth Road, Cato Manor, on September 16, 1939. This school was donated by the Moosa Hajee Cassim Charitable Trust.

On that day many learnt for the first time that Aboobaker, Abdullah and Ismail, the three Moosa brothers, were the sons of Moosa Hajee Cassim, one of the first Indian merchants to come to Natal, leaving behind his distinguished father who was one of the Dewans and Regent of the State of Porbandar from where MK Gandhi had come. The Cato Manor School was built in memory of this first merchant. We learnt from Hajee EM Paruk's address that the Pathans from India originally came to this country with Lord Robert's troops during the Boer War. After the war many of them settled in Cato Manor where the new school was erected "to meet the growing educational needs of their children."

PRICES OF ESSENTIAL COMMODITIES GO UP

The most disgraceful thing that happened when the war was declared, was the immediate increase in the price of rice and other commodities imported from India.

In the Grey Street complex hardly anyone was selling rice at the usual selling price of eighteen shillings per bag of 160 pounds. Most shop-keepers were asking and getting 40 shillings per bag and those who could afford rice at that price began hoarding this staple food.

The *Views* exposed the rice racket in its issue of September 8, 1939 - five days after the outbreak of the war - in an editorial headed "Rice and War had a dampening effect on the profiteers."

I remember the role played by MA (Fishhan) Motala on this issue. He was a regular visitor at the *Views* office, which he made his headquarters when he was supervising the rebuilding of the Grey Street Juma Mosque.

I was present at the *Views* office when Fishaan Motala, on hearing MI's complaint of the disgusting profiteering, made a snap decision then and there to assist the poor.

He ordered 5,000 bags of rice from India and he sold these at cost price from the Rice Bazaar at 111 Victoria Street.

But blackmarketing and hoarding continued and both in Durban and in Johannesburg, we youth carried out raids on the delinquent traders.

PART III

1940-1949

Editor's Note

The 1940s were the most seminal for Indians since the time of Gandhi.

The radicals, with a mass base in the trade unions and growing support in the community, began to challenge the conservative leadership of the Indian Congresses. The work of the Liberal Study Group and the Non-European United Front in espousing resistance to all forms of racism, as well as unity of African, Coloured and Indian people and white democrats, gained increasing acceptance in the community. Communists like Dr Yusuf Dadoo and Gandhians like Dr GM Naicker joined with others in calling for a militant mass resistance to racist oppression. There emerged a leadership which was prepared for all sacrifices necessary for leading the struggle against the cruel oppressor.

The conservative leadership of the Indian Congresses continued compromising on the rights of Indians, seeking only a mitigation of oppression and protection of the interests of the moneyed class. Their compromises never saved the community from ever more discriminatory laws and repression. The leadership was confronted by betrayals of General Smuts on the one hand and the condemnations by the radicals on the other. It was discredited when their Pretoria Agreement of 1944 with General Smuts to prevent Indian "penetration" of so-called "white areas" of Durban collapsed.

The National Bloc (later the Anti-Segregation Council) in Natal and the Nationalist Group in the Transvaal Indian Congress gained strength. In 1945-46, both the Natal and the Transvaal Indian Congresses came under radical leadership and so did the South African Indian Congress in 1948.

The Dadoo-Naicker era began with the launching of the Indian passive resistance in 1946 which became a turning point in the South African liberation struggle. It was the first organised mass resistance for a long time, and attracted the participation of Several Africans, Coloured people and whites in solidarity. The national government of India, led by Pandit Jawaharlal Nehru, fully supported the struggle and took initiatives at the United Nations to internationalise the racial problem in South Africa. Solidarity movements emerged in Britain and the United States while an ever increasing number of governments began to denounce racist rule in South Africa.

When the National Party came to power in 1948, espousing apartheid, Dr Naicker and Dr Dadoo called for a united democratic front form liberation from racist tyranny.

The militant actions of the Indian incensed the racist whites who wreaked their vengeance by goading Africans in Durban to attack Indians. The African and Indian Congresses, however, united in the face of this violence and the stage was set for a broad democratic movement to overcome racism.

In recalling this eventful period, Mr. Meer exposes the hypocrisy of General Smuts and shows that the English-speaking whites of Natal were no less virulent in their racism than the Afrikaners. He points out how the authorities refused to provide educational facilities for Indians and that most educational institutions were built by the self-help of Indians.

WE ARE SOUTH AFRICANS, NOT INDIANS

It is difficult now to visualise the atmosphere of the late thirties and early forties when many Indians believed that as soon as India was free and independent, all the problems of Indian South Africans would vanish.

The radicals in the community were openly hostile to those conservatives who referred to India and not to South Africa as their "mother country."

The Non-European United Front emphasised that change in South Africa would not come from outside her borders, but from the united efforts of white and black democrats within South Africa dedicated to the establishment of a non-racial democracy for all.

The radicals, however, emphasised the importance of India as the leader of the struggle against imperialism the world over. They were supporting India and expected India to give full moral support to all democrats in South Africa opposing racism.

Unlike Indians in other parts of Africa, Indian South Africans had no other passports or citizenship, and by 1940 the vast majority of them were born in South Africa. And yet since MK Gandhi's departure for India in 1914, their position, instead of improving, had worsened.

With the loss of the municipal vote in 1924, they had become completely voteless and voiceless and anti-Indian legislation was on the increase.

INDIANS KEEP CULTURAL TIES WITH INDIA

The influence of India in the cultural field, instead of diminishing, was in some fields on the increase. The Indian cinema with the Bombay Talkies production of many films gave us Ashok Kumar, Leela Chitnis, Devika Rani, Sneha Prabha, Surendra and numerous others.

Indian records (all 78rpm) were easily available and although there were no cassettes or videos, the films and records kept us in touch with Indian languages at a time when the number of Indians who could read and write these languages was rapidly decreasing.

I remember how Mayville Theatre was the first venue for Muslim women viewing Indian films at special "women only" matinees. In 1940 Indian men and women did not go together to see a film. It was an "innovation" which came to Durban in the fifties.

Besides the films and records, Indian South Africans kept in touch with India through a large number of India's newspapers, which were available at the Gandhi Library and also at the offices of the *Opinion* and the *Views*. In addition there were individual subscribers to papers like *Bombay Sentinel* and *Kesari.* Baburao Patel's *Filmindia* also enjoyed a good circulation and was available with other magazines at the Union Printing Press, at 91 Victoria Street.

Although MI Meer was supporting Jinnah's Muslim League in India, Moulana Abul Kalam Azad, the Congress President, remained very important to the *Views* in interpreting Islamic rational thought. MI had taken up numerous issues, such as Islamic divorce, sighting of the *Eid* moon, salvation and so on, and in these matters *Tarjuman-al-Quran* of Azad was extensively used in the columns of the *Views*. Even the strongest political opponents of Moulana Azad could not challenge the theological views of this outstanding Islamic scholar.

SASTRI STUDENTS ASSUME LEADERSHIP POSITIONS

In 1940 Sastri College was already ten years old and its students were playing vital roles in almost all aspects of Indian life and labour.

George Singh, who had resigned from Sastri and was now a land and estate agent training as a lawyer, was a leader of the Nationalist Bloc in the NIA, speaking out against the war and rejecting the voluntary segregation assurance of Sorab and Christopher.

As a teacher, George Singh was not allowed, like other Natal teachers, to take part in politics. This Natal rule, however, did not extend to the Transvaal where Indian

teachers such as Reverend BLE Sigamoney, "Major" Williams and Mervin Thandree, played their full political roles.

Sastri students excelled in all branches of our sporting activities, with George Singh, who was also the Sastri sports master, playing national soccer against the All-India soccer team. MI Yusuf was the best Sastri student all-rounder, having taken part in soccer against the All-India team and having excelled in cricket, where his high scores were the talk of the country. He was joined in the sport by Sastri's "Shotty" Docrat, Essop Jeewa, Willie Stephens, EI Bhorat, RV Bhana and "Pappy" Timol, all of whom received national honours with Docrat captaining the national side.

The most outstanding tennis player produced by Sastri was SS Maharaj. "SS" dominated tennis for over twenty years. He won the Natal title for sixteen years. He even succeeded in defeating Hoosen Jajhbhai, and winning the South African title four times. Sastri College was fortunate in having as its Principal, from 1938 to 1950, William Anderson, a keen sportsman, who was regularly on the fields with his students.

While our young people were proving themselves in sports, they were becoming more and more conscious of the political problems facing South Africa, as reflected by their presence in the Liberal Study Group and the founding in Johannesburg of the Transvaal Nationalist Youth Organisation led by Yusuf Dadoo, PM Krishna and PK Gopalan.

The Fourteenth Annual Conference of the Natal Indian Teachers' Association was held at Sastri College on July 1, 1940, presided over by NK Sham: the conference elected the much-admired V Sirkari Naidoo as the new President.

Indian Views of July 12, 1940, has a full report of this conference, with prominence given to the resolution on education of Indian girls.

Miss SM Lawrence moved the resolution and said that the Indian community had all along known that girls should have education and that mothers should be educated. She enquired why there was no provision for free education to Indian girls and why there were no bursaries offered them. She received support from the entire conference.

With "penetration" much in the air, S Panday asked: "What right has a European teacher to penetrate in Indian schools when we have just as efficient Indian teachers," alleging that Europeans were receiving appointments at Indian schools at the expense of suitably-qualified Indian teachers.

During the war years many students at Sastri faced serious financial difficulties as the cost of living was rising. The Sastri College Old Boys' Club discussed the plight of the students and set up a committee of four, consisting of AN Lazarus, R

Govindoo, T Padyachee and IC Meer, to raise funds to assist the needy students. There was a very good response and as was then usual, the donation list was headed by Hajee EM Paruk.

"VOLUNTARY SEGREGATION" AND MORE ORDINANCES AGAINST INDIANS

In 1940 in Natal it was exceedingly difficult even for Sorabjee Rustomjee and AI Kajee to explain the separate existence of the NIC and the NIA.

Both these bodies supported the war. Kajee had accepted voluntary segregation before the Natal Municipal Association in 1936, and had been the prime mover to get Indian employers to dismiss white women employees voluntarily. The NIA, led by Sorab and Christopher, undertook in 1940 to persuade Indians not to buy immovable properties in the so-called "European areas." To prevent "Indian penetration" the government formed the "Lawrence Committee," named after Smuts' new Minister of the Interior, Harry Lawrence, and on this committee, Sorabjee Rustomjee, Albert Christopher, JW Godfrey, AS Kajee, PB Singh and PR Pather served as the NIA's representatives.

I remember when Parliament assembled in January 1940, Minister Harry Lawrence informed the House of Assembly that in the Transvaal 15 white girls employed by Indians had been dismissed as a result of pressure on the employers exercised by Kajee's SAIC: 43 white girls were not dismissed because "they were not in contact with the Indians." Stating that he had great hopes for Kajee's scheme and that the SAIC had kept its word, Lawrence said that 163 white girls employed in Port Elizabeth by an Indian-owned factory - Trikamdas Brothers - were being retained and not dismissed because "they did not come into contact at all with Indians."

The Minister then spoke favourably of the Lawrence Committee and the NIA's endeavours to prevent any property sale to an Indian in a predominantly white area in Durban. He assured Parliament that voluntary segregation was indeed effective.

I saw the three-pronged racist attacks on Indians of Durban from the Central, Provincial and Municipal governments at a time when the Rustomjee-Christopher leadership of the NIA was recruiting for the army. It was pathetic to see Indians serving on the Lawrence Committee and advocating the creation of ghettos voluntarily. It was even more pathetic to watch the same Rustomjee-Christopher group plead for a moratorium on anti-Indian legislation on the ground that opposition to such legislation was affecting the task of the Association to recruit Indians for the army.

The Province was not interested in any moratorium. By an Ordinance introduced in May 1940, Indian representation on the Health and Malaria Committees in Natal was sought to be abolished on the grounds that Indians did not enjoy Parliamentary franchise. There were other ordinances dealing with licensing appeal and road transportation, which affected Indian interests.

Indian Views editorially condemned these measures on May 17, 1940, called for municipal franchise on the common roll and said that communal franchise cannot be accepted under any circumstances.

The Durban Borough Council was leading the anti-Indian cry by demanding an end to "Indian penetration," without providing adequate municipal or other housing scheme. In fact, the Durban Corporation and the railways were the worst Indian landlords in Durban, providing their employees with most unhygienic housing conditions in the Magazine Barracks and the Railway compounds.

Dr GM Naicker, as the medical practitioner of two years' standing in 1940, came to know the slum conditions of Indian workers, and this first-hand knowledge of the poor moved him to join the forces led by HA Naidoo in the Nationalist Bloc of the NIA.

The radicals in the political sector and the trade unionists found a home in the Non-European United Front, also led by HA Naidoo in Durban.

INDIAN ATTITUDES TO THE WAR EFFORT

On February 11, 1940, Dr GM Naicker made his first political speech at a mass meeting held in the Durban City Hall by the NIA, rejecting segregation.

The conservatives won the day and their resolution to support the war got the majority vote. HA Naidoo’s opposing motion, supported by Dr Naicker, was lost.

Since his return from Edinburgh, Monty Naicker, unlike Yusuf Dadoo, had not got involved in politics for almost two years.

The next mass meeting at which I heard Monty speak was also an NIA public meeting on the war issue, held on June 9, 1940, at the Royal Picture Palace in Victoria Street, where the amendment moved by BA Maharaj was carried.

The amendment offered conditional support for the war in case of emergency, provided the services of the Indian community were confined to South Africa and

they were treated with complete equality. It also called for an assurance that democratic rights would be extended to the Indian people after the war.

In supporting the amendment Monty Naicker said that he "was not a politician but an ordinary intelligent person," who found it difficult to distinguish between the treatment of Indians in this country and what was happening under Hitler in Germany.

Both Monty's speeches were published in the *Views*. Those who heard them were impressed with this new political star who was to remain at the head of Indian and black affairs in South Africa until his death.

Manilal Gandhi, who told the mass meeting that he could neither support the pro-war resolution nor the anti-war amendment, had editorially stated in the *Opinion* of May 31, 1940, that he would have very much liked to have observed silence on the Indian attitude towards the war.

MI Meer of *Indian Views* did not support the anti-war group. In his editorial of June 7, 1940, he said:

> "We would ask the non-Europeans to support these war efforts, not because of any alleged duty they owe to a country which treats them as helots, or out of a non-existent sense of gratitude towards those who ground them underfoot, but because of the duty they owe to themselves as men of honour and conscience to help crush the monster of Hitlerism which stalks the earth today, like an ugly, nightmare ghoul."

Sorab and Albert Christopher became active recruiters of Indians into the South African army seeped in race discrimination. In India Gandhi was clear on the issue of recruitment. He said:

> "But the greater horror would prevent me today from becoming a self-appointed recruiting sergeant that I had become during the last war."

Pandit Jawaharlal Nehru made support for the war conditional on freedom. "Give us freedom and we will abandon non-violence and fight fascism," was in essence what Nehru was saying.

In South Africa, many radicals were supporting the Nehru stand - "give us freedom and we will join the army as equals" to fight the fascists.

It was no more a simple issue of refusing to be involved in a war in which both sides were led by imperialists of different degrees.

Smuts had, on the other hand, made it very clear to the white Parliament that no blacks would be armed and that they would be given only non-combatant jobs.

By 1941 nearly 1,200 Indians, mostly from Durban, had joined the non-combatant transport corps.

In the debate in Parliament on April 15, 1940, General JC Kemp said that arming the blacks would be "a disgrace to Afrikanerdom" and General EA Conrey backed him by stating that if non-Europeans were armed then "white civilisation in South Africa would soon end."

GJ Fullard displayed his prejudices by stating that if there was to be fighting in the North he would recommend Jews to be sent first followed by Natives, Coloureds and English-speaking whites.

I remember how the Liberal Study Group was then effectively functioning as a non-racial think tank headed in 1940 by Fay King Goldie who had been a successful South African writer. The war issue was fully discussed by the Group, whose Grey Street headquarters were under constant Special Branch scrutiny.

Whether to arm the blacks or not was a very topical issue in 1940. I remember the black students of the University of Natal from their Sastri College base entering a float in the annual Rag procession with Africans, Coloureds and Indians in military uniforms with their brooms and brushes sweeping and scrubbing floors with a huge calico sign on the float reading: "Arm Them, Don't Harm Them."

During the war years, some Sastri students refused to stand at the close of a social function when - as it was then usual - "God Save the King" was played.

NATIONALIST BLOC EXPELLED FROM NATAL INDIAN ASSOCIATION

The Nationalist Bloc came into existence after the NIA declared its support for the war effort and gave an assurance to the Smuts government that it would persuade Indians not to buy immovable properties in the so-called "European areas."

On the initiative of Sorabjee Rustomjee, a committee of the NIA expelled Dr GM Naicker, George Singh, DA Seedat, HA Naidoo, CI Amra, PM Harry and BA Maharaj on July 8, 1940. All these members had been brought on to the committee by Sorab in 1939 after EM Paruk and others had refused to serve on his NIA. They were now expelled for not towing the Rustomjee line on war and on land purchases.

Rustomjee was challenged, how could he support Dadoo and the Nationalist Group within the TIC but deny the Nationalist Bloc the right to function within the NIA?

Sorab was further asked to show HA Naidoo and his followers the same tolerance that the Mahatma was showing Subash Chandra Bose and his Forward Bloc which continued to function within the Congress in India. But all this was of no avail. The radicals were expelled.

On the assurance given to prevent "penetration," Sorab carried the majority with him. But on the war issue, I can say after considering all information available, that the Nationalist Bloc had the majority, notwithstanding the chairman's ruling to the contrary.

Just as the SAIC was seeing the emergence of "radicals" within its ranks, so the ANC was moving in the same direction.

In the 1930s the ANC had become moribund under its conservative President, Dr Pixley ka I. Seme, a lawyer practising in Johannesburg. He was succeeded by Reverend ZR Mahabane, the Methodist Minister, in 1938 and he in turn was succeeded by Dr AB Xuma in 1940. There were 41 voter delegates participating and of these 21 voted for Xuma and 20 for Mahabane.

By 1939 when the ANC held its conference in Durban, the Natal Native Congress of John L Dube had joined the national body which had accepted non-European co-operation in principle.

The lead on this issue however had come from the Non-European United Front led by Cissie Gool, Yusuf Dadoo and HA Naidoo who had significantly progressed the foundation laid by Dr Abdurahman at his numerous non-European conferences. Dr Abdurahman had left a theoretical foundation; the NEUF combined theory with practice.

When Dr AB Xuma assumed the leadership of the ANC in 1940, his main objective was to draw the "African intellectuals" to the ANC. At that time among Indian South Africans in Natal the most dynamic person was HA Naidoo and his aim was to draw the industrial workers into the NIA and the NIC to give these bodies mass bases. HA Naidoo planned to give the NIC and NIA a working class base.

It was only after the expulsion of the Nationalist Bloc from the NIA on July 8, 1940, and at the instance of HA Naidoo himself, that Dr GM Naicker was elected leader of the Bloc.

Monty Naicker's call was not restricted to "Indian intellectuals" to join the NIC; he wanted to have the support of all the different groupings within the

community, including the merchants and the "intellectuals" but the greatest emphasis was on the recruiting of Indian workers into the Congress.

DEATH OF DR ABDURAHMAN

There was a deep gloom over the whole of South Africa on Tuesday, February 20, 1940, when the country heard the sad news of the death of Dr Abdurahman, member of the Cape Provincial Council and a long-standing member of the City Council of Cape Town.

His funeral was one of the largest held in Cape Town.

The vacancy caused by Dr Abdurahman in the Provincial Council in 1940 could no more be filled by a "Non-European." The white Parliament of South Africa had taken away that right.

But the Cape municipal vote continued and the Abdurahman vacancy was filled by Ahmed Ismail, President of the Cape Indian Congress, who remained Councillor Ahmed Ismail for many years after assuming office in 1940.

DEATH OF REVEREND CF ANDREWS

The entire community was stunned at the sad news of the death of Reverend CF Andrews at Calcutta on April 4, 1940. He was without doubt Gandhiji's most trusted personal ambassador to South Africa (in 1913, 1923, 1926 and 1932).

Durban greeted the news in an atmosphere of deep gloom. NIC and NIA held separate memorial meetings at the Avalon Cinema and the Gandhi Library with Hajee EM Paruk and Hajee AMM Lockhat presiding.

AI Kajee declared at the Avalon memorial service that *Dinabandhu's* death was a personal loss to him, as he had regarded Reverend Andrews as his teacher when he had just begun his political career.

COURT UPHOLDS ASSAULT ON WILLIE JACK ON TRAIN

Willie Jack was violently ejected from the second class coach of the 6.15 a.m. train from Clairwood to Congella on July 15, 1940, on the sole ground that he was an Indian though the holder of a valid second class ticket. He said in his

evidence in court that T Britz, the ticket examiner, "pulled me up and hit me in the mouth, making my lip bleed."

Britz conceded that Willie Jack had a valid ticket and that the train did not have any reserved second class coach. But he insisted that in such a case Willie Jack should have either travelled third class or waited for another train with a second class compartment for blacks.

Durban Magistrate TJ Conway found Britz not guilty of assaulting this Indian South African.

Indian Views gave an entire page of its issue of August 9, 1940, to this case under the heading: "Comrades in Arms: Not in Trains."

DADOO AND SEEDAT JAILED

On September 6, 1940, Yusuf Mahomed Dadoo was convicted by a Johannesburg magistrate for contravening the Emergency Regulations and sentenced to one month's imprisonment with hard labour or £25 fine. Another two months' imprisonment was suspended for two years. Dr Dadoo refused to pay the fine and was immediately taken away to the Fort in a police van under police escort to avoid any demonstration.

Much had transpired in India and South Africa before Yusuf Dadoo became a national and international figure. The first anniversary of the grim war was observed, with Smuts as the South African Prime Minister, and Dr DF Malan the leader of the opposition. The erstwhile Prime Minister Hertzog was in Malan's party.

Smuts declared war on Germany on September 4, 1939, and the Non-European United Front became active in anti-war agitation, supported by the Nationalist Group of the TIC and the Nationalist Bloc of the NIA.

Sorabjee Rustomjee and Albert Christopher on the other hand were actively recruiting Indians for the army. The president of the ANC, Reverend ZR Mahabane, remained silent on the war issue.

Gandhi had organised an Ambulance Corps in the 1906 "Zulu Rebellion," when Bambata, the deposed Chief, had crossed the Tugela and rallied several thousand Zulus in opposition to the poll tax; a rebellion which was crushed with speed by the British Colonial Government of Natal. Gandhi wrote in his *Satyagraha in South Africa*:

> "I joined the army with a small corps of 20 or 25 men... We found that the wounded Zulus would have been left uncared for, unless we had attended to them. No European would help to dress their wounds... The Zulus could not talk to us but from their gestures and the expression on their eyes they seemed to feel as if God had sent us to their succour."

By 1941 Gandhiji had become a *Mahatma* but his approach to World War II remained ambivalent.

Yusuf Mahomed Dadoo and Dawood Seedat were the first in South Africa to be imprisoned under the War Measures Act and restrictions were placed on their activities. South African postal authorities withheld deliveries of *Indian Opinion* and the *Call* which had criticised the war policies of the South African Government. Huge meetings were held to protest these actions.

The *Views* of August 30, 1940, reported the mass meeting held at the "Red Square" between Commercial Road and Pine Street, protesting against the arrest of Yusuf Dadoo. This was the first of many such meetings which were to take place on this site.

George Ponnen and I addressed this meeting on the action of the postal authorities against the *Opinion* and the *Call*. HA Naidoo moved the main resolution (supported by CI Amra, Manilal Gandhi, MD Naidoo and BA Maharaj) condemning the arrest of Yusuf Dadoo.

This public meeting also heard DA Seedat of the India League on India's freedom and he was followed by George Singh who condemned the war policies of the leadership of the NIA.

DA Seedat was convicted of making a subversive statement and of disturbing the public peace at the NIA mass meeting held at the Durban City Hall on March 2, 1941. He was given three months' imprisonment on the former count and fourteen days on the latter. On both counts there was an option of a fine which he refused to pay.

Among the Crown witnesses who gave evidence against Seedat were Sorabjee Rustomjee, Albert Christopher and PR Pather. The defence witnesses included Manilal Gandhi and myself.

Durban's leading Special Branch men, Sergeants Steven Dave Mandy and Archibald Henry Hobbs, gave details of what Seedat had said about the King Emperor and General Smuts, which the Crown claimed were derogatory in the extreme.

In his judgment the magistrate Ryle Masson said: "It is evident that Seedat was actuated by what he calls the evils of racial and colour oppression. He attempts to

justify his conduct by what he considers is the true aim of democracy." The magistrate held that in the public interest, the right of free speech had to be curtailed and he found Seedat guilty on both counts.

As PS Joshi recorded in his book, *Tyranny of Colour*, Dadoo's and Seedat's acts of defiance against the Emergency Regulations were the first acts of active resistance since the days of MK Gandhi in this country. The spirit of sacrifice shown by Yusuf Dadoo and Dawood Seedat electrified all sections of the under-privileged South Africans, and I remember how thousands rallied around the Non-European United Front which held huge mass meetings. Peter Abrahams, who was later to become a well-known author, was among the regular speakers in Durban.

And both in India and in South Africa support for the NEUF was on the increase, with no further opposition from the Mahatma. *Indian Opinion* and Manilal Gandhi were now beginning to support non-European unity with certain reservations. This was indeed a vital change.

Both the Dadoo case and the Seedat case were dealt with editorially by the *Views* and the *Opinion*. The *Opinion* of February 7, 1941, heartily congratulated Dr Dadoo and called on his followers to continue with the "struggle for true justice, freedom and righteousness... until the final goal is reached."

In its editorial on Dawood Seedat, on May 2, 1941, the *Opinion* said that he "is an enthusiastic young man who has fearlessly given expression to his convictions and has taken the consequences."

After pointing out that a very "unpleasant feature of this case is that the officials of the Natal Indian Association have been instrumental in getting Mr Seedat convicted," the *Opinion* added: "We cannot imagine a more unpatriotic act. They may take pride in the fact that they have got Mr Seedat convicted, but they will have to suffer the fruits of their short-sightedness."

Dr Dadoo walked out of prison after serving a period of three months, twenty pounds lighter in weight, on April 30, 1941, and was given a rousing welcome in Benoni. On the same day, Dawood Seedat began serving his three months' imprisonment in Durban.

The next day Dadoo was informed by the Chief Magistrate of Johannesburg that the "Control Officer" had considered interning him, but had decided to exempt him from internment on certain conditions. Dadoo's Certificate of Exemption required him to remain within the magisterial district of Johannesburg, the area to which he was "banished." He was required to report once a week to the Johannesburg Magistrate, and deliver to the police any radio receiver or other wireless parts and any arms and ammunition in his possession. He was banned from attending or addressing any political meeting, in particular meetings of the

Non-European United Front, the Transvaal Indian Congress, the Transvaal Indian Nationalist Youth Congress and the Communist Party of South Africa.

On July 17, 1941, Seedat was released from the jail in Durban and that very day the Non-European United Front and the Nationalist Bloc gave him a welcome at the Gandhi Library Hall, at which the new convert to the Front, Manilal Gandhi, was one of the speakers.

He too was served with a Certificate of Exemption from Internment. He was banned from the activities of the Liberal Study Group, the Nationalist Bloc, the Non-European United Front, the Left Book Club, the May Day Unity Committee and the Communist Party of South Africa.

The Smuts Government used the very regulations and law under which Dadoo and Seedat were exempted from internment to intern John Vorster at the Koffiefontein Internment Camp with many other whites from the Nationalist Party. Dadoo and Seedat were probably not interned because they could not have been put with the whites.

"STARVING LIKE HELL"

The written word in prose and poetry was becoming more and more important and from the offices of the Liberal Study Group at 141b Grey Street in Durban, Peter Abrahams was producing poems, a collection of which was published under the title *I Speak of Freedom*.

Reverend WH Satchell, who was closely in touch with the problems of the community, and who later played a vital role in the 1946 passive resistance with Reverend Michael Scott, published his little book of three poems dealing with the huge problem of poverty in October 1940. There was a great demand for this valuable booklet sold at ten pence per copy under the striking title, *Starving Like Hell*. Since it was sold at Adams many whites were able to get an insight into Indian life and labour of which they were not aware.

MI Meer devoted his editorial of November 1, 1940, covering one and a half pages, to this creative writing and said the three poems deal "with aspects of the suffering and sorrow which constitutes life for the bulk of our masses..."

Reverend Satchell himself explained:

> "I was seeking a name for this little book when on a visit to the City's Municipal Barracks, I met an Indian, who in answer to my polite enquiries as to his health said, 'I am starving like hell,' with a wage of four rand fifty cents per month to feed himself, his sickly wife and four little children."

His first poem speaks of "rat-infested cockroach dwellings" of the poor who clean the city. Referring to Durban's mayor, he asks:

> "I wonder will she
> ever really know,
> Her city's plague spot
> As she knows her glory
> and its splendour?
> I wonder - does she...
> Will she ever know?"

The second poem movingly portrays a poor Indian woman of Natal who revisits the site of her old home above the Umgeni after the municipality had expropriated her land and demolished her dwelling under the Slums Act.

"They... some big men... pulled down her home..." that we may make a better place "where other men may dwell."

The third poem called "The Laws are Good" exposes the rationalisation of enacting laws in the interest of the rich whilst destroying the searing needs of the poor.

The poems of Reverend Satchell and Peter Abrahams and of HIE Dhlomo of the Liberal Study Group had a deep impact on the community. And Dawood Seedat continued to sell *I Speak of Freedom* to all and sundry in Durban, so that he could pay the printers.

In 1940 people flocked to listen to lectures and gatherings of poets much more than they do now, when the written words of Banoobhai and many others remain unknown and unpublicised.

LAUNCH OF *THE LEADER* IN 1940

I remember that Saturday, November 30, 1940, when the first issue of *The Leader* was delivered to MI Meer at 137 Grey Street, Durban, a regular venue for Dhanee Bramdaw when he was in Durban. There was a great deal of excitement as we paged through this humble four-page edition born in the midst of the "Indian penetration" enquiry conducted by Judge Broome which provided *The Leader* with its lead story.

Printed by *Natal Witness* at Pietermaritzburg and published by Central News, *The Leader* - born 37 years after the *Opinion*, 26 years after the *Views* and ten

months after the *Call* - said in its editorial that it "will primarily be a newspaper of the quarter million" and hoped to interpret "facets of community life and development." Dhanee Bramdaw in a low key profile added that *The Leader* is "an independent organ, owing no allegiance to any group or body" and said: "By news it hopes to interpret all those facets of community life and development that should prove of interest to all its readers."

The Leader was a new experience to the community in that it had street sales. It was sold in the streets of Durban at two pennies a copy.

Four more issues of *The Leader* were published before year end in 1940, each containing eight pages. In these issues Dhanee Bramdaw gave prominence to the white racist outbursts before the Broome Commission, dealt with the tragedies of the Provincial barriers, gave the Liberal Study Group its well-deserved credit and reflected Indian life and labour.

When *The Leader* appeared the radical Indian leaders were continuing to write in-depth articles in the *Views* and the *Opinion* and I remember DA Seedat's article on the "Nationalist Bloc and its Views" which was given prominence in MI's weekly of July 12, 1940.

In *Indian Views* of July 26, 1940, under the heading "Dr Dadoo's Advice to Prof. Jabavu," there is a serious in-depth analysis of the war by Dr Dadoo, written on the eve of the meeting of the All-African Convention at Bloemfontein which was to consider African participation in the war.

Even forty-six years later the articles of DA Seedat and Yusuf Dadoo are worth reading and they emphasise the importance attached by radical leaders of the forties to share their innermost thoughts through the written word with the masses so that community decisions could be reached democratically and only after the fullest discussions had taken place.

The South African Institute of Race Relations published in *The Handbook of Race Relations*, 1949, a valuable chapter on the "non-European Press." There were many more independent black papers then than now. *The Leader* alone has survived as the voice of Indian South Africans in journalism.

STARK RACISM AT BROOME INQUIRY

In the midst of the war, the Broome Commission held its first public hearing at the Durban City Hall on December 2, 1940, to ascertain the extent of what was called "Indian penetration into predominantly white areas" in Natal and the Transvaal since 1927.

This Commission, whose findings were made public on October 11, 1941, disproved the allegations which white racists were making against Indians.

I remember attending the first public session of the Commission held in Durban when we were surprised to hear that Graham Mackeurtan, K.C. was not going to allow any questioning of the Durban Corporation's officials who were to give evidence before Judge FN Broome.

Our surprise was even greater when the judge confirmed that the Commission had no power to allow cross-examination or to call any witness, nor the power to order the production of any documents.

The NIC was represented at this hearing by Advocate A Milne and AI Kajee, with Sorabjee Rustomjee representing the NIA. Sir Benegal Rama Rau, the Agent-General, represented the Government of India. He was present when the Durban Corporation's legal team stood their ground in refusing to allow the testing of evidence by cross-examination.

To the vast majority of Indian South Africans, the Broome Commission hearing was an exercise in futility with the white witnesses displaying in full the venom of racism and Indian spokesmen such as Sorab, AI Kajee and PR Pather, "defending" Indians against the "crime" of living or trading in the areas of their choice.

The Nationalist Bloc in Natal and the Nationalist Group in the Transvaal had called for a boycott of the Commission on the ground that Indians had the inherent right to trade and reside in any area and that they were totally against segregation in any form whatsoever.

In its issue of January 11, 1941, *The Leader* gave us the verbatim transcript of the evidence given before the Broome Commission by John Taylor Gove, 68 years of age, born at Verulam and in 1940 residing at the Berea.

He claimed that he and his family were "practically driven out of our village of Verulam... when the *coolies* had finished their indentures and they came into the village and started trading."

Gove and his wife were living on the Berea since 1914 and he was now complaining to Judge Broome about the property of Ismail Moosa at the corner of Cowey and Clarence Roads where it was "quite a usual sight to see four or five Indian women walking about the streets with a crowd of children." Gove further alleged that Ismail Moosa's son had now acquired a property in Currie Road and that an Indian named Moolla had also moved into the area.

Gove had no hesitation in testifying before Justice Broome that "according to Mohammedan law these Indians are allowed four wives and as many concubines

as they like." Enlarging on his expert knowledge of Mohammedans, John Gove continued:

> "Whenever an Indian gets tired of one wife he pays her a fixed fee, goes to the priest, arranges for a divorce, and takes another wife.
>
> "I saw with my own eyes Moosa's family walk in the streets every day. My wife said to me, 'Have I got to put up with that?'"

This was one of the few white witnesses who agreed to being cross-examined, and in answer to Sorab, Gove said that he did not know how many wives Moosa had but he was going by Mohammedan law. In answer to AI Kajee, Gove said that he objected to the social customs of Indians because they "do not live from the Christian point of view."

The verbatim record of the Broome Commission will be preserved for all times to record how the *herrenvolk* of South Africa, English and Afrikaans, thought in 1940-1941 as so many of them do until today, rejecting other peoples' beliefs, of which they know nothing, as false and dangerous.

Dhanee Bramdaw appropriately gave Gove's evidence under the heading "Expert Evidence of Muslim Law." It was, however, too tragic to evoke any laughter.

The whites were attacking Indian customs and religious beliefs, and there was a strong undercurrent in white evidence that Indians were multiplying too fast and that numerically they would swamp the whites.

INHUMANITY OF PROVINCIAL BARRIERS

The Leader also gave prominence to the tragic story of a 17-year-old Indian girl who was forced to separate from her parents in the Cape because she was born in Natal, although she was engaged to be married to a Cape Indian.

The Commissioner of Asiatic Affairs, refused to give her a permit to remain in the Cape although her parents were lawfully domiciled in the Cape. Their daughter, born in Natal, was allowed to be with them on permit from the age of 12 but on reaching the age of 16 she was obliged to return to Natal.

In answer to a heart-rending plea by the girl's father, the Commissioner of Asiatic Affairs said that he "will in no circumstances extend the permit."

This was no isolated case of hardship under the law which enforced provincial barriers.

Despite the pain this incident caused the community, the TIC under SM Nana did not call for the repeal of the provincial barriers, on the grounds that if Natal Indians were freely allowed into the Transvaal they would create a greater racial problem for Indians of that province.

You will appreciate the difficult educative role of the Liberal Study Group at a time when the so-called Indian leaders were supporting racism "voluntarily" and opposing it when enforced by law, and when within the Congress there was no unanimity even on abolishing the provincial barriers.

AGENT GENERAL BECOMES HIGH COMMISSIONER

January 1941 commenced with Sir Benegal Rama Rau, India's Agent General, becoming India's High Commissioner. *The Leader*, *Indian Opinion* and the *Views* in complete unanimity regarded the change in the title as being retrogressive to our community, preventing India's diplomat in South Africa from speaking on our behalf any more.

The High Commissioner, said Sir Rama Rau, "will... act as the spokesman of the Government of India only and *not* of the Indian community in the Union, but his advice and assistance will continue to be available to any section of the Indian community which is willing to work in agreement with the policy of the Government of India."

Sir Benegal was in any case not representing the people of India, but the British interests in India.

In the editorial of the *Views* on January 3, 1941, under the heading "Exit the Agent," MI Meer had to say in his typical, colourful English:

> "The question is: Is the birth of the one a fit and fair compensation for the death of the other or is it not?"

The editorial then quoted Sir Benegal's statement that the change from Agent-General to High Commissioner would be beneficial to Indians in South Africa, and asked: "How?"

"We are afraid", MI Meer continued, "neither Sir Rama Rau, nor even a Sherlock Holmes will be able to elucidate the mystery as to how precisely we are going to benefit by killing the Agent-General and christening his dead corpse with the impressive appellation of a ‘High Commissioner’ by way of compensation."

The *Views* said that it was a mockery and a farce to give that high sounding name to "the mere bureaucratic mouthpiece of an India in bondage."

Indeed MI Meer had said what the community was thinking. Sir Rama Rau as the Agent-General had hardly opened his mouth on our grievances. Now as the High Commissioner, his lips were sealed with the blessing of the Viceroy.

The Liberal Study Group regarded the change as the ending of a charade, but realised that the reactionary Sorab and Kajee groups would continue to be influenced by diplomats from India, but not representing India.

INDIRA NEHRU'S VISIT TO DURBAN

Indira Nehru, then a young student in her twenties, arrived in Durban by ship on her way to India from England on March 31, 1941. She was travelling with a group of students, including Firoze Gandhi and the brilliant Chandra Gupta.

I remember the historic five days that Indira Nehru spent in Durban. It was said that in that time Nehru's daughter made Gandhiji's son, Manilal, change his views on non-European unity, and removed the hesitancy of *Indian Opinion* to condemn the war.

When Indira's ship docked at Durban, her father Jawaharlal was serving imprisonment at Dehra Dun prison and so was Yusuf Dadoo in Johannesburg. The Dadoo era in the politics of South Africa had already commenced with its clear opposition to imperialism and rejection of segregation, both statutory and voluntary, and with a clear vision of a non-racial South Africa achieved through the combined efforts of black and white democrats.

Sorabjee Rustomjee, however, was supporting the war and was busy recruiting for the army. This, however, did not prevent him from going on board Indira's ship, garland and all to welcome her. But she rejected his overtures and said she would have nothing to do with either the NIA of Rustomjee or the NIC of AI Kajee, because both these bodies were supporting the war.

In the morning of Monday, March 31, 1941, Indira Nehru knocked on the door of the address given to her by VK Krishna Menon, Jawahar's personal representative in England, and head of the India League there. This was the address of the India League in Durban, a humble residence in Acorn Road, where Dawood Seedat lived with the Variawas. Bibi Variawa opened the door and soon Dawood Seedat was welcoming Indira and her friends.

By the time Cassim Amra from nearby Milton Road and I arrived, having been summoned by Dawood Seedat, Indira and her friends were comfortably seated cross-legged on the huge bed in the largest room, enjoying their steaming cups of tea.

We were joined by HA Naidoo, George Ponnen, Beaver Timol and AKM Docrat and were soon engaged in serious discussion on the war and local Indian politics. Chandra Gupta felt very strongly that Indira's group should convince Manilal Gandhi that the *Opinion* should take a firm anti-imperialist line on the war and should give up its opposition to non-European united action.

The Liberal Study Group took the group to Magazine Barracks and Indira was visibly moved.

The Group also took them on a tour of the whiteman's shame - the notices prohibiting non-Europeans. If I remember correctly, the segregation on the beach front in Durban came in the late twenties and by 1941 the Durban municipality had sufficient powers to reserve beach amenities such as the paddling pool for whites only, without providing similar facilities for persons who were not white.

Not only did Indira refuse the offer of Kallenbach to accommodate the students at the Marine Hotel, on the grounds that this hotel was generally not open to the blacks, but she with great politeness pointed out that the students would not stay at the Phoenix Settlement either. They elected to be the guests of the Non-European United Front.

Seven days after the departure of Indira, the *Opinion* in its editorial of April 11, 1941, after noting that the colour bar affected Africans, Coloureds and Indians alike, said for the first time: "Such colour bar can effectively be opposed only by a united front of all non-Europeans." Nehru's daughter had succeeded with Gandhi's son where others had failed.

Under the influence of Sorab, the MK Gandhi Library and Parsee Rustomjee Hall was refused to the Non-European United Front for a welcome reception to Indira Nehru. Such a political refusal had never taken place before in the long history of this central venue.

Dealing with this refusal, *Indian Opinion* observed:

> "Strange to say that while the Marine Hotel was quite willing to accommodate Miss Indira Nehru, the hall which bears the name of Mahatma Gandhi... was refused for a welcome reception to Miss Indira Nehru.
>
> "The management were unable to allow the use of the hall without knowing the agenda of the meeting and what kinds of speeches would be made."

Sorab was afraid of anti-war speeches which would hinder his recruiting campaign, but HA Naidoo fully came up to expectations and in no time AI Kajee

gave him the use of his Avalon Cinema as the alternate venue for one of Durban's most historic welcome receptions.

On Wednesday, April 2, 1941, the Avalon cinema was packed to capacity by 5.45 p.m. HA Naidoo was in the chair and Manilal Gandhi, speaking in Hindi, presented Indira with a beautiful bouquet. Second year arts student IC Meer addressed the gathering, followed by DA Seedat, who was then out on bail.

When HA Naidoo saw AI Kajee among the audience, he called on him to share the Non-European United Front platform which Kajee readily did and showered great praise for Nehru.

Indira and Chandra Gupta were given tremendous ovations. I will never forget when the frail Indira condemned the war as an imperialist war and listed the numerous national leaders in India who were in prison, with Gandhiji still outside leading the individual satyagraha.

Dealing with South Africa, Nehru's *Priyadarshani*, said: "One of your leaders, Dr Dadoo is now in prison for the greatest of all crimes - the crime of telling the truth..."

Commenting on her visit to Magazine Barracks and the sugar estates, Indira told the Avalon Cinema audience, "what little we have seen of the intolerable and humiliating conditions of the non-European people has convinced us of the necessity for united action of all peoples against our common enemy..."[5]

In the clearest terms possible the frail Indira made the most powerful speech on the war. She impressed everyone present at the Avalon Cinema when she said:

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[5] Girls' High School student Kantham Naidoo and Liberal Study Group member Gail Hardy, who I think was holding an important health post as a qualified nurse, both had written special feature articles for the *Views* on the living conditions of the sugar workers, much to the annoyance of the then white Protector of Indian Immigrants.

I remember reading Gail Hardy's article of January 19 and that of Kantham Naidoo of March 22, 1940, both moving and graphic, giving an insight into the lives of those who had made Natal into a Garden Colony.

Gail Hardy's article commenced with these words:

> "Hidden away amongst the fields of sugar cane, that add so much to the beauty of the South Coast, are labour lines, festering plague foci, that cannot be equalled for squalor anywhere in the world..."

Gail Hardy's article is a must for anyone who is interested in the problems that HA Naidoo was facing in organising the sugar workers of South Coast where the young Ramsunder had invited him to assist, and Kantham's article shows the awareness of a high school girl to the housing realities of her times.

> "Our imperialist rulers can only offer us mass slaughter on an unprecedented scale. Today they are waging a war in the name of democracy and freedom. In South Africa and in India we are left in no doubt as to the nature of this so-called democracy and freedom. The Indian National Congress has declared this war to be an imperialist war for the maintenance and extension of empire."

Enlarging on what empires stood for, Jawaharlal's daughter and the future Prime Minister of India said that evening:

> "Empire, as we have had occasion to experience, is a negation of the most elementary rights of citizenship and liberty. There is only one thing we can do with empire and that is to break it. The sooner we put an end to this system of exploitation the better it will be for all peoples irrespective of race or colour."

Indira received a standing ovation when she concluded her speech with these words:

> "Our enemy is clever. We must not, we shall not, allow him to divide us. Indians and Africans must act together. Common oppression must be met with the united and organised power of all the exploited people... Our enemy is weakening. Let us unite and strike the last blow."

The same evening Manilal Gandhi and Sushila Behn hosted a social for Indira and her group at the Surat Hindu Association Hall in Victoria Street. Music was provided by the Lawrence sisters, daughters of the veteran Congressman V Lawrence. (The Lawrence home in Gale Street, Durban, was an important musical venue, where many students of music received their training.)

The Liberal Study Group took Indira's group to the Howick Falls - in taxis, as in 1941 no one in the Group had or could afford a motor car. The photographs taken at the falls with a small box camera are the only existing photographs taken during that historic visit of India's future Prime Minister.

The trip to Howick Falls ended with a dinner at the Phoenix Settlement.

On April 4, 1941, Indira's ship lifted anchor and sailed away. A small group had gone by a ferryboat hired from the jetty to bid them farewell.

ACTIVITY ON THE LITERARY FRONT

During 1941, there was tremendous interest in what was termed "New Writings." Mulk Raj Anand was very popular: his novel *Coolie* had become the colonial world's best seller. India's Josh Malahabadi was presenting his most relevant poems to meet the post-Iqbal period in Urdu literature.

In 1941, the Liberal Study Group gave to South Africa and the world a Peter Abrahams and an HIE Dhlomo, both excelling in presenting the woes of our caste-ridden society in prose and in poetry. The two small volumes of Peter Abrahams' poems published in 1941 have become collectors' items.

AI Kajee's Ryde Avenue home contained a fine "left" library. Abdulla Kajee was not only an avid reader but surprisingly he found time to attend book reviews then regularly held at the Liberal Study Group and elsewhere in Durban.

In 1941 Nehru's masterpiece, *Unity of India*, was reviewed by AI Kajee especially for *The Leader*. Farooki Mehtar reviewed Peter Abrahams' collection of poems entitled *Here Friend* and the young RS Nowbath reviewed *Valley of the Thousand Hills*, a classic in verse from the pen of Liberal Study Group member HIE Dhlomo.

Farooki's review of Abrahams' first-ever published work appeared in *Indian Views* of February 14, 1941, when this young poet-author was virtually unknown to South Africa and to the world. Farooki expressed the hope that Abrahams "will receive the encouragement he deserves," and added: "It would be a pity if the talent of which this booklet gives abundant proof was allowed to wither away from lack of the appreciation which it so richly deserves."

Farooki's judgement was sound. The talent of Peter Abrahams flourished. But in order to establish himself as a novelist his own country lost him to the world and the Liberal Study Group took pride in the fact that its member had become the author of numerous best sellers after he left Durban.

"These poems are not for sale," Abrahams said in the epilogue, "they belong to you from whom I stole them. All I want is the cost of production to be covered" and that was three cents per copy for the cyclostyled booklet obtainable from P.O. Box 700, Durban, then registered in the name of Dawood Seedat.

Farooki rightly said that Abrahams addresses himself to the man and the woman in the street, "especially the hungry and the poor." He wrote of solidarity forged and shaped by the common suffering of the oppressed. Farooki quoted from the poem addressed to the Coloured person who talks of "white blood" in his veins and after admonishing him, the poet says:

> ...Stretch your hand.
> And greet your darker brother.
> That's the only road to freedom.

Speaking of Freedom is the first publication of Peter Abrahams that was not cyclostyled; it was printed by NV Mehta of the Universal Printing Press, with a foreword written by me. Every poem in the book had been written at 141B Grey Street, the home of the Liberal Study Group.

Indian Opinion gave great prominence to Abrahams' *Speaking of Freedom*. His poem on India in that volume reached many parts of India where the *Opinion* was read and was often reproduced in the columns of India's freedom press. Thus Abrahams came to be known in India.

Let us now turn to that outstanding literary figure of 1941 and the years following, HIE Dhlomo, a member of the Liberal Study Group in 1941, who played an important role in the ANC Youth League.

In 1941 he attended each and every meeting of the Liberal Study Group, and took part in a debate with DI Dladla on whether Africans should join the Non-European United Front. In that year his *Valley of a Thousand Hills* was published by Knox Publishing Company of Durban, and sold by the author from 29 Beatrice Street - "Bantu Mens' Social Centre" (as it was then known) - at two shillings per copy.

I remember a debate on communal representation that took place at the Stanger Picture Palace in Stanger between the Liberal Study Group team (IC Meer, HIE Dhlomo, MI Omarjee and DA Seedat) and the Stanger and District Literary and Debating Society (Dr VT Williams, VG Augustine, LJ Joseph and DD Lalla). Such debates were important vehicles of educating the masses and on that Sunday, November 16, 1941, the Stanger Picture Palace was packed to its capacity.

At a banquet given to the visiting team from Durban by Dr Williams, one of the highlights was the reading of a poem on Shaka written that very day in Stanger at the grave of Shaka by Dhlomo, a poem which had to be recited a second time by me, giving the history of how it came to be composed. That night Stanger learnt, perhaps for the first time, Shaka's great historic role, long before Shaka Day came to be observed in that North Coast Town where that great Zulu leader is buried.

Just as Abrahams was a beginner in 1941, so too Dhlomo was a virtually unknown new comer in the field of literature.

In 1985 Raven Press gave us a study of the life and work of Dhlomo by Tim Couzens, but it does no justice to Dhlomo's days with the Liberal Study Group. The fault is not of Couzens but ours because we have failed to produce the history of the Liberal Study Group and its great role in the forties.

The youthful Ranji Nowbath, in his review of *Valley of a Thousand Hills* in *The Leader* of November 8, 1941, called it a "unique piece of work" expressing the "present feelings" of Africans, once a proud people and a warrior-race but for whom today:

> My home is not
> My home; I am an out-
> cast in my land!
> They call me happy
> while I lie and rot
> Beneath a foreign yoke,
> in my dear strand.

Nowbath regarded the poem as "outstanding in character" and in his numerous quotations from Dhlomo is the following:

> Stand in united front!
> Stop the affront
> Of their fell boasted
> might!
> Let us rise and fight!
> United we can save
> Those who now slave.

MUSHAERAS

The organisation of *mushaeras* each year became an important task of Farooki Mehtar.

The vast majority of poems contributed for the *mushaeras* dealt with *Shamaa* and *Puwana* love themes - the lamp and the moth, highly stylised, with the garden, the nightingale and the wine used as symbols.

AI Meer, MI Meer and Farooki were among those who broke away from such hackneyed themes and presented realism in the midst of escapist contributions.

I remember AI Meer, whose "poetic name" - *takhallus* - was Ahmed, stating in one of his bettter known poems that when Adam was given the *Khilafat* of the Earth, God extracted one promise from him - "that we should live as brothers." AI's poem has been translated into English, but much of its intrinsic beauty can only be captured in the original Urdu.

In any case let me share with you some lines from the English translation in which "Ahmed" says:

All men are equal -
black, white.
All children of one God
Who founded in Adam's line,
the great family of man.

Tormentingly, the poet questions from where came the usurpers, the false kings and rulers who divide human beings because they are power mad and full of pride for their colour. They have brought the "reign of winter," keeping away the spring.

AI ends his poem for the return of "eternal spring" - the brotherhood of humanity.

This poem was in a way a departure from the regular run of Urdu poetry in South Africa and it received much acclamation, from those present at the *mushaera* at which Farooki, Moulana Basheer Siddiqui and Safee Siddiqui made their noteworthy contributions.

Yusuf Dadoo was at home and completely relaxed at every *qawali* and *mushaera* he attended. He identified himself completely with all aspects of community life.

VERULAM

I visited Verulam in 1941. I was able to go to the Temple Valley and have a close view of the Sri Gopalal Hindu Temple, and I learnt of its close connection with MK Gandhi when he was in South Africa. Whilst this historic temple still exists in Verulam, the arch to the entrance to the Sufi Saheb's Riverside Mazaar has been lost to us as victim of the Group Areas Act.

The year 1941, I remember, was a year in which *Diwali* and *Eid* were observed within days of each other. My visit to Verulam had made me aware even more strongly of the harmonious relationship that existed in our community.

The families of Master Naby, Babu Talwantsingh, and the Andhees, all of Temple Valley, were living examples of inter-faith understanding which extended to all at Verulam.

I remember how the *Ramayana* celebrations at the Sri Gopalal Temple in Verulam brought non-Hindus also to the Temple Valley. When it came to *Moharrum* both Muslims and Hindus joined together.

Diwali and *Eid* were occasions for sharing in each other's happiness.

Verulam was historically an "Indian village" but white greed did not want to let whites-only domination of Verulam slip out of white hands.

Hence it was not surprising that HN Adams, Chairman of the Verulam Town Board, decided to give evidence on Indian penetration in Verulam. His evidence was concerned with the increase in Indian population and decrease in white population of Verulam since 1927. In 1926, said Adams, there were 309 whites in Verulam and 772 Indians; in 1941 there were 230 whites and 1,139 Indians. He further told Judge Broome that in 1929, 39.8 per cent of Verulam's non-governmental properties were Indian-owned and in 1940 this had increased to 49.7 per cent. In 1941 Verulam's library was reserved for whites only and there was strict segregation in the post office, railway station and even at the commercial banks. Besides, the Verulam Magistrate's Court was the daily scene where Africans and indentured Indians were charged and convicted for refusing to obey their employers. The Master and Servant Laws did not apply to others, just as the pass laws and the Provincial barriers too applied only to Africans and Indians.

Even now, in 1986, decades after Verulam was declared an Indian group area, much against white opinion whose Town Board tried before the group areas hearing to retain white control, no white business has been closed down. In fact whites made huge profits by the sale of their properties to Indians.

INDIVIDUAL PASSIVE RESISTANCE IN THE TRANSVAAL

While Yusuf Dadoo was in prison, the TIC launched a Passive Resistance struggle on May 12, 1941, against the Asiatics (Transvaal Land and Trading) Act.

Moulvi IA Cachalia had presided over a huge Gandhi Hall meeting in Johannesburg protesting at this wartime attack on Indians. The meeting decided to launch passive resistance, which had been postponed in 1939 at the instance of the Mahatma.

The line of action was to put up stalls at various centres in the heart of Johannesburg where selected volunteers were to hawk fruit and other goods without licence, thereby inviting arrest and imprisonment. This was individual and not mass resistance.

The Mahatma's South African "adopted son," Narainsamy Naidoo,[6] Yusuf Patel and SB Medh were among the first selected resisters, receiving active support from SM Desai, Moulvi IA Cachalia and PS Joshi.

Four passive resistance stalls were set up and were manned by SB Medh near the Magistrate's Court; MD Bharoochi near the City Hall; SM Desai near the Post Office; and Mahomed Sadick near Park Station. The *Opinion* reported that Narainsamy Naidoo "looks after the opening and the closing of the stalls and IA Cachalia and Yusuf Patel act as relievers."

Indian Opinion of July 25, 1941, reported that the summonses served on resisters Narainsamy Naidoo and Mahomed Sadick for selling fruit and vegetables without trading licences had been withdrawn.

The resistance was not without its humour. SM Desai unwittingly invited a long queue of white housewives with their baskets one morning after mistakenly selling 50 oranges for a shilling instead of 15. It required all his wits to get out of that error before the bargain hunters returned to their homes.

I remember how Dadoo returned from prison to find the "Gandhian days" back in Johannesburg with ME Nagdee *Chacha* in the lead. Although no one was sent to prison, the passive resistance of 1941 showed the willingness of the people to rally behind Dadoo in support of human rights. The ground was indeed being prepared for the 1946 campaign in which almost 2,000 resisters would court imprisonment.

At the beginning of March 1942 the Nationalist Group of the TIC resolved to suspend its passive resistance. The exact wording of the resolution of suspension was as follows:

> "The Passive Resistance Council deems it necessary, in spite of the hardships and disabilities of the Indian community, to suspend the passive resistance struggle conducted against the Asiatics (Transvaal Land and Trading) Act, 1939, as amended in 1941, in view of the acute sharpening of the international conflict, which today constitutes a grave danger to the safety and security of the peoples of South Africa."

The Leader ran its report of suspension, under the title of a song then popular, "We Have No Bananas Today."

DEVELOPMENTS IN EDUCATION - 1941

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[6] Shortly before Gandhi left South Africa in July 1914, Thambi Naidoo presented his four sons, including Narainsamy, to Gandhi for the service of India. They returned to South Africa in the 1930s.

In 1941 over thirty thousand Indian children were without any schooling whatsoever. Sastri College and Dartnell Crescent remained the only high schools for Indians in Southern Africa.

Great prominence was given to Mahomed Goolam Hoosen Mayat and Shunmugam Reddy who obtained first class passes in Matric in 1941; five students obtained second class passes and eight third class passes.

The only matriculant at Dartnell Crescent to obtain an exemption pass was Devamonie Bhoolasingh. Zulekha Jhaveri and Sashma Naidoo obtained leaving certificates. Norma Maharaj of Waschbank also passed her matric and went on to study at Fort Hare.

The Leader paid tribute to the role of Mrs P Morel in the educational progress of our girls at Dartnell Crescent. The school opened in 1930 with 41 girls: in 1938 there were 64.

In 1942, more than fifty boys were turned away from Sastri College. They could easily have been accommodated at Dartnell Crescent but at that time no one dared advance the cause of co-education in our community.

The popular school principal of Sastri College, William Buss, announced at the annual 1941 prize giving that Sastri was a first grade school, but there was an urgent need for more class-rooms. The community added these in 1942.

The year 1941 is an important year in the field of black education. In that year the University of Witwatersrand announced that African, Coloured and Indian students studying medicine would be allowed to complete their entire medical course in Johannesburg. Previously, they were allowed to do the preliminary years only at Wits.

It was the year in which the National Union of South African Students invited Fort Hare for the first time to join NUSAS and law student PM Krishna was elected to represent Wits at the NUSAS "Best Speakers Debate." This had never happened before; all previous years' speakers had been whites.

TRAINING OF DOCTORS AND PROFESSIONALS

The Natal University College campuses in Durban and in Pietermaritzburg had kept their doors completely closed to all blacks; they could only attend classes at Sastri on the weekends.

Those who studied at night and at the weekends, as part-time students, were denied the use of the Natal University College blazers, in a petty move, with the

explanation that the blazer belonged to the NUC's sports body which did not allow non-Europeans as its members.

Fort Hare remained the important training centre. The University of Cape Town to which O Jooma had proceeded and the University of Witwatersrand to which RA Karrim, among others, had gone, were placing many barriers in the clinical training of black students.

When we arrived in Durban in 1931 to join MI Meer, not a single Indian South African had qualified at a South African university as a lawyer or a medical practitioner. No black lawyer or doctor had been trained at any university which boasted of "academic freedom." The guilt of segregation and apartheid spreads over a much wider white segment than the Nationalists who came to power in 1948.

We know that the Indian-born MK Gandhi and the South African-born Abdullah Abdurahman arrived in South Africa with their British qualifications in 1893. In the legal field, the next person to arrive was RK Khan, born and qualified overseas, followed by many others, including those born in South Africa but trained in England, like Albert Christopher.

In the medical field, Monty Naicker, Yusuf Dadoo and Goonam received their training at Edinburgh.

In South Africa, students such as RA Karrim and Mahomed Goolam Hoosen Mayat faced many difficulties in respect of admission, clinical studies and obtaining their housemanship on completing their medical course.

Others like Dr Alam Baboolal, became medical practitioners after teaching for a number of years. Dr MI Essack, who served in a general dealer's shop for years, obtained his secondary education at the tech classes under the inspiring guidance of V Sirkari Naidoo and then proceeded to Dublin to study medicine.

George Singh and AH Mullah were the first South African Indians who obtained their law degrees from South African universities.

George Singh, B.A., LL.B. was admitted as an attorney of the Supreme Court of South Africa during September 1943. The *Opinion* pointed out that he was the first Indian to qualify as a lawyer in South Africa. By the time of his admission he had become a household name among Indians in political and trade union fields.

LASCARS IN DURBAN

The war continued to bring unexpected visitors, including students who had to go via the Cape route to and from England, because the Suez Canal was closed for the duration of the war.

And Durban remained in the danger zone with black-out enforced each night.

Ships were torpedoed outside Durban and many Indian lascars were finding their way to Durban where they were housed in different places including the Depot Hospital at the Point.

In May 1941, Durban witnessed a sight not before seen in South Africa: Indian soldiers marched in Durban fully armed. It was the Rampur Regiment from India which had brought a large number of Italian prisoners to South Africa. The regiment's officers were entertained at the Orient Club.

The Natal University College Students' Union (Sastri Section) formed a Research Group, headed by its officials, and this Group exposed the conditions under which the lascars lived and were economically exploited by local Indians. The pressure of our students was so great that the Minister of the Interior, Harry Lawrence, made a special trip to Durban, where he toured with Research Group members the different places where the lascars were housed. Relief followed both from the authorities and the individuals who housed them.

Among these lascars were many outstanding singers. In the dock areas, the stillness of the dark nights was pleasantly disturbed by *quawali* sessions during the war years organized by Harry Devdath.

IMPERIALIST WAR BECOMES PEOPLE'S WAR?

When the Transvaal passive resistance was suspended in March 1942, *Indian Opinion* spoke of "not embarrassing the government in these difficult times" - following in the Gandhian footsteps of the past but not anticipating that by August the "Quit India" resolution would come from the Mahatma himself, without any consideration of any embarrassment to the British government fighting for the very survival of the United Kingdom.

Whilst the 1941 Transvaal resistance came to an end without any arrests, the individual *satyagraha* launched in India led to the eventual "Quit India" resolution of August 8, 1942.

I remember our deep interest in what was taking place in India.

BN Pandey, Nehru's biographer, observes that during the course of Jawaharlal Nehru's imprisonment in 1940-41 "the nature of the war began to change for him."

> "When Germany invaded Russia in June 1941 and Churchill pledged his support for the Soviet Union the war ceased to be an imperialist charade."

On December 4, 1941, Nehru and others were released and three days later, on 7 December, Japan attacked Pearl Harbour. Nehru tried to reach a settlement with England to enable India to play her full role against fascism at a time when the Mahatma was still opposed to even a free India taking up arms against Germany and Japan. The Gandhi-Nehru rift widened, as the Mahatma continued to advocate non-violence against Germany and Japan when the latter was at India's border after occupying Malaya and Burma.

Jawaharlal was now openly advocating the use of the bayonet - and not the spinning wheel - to fight the fascists as a free India. The Mahatma hence found himself isolated and the world heard the shock news of his resignation from the Indian National Congress, a resignation which lasted for a short while in 1942, with Gandhiji taking full command of the "Quit India Campaign" in July-August 1942.

It was at that time that Gandhiji appointed Nehru as his successor, notwithstanding Nehru's rejection of non-violence in the international arena. He said:

> "He is my legal heir. I am sure that when I pass away he will take up the work I do. He is a brave and courageous man. We have often quarrelled but when I am no more he will know how to carry on my work."

Nehru moved the "Quit India" resolution, seconded by Sardar Patel, on August 8, 1942. On 9 August, the following day, all members of the Congress Working Committee were arrested in Bombay. A mass civil disobedience movement began and millions were galvanised into action.

In South Africa, Dadoo and Seedat would have most likely been interned, had not their attitude towards the Second World War changed after Germany's attack on Russia.

Whilst the violent anti-war campaign of *Ossewa Brandwag* continued, the anti-war activities among Africans, Coloureds and Indians virtually came to an end, although no prominent black leader joined the army.

The average black person, however, found it difficult to understand how an "imperialist war" had now become a "people's war."

The "change in the approach to the war" did not make black leaders any less militant. In contravention of the conditions of his Certificate of Exemption from Internment, Dawood Seedat addressed a meeting of the Liberal Study Group on August 31, 1941, where he recounted his prison experiences and for this he was charged. He appeared before Magistrate FC Silk in Durban on November 18, 1941, with HS Bloom of Johannesburg appearing for him; he was found guilty and fined twenty pounds or forty days. An appeal against the conviction was lodged.

The difficulties which Dadoo and Seedat now faced from the people for their pro-war views are recorded in the Indian weeklies. The report of a Pietermaritzburg mass meeting received the following headlines in *The Leader* of October 3, 1942: "Dr Dadoo called a traitor. Maritzburg gives him a hot reception. Noise only abates when he resumes his seat." And *Indian Opinion* wrote editorials against Dadoo and Seedat.

It is to the credit of the new leaders that in such an atmosphere they were able to continue to receive the support of the people and by the time the war ended, the Naicker-Dadoo leadership was firmly established.

EI ASWAT PASSES AWAY

In July 1941 we learnt of the demise of the veteran passive resister EI Aswat, who had taken a leading part in the struggle during MK Gandhi's days in South Africa.

Aswat *Chacha* had bridged the Gandhi-Dadoo period of resistance in South Africa. He headed the Non-European United Front when Dadoo launched this movement in the Transvaal.

His place on the Front was taken by George Carr, the very likeable president of the Transvaal Teachers' Association, which had Indian and Coloured members.

SEGREGATION IN PUBLIC TRANSPORT

Our people suffered great humiliation in many fields in 1941, one of them being public transport.

In the *Opinion* of January 24, 1941, an account is given of what happened to an Indian family from Pietermaritzburg when they were returning by a Durban municipal tram from King Edward VIII Hospital after they had taken seats reserved for blacks.

They were ejected from their seats at the next stop and their seats were given to whites.

The conductor's argument was that whites could not be made to stand when blacks were seated. The reserved seats, I remember, were not painted in different colours, because those very seats which were for blacks became white seats on the return journey. This was because the trams did not "turn around," only the front became the back and the back the front on the return trip!

In Johannesburg, the position was identical for Indians and Coloureds to what it was in Durban. But in the Golden City Africans had to travel by completely separate African trams and buses, even painted differently, but the "white missus" was allowed to take her African nanny with her, provided she had her baby in the care of the nanny.

I was in Johannesburg - I think it was in the year 1943 - when I appeared before the magistrate charged with the crime of obstructing a bus conductor in the exercise of his duties; that "duty" was the unsuccessful attempt to eject Nelson Mandela from the tram in which four "non-European" students of Wits (including the accused) were travelling.

The conductor's contention was that Nelson Mandela did not fall within the category of exempted Africans allowed to travel in a mixed tram even in the reserved seats.

I remember this case because it was also the first time that I saw Abraham Fischer, then a leading advocate and law lecturer, who appeared for me. I was found not guilty and discharged.

The conductor had failed to eject Nelson, but his very attempt to do so was a most humiliating experience for all the four law students.

NIC AND NIA IN 1941

The Third Provincial Conference of the NIC in 1941 was a powerful Kajee demonstration of the support he had among his followers, in the main drawn from the merchants of Natal.

If Kajee excelled in the organising of his Conference so did Sorab in entertaining the Rampur Regiment from India which had brought Italian prisoners to South Africa.

In garlanding white South Africans of all ranks and occupations the two organisations were about equal. The florists of Durban were staunch supporters of both the NIA and the NIC.

MASS MEETINGS TO OBSERVE IMPORTANT EVENTS

January 26, 1942, was observed as India's Independence Day at the Avalon Cinema in Durban at a mass gathering convened by Paul Sykes and Reverend WH Satchell. I remember that observance especially because it was at that function that I first heard Chief AJ Luthuli - as did so many others in Durban.

The well-attended meeting was addressed among others by HA Naidoo, AS Kajee, Mrs Mabel Palmer, Dr K Goonam, Manilal Gandhi, IS Ameen and IC Meer.

The birthday of Mahomed Ali Jinnah was celebrated in Durban and Johannesburg for the first time in 1941. This celebration became an annual affair for a number of years. *Indian Views* in its issue of December 19, 1941, published a special supplement on Jinnah which included a poem composed by Munshi Ebrahim Dawjee of Johannesburg, known as "Soofie" in poetic circles.

The 1942 Jinnah birthday celebration was held in Durban, at the Avalon Cinema.

The meeting, which was presided over by IM Bawa, was addressed by AI Kajee, MEG Paruk, EM Meer, Advocate Goldberg M.P., Shapurjee Randeria and Ismail Osman. Nearly fifteen hundred people packed the hall, conveying their "heartiest greetings" to the *Qaid-e-Azam* of the Muslim League. Significantly, cabled messages were received from C Rajagopalachari, Bhulabhai Desai and PC Joshi (of the Communist Party) from India and from Jinnah himself.

Similar meetings were held in Johannesburg, Cape Town, Bulawayo, Lourenco Marques, Beira and at Glencoe.

SUSPENSION OF LAW LECTURES FOR NON-EUROPEANS

The Sastri section of the Natal University College received the shock news in January 1942 that all lectures in legal subjects had been "suspended for non-European students." The Council of the University of Natal had bowed to the wishes of the Natal Law Society to prevent "black penetration."

Perhaps one of the immediate reasons for "suspending lectures in law to blacks" was their success in the law examinations in January 1942. Ashwin Choudree passed part two of the Attorneys Admission Examination; he had already served

his articles. George Maghrajh and IS Amin also passed that exam but still had to write their exam in bookkeeping. B Athmanand Maharaj had completed part one of the Attorneys Admission Examination, whilst Ranji Nowbath had completed four subjects, including criminal law and constitutional law.

There were about ten students in all who were studying law at the Sastri section when panic set in that even if their segregated door was left open, the blacks would swamp what they regarded as the "white man's profession."

The Indian press gave wide publicity to the new colour bar restrictions suffered by the black students who went to Howard College to write their examinations. Separate toilets were provided for them and eventually even separate rooms.

Among those who were studying law at the Sastri section when the racist axe fell were JN Singh,[7] Ahmed Bhoola and myself. We had to proceed to the University of the Witwatersrand, at a tremendous additional cost and inconvenience, to complete our studies.

The Law Societies caused further difficulties when AH Mulla and I applied to register our articles of clerkship in the Transvaal.

There was however a new awakening among progressive white students who invited Fort Hare to join NUSAS, and disaffiliated Pretoria. In 1942 the Sastri section was invited to send one student to the SRC at Howard College and Ashwin Choudree filled that post. The separate SRC at Sastri, however, remained. In March 1942 the new elections to the Students' Union took place, and the students chose me as president, NG Chetty as vice-president, JN Singh and George Maghraj as secretaries and N. Gopal as treasurer. Sir Shafa'at Ahmed Khan, the Indian High Commissioner, was appointed patron.

WITS BARS NON-EUROPEAN STUDENTS FROM FIRST YEAR MEDICINE

In 1942, the same year as the law classes for our students were suspended by the Natal University College, we learnt the shocking news that the University of the Witwatersrand had turned down our students in the first year of medical studies on purely racial grounds in response to Afrikaner protests.

SM Nana protested strongly on behalf of the TIC. JH Hofmeyr was at the time chancellor of the University.

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[7] JN Singh and I had teamed up at Sastri in Standard Seven. From 1936 our educational careers followed the same course with a B.A. degree from Natal and the LL.B degree from Wits and from the Transvaal days our community work also followed the same path.

The principal of Wits, HR Raikes, tried to prove that the ban was not a racial one when in fact it was, and so was his request to the black students to complete their first year at Fort Hare. The principal of Wits informed Mr Nana:

> "In order to make it evident that Wits is not actuated by racial considerations, the University Council has decided to admit the best qualified Indian applicant, a first class matriculant, without reducing the number of places available to European students."

At that time, even the so-called "liberal universities" were most ill liberal.

The University of Cape Town, I think in 1942, for the first time agreed to allow "non-European students" to complete their medical training in Cape Town, on condition that they did not examine European patients or take part in European post mortems.

I remember that the son of the NIC stalwart V Lawrence was suspended from the Medical School of the University of Cape Town, pending an inquiry by a court of discipline at the hospital into allegations that he was present at two orthopaedic white outpatient classes.

The court of discipline found young Lawrence not guilty because it was proved that he was not present when any white patient was being examined.

MANILAL GANDHI OPPOSES TEACHERS' UNION

In 1942, Manilal Gandhi was critical of those among the radicals who were now supporting the war as a "people's war."

But besides that opposition, he was ready to appear on the platforms of the Liberal Study Group, the Nationalist Bloc and the Non-European United Front. The radicals gave him all the opportunities, notwithstanding his past. On India he found the work of Dawood Seedat's India League much to his liking.

In such an atmosphere we read with shock his editorial in *Indian Opinion* of March 27, 1942, on the Natal Teachers' Union, the only trade union of teachers ever to exist in South Africa. I was its secretary and had worked with Manilal Gandhi in many different organisations.

"It is admitted that teaching is a noble profession and not a 'trade,'" pontificated Manilal Gandhi editorially and said that the teaching profession should not be valued by money.

> "We know that teachers cannot all be saints. But at the same time they should not disgrace the profession by turning it into a trade…We are therefore not very happy over their step in forming themselves into a trade union. They have, in our opinion, thereby lowered the dignity of that great and noble profession."

Manilal Gandhi did not want teachers to rank themselves with "ordinary workers," and said in conclusion that teachers' relations with their employers should be more than between master and servant.

Once again Manilal Gandhi had put his foot into it.

In 1942 the Natal Teachers' Union, under S Panday and IC Meer, was making tremendous progress in the achievement of its demands for higher wages and better conditions of employment in the community-built schools. It was also playing the vital educational role of making it known to the workers that if their children's teachers could improve their lot by trade union organisation, so could they by strengthening their own trade unions.

So the wrath of the radicals and the ordinary workers and their unions came down heavily upon Manilal's head and his paper was flooded with letters of strong protest.

How could a newspaper founded by Gandhiji talk about "ordinary workers" in such disparaging terms?

What was most disturbing was that letters from prominent persons including MD Naidoo, NG Moodley, N Pillay and a large number of others, many of whom were teachers, had little effect on *Indian Opinion*.

In an editorial of April 24, 1942, Manilal Gandhi wrote under the heading "The Teachers' Wrath" that he had generously given space in his paper and added:

> "We, however, do not in the least regret what we have said and do not see any reason for withdrawing a word therefrom…"
>
> "If the teachers feel that they have been belittled by our criticism, it does not behove them, for that reason, to take recourse to the labouring class and raise their ire by attempting to mislead them into the belief that we look down upon them as mean creatures fit enough to be ranked as 'untouchables.'"

Once again Manilal Gandhi chose to stand alone without anyone supporting him in his unsupportable remarks which rightly received the condemnation of the community as a whole.

And the Natal Teachers' Union remained silent.

MASS MEETING CALLS FOR IMPRISONMENT OF BLACKMARKETERS

The war was having a serious effect on the price of essential foods. The price of rice continued to rise and at least one school, Dartnell Crescent, told us that children were prepared to use beans as substitute for rice.

Mutton had been selling at about eight cents a pound before the outbreak of war but by 1942 it had gone up to twenty-five cents per pound.

I remember the rice distribution for the needy, organised by BS Singh at Singh's Butchery at 133 Warwick Avenue in Durban. Each adult received two pounds of rice and each child one pound free as *Diwali* gift. A huge gathering took advantage of this free distribution.

Blackmarketing in essential goods commenced besides the ordinary increase in the price of food. The trade union movement and progressive leaders were organising against this evil and their efforts received much publicity.

A huge mass meeting was held in Durban at Red Square on Sunday, October 4, 1942, condemning black marketeering.

The meeting was presided over by Dr GM Naicker and the main speaker was the veteran labour leader Billy Peters who had headed the Nationalist Bloc sub-committee investigating the extent of hoarding and profiteering in Durban. Another speaker was Mrs Janakie Naidoo who spoke in Tamil.

A resolution unanimously passed by this mass meeting called for the imprisonment of black marketeers without the option of a fine, the commandeering by the Government of all essential food, especially rice, stricter control measures and the growing in South Africa of rice and other foodstuffs in short supply.

It was clear from this meeting that many Indian firms were guilty of malpractices at the expense of the poorest section of our community.

Once again MA Motala came out with a plan to finance the purchase of rice with his money and to supply the poor at cost, just as he had done at the outbreak of the war.

SORAB LOSES GROUND IN NIA

In May 1942 Durban received the shocking news of expropriation of Indian lands contemplated by the City Council, with the backing of the Central Housing Board, and Harry Lawrence, the Minister of the Interior. The areas affected were Riverside, Merebank, Wentworth, Sparks Estate Extension, Springfield Estate Extension and Sydenham. I remember the huge mass meeting held by our people of Riverside and presided over by the veteran TM Naicker, condemning this move to uproot our people and make way for the housing of white artisans of Riverside. They said that they would offer passive resistance rather than leave an area occupied by Indians for "over half a century or more." Among the other speakers were AI Kajee of the NIC, EI Moolla of the Nationalist Bloc, supported by MD Naidoo, BA Maharaj and N Gopal, secretary of the Riverside Briardene Ratepayers' Association.

While Durban's Indian community was facing numerous expropriations of their meagre land holdings, the NIC and the NIA were divided, not on policies but on personalities.

I remember how the radicals were endeavouring to achieve the unity of the NIC and the NIA, calling on both these bodies to support the NEUF.

Most of those, if not all, who had resigned from the NIC because of Sir Raza Ali's marriage to Miss Sammy were in the NIA whose policy was identical to that of the NIC. Members of these bodies were divided into either Sorab's supporters or Kajee's supporters.

In May 1942, the Indian press gave wide publicity to the resignation of Sorabjee Rustomjee as secretary of the NIA, after he had been accused - particularly by Albert Christopher and SL Singh - of acting in an "arbitrary manner." The storm over Sorab had broken over him for the way he had handled the threats of expropriation facing Indians at Riverside and elsewhere. At the heated meeting of the NIA, Albert Christopher had also threatened to quit his top post. The vacancy left by Sorab was filled by JW Godfrey.

The debate that took place on Sorab's resignation gives an insight into the NIA which had expelled the Nationalist Bloc, leaving only MI “Beaver” Timol, the "diplomat" of the Liberal Study Group, remaining on the Association's committee.

It was clear that Sorab was losing ground in the NIA, although he had worked hard to consolidate his position with Sir Shafa'at Ahmed Khan, India's High Commissioner.

Sir Shafa'at had arrived in Johannesburg on November 24, 1941, as British India's sixth diplomat and second High Commissioner to South Africa. He began receiving garland after garland from the NIA. It was being said in 1942 that Sir Shafa'at had appeared in more photographs with Sorab than any other person.

LADY RAZA ALI PASSES AWAY

Lady Raza Ali arrived in South Africa in 1942. She was the first South African Indian lady to become a Lady with a capital "L" - through her marriage to a British-created knight. She arrived alone because of ill health and was recuperating in the beautiful surroundings of the Table Mountain. She however died in March 1942.

Many recalled the injustice done to her in 1936 when executive members of the South African and Natal Indian Congresses had resigned because of Sir Syed's marriage to her.

Lady Raza Ali's funeral was officiated by S Pillay, in the presence of her brother and sister. The pall-bearers were JH Hofmeyr, Sir Ernest Oppenheimer, Morris Alexander, JH Kinkaid, CS Ricketts and DIR Muir of the Office of the High Commissioner for India.

MASS ARRESTS OF CONGRESS LEADERS IN INDIA

On Sunday, August 9, 1942, Reuter gave us and the world the shocking news that the entire working committee of the Indian National Congress had been arrested. Prominent leaders were being picked up in all parts of India, the day after the "Quit India" resolution was passed by the Congress in Bombay. South Africa joined the world in lodging its protest against the British imperialists who were by this insane act only strengthening fascism in the midst of the World War.

To us "Quit India" was the first step to "Quit Asia" and "Quit Africa," notifying all imperialists to pack up and leave the destiny of the people to themselves.

On Sunday, August 23, 1942, at a mass meeting called by the Nationalist Bloc at the Red Square in Durban, Dr GM Naicker called for the release of India's Congress leaders. The meeting was addressed among others by Manilal Gandhi, George Singh, Miss K Logambal Naidoo, EI Moolla and Debi Singh.

On September 27, 1942, at what *The Leader* said was "believed to be the largest political gathering in Durban," Dr Yusuf Dadoo protested the arrests to the thousands assembled at Currie's Fountain. A more in-depth discussion on India took place on 4 October when Dr Dadoo addressed the Liberal Study Group at the Avalon Cinema on the "Tragic Events in India."

At all these meetings Dawood Seedat's India League sold thousands of pamphlets produced and written locally and overseas on India's relevance to the world struggle against imperialism.

The protest against the arrests in India was indeed widespread. I remember one such protest meeting held at the Gandhi Library on August 24, 1942, and presided over by Dr K Goonam.

This was an interesting meeting convened in the name of thirteen well-known Indian women of Durban led by Marie Naicker (Mrs GM Naicker), who addressed the meeting in English as did her fellow convenor Hajra Seedat (Mrs KM Seedat). The convenors who spoke at this meeting in Hindustani were Mrs Manilal Gandhi (Sushila Behn) and Mrs AP Singh, with Mrs D Sundram, and Miss KM Naidoo speaking in Tamil and Mrs P Desai, Miss Shanta Kalidas and Mrs S Dhupelia speaking in Gujarati.

The meeting said that the British had committed "an offence against womanhood" by imprisoning Kasturba Gandhi, Sarojini Naidu, Vijayalakshmi Pandit and Mira Behn. It called for the release of all leaders and the ending of oppression and foreign rule in India.

I remember *The Leader* reporting on a Nationalist Bloc protest meeting at Verulam on September 13, 1942, where Billy Peters was a speaker together with Manilal Gandhi and others. Similar meetings were held in large and small centres throughout South Africa.

I remember *Indian Opinion*, the *Views* and *The Leader* giving extensive coverage to the events that followed the passing of the "Quit India" resolution.

1942: OUR STUDENTS MAKING THEIR MARK

In 1942 our students were making their mark at Wits, the UCT, Fort Hare and the University of Natal. In Durban, the Sastri section was growing rapidly and some of its members were active in the Natal Teachers' Union and the Liberal Study Group, besides participating in student activities at the part-time campus.

JN Singh, secretary of the Natal University Students' Union, was an active member of the Natal Teachers' Union, although as a teacher, with a monthly salary of five pounds, he was by law precluded from taking part in political activities. I had been elected secretary of the Union.

I remember the graduation ceremony held at Pietermaritzburg on May 10, 1942, when Bahadur Somers, R Moodley and J Basdew of the Sastri section of the NUC were capped. They had all obtained their BA degrees. Faqir of *The Leader* said:

"I wonder who will be the first Natal girl to graduate. There may be one at the end of the year." The honour fell to Gertrude Lazarus.

Gertrude Lazarus – a student of the Natal University College, Sastri Section – wrote her final examinations for the Bachelor of Arts successfully and became our community's first woman graduate in Natal. She was the daughter of Jesudasen Lazarus and a sister of Dr AD Lazarus and AN Lazarus, all of whom gave the community lifelong service in the field of education. She used to attend the vacation classes at Adam's Mission.

In 1942, our varsity students for the first time in Natal's history took part in the NUSAS Conference held in Johannesburg. Both Howard College and the Sastri section jointly elected me to represent Durban's black and white students as their best speaker.

The Leader reported on its front page of September 26, 1942, in bold types, that 46 students had been suspended from Fort Hare. I think that Cassim Amra was among those suspended and perhaps Nelson Mandela was another.

On January 15, 1943, *Indian Opinion* informed us that at the end of 1942 the Natal University College had produced "the greatest number of non-European graduates since the inception of the classes in 1936."

"This year", the *Opinion* continued, "has been a record year in that three students passed with distinction. The successful students are: Michael Joseph (English with distinction), Ahmed Bhoola (Politics with distinction) and Ismail Meer (Politics with distinction)." Between 1936 and 1941 only one student had obtained a distinction.

Notwithstanding these passes the Non-European Students' Union came out in full support of the boycott of the graduation. The white students were capped first alphabetically and thereafter the blacks. Moreover the black and white parents were made to sit in separate areas of the hall.

CONFLICT OVER PROPOSAL FOR A SEPARATE INDIAN UNIVERSITY

Sir Shafa'at, the High Commisioner of India, dreamed of a Durban-based Indian university to serve Indians from all parts of Africa and in particular those from the east coast.

This was indeed a dangerous line of thinking when the Congress and the Association were opposing all aspects of racial discrimination in tertiary education.

The appointment by the Government in 1942 of the Hugo Committee on university and technical education for Indian South Africans, gave Sir Shafa'at the opportunity to advance his ideas with the support of the NIA.

Giving evidence before the Committee, the NIA's delegation - which included Ashwin Choudree and I Amin - said that they were totally against the principle of segregation but in the existing situation "we feel that there should be two separate institutions, one the Indian Technical College and the other the Indian University College."

The non-European Students' Union of the Natal University College (Sastri Section) gave evidence rejecting any separate university for Indians and requesting that the existing barriers operating against Indian, African and Coloured students at the NUC and elsewhere be removed.

AI Kajee of the NIC came out in total opposition to a segregated university for Indians. He told the Hugo Committee that "the principle of racial segregation in a university is repugnant to the high ideals and traditions attaching to a seat of learning."

ML SULTAN'S DONATION FOR TECHNICAL COLLEGE

I remember ML Sultan, the generous donor who wanted his donation to benefit all in need without any racial qualifications or restrictions. The donation - twenty-five thousand pounds for a technical college and ten thousand pounds for a science block - was the highest single donation ever to be made until then by an Indian South African.

The Durban City Council in the forties was one of the most racist local authorities in South Africa. I remember the tremendous difficulties it placed in our path in obtaining land for the ML Sultan Technical College and the Orient High School.

In November 1942 the Hugo Committee found against a separate Indian university and accepted the offer of ML Sultan's generous donation.

The Hugo Committee's findings appeared in *The Leader* of November 28, 1942, and they make interesting reading of how the authorities were asking the poor to finance the poor, at a time when even the full grant of the central Government was not being used on Indian education in the province of Natal.

STRIKES AT MORTON'S AND DUNLOP

The strikes at Morton's and later at Dunlop were two important strikes in Durban which saw the entire trade union movement at Pembroke Chambers unite and act for their successful endings.

In 1942, the workers went on strike at the C. and E. Morton's jam factory at Rossburgh. Twenty-nine African workers appeared before Magistrate Ryle Masson in Durban.

The accused were represented by Advocate Harry S Bloom, then settled in Durban, instructed by Albert Christopher. We saw HA Naidoo at his best in that strike which was settled with an increase in the wages of the workers. Alec Wanless also played a vital role in the Food, Canning and Allied Workers' Union.

The closing days of the year 1942 saw the historic Dunlop strike in Durban. On December 17, 1942, 147 Indian employees of Dunlop appeared before Durban's Chief Magistrate, HD Mearns. They were charged with having taken part in a strike without having applied for a conciliation board as required by law.

The workers were represented by Attoney Reg Cooper instructed by the Natal Rubber Workers' Union, whose secretary was Mannie Peltz, and the hearing was adjourned at the request of the defence.

A.I Kajee and the NIC supported the workers and contributed food and money.

DEATH OF EM PARUK

On the night of Wednesday, December 23, 1942, EM Paruk passed away at his Currie Road residence and I remember his funeral the next day, which was described by *Indian Opinion* as "the largest funeral Durban has ever seen," attended by people drawn from all communities.

Describing EM Paruk, who was seventy-five years of age, as "one of Durban's oldest and most respected Indian residents," the *Opinion* told us that he came to Natal in 1884, at the age of seventeen from Mauritius and developed a business which was "the oldest Indian concern in the Union." He became the owner of the Glendale Sugar Mill and the Inanda Tea Estate.

His first business was that of a retail trader in West Street, Durban. Later he became the owner of his wholesale business which operated from 76, Commercial Road, a centre which became the hub of many different activities of the community.

SOME EVENTS OF 1942

The death of Pilot-Officer Dharamraj Goordeen was prominently reported in our newspapers during April 1942. Originally from Dannhauser in Northern Natal, Dharamraj Goordeen had completed his matric at Sastri and his first year B.Sc at Fort Hare. He then joined the Grant Medical College in Bombay where he completed his B.Sc. requirements. He abandoned his medical studies in 1941 and joined the Indian Air Force where he obtained his wings. He died in a flying accident at Kohat in India and he was given a funeral with full Air Force honours.

We had heard little of the casualties of Indian, African and Coloured soldiers from South Africa serving in the North as they were officially not combatant troops. At one time much publicity was given to the British Royal Air Force's desire to recruit Indian South Africans, but it was said that Smuts had opposed such recruiting. Goordeen had obtained his wings in the Indian Air Force.

The horrors of war were sharply brought to the attention of the community when Dr BT Chetty and Dr DS Persadh, both newly qualified, were returning to South Africa. While their ship was off the west coast of Africa it was torpedoed and they managed to get into a lifeboat just before the ship sank. After twelve hours' exposure in heavy swells the Natal medicos were rescued and taken to Lagos where they were "exceptionally well treated." After a month's stay there they again took the risk of ship travel to Cape Town and from there travelled by land to Durban. *The Leader* informed us that Drs. Chetty and Persadh had been active in the India League of Krishna Menon in London. A joint welcome reception to the newly arrived medical practitioners was given by a number of organisations at the Essendene Road School Hall on September 19, 1943, and among those welcomed were also Dr IC Godfrey and LG Christopher.

Altogether five doctors were welcomed. The latest to be added to the list was Dr AI Kolia and he was feted by the organisation representing the Ankleshwar and Mangrol Districts of India.

Perhaps the world had learnt nothing from the First World War, "a war to end all wars." The most advanced Christian countries were at each other's throats. "Turning the other cheek" was no part of the philosophy of the merchants of death, who were manufacturing and selling most sophisticated weapons for human destruction. We were indeed shocked at the behaviour of countries which had called themselves civilised and leaders of science.

I remember the timely article written in *Indian Views* of November 20, 1942, by Goolam Hoosen Mayat, a regular contributor to the weekly. He asked whether the present age was civilised and recalled the order of Caliph Abu Baker to his military commander Khaled Bin Walid, given over 1300 years before the

outbreak of the Second World War. Detailing the six-point order of 633 AD, Mayat pointed out that children, women and old men received protection from death as did fruit-bearing trees and all agricultural crops from destruction. Places of worship were respected and treaty obligations honoured.

In contrast the "civilised" countries of the world, in 1942, were virtually doing the opposite, killing and maiming women, children and the aged indiscriminately through their bombs, attacking places of worship, destroying trees and crops and abrogating treaties.

This thought-provoking article was received with much appreciation.

In 1942 Natal was giving the whole country a lead with its trade unions and the Liberal Study Group.

Until the historic Falkirk strike had taken place, Africans and Indians had not been organised together. MI Meer was able to understand the true significance of the achievements of HA Naidoo and PM Harry, both of whom continued to operate, together with George Ponnen, inside and outside the trade union movement to achieve non-European unity and the unity of all democrats.

The Non-European United Front (NEUF) was forming branches throughout South Africa. Cassim Amra and Dawood Seedat went on an extensive tour of Natal and the Transvaal from December 1941 to the end of February 1942 for this purpose.

In July 1942 a branch of the NEUF was formed at Kathy's [Kathrada's] Schweizer Reneke with AE Saley as chairman, Solly Pahad vice-chairman, David Motsale secretary, Amien Cajee assistant secretary and Goolam Pahad treasurer.

PS JOSHI'S *THE TYRANNY OF COLOUR*

On January 16, 1943, *The Leader* reviewed PS Joshi's book, *The Tyranny of Colour*, which remains until this day a fine piece of the community's record in the field of politics.

I subsequently learnt from Dhanee Bramdaw's *Who's Who* that this teacher, author and journalist was the Gujarati editor of *Indian Views* for the period 1920 to 1942. We knew him as a regular contributor to the *Views*.

The well-written *Leader* review said: "*The Tyranny of Colour* is an incisive indictment of the politics of a country where two million people live in perpetual dread of being swamped by a quarter million people, who do not possess even the franchise."

Master Joshi had come from India as an "educational entrant." He was a teacher in Johannesburg where he wrote in Gujarati and in English on racial discrimination and fully supported the struggle for India's independence.

He became a powerful supporter of the Dadoo-Naicker leadership in South Africa and returned to India in retirement to propagate the cause of Indian South Africans for equality.

WOMEN POWER AT TIC ELECTIONS

It was a historic Sunday on January 24, 1943, at the Wemmer Grounds, Johannesburg, where there had assembled between 75 and 80 percent of the total Indian population of the Transvaal of "not less than eighteen years of age." The occasion was the election general meeting of the Transvaal Indian Congress with the Nationalist Group of Yusuf Dadoo and the "Congress Group" of SM Nana, each trying to outdo the other in an endeavour to capture control of the TIC.

The total number casting the vote was 7,116 and of these, it was estimated, nearly two thousand were women who were for the first time turning up in such large numbers for an election in South Africa.

The Nana group obtained 3,797 votes as against 3,319 obtained by the Dadoo group.

Yusuf Dadoo had been a vice-president of the TIC but after the elections of January 24, 1943, he held no position whatsoever.

Indian Views, of January 15, 1943, had published a joint statement signed by SM Nana and Yusuf Dadoo which showed that "unity talks" had floundered on the question of who should be the officials. Each group rejected the suggestion of the other.

If Nana's group had accepted the Dadoo group's suggestion that SM Nana be the new president, YM Dadoo and DU Mistry joint secretaries, and that the other posts be shared equally, then there would have been no conflict. But this suggestion of the Dadoo group was rejected. The Dadoo group likewise rejected the Nana group's suggestion to retain EM Valod as president, and elect AI Minty, chairman of committee, SM Nana and YM Dadoo joint secretaries, and OR Patel and Moulvi Cachalia as treasurers.

I can look back and say that it was *women power* that had won the historic TIC elections of 1943.

It was ironic that the Nationalist Group which had called on women voters to turn up at the Wemmer Grounds had failed to bring them there whereas Nana had succeeded in getting one thousand more women than the former had done. As *Indian Opinion* observed, the Nana group brought orthodox women, old and young, "out of the *purdah*" to vote for Nana's cabinet. Not a single woman was, however, elected to any official or committee position.

In all the Indian weeklies of 1943, there are many letters to the editor strongly recording male objection to Muslim women coming to Wemmer Grounds, some of the writers trying to justify their opposition on religious grounds. These letters make interesting reading.

One such strong objection came from AS (Nkosaan) Kajee, who said that their action was un-Islamic. To this SM Nana replied in *The Leader* and asked whether the participation by Begum Shah Nawaz and Fatima Jinnah in the Muslim League in India, supported by AS Kajee, was wrong and not Islamic.

I remember the startling disclosure before the election meeting took place that the TIC was without a constitution. Since its formation in 1927 at the instance of Sastri - in opposition to the Transvaal British Indian Association - the TIC had apparently functioned without any constitution.

The first thing that was done at the historic Wemmer Grounds meeting was to adopt the constitution of the TIC which deemed every Indian of not less than 18 years, resident in the Transvaal, as its member. There was to be no membership fee, and no one had to apply for membership. The constitution with this provision on membership had been accepted by both the Dadoo and Nana groups, strange as it may seem.

After adopting the constitution the supporters of the two groups left the enclosed Wemmer Grounds by two separate exits. At the "Nana exit" two members of the Dadoo group observed the turnstile count and the same procedure applied at the "Dadoo exit." Both groups were free to take all the measures necessary to prevent anyone making a re-entry into the grounds to duplicate votes. When the ground had been cleared the recorded count showed a victory for the Nana group by 478 votes.

In the bitter Transvaal contest *Indian Views* and *The Leader* supported SM Nana whilst *Indian Opinion* totally opposed Nana and gave support to the Dadoo group with a great measure of reservation.

Two days before the elections took place, *Indian Opinion*, in its issue of January 22, 1943, published the sketch of the memorial of Dayabhai Govindjee, "the victim of hooliganism of the TIC election meeting of June 4, 1939," and supporter

of Dadoo whose death had caused much bitterness.[8] And in 1943 the bitterness was again on the increase, and it lasted for many long years.

Never in the history of our community, the old leaders said, had there been so many pamphlets and leaflets during a Congress campaign. *The Leader* displayed some of them in its main election results story on its front page.

I think it would be appropriate for me to mention that the Liberal Study Group had for a number of years had Nana as its annual speaker on the situation in the Transvaal. Although of conservative views, they found him to be well informed.

He had conducted a small business in Kort Street in Johannesburg and had not used his political position to amass wealth.

The Wemmer Grounds victory of Nana and the defeat of Dadoo was no real surprise to the Liberal Study Group. Besides the TIC not having a constitution, it had no organisation to match the then existing organisations of the NIC and NIA.

In Natal the collective leadership under HA Naidoo, later inherited by Dr GM Naicker, had a sound organised trade union, student and the Liberal Study Group base but in the Transvaal Yusuf Dadoo had no such base.

The Transvaal Indians were essentially confined to the "distributive trade" as shopkeepers and shop assistants, with a small band of workers in the liquor and catering industry. (Perhaps in the Transvaal the shortage of shop assistants gave them a better status than in Natal where no such shortage existed.)
Many people were at that time grouped together on village affiliation in India from where their ancestors had come.

Yusuf Dadoo himself was an official of the Kholvad Club whose members - shop keepers and shop assistants - assisted the village of Kholvad in India with numerous community projects. Dadoo worked in the TIC and the Non-European United Front with huge Kholvadian backing.

Similar village grouping existed in the Transvaal in respect of those whose ancestors had come from the village of Alipore.

Natal appeared to me different. The Orient Club, Ozone Club and Muslim Club were organised differently. And I found that those who had come from the

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[8] The foundation stone of the late Dayabhai Govindjee Memorial had been laid by Manilal Gandhi in Johannesburg on June 9, 1941. The inscription on the stone read: "In memoriam: Dayabhai Govindjee who sacrificed his life while serving the cause of his community as a volunteer of the Nationalist Group of the Transvaal Indian Congress - Died 9 June 1939."

This public occasion was attended by Yusuf Dadoo and other Nationalist Group leaders.

village of Kathor in India were working in the NIC and the NIA, and also in the Non-European United Front and the Liberal Study Group.

Here is an open field for any research student to do his honours or masters degree on the different ways the village grouping operated in Natal and the Transvaal.

DADOO WOOED BY NIA

The radicals in Natal, who were actively engaged in promoting the united front strategy in South Africa, were asking the pertinent question as to why the unity moves in the TIC had failed. They continued to press for unity in Natal and the Transvaal, notwithstanding the defeat of the Nationalist Group, which had at least proved that it had a very large following in the Transvaal.

After pointing out that the passive resistance had been called off in the Transvaal and that Dr Dadoo was now supporting the war, *The Leader* in its editorial of 20 February called for unity in the Transvaal.

And there were moves by the Nationalist Group of the TIC to seek an alliance with the NIA whose committee was addressed by Dr Dadoo on February 3, 1943, that is, ten days after the Transvaal elections.

The Leader gave the text of Dr Dadoo's speech to the Association in its issue of February 6, 1943.

At that meeting PR Pather explained why the standing orders were suspended to hear Dr Dadoo.

Firstly, said Pather, there was a move by the expelled members - the core of the Nationalist Bloc in Natal - to return to the NIA and secondly, the TIC, now having a constitution, was a danger to the NIA in respect of affiliation to the SAIC.

The SAIC executive had not met since 1939. Both the NIC and the NIA claimed to be Natal's constituent member of the national body. The NIA, since its inception on October 8, 1939, claimed that the NIC had merged with the Colonial Borns and therefore Kajee's resuscitation of the NIC was without any legal basis.

Nana and Councillor Ismail were, however, known to support Kajee to get his NIC accepted by the SAIC executive, and Kajee's hands had been strengthened by the TIC elections.

Kajee's chief opponent in Natal, Sorabjee Rustomjee, was once more wooing Dadoo and his Nationalist Group after abandoning them in 1939. He was also endeavouring to come to terms with those, now led by Dr GM Naicker, whom he had expelled from the NIA and who formed the Nationalist Bloc.

ANTI-ASIATIC LAND ACT ("PEGGING ACT") OF 1943

On March 22, 1943, HG Lawrence announced in Parliament his intention to introduce the "Pegging Bill" which would control Indian ownership and occupation of properties in Natal, pending the findings of the Second Broome Commission.

There was a clear threat of a permanent anti-Asiatic land law in Natal, similar to the one in operation in the Transvaal where the life of the existing law was also being extended.

These new threats electrified the entire community. And from all quarters came stirring calls for unity and united action, with the NIC and the NIA eventually merging into one body. April was the month of deputations to Cape Town, from both the NIA and the NIC.

The photographers and tailors were back into good business. But unlike the deputations of old, the hatmakers, that is, Christies, did not do that good a business. In the Association's delegation only two wore fezzes and that broke completely new ground. It had in it Mrs JHW Godfrey and it was claimed that she was the first Indian South African woman to go on a deputation to the Government. In the NIC delegation the only person with a covered head was Cape Town's Councillor Ahmed Ismail. NIC also had a woman member.

English-speaking whites in Natal required no lessons in racism from the Afrikaans-speaking whites of the Transvaal or the Orange Free State and this was abundantly clear when the Pegging Bill was under parliamentary consideration.

All the parliamentary parties were advocating the expatriation of Indians and hence the parliamentary debate is of significance.

General Smuts had no hesitation in depriving Natal Indians of the right to own and occupy immovable property, a right which they had enjoyed without restriction until March 22, 1943.

I remember the stand of JH Hofmeyr, the Minister of Finance, on the Pegging Bill. He tendered his resignation to Smuts because of his disagreement over certain provisions, especially concerning the Transvaal, but Smuts refused to accept his resignation because of the "exigencies of war."

Henry Lawrence was no more speaking as a friend of Kajee and the Indian South Africans.

Except for the solitary stand of Hofmeyr and the opposition of the three white representatives of Africans, the House of Assembly was unanimous in voting for this drastic measure.

The NIC and the NIA unsuccessfully tried to present petitions to the House of Assembly through Morris Alexander and Mrs Margaret Ballinger.

In the Senate, Dr Edgar Brookes presented a petition from the NIA asking for the Bill to be rejected, but again this exercise proved futile and the Bill eventually became an Act of Parliament of white South Africa.

The Asiatic Trading and Occupation of Land (Natal and Transvaal) Act ("Pegging Act") received the Governor-General's assent on April 28, 1943, and came into force retrospectively as from March 22, 1943.

I remember Smuts, the international reformer and a segregationist in South Africa, being dealt with by MI Meer in an editorial headed "Jekyll and Hyde."

"The question is," said Meer in his concluding paragraph, "what precisely are we to make of the man (Smuts) and his philosophy? It would, of course, be a presumption on our part to pronounce on so mighty a man, but Bunyan who had no scruples about doing so described one like him as a 'saint abroad but devil at home' and called him a hypocrite."

When PR Pather, who had been a moderate leader all his life, was actually prosecuted under the Pegging Act and when even a permit was refused by the Minister of Interior to him, the extent of the greed of South Africa's white rulers was fully exposed.

The moderates themselves were politically exposed as people incapable of bringing any relief to Indian South Africans. The radicals were making tremendous progress in such an atmosphere.

MI Meer's *Indian Views* of August 20, 1943, reported that in the Transvaal 500 Indian and Coloured families were being served notices to vacate their homes occupied by them for "more than ten years," because under the Pegging Act their occupation was deemed unlawful. In the Transvaal Coloureds were included because they were disqualified persons under the Gold Act of 1909.

And we had the conviction of a white company, Waaikraal Trading Stores (Pty) Limited, in the Springs Magistrate Court for employing an Indian shop assistant, WH Mayer, without obtaining the Minister's permit. The two European directors were fined one pound each.

The Minister of the Interior had in fact refused a permit for Mayer's employment, just as he had refused PR Pather a permit to occupy his own house at Moore Road in Durban.

FOUNDING OF THE ANTI-SEGREGATION COMMITTEE OF ACTION

The Nationalist Bloc in Natal issued a public statement in April 1943, when the appointment of the Second Broome Commission was announced, calling on the "Indian people to sink all political differences," and requesting Indian leaders to "dismiss all questions of personalities" and unite. The Bloc declared its readiness to re-enter the NIA.

Maximum unity in the Indian community and the development of a united black front for the establishment of a non-racial democracy was the chief aim of the radicals who had been active in the Liberal Study Group, the trade unions, the Non-European United Front and the Nationalist Bloc.

In keeping with these objectives the radicals on Sunday, April 18, 1943, called a huge mass meeting at the Red Square in Durban to protest against the Pegging Bill. More than 2,000 people assembled at this historic meeting presided over by Debi Singh and convened by 25 Durban community-based organisations, including 17 trade unions. Speakers at this meeting were Dr GM Naicker, Billy Peters, IE Moolla, MD Naidoo, George Ponnen, Wilson Cele and Dorothy Shanley.

The meeting called upon the Indian community to organise themselves "for a militant mass struggle against the Bill," demanded the recall of India's High Commissioner and called upon AI Kajee, Albert Christopher and PR Pather to resign from the Asiatic Advisory Board.

The organisations which called this mass meeting had held a conference the day before and formed "an action committee named the Anti-Segregation Committee of Action," to carry out a campaign throughout Natal in order to organise the Indian people for resisting the "Pegging" Bill. The chairman of this committee was Dr GM Naicker, with Billy Peters as vice-chairman, Debi Singh as secretary and EI Moolla as treasurer.

SORABJEE - MASTER OF SURPRISE

It was Friday, April 24, 1943. The mail train from Johannesburg to Durban had left Park Station with almost a full coach of persons who were to attend the "Paruk weddings" and the mass meeting against the Pegging Bill at the Durban City Hall on that Saturday and Sunday.

Sorab had taken a whole coach, for the NIA, Dadoo supporters and the wedding guests to the Paruk, Lockhat and Jadwat wedding, the bonding of important families from business class. Sorab had conveniently arranged his NIA meeting on the same date to kill two birds with one stone.

He left no one in any doubt that he was the Organiser-in-Chief, as he was giving the details of the Durban programme to Yusuf Dadoo, MD Bharoochi, Ismail Meer and others in the compartment.

And Sorab had many surprises up his sleeve, in the train and on the way to Durban and at Durban itself. He was at his best.

Just over six weeks before that train journey commenced, Sorab had, on March 8, declined to accept membership of the government-created Asiatic Advisory Board, whose other Indian members were AI Kajee, PR Pather and Albert Christopher. He had thus taken a halting step towards "non-collaboration" in 1943, the year in which the Non-European Unity Movement and the Anti-CAD movement were born and six years after the creation of the Native Representative Council on which many leading ANC members were serving.

Sorab's refusal to accept the nominated post on the Board, on the grounds of the Durban City Council's failures on the similar Lawrence Committee of which he was a member, came at a time when Paul Mosaka was leading a "rebellion" within the Native Representative Council. Senator Hyman M. Basner, who was one of the handful of whites representing Africans on a communal basis, had joined Mosaka that very year to form the African Democratic Party.

The ANC had issued its historic document "Africans' Claims" in 1943 and authorised the founding of the ANC Youth League. But it was not yet on the non-collaboration path; three years later Chief Albert Luthuli, in fact, joined the Native Representative Council.

But now back to that mail train speeding on its way to Durban. Sorab was proudly displaying in his compartment the "illuminated copy" of the Atlantic Charter ready for framing to adorn any wall anywhere in the world.

It was now supper time in the Johannesburg-Durban mail train. And again Sorab was up and about with yet another surprise. Unknown to the passengers, he had arranged with the catering department of the Railways to take "on board the train," huge *pathilaas* (pots) containing *biryani, jardaa, samoosas, kabaabs,*

Kalias, "hand made" *rotis* and pickles, chutneys and *papads*. And a smiling Sorab saw to it that all his passengers were treated in a grand style.

We were invited to the dining coach reserved for whites, but taken over by Sorab, who had secured the coach for his guests. Our eyes goggled at the vast array of delectables, choicest Indian cuisine, laid out before us. All this was in typical Sorab style, it reflected his outreach and his power.

After the *Nikah* in Durban the reception was fully utilised by all the leading politicians to sing the praises of the Paruks, with PR Pather stating that MEG Paruk "was as keen as mustard on public work" and that he would continue to take a lead in public affairs.

A number of NIC and NIA speakers followed, making stirring calls for unity in the entire community just as unity was being reflected that night. And Yusuf Dadoo and MD Bharoochi added their quota.

The following night, that is Sunday, April 26, 1943, the Durban City Hall was packed to overflowing to hear Yusuf Dadoo speak on the platform of the NIA. It reminded many of the meeting at the same venue to which Sorab had brought Dadoo in 1939.

In 1943 South Africa had a very large number of charismatic leaders but there was consensus on Yusuf Dadoo being the most charismatic and, as was expected, his speech, fully reported in *The Leader* of May 1, 1943, received much support from conservatives and radicals.

I remember the historic speech of Sorab that night. It was his grand finale on the NIA platform. As he reached the climax came Sorab's clear words: "The Atlantic Charter is not worth the paper on which it is written," and from his pocket he took out the beautifully printed copy of the Charter and to the horror of those who had procured it with great difficulty, the great Sorab tore it into many, many bits. He had indeed made his long thought-out point.

The radicals were succeeding in their two-pronged attack. Firstly, to get a united body in Natal with the co-operation of Sorab and Sir Shafa'at who had in his official report pointed out that the NIC and the NIA had no policy differences, but only conflict of personalities. The two bodies united at a mass meeting.

Secondly, the radicals had worked with AI Kajee who, supported by Councillor Ahmed Ismail, had publicly agreed to move a resolution on non-European co-operation and united action at the next conference of the SAIC.

MOVING TOWARDS UNITY IN THE TRANSVAAL

I remember the Working Committee meeting of the TIC held on Sunday May 9, 1943, unanimously adopting a resolution urging "the Government of India to sever diplomatic relations with the Union Government and recall its High Commissioner as a tangible mark of protest "against the Pegging Act." This was the last working committee meeting presided over by ME Valod who passed away three weeks later.

I am recalling this in order to underline the unity that existed among the conservatives and the radicals on the need for sanctions by India and the need to oppose the latest racist Act.

Although the TIC failed to achieve unity, an agreement was reached on the Pretoria branch elections. R. Mooloo of the Nationalist Group and Jossub of the Congress Group reached agreement in terms of which Mooloo was unanimously elected Chairman, I Keshevjee and Nana Sita as secretaries and GK Pillay and RK Valli as joint treasurers.

This election took place in the same week it was announced that Yusuf Dadoo and SM Nana would be appearing on the same platform on June 16, 1943, under the auspices of the Progressive Asian Club and with Ismail Meer as chairman, to discuss the "Pegging" Act.

The efforts to reach a working agreement between Dadoo and Nana were continuing but with the death of Valod in 1943 and the death of SM Nana in 1944, the position tilted so completely in favour of those who had formed the Nationalist Group that further attempts at unity were abandoned.

AI Minty and BLE Sigamoney who had previously supported the radicals went over to the conservative ranks.

Students from Natal studying at Wits were most conscious of the need for a united front in the community in the Transvaal. This was reflected in the formation of the University Indian Students' Bursary Committee for post-matric students.

The officials of the UISBC were IC Meer, chairman; Mahomed GH Mayat, vice-chairman; and AI Limbada, secretary-treasurer. The committee consisted of SM Bhamjee, S Chetty, E Adam, N Ginwalla, E Jadwat, Abdulhaq Bismallah, Zuleikha Christopher, Zuleikha Jhaveri and Alice Ginwalla.

SM Nana and Moulvi Cachalia were among the six leading advisers to the committee which made an appeal for £5,000 and advertised its address as care of SM Nana, 12b Kort Street, Johannesburg. Thus this committee brought people of differing political views together.

One of the avowed aims of the USBC was to open the doors of the professions closed to our students on grounds of colour. Most professional organisations then

had a colour bar clause in their constitutions. The USBC sought the assistance of Hermann Kallenbach, an associate of MK Gandhi, in having the doors of the profession of architects opened to all. Arising from Kallenbach's co-operation, Abbai Raidoo, then on the staff of Sastri College, was awarded a full scholarship by our students in the Wits Department of Architecture.

Raidoo, however, qualified from Wits as South Africa's first land surveyor under the USBC scholarship, having abandoned architecture after a year's study.

NANA-MANILAL DEFAMATION CASE

I remember *Indian Opinion* of February 19, 1943, informed its readers that its editor Manilal Gandhi had been sued for £2,000 damages by SM Nana, arising from the contents of the *Opinion's* editorials of January 22 and 29, 1943. The record of that case is an important historical record of the Dadoo-Nana conflict.

The defamation case began in Durban on July 6, 1943, and the judgement of Justice Hathorn, the Judge President, was given on 29 July, awarding Nana damages in the sum of three hundred pounds with costs.

Mr Nana was represented by the leading Transvaal Silk, Advocate Rosenberg K.C., and Manilal Gandhi appeared for himself.

The full judgement appears in *Indian Views* of August 6, 1943, occupying three pages.

PLAN TO INFORM WORLD OF INDIANS' PLIGHT

The conference of the SAIC, held in Johannesburg in July 1943, adopted a hard-hitting resolution against the Pegging Act, moved by SM Nana and seconded by George Singh.[9] It called on the executive to submit to Prime Minister Smuts a memorandum styled "A Charter of Indian Rights."

The resolution further called on the executive to send an SAIC deputation to tour India, the United States and Britain "in the event of the legitimate requests" of Indian South Africans not being conceded by the Union Government, to "enlighten public opinion" in those countries on the disabilities of Indian South Africans.

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[9] Before the unity of August 29, 1943, some of the radicals had joined the Congress. George Singh was a delegate to this conference as was Cassim Jadwat from the Cape. BA Maharaj was also a delegate but he resigned from the NIC just before the unity talks commenced.

The deputation was in addition given the task of contacting "leaders of the United Nations at the Peace Conference after the war, with a view to placing before them the discriminatory treatment to which the Indian minority in the Union of South Africa is being subjected."

Earlier, during May 1943, *Indian Views*, *Indian Opinion* and *The Leader* had reported that Councillor Ahmed Ismail was to move a resolution, seconded by AI Kajee, on non-European co-operation. The proposed resolution was historic. The SAIC conference was to resolve that it was its considered opinion "that the time has come for the Indian community of South Africa to make common cause politically, educationally and economically with all other non-European peoples of South Africa."

Under this resolution the SAIC conference would appoint a sub-committee of three with "full powers to open negotiations and to co-operate with representative non-European organisations of Africans, Coloureds and Malays with a view that a South African National Non-European United Conference be convened not later than December 1943" to which non-European organisations could affiliate with the object of safeguarding and promoting the interests of the non-European people of South Africa.

The work of Cissie Gool and the radicals in Natal was bearing some fruits with both Councillor Ahmed Ismail and AI Kajee but they faced tremendous opposition in the Transvaal from SM Nana, II Hazaree and the conservatives generally.

Indian Opinion in its issue of July 9, 1943, reported that the resolution was watered down after it had been moved and seconded by Councillor Ismail and AI Kajee, backed by a powerful speech from Mrs Z (Cissie) Gool; the provision for a Committee of Three to convene a Non-European Conference by December of that year was deleted.

Let me quote from *Indian Opinion* which recorded the factual position:

> "Mr SM Nana informed the Conference that 90 per cent of Indians in the Transvaal, rightly or wrongly, were opposed to the formation of a Non-European United Front.
>
> "He informed the Conference that if the resolution was carried as it stood there would be further disunity in the ranks of the already disunited community."

The *Opinion* further observed that it was largely "due to this threat from the Transvaal, backed by a number of Natal delegates, that the original resolution had to be dropped in favour of a vague resolution purporting to satisfy both sides."

I remember, however, that whilst the Transvaal conservative delegates torpedoed the suggested Non-European Conference, they did not oppose the resolution calling for the abolition of Provincial barriers, which they had opposed previously, fearing that their abolition would result in Natal Indians flooding the Transvaal, creating more anti-Indian agitation in that Province.

Let me return to the main SAIC resolution on the "Charter of Indian Rights" which was to have been presented to Prime Minister Smuts by the Kajee-Nana-Ismail leadership, a leadership which had easy access to Smuts. Conservative Indian South Africans were rudely shocked to learn that General Smuts refused to meet the SAIC, and this was conveyed to the SAIC by the Prime Minister's Secretary during August 1943.

Smuts' Secretary said:

> "The Prime Minister wishes me to add that in view of the threat of appeal to other countries, he does not wish to see the deputation."

This was indeed one of the severest blows suffered by the cautious triumvirate dominating the SAIC in 1943; some radicals said it was a knock-out blow.

STRONG CONDEMNATION OF "PEGGING ACT" BY INDIA

Whilst we were declaring our fullest support for India's lead in the struggle against imperialism, India was giving us full support against the Pegging Act. Swami Bhawani Dayal was organising huge meetings of protest in India and was getting the support of all political parties against the Pegging Act.

In May 1943, after he became head of the Overseas Department of the Government of India, Dr NB Khare convened a conference of prominent persons on the Pegging Act. Sastri, *Kunwar* Maharaj Singh and Raza Ali, with their personal knowledge of South Africa, joined Pandit Kunzru, MA Jinnah, Bhulabhai Desai and VD Savarkar, among others, to make a weighty pronouncement on the Pegging Act. Following the decision of this important conference, Dr Khare proceeded to bring into operation the Indian Reciprocity Act of March 1943 against South Africa. In August 1943 the Government of India decided to enforce economic sanctions against South Africa but the sanctions were not to apply to war materials. Lord Wavell, who became Viceroy in October 1943, created difficulties on the sanctions issue because Smuts was a close associate of his, but he found the forces ranged against him too powerful.

Wide publicity was given to the strong condemnation of the Pegging Act in India's Legislative Assembly. Dr Khare went on record as saying that had India

been independent, the Pegging Act would have been considered "a *casus belli* against South Africa." India was indeed declaring war against race discrimination in South Africa.

DEATH OF HAJEE AMOD JHAVERY

I remember the death on July 29, 1943, of Omar Hajee Amod Jhavery. The obituary which appeared in *Indian Opinion* gives us valuable glimpses into our history.

In 1913 MK Gandhi left the NIC and formed the Natal Indian Association. Jhaveri became the Association's first president.

Gandhi made Jhaveri one of the trustees of the Phoenix Settlement. Jhaveri was elected chairman of the Bai Jerbai Rustomjee Trust, the Parsee Rustomjee Trust and the MK Gandhi Library Committee.

He died at the age of 72 after being involved in community activities all his life. The huge attendance at his funeral proved his great popularity among all sections of the South African community.

NIC AND NIA MERGE INTO "NIC (FOUNDED BY MAHATMA GANDHI)"

The pressures for amalgamation of the NIC and the NIA continued to mount until success was reached on Sunday, August 29, 1943, when the "Natal Indian Congress (founded by Mahatma Gandhi in 1894)" was proclaimed as Natal's only constituent member of the SAIC. The NIA, after its four years' existence, was dissolved.

The NIC now had JW Godfrey as president with AI Kajee as chairman of committee, PR Pather and AB Moosa as joint secretaries and AM Moolla and TN Bhoola as joint treasurers, duly elected at that historic meeting which took place at the Avalon Cinema. The names of Sorabjee Rustomjee and Albert Christopher, if I remember correctly, did not appear among the office bearers or committee members. Dr Naicker was on the committee and with him were George Singh, George Ponnen, PM Harry, L. Ramsunder, Billy Peters, MD Naidoo, EI Moolla, RD Naidoo and NG Moodley, all leading trade unionists.

The two most important expectations were, firstly, a growing democratic consultation through the elected committee members and, secondly, a plan of action, drawing on all South Africans, for the achievement of a

non-racial democracy for South Africa. Kajee told us that the first objective of the new Congress was to get "a common franchise - municipal, provincial and parliamentary - and this will be the main plank in our work."

The Leader gave extensive coverage to the new developments under two separate headings: "Natal's Dog Fight Ends" and "Let Us All Be One Happy Family," the latter a quote from Dr Naicker's speech at the amalgamation meeting.

No one could have predicted then that the vital change in the NIC was the words in brackets "(founded by Mahatma Gandhi)" - and that they would in later years have important legal consequences in respect of the valuable properties of NIC in Umgeni Road and in Prince Edward Street purchased by MK Gandhi. These properties were facing the danger of being lost to the community because there was no one who could claim ownership.

PR PATHER, THE PASSIVE RESISTER

On July 9, PR Pather was convicted under the Pegging Act for occupying his own home at 232 Moore Road in Durban. He was treated leniently in respect of sentence - and asked to come up for sentence within six months, should he fail to vacate his home. PR had bought his Moore Road home before March 22, 1943, the date from which the Pegging Act was retrospectively put into operation. The only question was whether it had been Indian-occupied by 22 March. The contention of PR that it had been occupied by an Indian on his behalf was rejected by the Court. He was asked to vacate because the whites of the Moore Road area did not want an Indian there. He appeared before H. Barrett, Chief Magistrate of Durban, on November 12, 1943, to show cause why he should not be sentenced for his continued occupation of his Moore Road home. He handed a lengthy statement to the magistrate explaining his stand and this statement was given wide publicity by the *Opinion*, the *Views* and *The Leader*.

The Pegging Act, said PR, "infringes the most elementary right of an individual by interfering with the real rights that an owner possesses in regard to his property." This law, PR continued,

> "introduces occupation restriction on owners... and this iniquitous imposition, while it may appease racists of this city, has set a precedent of State interference with vested interests.
>
> "It shatters the last vestige of the dictates of natural justice and shakes the very foundations upon which the social contract of civilised society has been built.

> "For to dislodge a person from his home is not the law of civilised society but that of the jungle."

PR ended his historic statement with these words:

> "A South African court has found me guilty, but in doing so it has placed South Africa on trial at the bar of the world."

On November 26, PR was sentenced to a fine of £5 or seven days suspended until January 9, 1944. He was discovering that it was not easy to go to prison.

In January 1944, he was still in occupation of his Moore Road house. He was summoned to appear in court on January 12, 1944, when the suspended sentence was put into operation. If the fine of £5 was not paid he would have to serve the seven days in prison.

Let me quote PR's own words as to what happened:

> "I was prepared to serve imprisonment in terms of the sentence but to my surprise I learnt from the clerk of the court that the prosecutor, Mr Henning, immediately after the magistrate's order paid the fine of five pounds to the clerk of the court."

PR explained that the prosecutor was not prepared "to disclose the source from which the money came," and added:

> "I wish to make clear to the Press and the public that I have never asked anyone to pay the fine. I was quite prepared to serve my sentence of seven days."

PR remained in occupation of his Moore Road home for a considerable period of time and when he left he explained that he was doing so at the insistence of the High Commissioner of India who had advised him to vacate.

Dhanee Bramdaw's *Who's Who* incorrectly records that PR "served two and a half months of imprisonment in the Durban goal for defying the Pegging Act." It said that he was the "first Indian to resort to passive resistance" against this law and added that "the matter of his incarceration was raised in the House of Commons."

After PR Pather's case Durban had two similar cases in quick succession. I remember the charges under the Pegging Act against ME Paruk for occupying 42 Mountpellier Road and against Harilal Natha Naran for the crime of occupying his home at 55 Ninth Avenue.

In his judgement in the Paruk case, Durban's Chief Magistrate, in finding him not guilty, held that there was occupation before March 22, 1943.

In both the Pather and Paruk cases, the owner's right to occupy his own house was in issue. The magistrate said:

> "In the Pather case, an Asiatic slept in the servants' quarters before the fixed date, but in circumstances which were regarded by the Court more as trespass than lawful occupation.
>
> "In the present case there is strong evidence that a member of Mr Paruk's family slept in the house up to and including the fixed date... In the Pather case the key was not delivered before the fixed date and in this case the keys were delivered before the fixed date."

Pointing out that since Mr Paruk was facing a criminal charge and therefore, if there was a doubt on the question of occupation he was entitled to the benefit of the doubt, he found him not guilty and discharged him.

In the third case, Harilal Naran engaged Durban's leading criminal law silk, Eugene Renaud, K.C., to prove that he was entitled in law to occupy his own home at 55 Ninth Avenue, sold to him by Hans Maghraj and Company for £4,250. This house had cost its previous white owner, Thomas Charles Wood, the sum of £2,800.

The house had been bought before March 22, 1943, but the legal matter in issue was whether it was Indian-occupied on the critical date in question.

Wood in his evidence said that he had given Naran possession on March 15 but he had himself remained in occupation thereafter with the permission of the buyer. He further stated that one room of the house, in which prayers were held by the Indian buyer, was locked and the key to that room remained with Naran. Wood eventually vacated the premises on April 12, 1943.

After a hearing lasting two days in December 1943 the case was adjourned to 6 January 1944. I don't remember whether Naran was as successful as ME Paruk or as unsuccessful as PR Pather.

But what is important is Wood's racial prejudices which came into full display when cross-examined by Eugene Renaud. Wood was too willing to sell to an Indian at a price which no white buyer would pay but he would not agree to allowing an Indian purchaser to sleep on the premises although he himself was allowed to remain there free of charge.

In fact Mrs Wood in her evidence said that she would not allow the Indian buyers to sleep in the house as long as she was there and added that she was forced to sell because "Indians were crowding round" those Avenues through penetration, before the Pegging Act was introduced.

BENGAL FAMINE RELIEF

We received a report from India that three South African students in India - DM Bassa, Ismail Moosa Meer and Omar Hassim Essack - had volunteered IN 1943 to do field work in Bengal. They had joined the Bengal Medical Relief Committee whose president, Dr BC Roy, had addressed a student meeting in Bombay and called for student teams to go to Bengal.

Inspired by the student work in India, our South African students too volunteered in all parts of the country to raise relief funds. In Johannesburg AM Kathrada was doing his bit among the high school students, and our Wits students too were active.

In Durban students of the Dartnell Crescent Girls' School formed a Bengal Medical Relief Committee which held a most successful fund-raising concert at the Avalon which was packed to overflowing. The officials of this student body were Fatima Meer, president; Zohra Meer, secretary; and Minnie Ramawthar, chairperson. The committee members were Madraj Naidoo, Parien Randeria, Shyam Bodasingh, Jessie Waghmarie, Sheila Singh, Ivy Bunsee and K Sham.

Our singers and musicians took a very active part in the fund-raising campaign. Besides Maya Devi, trained by Kat's Cavalcade Studio, there were many new artists emerging.

I remember the tremendous financial support given by our people in 1943 when the news of the Bengal famine reached us. Responding to the appeal of the Acting High Commissioner for India (Sir Shafa'at was on leave) the Indian South Africans formed committees all over the country. Yusuf Cachalia, from 27b Market Street, was rallying the Transvaal and in Natal the NIC was in the lead. High school and university students played a magnificent role in rallying to the plight of the starving masses of Bengal.

HUGO COMMITTEE REJECTS PROPOSAL FOR MEDICAL SCHOOL IN DURBAN

In 1943 the Hugo Committee issued its report on its investigation into the admission of students to the Union's medical schools.

The Committee which consisted of FD Hugo (chairman), Dr JP du Toit, Dr K Bremer and M Smith recommended that "no more than 300 doctors be allowed to

qualify at the three South African universities and that no further medical schools be opened in the Union for some years to come."

The Committee rejected proposals for a new medical school in Durban where none had existed in 1943 and stated that an additional medical school was not justified in South Africa. It suggested provision of separate facilities for non-Europeans at an existing medical school and recommended Wits as the most suitable.

The Committee was of the opinion that one medical practitioner for every 2,500 members of the population was a reasonable provision for the country's requirements, and that 4,000 medical practitioners were sufficient for the country's population of ten million.

This report was strongly condemned in many quarters. In Durban Dr Alan B Taylor, president of the Natal Coastal Branch of the South African Medical Association, expressed amazement at the Hugo Committee's report which he interpreted as saying that eight medical doctors per year was sufficient to meet the needs of eight million Africans.

There was much opposition and difficulties before the Durban Medical School was eventually established under the University of Natal.

SOME NOTABLE EVENTS IN 1943

On July 13, 1943, the inaugural meeting was held to form the Durban International Club. Among the convenors were Albert John Luthuli, Dr John L Dube, AI Kajee, Albert Christopher and AS Mtimkulu. The Mayoress of Durban and the Administrator of Natal gave the venture their full support. I frequented the club regularly. One could meet there regardless of colour.

The Liberal Study Group organised an important debate on February 24 on the question of the Asiatic Advisory Board, and I presided over it. HA Naidoo supported participation on the board, Cassim Amra, DA Seedat and George Singh opposed him. George Singh won the day with his declaration that the board "is only an attempt to cut across the path of the Indians' demand for franchise in South Africa."

The Leader report of this debate on March 6, 1943, under the heading "A Glorified Debating Society," summed up the way the Group looked at the board.

It was during 1943 that HA Naidoo, Cassim Amra and Ismail Meer, three foundation members of the Liberal Study Group, left Durban, the first two for

Cape Town and the last for the University of the Witwatersrand, leaving far greater responsibilities with AKM Docrat (who intensified his war against all the "cabals" within and without the radical organisational ranks), and with the growing number of trade unionists such as L. Ramsunder, NG Moodley and RD Naidoo.

The Liberal Study Group in Durban and the Progressive Asian Club in Johannesburg were both in the year 1943 engaged in mass educational work. I remember the PAC stating in its press release that its membership was open to all persons and not confined to Asians.

In Cape Town Cassim Amra organised a very successful lunch hour club which was repeating some of the programmes successfully carried out in Durban.

I remember the tremendous publicity given to the formation in September 1943 of the Federation of Progressive Students (FOPS) at the University of the Witwatersrand, which was fully supported by the Registrar of Wits, Glynn Thomas.

Wits students packed the Great Hall at FOPS' inauguration when Glynn Thomas was elected its president, with Violain Junod as chairperson and IC Meer as organising secretary. Among the committee members were Benny Sischy, Boris Wilson, and Ruth First. FOPS made it clear that it was against the timid policies of NUSAS.

FOPS became a most vital student body at Wits on varied educational matters and at its inaugural meeting it criticised the Durban City Council for not making land available for the ML Sultan Technical College.

Both JN Singh and IC Meer were elected to the Students' Representative Council of Wits in succession. FOPS had fielded candidates for the SRC elections and had virtually gained a grand slam.

The Muslim Conference presided over by IM Bawa, a London-returned barrister, was much in the news in 1943. On April 25 and 26, 1943, AI Kajee was elected president with SM Mayat as one of its twelve vice-presidents. IM Bawa and MS Badat were two secretaries. AKM Docrat and EI Moolla of the Nationalist Bloc were elected among the committee members.

Trade unions were rapidly expanding among Indian South Africans, in Durban in particular.

The Durban Indian Municipal Employees Society had an excellent educational programme drawn up by George Singh who was its secretary for many years.

There was an active Dimes Youth Club at Magazine Barracks. From November 14, 1943, to January 30, 1944, it organised ten night functions. The subject matters covered capitalism, socialism, India and Pakistan and a talk by Wilson Cele on the African municipal workers.

Many people living at the Magazine Barracks, both young and old, could not speak English and George Ponnen delivered a talk on "Socialism" in Tamil.

The India League held a meeting in Durban on the anniversary of the arrest of Congress leaders in India. At this packed gathering at the Gandhi Library on Sunday, August 8, 1943, presided over by Debi Singh, Radhi Singh gave full details of what had happened a year previously. Other speakers were the poet HIE Dhlomo, DA Seedat, Advocate Harry Bloom and Dr K Goonam.

Dhlomo made the point that India's struggle was a struggle for humanity and hence worthy of international support.

RACISTS AGAINST INDIAN EDUCATION

We had gone through an agonising period over ML Sultan's generous donation of £17,500 to erect the Tech to serve all blacks and now the Orient Islamic Institute announced a plan to raise up to £150,000 for a residential high school at the Bluff in Durban.

AI Kajee announced this "further self-help scheme" which would be open to all Indians and not confined to Muslims. It was decided to procure 80 acres of land between the Main Bluff Road and the road to the lighthouse. This site was opposite the Zanzibari settlement at the Bluff.

The boys' school was to have 300 students in residence and a similar girls' school was also contemplated. In addition, each school was to have up to 400 day students. In other words each school was to have an enrolment of 700 pupils from Standard three to matriculation.

The white ratepayers of Bluff lodged strong objection to this venture just as the whites had done about the ML Sultan Tech in respect of the very site it now occupies and which in 1943 was a "a dreary, desolate piece of jungle overgrown with weed and man high vegetation which was a disgrace to the town" to quote MI Meer who in his editorial of January 7, 1944, dealt with the two educational sites.

After quoting the New Year messages of General Smuts, the Prime Minister, and Heaton Nicholls, the Administrator of Natal, MI in his typical style stated that

they "are worth rather less than two-pence until and unless they are executed…" MI added:

> "We know how Europeans in this town are busy this very moment justifying European civilisation in Africa by moving heaven and earth against the education of Indian children."

He dealt with the opposition to the Tech site next to the sports ground of Curries Fountain and pointed out that instead of the site being made available, the Durban City Council was asking Indians to build their technical college on top of their Curries Fountain sports ground.

Referring to the resident Indian boys' high school on the 80-acre site at the Bluff, the *Views* editorial added:

> "A Satanic anti-Indian clamour is now in full swing against yet another self-helping Indian educational endeavour – the proposed Indian high school at the Bluff.
>
> "The squeal is being sounded from platform and press that the building of this school is yet another nefarious case of 'penetration.' Well, if penetration it be, then we would like to ask: What precisely is wrong about penetration? The penetrator be an Indian or an Eskimo, is committing no other crime than that of exercising his God-given right to purchase property in the open market, not with the ill-gotten gains of a dacoit or thief but with his own hard-earned money.
>
> "Let no anti-Indian emitter of the penetration squeal forget that pertinent fact. Let him always remember the fundamental fact that the Indian is not committing any crime by penetration."

I remember the terribly long controversy over the Orient High School. The original scheme had to be abandoned because of the opposition of the white racists of Durban and the school came to be erected on its present site.

THIRD BROOME COMMISSION

The Smuts Government in March 1944 appointed the "Third Broome Commission," as it came to be popularly known; again to impress India that it was taking positive steps in relation to Indians.

Members of this Commission were Justice Broome (chairman), WM Power, M.E.C., Natal; Senator DG Shepstone; AL Barns; AI Kajee; and SR Naidoo.

The Commission's wide terms of reference allowed it to go into all aspects of the position of Natal's Indians, including steps to implement the "uplift clause" of the 1927 Cape Town Agreement.

This mixed commission, which was promised when the Pegging Bill was before Parliament, was indeed a Smuts' sop to India's criticism. Its main purpose was to take the heat off the attacks on this law both in South Africa and overseas.

The radicals opposed this Commission. I remember the Liberal Study Group organised a symposium on it with prominent speakers including Yusuf Dadoo and AI Kajee.

PRETORIA AGREEMENT BLOW TO KAJEE-PATHER LEADERSHIP

Before the "Third Broome Commission" began its public sitting, we received the rude shock of the conclusion of the Pretoria Agreement, wrongly interpreted as an agreement to minimise the drastic provisions of the Pegging Act.

Let me give you some details about this notorious agreement, which must be regarded as the knock-out blow against the Kajee-Pather leadership of the newly constituted NIC of united moderate leaders.

The origin of the mischief was a memorandum of March 19, 1944, by the SAIC to General Smuts in which Congress conceded that "although unreasonable" there was a problem of Indians and whites living in close proximity and suggested that a solution be found.

Smuts acted with speed and convened a meeting in Pretoria on April 18, 1944, attended by himself, Senator Clarkson, DE Mitchell, M.E.C., Senator DG Shepstone and seven representatives of the NIC: AI Kajee, PR Pather, SR Naidoo, AB Moosa, TN Bhoola, Mahomed Ebrahim and SM Paruk.

The meeting was for the purpose of considering the application of the Pegging Act in Natal and had before it the SAIC memorandum which sought to find a solution to the "problem" of juxta-positional Indian-white residences.

After this meeting Smuts announced the Pretoria Agreement that had been achieved. Under its terms the "Pegging Act" would be withdrawn in respect of Durban by proclamation.[10] A Natal Ordinance would be introduced setting up a

[10] The Pegging Act applied to the whole of the Transvaal but as far as Natal was concerned its immediate application was to the municipal area of Durban only. There was continuous white agitation in Natal to have its provisions put into operation in respect of other municipal areas of the Province.

board, consisting of two white and two Indian members with a white legally-trained chairman, to control occupation by the "Licensing of Dwellings" in certain areas.

Smuts was so pleased with the Indian capitulation that he sent a cable to his friend, Lord Wavell, Viceroy of India, claiming that the Pretoria Agreement provided "a fair solution of the trouble which has arisen in connection with the Pegging Act and will, I trust, be as welcome to Your Excellency as it has been to me."

Smuts was fully aware of the growing international reactions against his racist Pegging Act. His concern was reflected in the 1944 speech of Senator Clarkson before the Natal Municipal Association in Pietermaritzburg, when he said: "We cannot expect the Indian population... to be voiceless in the control of municipal and State affairs." This statement was made for the benefit of India and was not intended to change anything vis-a-vis local Indians.

I remember the reactions to Senator Clarkson's speech. In complete unity the European community expressed itself against any move for municipal or Parliamentary franchise on a communal roll.

The radicals denounced the Pretoria Agreement as a betrayal by the Kajee-Pather Group who had accepted voluntary segregation, and pointed out that throughout their history Indians had opposed segregation.

AI Kajee had strongly criticised the role of Sorabjee Rustomjee and his associates on the Lawrence Committee. It was now Sorab's turn to oppose AI Kajee and his associates for agreeing to a Licensing Board and entering into the Pretoria Agreement, making absolutely no sense of PR Pather's opposition to the Pegging Act.

Whites also strenuously opposed the Pretoria Agreement and said that whites most intimately concerned with the Pegging Act, namely the white voters of Durban and the Durban City Council, had not been consulted by General Smuts.

The Natal Provincial Council took the opportunity provided by the Pretoria Agreement and came forward with three Ordinances, going far beyond the Agreement of April 18, 1944.

Even the Kajee-Pather group was left with no option but to oppose the Ordinances when they met General Smuts on November 28, 1944. After this meeting Smuts announced that the Pretoria Agreement was "stone dead." The Licensing Board for preventing "Indian penetration" into white residential areas of Durban was "still-born."

ANTI-SEGREGATION COUNCIL FORMED

As a direct result of the Pretoria Agreement an Anti-Segregation Council was formed in Durban on Sunday, May 7, 1944, at a meeting held at the MK Gandhi Library. Dr Yusuf Dadoo and HA Naidoo, from Johannesburg and Cape Town respectively, helped Natal rally behind this new body which condemned residential segregation and the moderate Congress leadership which had walked into Smuts' trap.

The inaugural meeting of the Anti-Segregation Council elected Dr GM Naicker as its president; Dr BT Chetty, vice president; AKM Docrat, secretary; and MP Naicker, treasurer. Dr K Goonam, EI Moolla, MD Naidoo, OM Soni, Debi Singh, SV Reddy and Dr Deenadayalu were elected members.

This new body played a most vital role in the campaign to make the NIC a democratic militant mass organisation. Its history makes interesting reading.

In 1944 the Kajee-Pather leadership of the NIC, with a predominant merchant class membership, surrendered on residential segregation. It wanted Indian businesses and investments of merchants to be protected, and sacrificed Indian residences at the altar of segregation. On this basis AI Kajee formulated the Pretoria Agreement with General Smuts. The Nationalist Bloc rejected this Agreement. We saw Kajee as an opportunist incapable of protecting the multifarious interests of the community, the majority of whose members were workers and whose interests were intertwined with those of the African workers in particular. The Dunlop strike was then the most recent example of the need for Indian and African workers to unite in the trade union movement and in politics.

We, who led the Nationalist Bloc under Dr GM Naicker, challenged the conservative leadership and advocated the protection of the total interests of the community, including that of the merchants in so far as race discrimination affected them. We called for a united front of all the oppressed and democrats in South Africa to strive for a non-racial democracy in which there would be a mixed economy and a democracy in which all the races participated.

We rejected the Pretoria Agreement. There were no restrictions in Natal prohibiting mixed residential areas by law. The conservative leadership was offering to persuade Indians to segregate themselves voluntarily. We rejected uni-racial ghettos.

The Anti-Segregation Council placed an advertisment in *The Leader* of December 9, 1944, headed "The People Demand." Ten demands were highlighted by the Council in its campaign to make NIC more democratic.

On December 12, 1944, the Anti-Segregation Council laid its plans to take over the leadership of the NIC. At its conference in Durban, addressed by Dr Naicker and George Singh, the Council passed a comprehensive resolution outlining its programme of action involving all sections of the community. It demanded the repeal of the Pegging Act and the abrogation of the Pretoria Agreement and the Natal Ordinance. It demanded "no segregation whatsoever in all spheres of life."

AKM Docrat, who was elected secretary of the Council, prophetically told the Conference: "If we don't fight now, within 20 years we shall all be put into locations."[11]

The conference demanded the removal of all Provincial barriers and "colour bar restrictions in all spheres such as universities, trades, industries etc.," and called upon its officials to "rouse world opinion against racism," and appoint a full-time organiser to carry out the campaign launched by the Conference.

Mass meetings were organised simultaneously at the Red Square in Durban, Newcastle, Dannhauser, Dundee, Ladysmith, Stanger, Tongaat and Briardene. Speakers at these meetings included Dr GM Naicker, Dr BT Chetty, Dr K Goonam, Dr and Mrs Goolam Gool of Cape Town, Councillor MM Desai of Port Elizabeth, George Singh, Billy Peters and George Ponnen.[12]

The Kajee group of the NIC realised the strength of our opposition and ran adverts in the Indian weeklies proclaiming their case. They acquired the services of the experienced GH Calpin to take charge of publications and publicity material generally. The Liberal Study Group, on the other hand, had trained many in writing, editing and public speaking and they represented the radical view.

We organised a special membership drive and recruited over 30,000 paid-up members and 29 affiliated branches, mostly trade unions.

One of the keen activists on the Anti-Segregation Council was the self-effacing Billy Peters, a quiet man of few words, who for several years had served as the librarian of the MK Gandhi Library.

Drawn from the trade union movement, he was an effective speaker from the Council's platform. In the Natal-wide blitz of mass meetings in December 1944, his voice was much respected. He worked tirelessly to rally the workers in support of the Anti-Segregation Council.

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[11] Indeed, even after we fought, the all-powerful white ruling caste created Chatsworth and Phoenix and other "locations" for Indian racial residences.

[12] Dr Goolam Gool and his wife Hawa H. Ahmed were at that time accorded a powerful platform in Natal by the trade union-dominated Anti-Segregation Council.

The Liberal Study Group had trained a broadly-based leadership of differing political views and this now united to expose the Pretoria Agreement. When Smuts ditched the Pretoria Agreement, its hand was further strengthened.

Dr Monty Naicker was at the head of the organised move to give the NIC a democratic leadership; in the Transvaal, Dr Yusuf Dadoo emerged as South Africa's most charismatic non-white leader involved not only in the TIC but also in the Anti-Pass Campaign with the Africans. The Anti-Pass Conference of May 1944, in which Dr AB Xuma was a participant, drew 540 delegates claiming to represent 605,222 people.

In the same year the ANC Youth League issued its trumpet call to youth and AM Lembede took the lead in giving the League its constitution and its manifesto.

In the Cape the Anti-CAD movement rallied the Coloured people. The Unity Movement publicised its ten-point programme and pushed its policy of non-collaboration.

The Alexandria bus boycott united people holding differing views and Dr Dadoo, Senator Basner, Dan Koza, and we student leaders joined the residents in their daily march from the Township to Johannesburg City.

DEATH OF SM NANA

Even those in the Congress, who were opposed to his policies, were shocked and grieved to hear of the death of SM Nana who passed away at the young age of 38, on May 8, 1944.

Over 17,000 persons from all communities attended the funeral of a man who was a very close friend of MI Meer and a great supporter of *Indian Views*.

Dr Yusuf Dadoo was one of the speakers at the Nana memorial meeting in Johannesburg. NIC paid tribute to Mr Nana. *Indian Views* published a special supplement of Mr Nana's photograph.

India's High Commissioner, Sir Shafa'at Ahmed Khan, in his tribute said that Nana "was one of the ablest leaders of the Indian community who had rendered great service to the Indian cause." Adding that his death was an irreparable loss, the High Commissioner stressed that "during the last 11 years he dedicated his life to the community and sacrificed everything for the cause."

At the memorial meeting in Johannesburg, CI Coovadia read out a message to the community left by Nana in which he said: "I have served you to the best of my ability and I crave the forgiveness of any individual whose feelings I may have intentionally or inadvertently hurt."

The death of Nana, coming so shortly after the death of ME Valod, left the TIC with two important vacancies.

There was talk of a "coalition" in the TIC and I remember *Indian Views* publishing in its issue of September 15, 1944, a letter written by IC Meer, acting secretary of the Nationalist Group of the TIC, on the invitation to nominate the group's members to the TIC Committee. Discussions continued and at its December meeting, the TIC increased its committee from 48 to 66, that is, by 18 members nominated by the Nationalist Group of Dr Dadoo.

The new members were Dr YM Dadoo, AI Minty, SB Medh, Reverend BLE Sigamoney, SM Desai, B Pavadai, Jasmat Nanabhai, G Pillay, Narainsamy Naidoo, Moulvi Saloojee, M Vania, RCI Parekh, J Vandeyar, Yusuf Nagdee, YS Patel, DU Mistry, Ratilal Parekh and ES Dangor.

The Dadoo group was still in a minority in the Transvaal as the struggle against the Pegging Act continued with the radicals both in the Transvaal and in Natal calling for the launching of passive resistance, the withdrawal of the High Commissioner of India and the imposition of economic sanctions by India.

RACISM OF LAW SOCIETIES

1944 saw the Law Societies in Natal and the Transvaal taking drastic action against non-whites aspiring to enter the legal profession. They made it clear that the profession was meant for Europeans only.

The Natal University College cancelled all law lectures for African, Coloured and Indian students at Sastri College in 1944. The Transvaal Law Society added its weight to reserve the profession for whites by refusing to register articles. In October 1944 my articles of clerkship with Attorney AI Minty were refused on the grounds that I was a prohibited immigrant in the Transvaal. This was followed by an order by the office of the Commissioner for Asiatic Affairs forcing me to leave the Transvaal immediately.

The Commissioner's office contended that the serving of articles was tantamount to employment in the Transvaal which was not allowed to a person who was a student from Natal. I struggled for nine months to register my articles.

It was only after Advocate Attlinger, the leading silk on this matter, threatened an Application in the Supreme Court that both the Transvaal Law Society and the Commissioner for Asiatic Affairs gave up their unjust and racist opposition.

With the cancellation of the law lectures at NIC, I and two of my fellow students, JN Singh and Ahmed Bhoola, had taken up our residence in Johannesburg, where we enrolled for law at the Witwatersrand University.

FANNING RACE PREJUDICE

The white press in 1944 was, generally speaking, anti-Indian and racist, justifying the South African caste structure without any shame whatsoever, and often assisting white politicians to climb the political ladder higher and higher on the backs of "*coolies, kaffirs* and *hotnots*."

Let me quote from an Afrikaner daily, *Die Transvaaler,* of December 18, 1944, to show how far the Afrikaner press was prepared to go in order to make its policy of expatriating Indians - pending which economic boycott and strangulation of our people - possible.

The Johannesburg-based daily told its readers that white school children in the Free State refused to eat bananas supplied under the school meals scheme because of a rumour that Indians had injected infantile paralysis germs into bananas and paw paws in retaliation against the Pegging Act and the Natal Ordinances.

Indian Views of January 19, 1945, attacked *Natal Mercury* for giving prominence to the letter of a local medico, who signed himself "Pathologist," in which that gentleman opposed the training of native Africans as doctors because, for one thing:

> "The Native has not got the type of brain requisite to make a considered judgement in the face of a series of clinical and pathological findings. They would never be much better than slaves of a simple text book, and if the case did not fit such completely, as hardly ever happens, they would be unstuck..."

The white newspapers then had no black journalists on their staff. There was, of course, the Johannesburg-based *Bantu World* whose editor Selope Thema worked under highly segregated conditions.

WHITES TRY TO INCULCATE ANTI-INDIAN FEELINGS AMONG AFRICANS

Anti-Indian feeling was accentuated by English-speaking industrialists in Natal who found Indian trade union members a challenge to their profits at a time when an African was by law prevented from becoming a trade union member. The

Dunlop strike demonstrated how vulnerable Indian workers were so long as African workers remained excluded from trade unions.

Taking his lead from General Smuts, his chief Natal agent, DE Mitchell, the Administrator of the Province, was in the forefront among those who were antagonising Africans against Indians. From people in the highest places to the lowest of the low white racists were inculcating anti-Indian feelings among Africans and this was one of the main causes of the anti-Indian riots which broke out in Durban in 1949.

I remember the speech delivered by Administrator Mitchell to the National Council of Women, during the first week of June 1945, explaining why no provision had been made by the Natal Provincial Council for training Indian nurses. He claimed "there is not a single Indian girl in Natal who is prepared to get down to a period of nursing training in exactly the same way as European and Bantu girls."

And in order to highlight his point and paint Indians as racists, he added:

> "A real serious attempt had been made to train them. Six Indian girls arrived at a hospital one morning to start training but by night fall everyone had left. One of the excuses of the Indians was that the girls did not like being alongside the Bantu nurses - which came strangely from the Indians who were so opposed to segregation."

We all knew that the Indian girls objected to the horrible, segregated conditions and not to working "alongside African nurses."

MI Meer took Mitchell to task for his racist remarks. He wrote in *Indian Views* of June 15, 1945:

> "Vituperation and slander are the stock in trade of a certain type of anti-Asiatic and to be offensive and insulting to Indians passes for the highest form of wit among such people. But Mr Mitchell might at times strive to remember that he is now the Administrator of Natal and the posturing of an anti-Asiatic clown of that kind does not become his position.
>
> "Far from regarding the African as such as an inferior order of being, Indians know that there are Africans who are the equal of any Indian or European and Africans who are superior to many Indians and Europeans. But South Africa does not treat them as such..."

He pointed out that it was the conditions under which Africans were trained to which the Indians objected. In any case, MI asked, why should Mitchell indulge in this gibe against Indians on segregation when he had extolled the virtues of

segregation in that very speech to the National Council of Women and had talked of the "evils which flowed from the mingling of races."

The African had been assigned by the white rulers a place which was totally unacceptable to Africans and Indians. It was to that place to which the Indian girls had objected.

But the ranks of the genuine white anti-racists were growing and although they constituted a very small minority of the white population, they challenged our radical leaders in preventing an anti-white stance developing in our political ranks.

The roles of a Michael Scott or a Rowley Arenstein in the 1940s cannot be underestimated. They provided us with the balance required in planning a non-racial democracy in the South Africa of the future.

BOYCOTT OF THE INDIAN JUDICIAL COMMISSION

The Indian Judicial Commission, on which AI Kajee and SR Naidoo were serving ground to a halt when the Natal Provincial Council enacted the Residential Properties Restriction Ordinance of 1944.

Kajee called Smuts to have the Natal Ordinance vetoed by the Governor General but Smuts instead declared that the Pretoria Agreement was "dead - stone dead." Smuts had once again bowed to the wishes of the English-speaking white racists of Natal. Kajee was now literally getting sound bashings both from the left and right, from the radicals and from the Smuts Government.

The NIC Old Guard, faced with attacks from the Anti-Segregation Council, reconsidered the question of further participation in the Judicial Commission; and both AI Kajee and SR Naidoo resigned from it in December 1944. The conservative NIC went further and called on Indians to boycott the Commission.

On February 5, 1945, three months after the resignation of the two Indian members, the Commission, now exclusively white, met at the Durban City Hall. Justice Broome made public that Indian witnesses who had previously agreed to give evidence had now withdrawn. "Non-collaboration" was at work and the Commission had to adjourn after hearing three white witnesses.

One of these witnesses, Richardson Harris, told the Commission that it was nothing more than "intolerable insolence" for Indians to ask for the franchise.[13] He continued:

> "If bloodshed is to be avoided in Natal segregation must be rigidly observed. My long experience with Indians convinces me that under no circumstances should the Indian be granted the franchise.
>
> "To those who boast that the Indian soldiers are fighting our battle, I say we can look after ourselves. These sons of *coolies* who want equal rights let them go back to India. I am satisfied that the East and the West will never merge..."

No one in our community had faith in any of the racist English-speaking people of Natal. Even the gullible PR Pather, on his release from prison in December 1944, said that his "faith in the Englishmen has been rudely shaken" by the actions of the Natal Provincial Council in torpedoing the Pretoria Agreement.

DEEPENING DIVISION BETWEEN CONSERVATIVES AND RADICALS

The Dadoo-Naicker leadership was attracting more and more supporters. Gopalal Hurbans of Tongaat, who had worked for years with AI Kajee, and who had acted as Cissie Gool's Tongaat host in 1938 when she had campaigned for the Non-European United Front, joined the Anti-Segregation Council. Habib Rajab, suave and well-read with profound knowledge of the East and the West, was known to us as an ex-student of the Marine College, a friend of Sirkari Naidoo, and a teacher at the Tech. He drew very close to the Anti-Segregation Council leadership in 1945, as did Albert Christopher and the veteran Sorabjee Rustomjee.

I remember the Northern Natal campaign of the Anti-Segregation Council in which Yusuf Dadoo played a leading role. His call for equality for all provoked many attacks. I think it was then that the *Daily News* wrote an editorial on Dadoo condemning his demands, but it also admitted Dadoo had all the qualities required of a Prime Minister. It expressed regret that he should make militant demands against white privileges.

1945 saw the deepening of the division between the conservatives and radicals. Smuts's abandonment of the conservatives, by announcing in Parliament that he would introduce legislation to enable the central government to plan the creation of huge ghettos for Indians in Natal, and

[13] The first Provincial Conference of the Natal Indian Congress (founded by Mahatma Gandhi in 1894), held in Durban on January 19, 1944, had emphasised the need for a franchise on a common roll.

the publication of the interim report of the Broome Commission, from which AI Kajee and SR Naidoo had resigned, furthered the radical cause and undermined the conservative.

A war of words broke out between the Kajee-Pather group and the Anti-Segregation Council. For the first time in our political history we had a sustained paid advertising campaign, in which both the groups excelled in placing their "truths" before the public at large.

INDIAN INDEPENDENCE DAY, JANUARY 1945

Events in India were of great importance to us.

The India League, led by Dr BT Chetty in Durban, joined Johannesburg, Cape Town and other centres in observing India's Independence Day on January 26, 1945, and declared support for India's anti-imperialist struggle.[14]

The Johannesburg speakers included Reverend BLE Sigamoney, Councillor Hilda Watts, BK Patel, DU Mistry, JN Singh and myself. In Cape Town Dr Jack Simons of the University of Cape Town, Dr GH Gool and CI Amra were the main speakers.

In Durban Miss TME Lawrence read the independence pledge and Errol Shanley, secretary of the Trades and Labour Council, was among the people who spoke.

DESHMUKH, THE LAST INDIAN HIGH COMMISSIONER

Kajee's NIC sent a cable in January 1945 to the Viceroy of India, Lord Wavell, "not to proceed with the dispatch to South Africa of a new High Commissioner." This cable reflected the response even among conservatives to the growing demand of the masses, rapidly being enrolled by the Anti-Segregation Council as NIC members.

Notwithstanding this cable, the last head of the Indian diplomatic mission in South Africa arrived in Durban on February 25, 1945.

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[14] January 26 was observed annually by the Indian National Congress as Independence Day from 1930 to 1947 when India attained independence. Since 1950, January 26 is observed as the Republic Day., the national day of India.

Ramarao Mahadevrao Deshmukh, who was a former Minister in charge of Public Works in the government of the Central Provinces, was a quiet man, whose one-year stay in our midst ended with the withdrawal of the High Commissioner by India in 1946 after the enactment of the Asiatic Land Tenure and Indian Representation Act.

On June 15, 1945, Jawaharlal Nehru was released from prison, the Ahmednagar Fort, after completing his longest term - 1,041 days.

I remember the message that Jawaharlal sent to us in South Africa on his release. It was a short message which said: "One can never accept anywhere in the world the status of inferiority. No Indian worthy of his country can thus demean himself and his Motherland."

We welcomed the greetings of Nehru and admired him for his personal sacrifices for the freedom of his country, his Mother India, from where some of our ancestors had hailed.

Just about the time when Pandit Nehru's message reached us, "Dull Deshmukh," the High Commissioner of India in bondage, made his first speech which was reported in full in *Indian Opinion* of July 6 and 13, 1945, a speech in which he advocated "some measure of franchise for Indians."

I remember *The Leader* of Allahabad came out with a pointed attack on RM Deshmukh when it stated: "No legislation evoked more opposition from Indians than the Pegging Act, but curiously enough the new Indian High Commissioner chose not to open his lips."

After adding that the "vote is the birthright of every person in a civilised country," the prestigious *Leader* declared: "If the Union Government do not revise their attitude - in granting the vote to Indians - the Government of India should recall the High Commissioner."

In his Barberton speech in November 1945, Deshmukh said that since India now regarded South African Indians as belonging in South Africa, she did not want to interfere and if she did, she would be doing wrong.

By that statement, he united all Indian South Africans, moderates and radicals, with the *Opinion*, the *Views* and *The Leader* joining in, in the condemnation which he so richly deserved. The call for his return to India was very much on the increase after his speech.

SPIRIT OF SELF-HELP

Under these conditions, our spirit of self-help remained one of the most inspiring aspects of the life of our people.

On the front page of *The Leader* of April 28, 1945, there appeared the heading: "EM Paruk Family's gift to FOSA - 25 acres of land at Newlands" and under it was another story of self-help. The family was acting in the traditions of its founder in making this generous donation for T.B. patients, the victims of the whites' policy of depriving our people of the basic nutritional needs, which our poor could not afford.

And I remember *Indian Views* of June 1, 1945, reported MA Motala's donation of land to the Natal Indian Blind Society.

Such acts of generosity made us feel proud of our people among whom the poorest of the poor were making their pounds and shillings and pennies available throughout Natal for the erection of the community-built State-aided Indian schools, in which the vast number of our students in Natal obtained their education.

SMUTS DISCLOSES GHETTO PLANS

After the three Natal Ordinances, aimed at segregating Indians into their own ghettos, had been found to be *ultra vires*, General Smuts broke his long silence and, during the second week of March 1945, informed Parliament that the Government would pass legislation which would enable expropriation of huge tracts of land for Indian ghettos. He once again argued that the anti-Indian agitation in Natal arose from juxtapositional living between whites and Indians and that once segregated residences were established, the problem would be solved for all time. The Group Areas Act originated from the “liberal” Smuts and from the racist Malan.

In 1945 Smuts was talking of measures against Natal Indians. Indians in the Orange Free State had been eliminated and their businesses confiscated before the twentieth century began. The Transvaal Indians had been curbed under Law 3 of 1885 and the Gold Law of 1909.

But the Cape Indians had remained untouched. When Smuts was speaking in Parliament in March 1945, Dr Malan interjected: "Why did you apply the ‘Pegging Act’ to Natal and not to the Cape?" To this valid interjection Smuts had no satisfactory reply.

Smuts was preparing his San Francisco trip in March 1945 and he wanted to arrive there with a "solution" already found. Perhaps he would inform his friends

at the United Nations Conference that what he was going to do through legislation had already been approved of, in the Pretoria Agreement, by AI Kajee's Congress.

In his editorial in *Indian Views* of March 23, 1945, MI Meer said that Smuts had failed even to touch on the fundamental question of the franchise and that what he was now advocating was "worse than any segregation measure."

Even at this stage the Anti-Segregation Council was asking AI Kajee and his supporters to abandon their philosophy of the Pretoria Agreement, reject residential segregation totally and ask for franchise on the same basis as enjoyed by the whites. But there was no retreat by the Kajee group from the Pretoria Agreement nor did they abandon the servile demand for a qualified, common roll franchise.

The Pretoria Agreement may be "dead as a stone" but the Pretoria Agreement mentality was very much alive.

The Leader in its front page of September 1, 1945, boldly headlined: "Indians had to accord Gen. Smuts a backdoor welcome." AI Kajee's NIC ran around Durban, with JW Godfrey carrying a garland of welcome for Prime Minister Smuts, but the Mayor of Durban would not allow the NIC to garland the San Francisco-returned Smuts of double-talk at the City Hall. JW Godfrey rushed with the garland for Smuts and a bouquet for Mrs Smuts to the Durban Club. But here, too, the NIC of the Old Guard was snubbed at the front door, but the undaunted Godfrey managed to do his thing with the flowers at the backdoor of the club and celebrate the man who gave us the Ghetto Act.

The Anti-Segregation Council was out to end this type of servility which caused so much harm to the *izzat* of our people.

The Third Broome Commission Report released in June 1945 left me very unimpressed with what it had to say. Judge Broome's comments were totally unacceptable to us and in my eyes the judge lost the halo with which the conservatives had adorned him.

The all-white Commission said that the existing situation in Natal was one of non-co-operation on the part of the Indian section and that there was "mutual racial animosity between both sections," Europeans and Indians. The Commission took a serious view of the attitude of politicians in India which encouraged South African Indians "to put forward demands which they must know are grossly unreasonable, for instance: the immediate grant of adult suffrage; the immediate removal of Provincial barriers; the immediate removal of all colour bar restrictions."

The South African white caste had produced even judges of our Supreme Court in 1945 who found "grossly unreasonable" the demand for democracy and freedom of movement.

MEMORIAL MEETING FOR HERMANN KALLENBACH

On Monday, March 25, 1945, we attended the memorial meeting for Hermann Kallenbach, a true friend of the Indian community, at the Gandhi Library in Durban, presided over by Reverend Choonoo. At that meeting Mahatma Gandhi's message to Hanna Lazar on the death of Kallenbach was read out: "No sorrow over uncle's death. He did his duty. Continue his service. Sympathy with all."

Kallenbach was "discovered" by Advocate RK Khan, associate of MK Gandhi in law and in fighting colour discrimination, who introduced him to the young MK Gandhi. A Jew of German origin, Kallenbach became Gandhi's great follower, going with his *guru* to England in 1914.

As a qualified architect Kallenbach has left Sastri College as one of the creations of his firm - Kallenbach, Kennedy and Furner. People of my generation also knew of the respect with which he was looked upon by our university students who were studying at the University of the Witwatersrand, close to Kallenbach's 1100-acre historic Tolstoy Farm of the Gandhian era in South Africa.

Kallenbach-Gandhi correspondence, consisting of a large number of letters, has become one of our most valuable "Gandhiana." Kallenbach's sacrifices for our people are indeed legendary.

"MI" HAMMERS TWO-FACED SMUTS AND CALPIN GETS IT TOO

In the early forties it was the Indian political voice that challenged the white racists and those whites were becoming incensed against the Indians. There were so-called “liberal” whites, not to be confused with members of the Liberal Party, who cautioned Indians to behave graciously.

The Kajee-Pather group opted for residential segregation and a vote inferior to that enjoyed by the whites, in part because of the firm belief inculcated by white liberals, from JH Hofmeyr to GH Calpin, who wanted Indians to act in a "responsible manner" and to "win white support" by not doing anything like living next door to a white person or demanding equality in franchise.

The Liberal Study Group had indeed the most difficult task of rallying people who believed in socialism, capitalism and all other isms, and in Islam, Hinduism,

Christianity and Zoroastrianism, to reject the basic philosophy of inequality to which the Kajee-Pather group was succumbing and to lead them unitedly on the ethical path of non-racial democracy where human dignity would not be assailed.

Whites who rejected inequality at all levels were to be found among the supporters of the Liberal Study Group. Among them was Rowley Arenstein who had since 1942 taken a leading part in the Group's activities. Dr Mabel Palmer, who was in charge of the "non-European" classes of the Natal University College, was an agnostic who proclaimed her faith in democratic socialism. Later, Alan Paton, Leo and Hilda Kuper, Violaine Junod, Bram Fischer, Michael Harmel and the Bernsteins were whites we could trust and count on.

With the emergence of these types of whites in our midst, the “liberals” were coming under fire as preservers of white domination notwithstanding their opposition to the colour bar. General Smuts, the darling of the British Empire, continued to remain their wartime hero who was going to plan a new democratic future for the world.

GH Calpin, the brilliant former editor of *Natal Witness* and MI Meer, the editor of *Indian Views*, clashed intellectually. In July and August, 1945, Calpin had been dismissed from the editorship of the *Witness* and AI Kajee, in the midst of the struggle to protect his political life, had employed Calpin as his publicist against the Anti-Segregation Council.

MI Meer in *Indian Views* of July 18, 1945, dealt with the role of General Smuts at San Francisco, where he drafted part of the preamble to the United Nations Charter and was described by *Christian Science Monitor* as a "great moral figure" - and then contrasted this image with his role in South Africa.

The *Views* of August 1, 1945, carried Calpin's attack on MI - that MI's comments do not "serve the cause of good relations between Europeans and Indians." Calpin said: "I cannot allow the matter to pass without a protest on behalf of those Europeans who are anxiously concerned for the advancement of Indian welfare." Calpin's theme was often repeated by Maurice Webb and others who continued to caution Indians not to protest too loudly at their humiliation under the policy of segregation.

In the *Views* of August 8, 1945, writing as "Spectator," MI took Calpin to task. After expressing his sadness that Calpin had reacted "so violently against a soul-searing wrong," MI pointed out that the ex-editor of *Natal Witness* "charges us with journalistic venom," with being "spited" and "untruthful" and "alienating European sympathy" because we wrote:

> "...It is time that General Smuts who spoke ‘precisely and humbly’ at San Francisco is reminded in as humble and precise terms that man whom the Almighty out of His grace has done the honour of imprinting with his own

> image and whom [Smuts] himself was pleased to describe as ‘the divine, highest and noblest product of this world's evolution’ is branded by him in his country as a *Kaffir* and a *Coolie* and treated as a pariah outcaste.
>
> "He is segregated as an untouchable whose contagion is considered as polluting as that of a leper. He is legislated against as an inferior to be kept in his place as such. The place assigned him is that of a menial, of a hewer of wood and drawer of water, of a beast of burden.
>
> "His status is the status of the gutter and all is well as long as he keeps there. Should he strive to lift himself upward, to raise himself from the gutter, a howling shriek is raised as at a scandal and a disgrace.
>
> "That is the lot of the non-European in the country under the governance of the self-same General Smuts who talks of the ‘fundamental freedoms and rights of man’ and of the ‘sacredness, essential worth and integrity of the human personality’ at San Francisco.
>
> "That is the lot of the non-Europeans in this country because Europeans here are determined to uphold the very Nazi doctrine which General Smuts condemned at San Francisco as ‘the monstrous doctrine of a master race...’"

After quoting this excerpt from *Indian Views* of July 18, 1945, MI in his reply to Calpin on August 8, 1945, said:

> "Mr Calpin would have it that all this is untrue. With due deference to him and his defence of the devil through the simple expedient of denying that there ever was a devil, we say it is true in its every word, every syllable and every comma."

Referring to Calpin's remark that the words "untouchables" and "*pariah*" were words of Indian origin, MI Meer said that "untouchables in India today occupy cabinet rank" and added

> "That a heathen vice of the East does not become a Christian virtue when practised by Westerners in the first place and secondly... the people who invented the curse of untouchability and introduced it to India were not black or brown non-Europeans but the self-same milk-white Aryans from whom Hitler and his Nazis borrowed their swastika and who were undoubtedly the near relatives, if not the actual ancestors of most South African Europeans - including Mr Calpin himself."

It required a great deal of courage to speak out publicly against the humbug of General Smuts in 1945 and there were few who wrote as MI did, drawing a great deal of admiration from an ever increasing circle in our community. MI Meer

with his outspokenness was a powerful voice in condemning racism and he drew to himself his supporters and opponents when he slashed out at those who opposed "our exposure of a patent and palpable humbug."

The radicals too found MI's writings refreshing at a time when even at the weddings of well-to-do Indians, the whites were given special treatment with segregated seating to pander to their claim of being members of a "master race."

"DOCILE" INDIANS BEGIN TO SHED THEIR SLAVE MENTALITY

The war years had a deep impact on the Indian community which was providing manpower to the fast developing secondary industries. Indian women in increasing numbers were becoming factory workers, abandoning the ranks of the domestic workers.

The organised strength of the Indian workers from the various trade unions, pioneered by HA Naidoo, George Ponnen and PM Harry in the late thirties, was reflected in the forties in the politics of our community.

Sastri College had produced from the ranks of children of Indian workers and merchants a new generation which was not prepared to accept the docility which white liberals were expecting of Indians, much to the surprise of people like Maurice Webb, GH Calpin and others who were critical of any outspokenness on the part of Indians as damaging the Indian community's image among white South Africans.

Sastri college was playing a vital educational role. This prestigious college and the Girls' High School were no elitist centres. Over 95 percent of their pupils were descendants of indentured Indians and from their ranks came loud and clear the call for the unity of all the oppressed and the genuine white democrats in our country.

Students at the universities also produced from their ranks those who were ready to concede the importance of organised black workers and who accepted that the students had an important supportive role to play in the trade union movement which was making a body like the NIC more and more relevant with its mass following.

In this atmosphere it was of prime importance that all vestiges of the servile mentality in the Indian community were eliminated and MI Meer's outspokenness against the white racists, and his denunciation of the "humbug" of Smuts and others in high places, was of great importance. MI was second to none in

condemning each and every case of arrogance of the white "master race," no matter from where the *herrenvolk* ideology came.

The "slave mentality" had resulted in some individuals condemning *Indian Views* as too extreme and they would have welcomed its silencing. There were Indians before 1924 who were advising Indians not even to enrol as voters "because we would come in the eyes of the whites" – because they would see us as voters wanting power and with people like Douglas Saunders proclaim that "voting was only for the Anglo-Saxons."

AGA KHAN HELPS SECURE MEDICAL TRAINING FOR INDIAN STUDENTS IN IRELAND

The Aga Khan and his Begum visited Durban in August of 1945.

He was keen on horse racing. He had served as president of the League of Nations. He was the spiritual head of the Ismaili section of the Shia Muslims with a strong following in East Africa. There was a small Ismaili group chiefly centred in Pretoria.

The Aga Khan had introduced the SAIC delegation to the Viceroy of India in 1926.

Such a renowned visitor created a great stir even among the racist whites who had read much about the Aga Khan and his beautiful Begum. Great manoeuvring took place between the "lily white" Carlton and Langham Hotels which competed with each other to provide the royal visitors with accommodation. The Langham succeeded and made special alterations to suit the visitors. The TIC, too, was engaged in conflict over this visit. Mahomed Jajbhay was bitterly complaining that it was he, the chairman of the TIC working committee, who should have been given the honour of garlanding the Aga Khan and presenting the Begum with the floral bouquet instead of a person holding "a lesser post," ZV Parekh, the secretary.

The visitors were accorded huge welcomes in all the major cities of our country, with garlands and bouquets. The florists indeed did a roaring trade in August 1945.

I attended the NIC welcome held at the City Hall, where the guest chairman was DG Shepstone and where PR Pather and JW Godfrey were among the speakers. It was perhaps the last public function held under the NIC of the Old Guard and many felt that Kajee was using the function to rally support for his group in the

pending elections where the Anti-Segregation Council was seeking to oust the existing leadership.

Sorab was not going to allow Kajee to steal a march and hence the Brothers, Sorab and Jalbhay, gave their own reception to the famous pair at Hotel Edward. *The Leader*, in its issue of September 1, 1945, gave us a huge photograph of the reception at which, we were told, Sorab reported on the paucity of medical training for Indians and the shortage of doctors and asked the Aga Khan to find opportunities overseas.

As a result, two years later our students began receiving medical training in Ireland.

Dr Essack produced a historical brochure in 1984 to mark the bicentenary celebrations of the Royal College of Surgeons in Dublin which had been established in 1784. He reported that the Aga Khan was a close friend of de Valera, Prime Minister of the Republic of Eire in 1945. Through de Valera, Sorab established contacts with the University of Ireland and the Royal College of Surgeons, and the road to Dublin was opened for the medical training of Indian South Africans.

The total number of black medical practitioners in South Africa in January 1944 was 44, with one Chinese, ten Africans and 33 Indians and Malays.

The largest number of overseas trained medicos came from Scotland, including the famous "Edinburgh trio," Dadoo, Naicker and Goonam, later joined by BT Chetty, Nad Padayachee and Alam Baboolal of the Durban Ratepayers' Association.

DEATH OF SHAPURJI JIVANJI RANDERIA

In September 1945 Shapurji Jivanji Randeria was no more. We suffered yet another break with the past. How can we think of Gandhi's birthday celebrations without this self-effacing man, whose sacrifices remain hidden in the pages of our unwritten history?

I remember the memorial meeting held at the Gandhi Library with JW Godfrey presiding.

Born at Rander in the district of Surat in India in the year 1880, he arrived in South Africa in 1900 with qualifications in accountancy from Bombay, after passing his senior bookkeeping examinations of the London Chamber of Commerce. He founded a customs clearing and shipping business in Durban.

In 1908 he took a very active part in the passive resistance struggle under MK Gandhi's leadership in the Transvaal. He was one of the first batch of 30 Natal Indians, including Dawood Mahomed and Parsee Rustomjee (*Kakaji*), to court imprisonment in the Transvaal.

He subsequently suffered two further terms of imprisonment of three months and six months with *Kakaji*.

I remember Shapurji Randeria as an imposing quiet man of many sterling qualities, who was the Gujarati examiner at the Pine Street *Madressa*. He was held in high esteem by the entire community.

HISTORIC NIC ELECTIONS OF OCTOBER 1945

The Anti-Segregation Council was growing in popularity. This was a clear sign that in any election it would defeat the reigning Kajee-Pather Group. The Old Guard was stalling. It was most hesitant to call the annual meeting, convinced it would be the end of its reign.

In terms of the NIC constitution the annual general meeting, timed with the annual conference, fell due in September 1944 but the Kajee-Pather group failed to hold the "election meeting" on due date. With the increasing support for the Anti-Segregation Council, and with the increased NIC registered membership, which was given as over thirty-five thousand, the Kajee group kept postponing even the advertised meetings with all kinds of excuses for doing so.

The Old Guard could not believe how widespread was its rejection. The Pretoria Agreement had opened wide the floodgates of progress and those who had advocated acceptance of residential segregation were being swept away into oblivion.

In *The Leader* of December 30, 1944, the annual meeting of the NIC was advertised for Sunday, February 4, 1945, "the venue and time to be announced later." There would be "election of officials by ballot - ballot paper to be provided at the meeting." The advertisement was under the names of PR Pather and AB Moosa, the Joint Secretaries. This introduced a method not previously adopted for annual elections in the NIC.

The meeting, however, did not take place.

A second advertisement appeared, giving Sunday, March 4, 1945, as the new date for the annual meeting. This meeting was also called off by the Kajee-Pather leadership. But the Anti-Segregation Council held a "monster mass meeting" at the Red Square, with five leading speakers - Yusuf Dadoo, Monty Naicker, HA

Naidoo, George Singh and Albert Christopher. The battle against the "Old Guard" was in full swing.

An "Open Letter to the Indian Community" - signed by Yusuf M. Dadoo, HA Naidoo, IC Meer, Moulvi IA Cachalia and AI Meer - was published in a half-page advertisement in *The Leader* of February 24, 1945. This letter set the tone of what was to come in the years that followed.

It was with that "Open Letter" that AI Meer, the brother of MI Meer, made his debut into Congress politics. He was then a student at the Sastri section of the Natal University College and an official of the SRC.

The Anti-Segregation Council made three Supreme Court applications in the months of July, September and October 1945 – to compel the Kajee-Pather Group to hold the NIC annual general meeting.

The first application was made to the Supreme Court by Dr Naicker, Dr BT Chetty and AKM Docrat. The NIC could only be brought to Court by the suing of its entire committee membership and officials, and the Kajee leadership refused to give this list to Dr Naicker's group. The first victory occurred when the applicants succeeded in obtaining an order compelling the officials to give to the applicants the names of the committee members.

On August 18, 1945, when the NIC committee met in Durban, the two opposing groups failed to reach agreement.

The second application by the same three applicants was soon before the Supreme Court. Justice Hathorn, the Judge-President of Natal, ordered the NIC officials to call the annual general meeting not later than October 22, 1945. At the hearing of this application he said that the Kajee-Pather Group had "driven a coach and horses through the constitution." [15] This application was an eye-opener to many of

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[15] The application was brought against 96 respondents but only 57 of them entered appearance. The respondents who did not enter appearance included the Anti-Segregation Council supporters and some fence-sitters. Among the 57 respondents, there were Sorab Rustomjee supporters making common cause with Kajee but, eventually, they were to switch allegiance from Kajee to Naicker.

Some of those who then stood with Kajee against Monty Naicker were people who caused many eyebrows to be raised in astonishment. These were Ashwin Choudree, V Lawrence, Jalbhai Rustomjee, Dr KM Seedat, AE Shaikh and IM Bawa, all of whom later came to associate themselves in some degree or other with Monty Naicker, either on their own or through Sorabjee Rustomjee.

I would like to record the names of some of those who did not oppose the application of Dr Naicker, Dr Chetty and AKM Docrat. Posterity must know these names even if some of them did not support the Dadoo-Naicker leadership to the hilt. And these were SL Singh, George Singh, Bhailal Patel, George Ponnen, EI Moola, PM Harry, NG Moodley, DA Seedat, RD Naidoo, MD Naidoo, Billy Peters, MA Motala, RB Chetty and R Bodasingh.

us for it showed who was taking sides with Kajee and who was taking sides with Naicker.

In compliance with the court order the Kajee-Pather leadership advertised the annual meeting to be held at the City Hall, Durban, whose capacity was two thousand one hundred. The same three applicants, this time joined by Dr Goonam, then applied for an interdict against Kajee-Pather group, pointing out that the City Hall was unsuitable because the membership of the NIC stood at over eighteen thousand and was daily increasing.

This application was set down for October 18, but before it could be heard the Kajee-Pather Group capitulated. They resigned from the NIC and agreed to the annual general election meeting being held at Curries Fountain. The hearing on October 18, 1945, was hence adjourned *sine die*.

Dr Naicker was elected president of the NIC at a mass meeting at the Curries Fountain sports ground on Sunday, October 21, 1945. There were 7,633 NIC members present at this historic meeting and the *The Leader* observed that for the first time in the history of the NIC approximately four hundred women had taken part. The Kajee Group was absent at the meeting, and was duly ousted. The entire list of the Anti-Segregation Council of officials and committee members was unanimously accepted and despite repeated announcements no amendments were forthcoming. Monty Naicker became the elected leader. He had, in fact, been such a leader long before the elections of October 21, 1945.

Others elected were; George Singh, Chairman of Committee; AI Meer and MD Naidoo, joint secretaries; Mohanlall Parekh and EH Ismail, joint treasurers; with ten vice-presidents, namely K Goonam, SM Mayet, George Ponnen, Dr BT Chetty, ST Mia, KP Desai, R. Bodasingh, PG Desai, MW Daniels and Dr NP Desai.

The committee members elected were Debi Singh, MP Naicker, PM Harry, AKM Docrat, Billy Peters, DA Seedat, EI Moolla, Squander Murchie, IM Bawa, AKI Vahed, RD Naidoo, A Ramgulam, Ahmed E Patel, R Mahabeer, SH Bayat, Daleep Singh, VSM Pillay, SC George, PBA Reddy, Yusuf GM Bhaijee, SN Amin, LB Patel, RK Govender, BR Singh, Mooljee Hirjee, JM Francis, S Goordeen, NK Percy, R Lutchman and NG Moodley.

Throughout its campaign the Anti-Segregation Council had stressed that there was no alternative to genuine democracy where individual committee members were responsible to their constituencies. Linked with this was the need to consult the Indian industrial workers, professionals, merchants and farmers so that the NIC could become the truly democratic voice of the entire community.

Among those elected were a fairly large number from Sastri College. Debi Singh was perhaps the first Sastri student to devote his time fully to political work after

leaving college and, among others, MP Naicker followed in his footsteps. AM Kathrada was the first in this field in the Transvaal.

Debi Singh for years gave his full-time service to Congress without being paid at all. In fact he sold his immovable properties and lived on the proceeds.

At the historic gathering on October 21, 1945, the annual general meeting unanimously adopted five resolutions. The freedom struggle in Indonesia was supported and a Round Table Conference between the Governments of India and South Africa was requested in two of these resolutions. Full support for black unity between Africans, Indians and Coloureds was called for in a resolution which requested the SAIC to implement its 1943 resolution on non-European co-operation. In another resolution there was a demand for full democratic rights for Indian South Africans with universal adult franchise. The fifth resolution dealt with Congress organisation and called on the NIC officials to submit within three months a new constitution on a federal basis.

In 1945, *Indian Opinion*, *Indian Views* and *The Leader* were the three Indian-owned newspapers in existence. The press comments on the election of Dr Naicker and his group make interesting reading.

The only discordant note came from *Indian Opinion*. In an editorial headed "Future Gloomy," the *Opinion* of November 16, 1945, attacked the Anti-Segregation Council and said that the new leaders "are no more representative than were their predecessors in office." Manilal Gandhi added in his editorial:

> "The present officials are out to settle the trouble in Indonesia and to work on some kind of a non-European front. This sounds a bit communistic. The moment anything like this happens the Indian Government will be unable to say a word on behalf of Indians in South Africa. We can never lose India's interest and support."[16]

Manilal Gandhi remained a maverick. No one was prepared to take his attacks on the new leadership seriously. But he was eventually won over by the Dadoo-Naicker leadership for a temporary period in the 1946 passive resistance campaign.

Indian Views had mercilessly attacked the "young and inexperienced" ASC followers who were trying to oust the experienced leaders of the NIC. But once the elections were over, MI Meer showed greater charity towards the new leadership. He said in *Indian Views* that if the new leaders failed, the old ones would once again take over. The community had nothing to lose.

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[16] We did not see why *Indian Opinion* regarded our support for Indonesian independence as not falling within our legitimate activities. Indonesia under Dutch rule had provided the Cape with many black slaves, just as Bengal had done long before the arrival of *S.S. Truro* in 1860.

> "Equally if the new leaders succeeded we would have acquired a brand new set of leaders in place of leaders most of whom are getting on in age, and some of whom are getting a size too large for their shoes."

In its issue of October 31, 1945, *Indian Views* made available a whole page to the joint secretary, MD Naidoo, to explain the policy of the new leadership. In the same issue, after attacking the new leadership, MI Meer said that experience of office may inculcate in the new leadership "a sense of responsibility and should that happen it would be the greatest blessing conferred upon the community."

Dhanee Bramdaw who had hit the streets of Durban a few years previously with *The Leader* and had already in 1945 reached a very substantial circulation, in his editorial of October 27, 1945, dealt with vital practical issues. *The Leader* said:

> "One of the immediate things which Congress can and should do is to set up a permanent office with a regular secretary and staff.
>
> "All these years the NIC has been seemingly attached to an individual and his office. The time has come when the Indian people created an independent Congress office where all records, files and information can be available at a moment's notice. Only in this way can the community be assured of a political machine worth the name."

The Congress did carry out its own plans and they included what had been suggested by Dhanee Bramdaw. There was an independent NIC office with a full-time secretary and a large staff. The secretariat met daily, the new constitution was put into operation and there was a proper functioning democracy at all levels of Congress organisation.

Indeed the NIC had been an appendage to the business of AI Kajee (Pty) Ltd. And the days of not employing people were over.

NIC UNDER NEW LEADERSHIP

The new Congress held its first committee meeting on Sunday, October 28, 1945, at the MK Gandhi Library Hall.

In its business-like session lasting over three hours the committee elected the delegation to meet Smuts, its executive committee and its representatives to the SAIC, still dominated by AI Kajee and Councillor Ahmed Ismail.

The newly elected executive committee was charged with the responsibility of redrafting the federal constitution as a matter of urgency and submitting it for the consideration of all the NIC branches.

Those elected to the executive were George Ponnen, KP Desai, Dr BT Chetty, Dr K Goonam, IM Bawa, LB Patel, AKI Vahed, S Goordeen and EI Moolla.

The five Natal representatives elected to the executive committee of the SAIC were Dr GM Naicker (ex-officio), George Singh, MD Naidoo, AI Meer and IM Bawa.

MD Naidoo, Debi Singh, MP Naicker, Ganas and Green, became the full-time NIC officials or members of staff. Eventually they operated from Lakhani Chambers, at the corner of Grey and Saville Streets, which faced the back entrance of Pembroke Chambers which housed the Liberal Study Group, the *Guardian* and many trade union offices. There were more than 20 full-time paid organisers, many of them trade union secretaries, in both these buildings.

And linking the trade unions, the newspapers, the Congress and the Liberal Study Group was AKM Docrat who knew more about the details of what was going on than anyone else from his daily perambulations between each of the offices.

The NIC, under Dr GM Naicker's leadership, became a most disciplined, democratic organisation with its secretariat meeting every day at five in the afternoon. From the secretariat to the executive to the committee, all decisions were taken after responsible, mature discussions.

Even the names that appear in the first list of officials and committee members clearly demonstrate that the radicals were out to build a united front of all the different economic interests in the community. The trade unionists and the officials of the retail merchants' association worked within the same Congress executive and were called upon to take decisions on such matters as Friday evening opening of shops - supported by merchants and opposed by shop assistants!

Under the new constitution, the task of building branches, enrolling new members, creating the conditions necessary for the emergence of the Congress Alliance and, more particularly, the task of launching the 1946 passive resistance became so time-consuming that some other areas of work suffered.

With founder members HA Naidoo and CI Amra in the Cape and IC Meer in Johannesburg, and with the greater involvement of AKM Docrat in Congress work, the activities of the Liberal Study Group did not get the attention they deserved, and thus decline set in during 1945-46.

Although suffering a total defeat in Natal, Kajee continued to "serenade the Indian community" through the SAIC, taking up issues such as the provincial barriers with the Government.

He submitted a well reasoned memo on this matter to Senator Clarkson and obtained front page coverage in *The Leader* of December 8, 1945.

RACISTS RAGE OVER INDIAN PENETRATION

At the time when the Dadoo-Naicker era formally began, the South African white ruling caste was continuing to do the work which Hitler had left unfinished on the racist front. In Natal it was calling for the strict application of the Pegging Act and for a permanent law, whilst Indian South Africans were rallying to the Dadoo-Naicker call to oppose racism and make sacrifices for the achievement of a non-racial democratic South Africa.

In this tense atmosphere, there were many scapegoats, including Senator Clarkson, a nominated member of Parliament accused of not knowing how the white voters felt and therefore granting a permit to PR Pather "to penetrate the white area" of Tenth Avenue.

And there were Indians who were saying that the rich in our community who had bought houses in the "Higher Avenues," and in Berea generally, were responsible for dragging the whole white community into an anti-Indian campaign. Those who had supported the Pretoria Agreement and yet wanted to live in the "Higher Avenues" were the chief targets of such ill-considered attacks.

In November 1945 whites collected at a street corner near Tenth Avenue threatening Indians. As Christmas drew nearer, meetings were held at various halls, and at such meetings the whites did not speak of goodwill on earth or peace among all human beings.

In St. Mary's Hall, in Windermere Road, Durban, the packed congregation heard Durban's City Councillor OE Pritchard declare amidst great applause:

> "I can assure you all that no Indian, including Mr Pather, the buyer of the property, will be allowed to occupy No. 25 Tenth Avenue."

And flexing his muscles further, Councillor Pritchard continued:

> "Right now I can muster 200 men who will most certainly see that Mr Pather does not occupy the house which he was allowed to buy by means of a permit granted by Senator Clarkson.
>
> "I would like to see Mr Pather try and occupy it - there will then be such a showdown that Senator Clarkson will have proof of our determination to uphold our rights in this matter to the bitter end."

The elected Councillor Pritchard concluded with these words:

> "A most annoying point of the whole business is that the permits for the sale of houses to Indians are granted solely by Senator Clarkson, who has never yet stood publicly and won an election."

Supporting speeches came from Frank Acutt, M.P., JG Derbyshire, M.P., and Councillor Leo Boyd who with his anti-Indian utterances was heading for the mayoral post of Durban.

And what of Senator Clarkson? Who was his scapegoat? Addressing the Transvaal Congress of the United Party in November 1945, he said:

> "The Europeans were largely to blame for the way the Indians in Natal and the Transvaal had acquired property. Eighty percent of the money necessary for Indians to purchase property in Natal had been acquired through European building societies."

On the other hand, there were people in the Indian community who were blaming Hans Maghrajh and Ashwin Choudhree for obtaining options from whites and selling to Indians and, at the same time, saying that people like PR Pather, by living next door to whites, were the chief causes of race conflict between whites and Indians.

It was in this confused atmosphere that the Dadoo-Naicker leadership put a halt to the finding of scapegoats and rallied all our people to unite with the African majority, in particular, and all the oppressed and democrats to fight the cancer of racism.

RADICALS CHALLENGE AS MODERATES FALL FOUL TO RACIST LAWS

The anti-Indian agitation in Natal was reaching a fever pitch as March 22, 1946, approached, for on that date the obnoxious Pegging Act was to lapse.

The whites of Natal were working for a permanent anti-Indian law, whilst the new leaders of Congress were rallying the Indian community to show its united opposition to such racial measures.

Smuts was called upon by the racists of Natal to prevent even a single permit being issued to an Indian under the Pegging Act.

And *Die Transvaler* asked the General "to make an unambiguous choice between a *coolie* or a white South Africa"; in the first instance India and London would have the right to meddle in South African affairs whereas in a white South Africa no interference from the outside would be tolerated.

The anti-Indian white, whether a municipal councillor or a member of Parliament, drew no difference between a radical Indian or a conservative Indian who pledged support for voluntary acceptance of residential segregation.

Whilst the new Congress leaders were much in the headlines of our Press and whilst AI Kajee continued to speak in the name of the SAIC, PR Pather and AS Kajee, two moderates, also hit the headlines, the former for wanting to occupy a house in Tenth Avenue and the latter for sitting on a seat reserved for whites in Durban's municipal transport.

In *Indian Views* of November 21,1945, under the heading "The Tenth Avenue House," MI Meer wrote in the editorial:

> "The European agitation against PR Pather's house in Tenth Avenue pointed to the danger that lay ahead of the Indian community in Natal.
>
> "Backed up by the European Press of Durban the agitation has been given a colour which approximates Jew-baiting in Nazi Germany. The Tenth Avenue house was purchased by Mrs Pather and the Minister of the Interior has given a permit under the Pegging Act both to acquire and to occupy..."

Before PR and his family could occupy the house, Councillor Leo Boyd's call for the cancellation of the permit was endorsed by the full City Council of Durban.

The white ratepayers of the ward in which the house fell, then held a mass meeting at a street corner, condemned Minister Clarkson and issued all sorts of threats to any Indians who occupied it.

Minister Clarkson informed the white deputation which met him that he was in law prevented from withdrawing the permit but undertook to refer every future Indian application to the ratepayers' association, in addition to the City Council.

The *Views* pointed out that in respect of the permit issued for the Orient Islamic Institute's High School at the Bluff, white agitation had caused that educational venture to be abandoned after "Europeans threatened to pull down the building brick by brick." And the same method is being pursued in regard to the Tenth Avenue house.

It was clear that the type of "co-operation" Kajee and Pather pursued *vis-a-vis* residential race discrimination was in no way paying dividends.

The lead story in *The Leader* of December 22,1945, dealt with threats to PR by anti-Indian whites of Durban. It reported:

> "Mr PR Pather - following inflammatory statements reported to have been made by Mr Frank Acutt, M.P., and two Durban Councillors, Messrs Boyd and Pritchard - has complained to the Minister of Justice and asked him to curb the activities of these men who it is alleged to have incited the public to violence against him."

The Minister of Justice did not respond to the complaint lodged by PR Pather.

Another blow to the moderates came before the end of 1945. AS (Nkosaan) Kajee, who was later to head the Natal Indian Organisation, was on November 27, 1945, hauled before Magistrate le Grange in the Durban Court, charged with the crime of sitting on a "European seat" in a trolley bus of the Durban Municipality bound for the city from Umbilo.

AS Kajee was at the time on the Advisory Board of King Edward VIII Hospital, and he had boarded the trolley bus at Umbilo after he had attended a board meeting. Nkosaan Kajee was defended by Advocate AS Knox instructed by JW Godfrey. After a number of hearings, the case was adjourned for further hearings in 1946.[17]

The persecution of PR Pather and AS Kajee by the racists of Durban gave them no hope of coming to terms with the Smuts Government, where Senator Clarkson held the post of the Minister of the Interior.

Unlike Pather and Kajee, the new Congress leadership was boldly challenging race discrimination.

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[17] In February 1946, AS Kajee's counsel, Arthur Syme Knox, told the magistrate that as his client was leaving for India the next day (on an SAIC delegation) the defence was abandoning the argument that the trolley-bus seat segregation by-law was unreasonable.

Nkosaan Kajee was, nonetheless, found not guilty and discharged. Advocate Knox succeeded on the point that no "non-European seat" was available and that once the conductor had accepted Kajee's fare, he had not only condoned Kajee's presence but had contracted with him to take him to his destination.

Within days of being elected secretary of NIC, AI Meer wrote to the Durban City Council requesting copies of the library by-laws which prevented Africans, Coloureds and Indians using the City Library. It was only after the Congress leaders defied race discrimination that the Council in a great hurry built its first "non-European library" in Brooke Street in a stable converted for black readers.

But the successful legal point raised by the NIC on the library question was nullified when the Nationalists enacted the Separate Amenities Act.

RADICALS IN FIRST AND LAST MEETING WITH SMUTS

On Friday, November 9, 1945, at the Union Buildings in Pretoria, Prime Minister General Smuts met the NIC delegation consisting of Dr GM Naicker, George Singh, MD Naidoo, BA Maharaj, IM Bawa, Mohanlal Parekh, EH Ismail, DD Lalla and "Bull" Goordheen.

This was the first and the last meeting of the new radical leadership with the Prime Minister of South Africa.

Smuts had anticipated a meeting with AI Kajee and his group and not with the radicals of Dr Naicker and those who had climbed on to the bandwagon after first supporting the Kajee-Pather group.

The NIC memorandum calling for universal adult franchise, the repeal of the Pegging Act and the Provincial barriers and presenting Indian grievances in the fields of education, social welfare and the operation of the colour bar in employment opportunities, had already been carefully studied by Smuts before his secretary ushered in the nine-man delegation.[18]

The youngest of the nine-member team, MD Naidoo, acting as the sole spokesman, calmly, with his typical logic and reasoning, enlarged on the memorandum. The Indian delegation made no bones about the fact that they were "struggling for freedom," bringing to Smuts' memory the struggle of his own Afrikaner people.

The Prime Minister listened in complete silence as the young man elucidated on points in the memorandum, and was "visibly moved" with his conscience troubling him over his own utterances at the League of Nations and in San Francisco, and his contrasting racist practices in South Africa.

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[18] Yes, it is true, even the radicals had not elected a single woman on this historic deputation.

Smuts, indeed, had no answer to give to this unique delegation, so different from those that had come from our people since Gandhi's departure from South Africa in 1914.

Instead of answering the NIC, Smuts took the delegation on an inspection of the Union Buildings. And the story has it that he answered the new NIC leadership by pointing to the City of Pretoria and saying, "Gentlemen, Pretoria was not built in a day."

The radicals were thus involved in politics of negotiation virtually on coming to power and their statement issued after the first and last meeting with a Prime Minister of South Africa fully supports the contention that negotiations were brought to an end by the Government and not the radicals in the years that followed.

"Discussion took place in a warm and friendly atmosphere," said the statement which added that Smuts "was visibly affected by our representations."

Some did not agree with the NIC when it recorded that Smuts appeared to be anxious to reach a settlement on the Indian question but that the continuous anti-Indian agitation by whites was making this very difficult for him. This conclusion was regarded as merely a diplomatic way of "leaving the door open" for the Prime Minister to act.

Commenting on the NIC delegation to Smuts, the *Forum* referred to the Gandhi-Smuts talks of 1914 and said that the "Indian problem" was haunting the Prime Minister "like a legendary genie of the East."

There was much praise from many quarters for the way in which the radicals had kept the appointment made with Smuts and with the responsible and tactful manner in which the Dadoo-Naicker era formally commenced.

The NIC request for a Round Table Conference between the Governments of India and South Africa also received much favourable response.

DADOO-NAICKER ERA BEGINS

On Sunday, December 16, 1945, at a huge meeting held at the Indian Sports Grounds in Johannesburg, Dr Dadoo was elected TIC president with AI Minty and ZV Parekh as secretaries, and P Bisla and OH Mahomed as treasurers. The TIC elected nine vice-presidents and 66 members of the Working Committee in what was described as a "united front" of the opposing political elements in that Province.

With Gonarathnam Mohambry Naicker and Yusuf Mahomed Dadoo elected presidents of the Natal and the Transvaal Indian Congresses respectively, the Dadoo-Naicker era in Congress began formally and in earnest. The Indian people were represented by a leadership which completely rejected the servile mentality reflected in the Pretoria Agreement, and called for universal franchise for all South Africans to be achieved through a united front of African, Indian, Coloured and white democrats. The aim was the establishment of a non-racial democracy in our country.

ACTION AGAINSTBLACKMARKETING

Scarcity of commodities due to the war resulted in blackmarketing. This problem, which was seriously aggravating the poverty of the poor, was discussed at working committee meetings. It was in total agreement that blackmarketing could not be tolerated. Monty Naicker played a leading role in fighting the blackmarketers in Durban. After having obtained the full factual position regarding the high prices charged despite price control, and the hoarding that went hand in hand with blackmarketing, the NIC leadership held in-depth discussions with Indian wholesalers and then with Indian retailers.

Dr Naicker's statement that "blackmarketers should be sent to gaol" was given prominent headlines in *The Leader* of May 25, 1946. Addressing a huge mass meeting at the Red Square on this basic food issue, he attacked the government for allowing the situation to get from bad to worse. Monty told his admiring crowd:

> "The Natal Indian Congress met the wholesalers the other day and they gave us the impression that they were all angels. When we met the retailers they gave us a similar impression. Then where the devil are the blackmarketeers?"

Monty's question was drowned in applause as people gave names of shops whose owners were becoming richer at the expense of the poorest of the poor. Obviously, the government price control system had virtually collapsed.

In an outstanding speech Monty said blackmarketeers should not be fined but imprisoned. He also appealed to the consumers not to hoard and to refuse to buy at black market prices.

The meeting adopted a resolution calling for the rationing of all food in short supply, the production of food on land under government control and severe penalties for contravention of the price control regulations.

When the desired results were not forthcoming, leading NIC members took part in food raids in Natal. The Clairwood branch of the NIC, with SM Singh as chairman and Sam Pillay as secretary, traced huge stocks of food hidden away in banana plantations and elsewhere by unscrupulous shopkeepers and forced their sale at controlled prices.

A similar campaign was conducted in the Transvaal from 13 Kholvad House in Johannesburg when hidden stocks were discovered and shopkeepers forced to sell at control prices.

Some of the very traders who had been raided by the NIC officials during the food raids of early 1946, supported the Congress later in the year during the passive resistance campaign.

SAIC CONFERENCE DECIDES TO FIGHT GHETTO ACT; SENDS DELEGATIONS TO INDIA AND BRITAIN

The 1946 SAIC Conference, held in Cape Town in the second week of February, was indeed unique, for, at a leadership level it was the most comprehensive SAIC Conference ever held in South Africa. I was one of the delegates.

A few days previously in Pietermaritzburg Advocate Christopher, addressing that city's "Indian Parliament," had predicted that the "old men of the Indian community who have borne the brunt of the resistance against anti-Asiatic measures will again take over the leadership of the struggle."

The conservatives were uniting against the radicals and felt certain that the "young" would soon be eliminated. Had not Advocate JW Godfrey said that the Indian youth from Sastri College were "not fit even to wipe the shoes of AI Kajee?" All the conservatives were going to use the Cape Town venue to thrash the irresponsible youth who had dared to defeat the Kajee-Pather group and who were a challenge to every conservative leader. They had even defied the Mahatma and continued to work for a united front of all the oppressed in South Africa. They would be exposed in Cape Town both to South Africa and to India's Congress.

In that atmosphere the performance of the radicals proved to be most statesmanlike. From the Cape Town Conference they were to emerge on the whole as a group deserving of greater respect from all those who had doubted the

ability of the Dadoo-Naicker group even though they had no doubt about the new leadership's integrity and courage.

Once again the "spirit of the Pretoria Agreement," the spirit of surrender to the white racists, suffered a severe defeat because of the attitude of General Smuts, the Prime Minister, when a large delegation of the SAIC met him.

Smuts rejected out of hand a plea from AI Kajee, Sorabjee Rustomjee and Advocate Albert Christopher for a Round Table Conference between the Governments of India and South Africa. In this delegation to Smuts, there were also Dadoo-Naicker supporters and among them was Moulvi Ismail Ahmed Cachalia of the Transvaal.

Smuts made it clear to the SAIC delegation that on the expiry of the Pegging Act, a law would be introduced restricting Indian land ownership and occupation and that the Indians would be given communal representation "on the same basis as the present Native system" - that is, whites representing Indians from a communal roll.

Indian Opinion, *Indian Views* and *The Leader* of February 1946 provide a valuable record of the proceedings of the SAIC Conference.

The conference elected Councillor Ahmed Ismail of Cape Town as President, the only other candidate for this post being Councillor MM Desai, the radical trade unionist from Port Elizabeth. Cape Town became the SAIC headquarters.

Advocate Albert Christopher, who was in the chair, ruled that AI Kajee and SR Naidoo of Natal did not qualify for nomination as Secretaries, because they resided in Natal and not in the Cape. CC Barmania and CC Palsania were then elected Secretaries with Essa Alli and Hajee Vinoos as Treasurers.

AI Kajee no more held any important official post in the Congress, but his many years of service to the Congress was recorded with thanks by the Conference delegates and among those who spoke in favour of this resolution was Dr Dadoo.

The conservatives and the radicals united on a number of issues.

First, there was complete unanimity in the total rejection of communal franchise (separation of voters by community). In fact there was not a single Indian throughout South Africa who could be found by the Smuts government to support communal franchise for Indians. And this fact is most significant.

Communal franchise was then in force in respect of Africans under the 1936 Act; liberals such as Mrs Margaret Ballinger and Molteno and radicals such as Sam Kahn and Fred Carneson were elected to represent Africans in Parliament and in the Cape Provincial Council.

But even conservative Indians did not accept communal franchise in 1946. The total boycott of communal vote by the community remained until the tricameral system was introduced in 1984.

The main resolution of the SAIC Conference was to call on the Congress to mobilise all the resources of our people to fight the proposed Ghetto Act. The Congress was to send delegations to India, Britain and the United States and to raise the matter before the United Nations.

On the election of the delegations to the overseas countries the conservative majority frustrated the plans of the radicals. Sorabjee Rustomjee and AI Kajee united against the Dadoo-Naicker leadership on this issue and there was much dissension.

The conservatives torpedoed plans to send Dadoo or Naicker or AI Meer to India. Dadoo's nomination for India was rejected by 56 votes to 44, and AI Meer suffered a similar defeat by 51 votes to 41. These two votes reflected the strength of the radicals as against the combined opposition of the conservatives including Sorab, Christopher and Ashwin Choudree.

The delegation to India was to consist of Sorabjee Rustomjee, AS Kajee, MD Naidoo, Albert Christopher, SR Naidoo, AA Mirza and SM Desai. Whilst MD Naidoo was acceptable, both Yusuf Dadoo and AI Meer were considered by the conservatives as too well-known to outshadow the conservatives. MD Naidoo declined to go to India without consulting the NIC.

Those elected to the delegation to the United Kingdom and the United States were AI Kajee, Yusuf Dadoo, AM Moolla, Reverend BLE Sigamoney and PR Pather. Dr GM Naicker declined to accept nomination.

The Leader of February 23, 1946, told us that Sorabjee Rustomjee, AS Kajee, SR Naidoo and AA Mirza left for Mombasa on February 20, 1946, by seaplane on the first leg of their journey to India "where they will put forward the cause of the South African Indians before the Government and the people of India on behalf of the South African Indian Congress."

The delegation to the United Kingdom left on March 23, 1946. It consisted of AI Kajee, Ashwin Choudree, PR Pather, Sol Paruk, Reverend BLE Sigamoney and AM Moolla according to *The Leader*. Dr Dadoo did not join this delegation.[19]

[19] As far as I remember, only PR Pather and Ashwin Choudree went to Great Britain. Later in the year Pather was also in the United States together with Albert Christopher and AI Kajee. The radicals took part in none of the delegations although MD Naidoo and Yusuf Dadoo were elected to go to India and to the West respectively.

In fact, both Yusuf Dadoo and Monty Naicker were vitally needed in South Africa itself as the date of the expiry of the Pegging Act was drawing nearer. The new NIC was rallying the community in each village and town.

NEHRU URGES CO-OPERATION WITH AFRICAN PEOPLE

Soon after the arrival of the SAIC delegation in India, we began to receive reports of their activities.

The Leader published in its issue of April 20, 1946, a cable it had received from Rustomjee under a prominent headline reading: "An Issue Affecting All Oppressed People - Nehru." It read as follows:

> "Addressing the South African Indian Delegation, now in India, in the Library of the Central Legislative Assembly, Pandit Jawaharlal Nehru urged that Indians in South Africa should look at their problem not only as a local issue or one for India, but in its widest context: as one affecting all the oppressed peoples of the world.
>
> "He asked the delegation to press for the recognition of the rights of all peoples of the world. Indians in South Africa should co-operate with the African people, for Pandit Nehru said, 'If you consider yourselves their superiors, then others will consider themselves your superior.'"

Thus spoke the Mahatma's heir and successor. Gandhiji's previous opposition to Indians working with Africans in a united front had been finally nullified. And the Dadoo-Naicker stand in supporting Indonesia's independence and a united front of all the oppressed was completely vindicated.

The Sorab cable explains the subsequent dramatic change over Sorab and his followers, such as Ashwin Choudree, during the 1946 passive resistance and at the United Nations. It also explains why Sorab was as keen as Dadoo and Naicker that Dr AB Xuma, the then president of the ANC, should also attend the UNO session.

INDIA IMPOSES SANCTIONS ON SOUTH AFRICA

On March 15, 1946, General Smuts tabled in the all-white Parliament the Asiatic Land Tenure and Indian Representation Bill, bringing to an end all the predictions of what moderate Indians could achieve through "cap in hand" and "servile" negotiations.

Those who had supported the Pretoria Agreement, with its acceptance of residential segregation, had been dealt a severe blow and there was much justification for the condemnation of the liberal Hofmeyr, friend of Kajee, Nana and Ismail, who remained Smuts' right-hand man in consolidating the white caste's privileges.

Obviously, the Government of India in bondage had known the details of the "Ghetto Act" when Sorab Rustomjee, Nkosaan Kajee and other members of the SAIC delegation were waiting, after meeting the Mahatma in Poona on 3 March, to meet the Viceroy at Delhi.

The delegation wanted to claim for itself the credit for India's actions against South Africa, but the "stooges" in Delhi felt insulted that instead of first meeting the representatives of the Raj, they had gone to Poona to meet the Mahatma. On 12 March, the day before the delegation met the Viceroy, the Indian Government announced that it had given three-month notice of termination of the trade agreement with South Africa, particularly because the Smuts' Government had continued to refuse to hold a Round Table Conference between the two countries.

Sorab from Bombay issued a statement that the Government of India was not going far enough. He demanded the immediate withdrawal of the High Commissioner from South Africa, and said that the Viceroy's declaration that the recalling of the High Commissioner would be considered at a later date was not good enough when Smuts was snubbing India by rejecting a Round Table Conference.

Sorab also said that South African Indian merchants "will not lose anything in particular by the stoppage of trade... Perhaps the loser may be the sugar exporter - the white exploiter of the poor labourers in the sugar industry - because he wants gunny bags from India."

It is important to remember that the trade sanctions were imposed by the British-ruled Government of India with the fullest backing of all conservative Indian leaders in South Africa.

NIC DECIDES ON PASSIVE RESISTANCE

Meanwhile, Yusuf Dadoo and Monty Naicker were rallying South Africans to resist the new Bill and were calling for maximum international pressure against the Smuts Government.

The Leader of March 23, 1946, in its front page stated that Dr Naicker had asked the NIC to relieve him of all Congress administrative responsibilities to enable

him to be "the first volunteer in the cause of the community." To Dr Naicker went the honour of christening the Smuts racist law as the "Ghetto Act."

In the Transvaal, Yusuf Dadoo, Moulvi Cachalia, JN Singh and IC Meer, among many others, were busy rallying the people, just as Cassim Amra and his group were doing in the Cape where Cissie Gool had thrown in her lot with those advocating passive resistance.

One of the last public statements made by Sir Srinivasa Sastri, before his death on April 18, 1946, dealt with the Ghetto Bill. From his sick-bed India's first official diplomat to South Africa said:

> "The Field Marshal, and his sonorous hypocrisy should be exposed to the gaze of all honest men. There never was, and we trust there will never be, such naked and unashamed use of political power."

I remember *The Leader* front page story about the Ghetto Bill tabled by Smuts. "The chains are being closed around the Indian in South Africa, socially and economically. The sop of 'representation' merely confuses the real issue - a smokescreen to hide the truly suppressive and deadly nature of the Bill," said *The Leader*.

The law was taking away the right of Indians to own and occupy properties in the areas of their choice and token representation was to be given to them on a communal vote with whites representing them in Parliament and in the Provincial Council of Natal.

General Smuts, in moving the second reading of the Ghetto Bill on Monday March 25, 1946, completely shed his "sheep's clothing," and was talking the language of Hitler in justifying his racist stand. He warned the all-white Union Parliament that "We (meaning the whites) must not switch over to Asiatic culture." To Smuts, Indians were a threat to white culture and they had to be contained in their own ghettos.

The Conference of the NIC, held in Durban on Saturday, March 29, 1946, took the historic decision "to launch a concerted passive resistance struggle for the defeat of this measure (the Ghetto Bill)."

The next day - Sunday, March 30, 1946 - a huge mass meeting was held at the "Red Square" from where a procession estimated at six thousand strong marched down West Street. "It was a cry from the heart of the community," *The Leader* recorded.

That historic meeting was addressed among others by Dr GM Naicker, HIE Dhlomo of the Liberal Study Group and the Youth League and LA Smith of the APO, the organisation of the Coloured people.

Dr Naicker told the gathering that the Ghetto Bill was a "radical measure and required radical operation" pointing out how all blacks in South Africa were being discriminated against.

"Justice," said HIE Dhlomo, who was by then a well-known poet and playwright, "is not Indian and neither is freedom Indian. We want all the people to be free. The young people in the African National Congress support the struggle of the Indians."

Dhlomo's words were drowned in a deafening applause.

RESPONSE OF THE COMMUNITY

The non-violent struggle that was launched on June 13, 1946, came after a long campaign of mass meetings and processions of protests involving the entire community.

It was one of the best organised campaigns in the history of our people, with a very strong emphasis on the need for united action on the part of all the oppressed black people in order to achieve a non-racial democracy in South Africa.

The radical leadership of the Natal and the Transvaal Indian Congresses, and the conservative leadership of the SAIC under Councillor Ahmed Ismail, called for negotiations, but General Smuts rejected them and was openly engaging in the politics of confrontation with both the conservatives and the radicals within our Congress and with the Government of India and even the United Nations.

By March 1946, the Congress campaign was in full swing.

I remember how powerful a support the women of Durban gave to a special women's meeting organised by the NIC and held at the Gandhi Library Hall in Durban on Sunday, March 24, 1946. This meeting was addressed by Dr K Goonam, Fatima Meer, then a matric student, Mrs PS Pillay, Mrs NP Desai, Mrs R Jithoo and Miss Rathamoney.

That was Fatima Meer's first public speech and Faqir in *The Leader* made favourable comments about it. In this speech she called on the community to reject the token representation through communal franchise. "While the Europeans had adult franchise, the Indian was given a heavily loaded communal franchise," she said and added: "A white hobo or tramp could vote without restrictions, but the Indian had to be saddled with restrictions."

Dr Goonam and student Fatima Meer were in the lead under the main NIC banner of the 6,000-strong procession held in Durban's West Street on March 30, 1946. Both of them had addressed the Red Square meeting that day calling for the maximum participation of women and students in the struggle that lay ahead.

I remember the strong lead that came from the high school students in the Transvaal led by AM Kathrada, who was giving full-time service to the movement, and from students at Wits including Zainab Asvat, who had taken the lead in volunteering as a resister.

During the period March to June 1946 students JN Singh and I, then students at Wits, covered almost every town and village in the Transvaal with mass meetings at which Yusuf Dadoo was the chief speaker.

And when May Day arrived, the industrial workers in their rallies gave full support to the new awakening among Indian South Africans.

The conservative leaders of the SAIC, led by Sorabjee Rustomjee in India and by PR Pather and Ashwin Choudree in England, were calling for international action against South Africa. The demand for the recall of India's High Commissioner was on the increase. On such issues there was complete unanimity in the community.

The conservative leadership made its final and desperate plea to the government of General Smuts, to whom they submitted a petition in the first week of May 1946 from the Bar of the Senate.

Since AI Kajee was no more an official of the SAIC, but had now become the "SAIC adviser," MD Barmania, joint secretary of the SAIC, presented the petition. He was introduced to the Senate by Senator HM Basner, officially described as "Native Representative" for the Transvaal and the Orange Free State.

He took 47 minutes to read the SAIC petition and the *Leader* reported: "There was no reaction in the Senate during the reading of the petition." *The Leader* also said that "the public galleries and the bays of the Senate were crowded to hear the Indian petitioner, who was the first to be heard at the Bar of the House for 32 years and second since Union."

It is to the credit of the conservatives that they gave an effective outline of the reasons why the community as a whole was objecting to all aspects of the Bill.

"Your Petitioners," said MD Barmania, "object to the principle of the Bill, which... imposes restrictions with regard to the acquisition and occupation of fixed property in the Province of Natal and the Transvaal by Asiatics..." The petition also objected to "a refusal of direct representation in Parliament and of admission to a franchise on a basis common to all voters."

After tracing the history of the community from 1860 the SAIC petition referred to India's special position and called for a Round Table Conference and stay of the Bill.

General Smuts and his Government remained completely unmoved by the petition. India's representations, too, were rejected. The Government of South Africa's white caste had made up its mind.

On June 3, 1946, the Asiatic Land Tenure and Indian Representation Act became a further racial law in the Statute Book.

The NIC statement on this occasion is an important declaration in the history of our people. It said that the strenuous opposition offered by the SAIC and its constituent bodies, by every shade of Indian opinion throughout the length and breadth of the country, had been dismissed with arrogant nonchalance.

> "The appeal for a Round Table Conference between the GovernmentS of India and South Africa in order to find a just solution has fallen on deaf ears."

The lengthy statement then dealt with Smuts' role overseas and in South Africa, and pointed out that the Act imposes a "stigma of inferiority upon Asiatics."

After stating that the Natal and the Transvaal Indian Congresses had opted for passive resistance, the statement added:

> "Thursday June 13, has been declared Resistance Day. All Indian offices, shops and factories are called upon to observe a *hartal*.
>
> "All Indian parents are requested on this day to keep their children away from school. Let the day be of solemnity and resolute determination. Let black flags flutter from every Indian home and place of business."

The NIC statement categorically stated that no Indian would accept the communal franchise or serve on the Advisory Board and ended with a stirring message to the community to resist the Ghetto Act.

And the response from the community was most encouraging.

The community's admiration for the Dadoo-Naicker leadership was daily on the increase. Even the conservatives could not help but express their admiration not only for the radicals' spirit of sacrifice, but the tact with which they were uniting the entire community.

The crowning act of statesmanship on the part of the Dadoo-Naicker leadership was the welcome organised by the NIC on June 2, 1946, to the conservative members of the SAIC delegations to India and to England - Sorabjee Rustomjee, Albert Christopher, SR Naidoo, Ashwin Choudree and PR Pather.

Dr GM Naicker, who presided over this welcome at the Avalon Theatre, said: "Our delegates have done their duty well. They have told the people of India and England that our cause is just and that our demand is to live as free men in a free society."

The trip overseas had been very educational to all of them. It was not surprising that Sorab and Ashwin, who had opposed the inclusion of Dadoo in the delegation to India, were now prepared to serve under the Dadoo-Naicker leadership, with full support for united action by all the oppressed Africans, Coloureds and Indians.

Sorabjee Rustomjee and Ashwin Choudree subsequently enrolled as passive resisters, as did Mrs Gadija Christopher, and they served imprisonment.

PASSIVE RESISTANCE LAUNCHED

Thursday June 13 of the year 1946 occupies a very special place in the history of the people's struggle for non-racial democracy in South Africa.

South Africa saw a new spirit ushered in, different even to that of the Gandhian era, because the leaders of 1946 passive resistance were emphasising, over and over, the need for unity of all the oppressed and democrats in their non-violent struggle for the freedom of all.

Let me give you a feel of that historic day by quoting from the front-page lead story, written with much feeling, in *The Leader* of June 15, 1946:

> "Thursday, June 13 - that day will go down in the annals of the Indian people of this country as a National Day of Mourning, for on that day they recorded their pain and their protest against the rule of tyranny exercised over them in the land of their birth and in the only land they will ever know...
>
> "They used the only method available to them when they declared it *'Hartal* Day.'
>
> "The response was magnificent; petty individual interest gave way to the larger national interest. Durban was dead on Thursday - the Indian quarter

bore an atmosphere of quietness associated with Sundays. There was no activity anywhere... all Indian premises of business were closed."

I remember vividly how the passive resistance campaign was launched in Durban on June 13, 1946, when over 15,000 people assembled at the Red Square to bid farewell to the first batch led by student leader Zainab Asvat, and Dr GM Naicker.

When that inspiring meeting ended, as *The Leader* recorded, "a picked squad of volunteers marched to the intersection of Umbilo Road and Gale Street (Gale Place end) and pitched their tents on a vacant piece of municipal land to mark the beginning of the passive resistance struggle in this country for the second time in the history of South Africa." The struggle began a little before eight o'clock in the evening when, after a 40 minute walk from the centre of the City, the resisters "took up residence in tents."

I remember the huge crowd that assembled at the corner of Umbilo Road and Gale Street, where five tents had been pitched on vacant ground which fell under the prohibitive provisions of the Asiatic Land Tenure and Indian Representation Act of 1946, the law chosen for defiance.

With tremendous dignity Zainab Asvat, a strikingly beautiful young third year medical student from Wits, led on to the plot Amina Pahad, Zubeida Patel, Zohra Bayat, Lutchmee Govender and Veerama Pather, all six of them from the Transvaal.

We stood in silence with such great admiration for their determination to be free in the country of their birth.

And Monty Naicker led his Natal group on that Thursday night towards their tent. In the group were MD Naidoo, RA Pillay, VS Chetty, TJ Vasi, Shaik Mahomed, R Jugpersad, V Patrick, MN Govender and P Poonsamy.

The vacant lot at the corner of Gale Street and Umbilo Road became a sacred place and night after night we assembled there to witness the courage of our people.

No arrests followed for several days. "These people," said *The Leader*, "will remain on the municipal premises until such time as they are arrested. This is the first step and as development takes place the struggle will unfold and take shape..."

WHITE THUGS ATTACK RESISTERS

The white racists of Durban could not tolerate this act of "trespass" in protest against the Ghetto Act. On Monday night, June 17, 1946, a white mob attacked the resisters' camp, and thereafter attacks continued.

In a front page story of June 22, 1946, *The Leader* declared:

> "The passive resistance tents in Durban have been repeatedly raised and wrecked - by Europeans. And the passive resistance campaign against the Ghetto Act gains weight with each new act against it."

The first resister to get injured in these cowardly attacks was 60-year old Veeramah Pather, who saw service with MK Gandhi in the first resistance, and she received medical attention.

Amina Pahad and Zainab Asvat were injured when the tents collapsed in the raid. Zainab has been recorded as saying to the Reverend Michael Scott: "Father we must forgive them; they don't know what they are doing."

Describing what had happened on the night of June 17, 1946, Dr GM Naicker said that after the usual meeting about fifty guards were posted by the passive resisters to guard their camp.

> "About 8.30 in the evening a large number of white youths were seen walking on the outskirts of the camp. About 8.45 p.m. about 100 of them came rushing from the trees nearby where they had congregated.
>
> "The guards were instructed to hold them back by forming a cordon arm to arm. The attackers broke through and pulled down all the tents and took them away and tore them. They took some blankets and pillows with them."

Dr Naicker added that the white attackers had kicked two ladies and one male deliberately and had indicated that they would continue to attack every night. And the Gale Street resistance camp became one of great international importance.

The founder of passive resistance in the twentieth century, the *Mahatma*, wrote about it in his *Harijan*:

> "It is resistance of the Jesus-type that the white hooligans are seeking to thwart. Let us hope that our countrymen's heroic resistance will not only shame the hooligans into silence but will prove a precursor of the repeal of the law that disfigures the statute book of South Africa."

White mob violence continued unabated for a long time and when J Joshi led his batch, both he and Mrs R Docrat were brutally assaulted. Mrs Docrat was semi-conscious and Joshi had to be removed to hospital in a state of unconsciousness.

An eye witness account of the assault was published under the joint signatures of R Lutchman, George Singh, L Ramsunder, AKM Docrat, JV Bhindi, KG Pillay and RM Naidoo and this account received wide publicity in South Africa and abroad.

An Indian policeman who was off duty and in his private clothes was a target of racists. He was beaten up so badly by the white mob that he lost his life.

No one knew that he was a policeman. He died because he was an Indian, a black person. His funeral was, at the request of his parents, taken over by the NIC, and I recall it as the biggest funeral procession ever seen by Durban, proceeding from his home to the Red Square and then to the Queen Street Cemetery.

I remember how these white raids united the entire community. Even those against the campaign were now speaking out in favour. AI Kajee witnessed the mob attack and virtually wept in admiration at the bravery of Zainab and her group and there and then pledged to rally financial support for the campaign.

The attacks by white hooligans speeded up the arrests. The police invoked the Riotous Assemblies Act in their attempt to bring to an end "the fast growing resistance campaign."

I was present on the tenth night after resistance commenced, when the white mob attacked the resisters. The police intervened and arrested the resisters and not their assailants.

The same night Zainab Asvat's group, now strengthened from the Transvaal by Jamila Bhabha and the Reverend Michael Scott, were all removed to the Umbilo Police Station and they were subsequently brought to Court and sent to prison.

Monty Naicker, Yusuf Dadoo and Michael Scott were then convicted for breach of the Riotous Assemblies Act and sentenced to three months' imprisonment with hard labour.

Dr K Goonam immediately took the place of Zainab at the resistance plot and she too was imprisoned. And the jails began to fill.

Gale Street became world news. The very evening of the first arrests Mahatma Gandhi in his prayer meeting said: "I am happy to inform you that 16 passive resisters in South Africa have been arrested by the South African Government," and he added: "A *satyagrahi* breaks laws repugnant to his self-respect and invites the penalty which he faces cheerfully."

The Mahatma's attitude must have had an impact on the *Indian Opinion* which had in its editorial of June 14, 1946, asked Congress to "defer the campaign" as the "moment was not opportune." In another editorial of June 21, the *Opinion* had stated that "the passive resistance campaign is in danger of falling into the hands of communists, if it has not already fallen, and it is this danger that we would ask our people to guard against."

Manilal Gandhi, who had then just returned from India, volunteered and led a batch and so did Sorabjee Rustomjee and numerous others who had opposed the campaign or had sat on the fence.

On July 6, 1946, reviewing the first three weeks of the struggle, *The Leader* pointed out in its front page story that six leaders of the resistance campaign were in prison, convicted under the Riotous Assemblies Act. They were: Dr GM Naicker (six months and a week); Dr Goonam (six months and a week of which four months had been suspended); MD Naidoo (six months and a week); Dr YM Dadoo (three months); RA Pillay (three months) and Sorabjee Rustomjee (three months).

The 1946 passive resistance struggle was of great educational value to many. Sorabjee Rustomjee, who had refused to address the Liberal Study Group because it had non-Indian members, was now talking a different language. Before he went to prison he issued a statement saying that "our struggle is not only the struggle for our rights. It is a symbol of the struggle of all oppressed people."

In addition, during the first three weeks, 300 resisters were separated from their leaders and fined five pounds each for trespass, without the option of prison. Among them were the Reverend Michael Scott and Wits student Benny Sischy. None of the resisters paid the fine imposed and in the weeks that followed the Reverend Michael Scott was sentenced to three months' imprisonment.

In its resisters' round-up *The Leader* of July 27, 1946, said that "at the time of going to the press 280 resisters were in prison, serving their sentence and of these 20 were women, one white male and one Coloured male from Johannesburg." Most resisters were receiving a sentence of one month's imprisonment. And more white democrats and African resisters, too, joined the campaign, paving the way for what was to come in the years that lay ahead.

EXCITING DAYS OF RESISTANCE CAMPAIGN

Those were exciting days for us. Passive resisters were being released every week to be welcomed by the community which was bidding farewell to the increasing numbers that were courting imprisonment.

From the Transvaal the resisters travelled by cars and made their first stop at Standerton where Pochees Cycle Works' proprietor, Mahomed Pochee, provided all the resisters with refreshments. Dr AH Sader's mother in Ladysmith became the next most important stop, where the resisters had their meals. MI Meer's Pinetown home was the third stop for the resisters and almost all members of his family were occupied in serving the movement in some respect or the other.

I remember the historic role of our students in the 1946 campaign when, both from the universities and the high schools, boys and girls responded in support of resistance.

Zainab Asvat, Abdul Huq Patel, AM Kathrada, Dhun Rustomjee and Fatima Meer were some of those who helped in organising and in raising funds.

In Durban for the first time Sastri College boys and girls from Dartnell Crescent took the lead in forming a joint committee of students whose initial fund-raising resulted in one thousand pounds being handed to Monty Naicker at a mass meeting by young Dhun Rustomjee.

The 1946 campaign was led by many people who had received their training in the Liberal Study Group founded ten years before in Durban. We saw the sterling services of Debi Singh, SV Reddy, Billy Peters, MP Naicker and AKM Docrat. People like the brilliant poet HIE Dhlomo, who was an active member of the Liberal Study Group, understood what these leaders stood for.

Ten days after the launching of passive resistance against the Ghetto Act, Debi Singh of the NIC joined his colleagues of the TIC to attend the second National Anti-Pass Conference in Johannesburg. At this conference Dr AB Xuma, President-General of the ANC, said:

> "We wish the Passive Resisters every success in their struggle against the Ghetto Act. If our Anti-Pass campaign gets going we shall soon meet the Indian at a half-way house."

Dr Xuma stressed that if the non-European people desired freedom then it was urgently necessary for them - Indians, Africans and Coloureds - to unite. The Africans were prepared and it would not be long before a "second front" was opened.

The *Faqir* in his popular column of 22 June, giving us a vivid picture of the resisters, whose campaign "had fired the imagination of the Indian people of South Africa as a weapon to fight against oppression," said:

> "One might be tempted to think that it is easy to remain non-violent, but it is damnably hard not to strike back in the face of provocation...

> "I spent some time one evening at the Resisters' Camp and the orders were strictly 'no violence, do not hit back.'
>
> "As we waited for the raiders to strike we could feel the intense cold hitting at us from the three sides; the top, the ground and from the sea.
>
> "The suspense was terribly nerve-wracking. You could see the group of Europeans walking about Umbilo Road waiting for a suitable opportunity to strike. They were dressed for their job - shorts and sand-shoes - and they appeared to be a squad of picked men. The police, too, were not taking any action. So they had nothing to worry about.
>
> "When the raiders struck, all that the Passive Resister had to do was to look on. It requires a lot of courage to be a Passive Resister."

I remember attending the regular court hearings when the resisters appeared and explained their reasons for defiance to the presiding magistrate.

And we went to the different prisons when the resisters were released. Monty Naicker, Yusuf Dadoo and Goonam all served in Pietermaritzburg, where the home of VV Moodley (Logie) became the community home.

The Leader, in its issue of September 7, 1946, informed its readers that 48 persons, including Dr Yusuf Dadoo, had appeared before the Johannesburg magistrate on an allegation of conspiring to incite African mine workers to strike.

"All accused were let out on bail," said *The Leader*, "except Dr YM Dadoo, one of the leaders of the Passive Resistance Movement in Durban who had been brought from gaol in Natal for the hearing and refused bail, preferring to remain in custody."

The Joint Passive Resistance Council of the Natal and Transvaal Indian Congresses gave full support to the African mine workers when they came out on strike in August 1946.

Whilst Dadoo was appearing in Johannesburg Magistrate's Court, George Singh and Raghunath Singh continued to remain in occupation of a cottage at 416 Brighton Beach Road, Wentworth, "in defiance of the Ghetto Act," and invited arrest without success.

The Attorney General in September 1946 made known that no prosecution was being contemplated against George Singh and his colleague because although in a white area, "it was deemed to be occupied by the owner," an Indian who was the registered owner notwithstanding the fact that on the crucial date the house was vacant and hence unoccupied by anyone.

The Brighton Beach resistance was similar to the earlier Transvaal resistance and had to be abandoned because no arrests took place despite George Singh's continuous endeavours to invite arrest. I remember this caused much amusement at the expense of George.

THE RESISTERS

Before resisters were sentenced, the leader of the group made a statement to the Court.

AI Meer - charged for "trespassing" on the Resistance Plot - told the magistrate in a dignified and calm manner what had made him become a militant resister.

> "Let us go into the history of this unused piece of unfenced waste land in the heart of the City. It has been there from time immemorial.
>
> "Our forefathers, when they came to this country found it there. Persons, white, black, brown, and yellow trespassed on it from the time Durban became a city, and perhaps even before.
>
> "They continue to trespass there during almost every hour of the day. Persons may be trespassing there even at this hour, while this court is in session. They are not charged. Yet we have been singled out for prosecution. What is the explanation? It is a simple one."

As the presiding magistrate and the packed gallery waited, "AI" continued:

> "Trespass is not a crime, as far as this vacant plot of land is concerned. The only object in charging us is that we are defying the Asiatic Land Tenure and Indian Representation Act.
>
> "But then the question may be asked why we are not charged under the (Ghetto) Act? The answer again is a simple one. The government knows full well that it is an *unjust law*, a law based on racial arrogance, the principle of which they dare not defend."

Referring to the government of General Smuts, AI Meer added:

> "The South African government also realises, perhaps too late now, that a world tired of the Nazi doctrine of race superiority, which it fought to

> destroy, will no longer tolerate such laws; they have said so by their verdict at the United Nations."[20]

Looking at the magistrate, this dignified prisoner in the dock said in a firm voice with great conviction:

> "We have embarked on a holy war against an unholy Act, and it is the duty of all who believe in justice and the removal of racial oppression to join our army. We extend that invitation to you, Sir, as well."

Inside prison and outside prison AI Meer remained an epitome of dignity, calmness and consideration and I am sure even his prison warders had nothing but respect for him.

On Sunday, March 23, 1947, Moulvi Ismail Cachalia, son of the great Ahmed Cachalia of Gandhi fame, a Moulvi with Deoband qualification, was with his batch of 20 at the Resistance Plot at the corner of Umbilo Road and Gale Street. The next day, he was imprisoned for 30 days' hard labour, just as his quiet wife had been previously sentenced.

On Saturday, June 14, 1947, Mrs Marie Naicker, our "First Lady," wife of Dr GM Naicker, led her batch of resisters to prison. Marie personified the sacrifices of our women.

On Monday, October 13, 1947, Yusuf Cachalia led his batch of resisters and served his sentence with hard labour. He had been elected secretary of the TIC in 1947 after I was deported from the Transvaal.

We cannot help but be moved by people like Essop Dindar, of Amsterdam in the Transvaal, giving up his shop and his affluent living to join us in the prisons of South Africa.

And this was a period when Dr K Goonam played her full role as a top official of the NIC, just as Mrs PK Naidoo did in Johannesburg. Zainab Asvat, Radhamonie Padyachee, and Suryakala Patel were some of the women who served on the executives of the Congresses. Women resisters were in the lead and among them Mrs Gadija Christopher gave a completely new dimension to the role of child and family welfare workers when she joined the rank of resisters. And Amina Pahad

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[20] The reference is to resolution 44(I) adopted by the United Nations General Assembly on 8 December 1946. Rejecting South Africa's contention that the treatment of Indians in South Africa was essentially within the domestic jurisdiction of South Africa, the Assembly declared that "the treatment of Indians in the Union should be in conformity with the international obligations under the agreements concluded between the two Governments, and the relevant provisions of the [United Nations] Charter."

redefined the role of the Muslim housewife when she left her sons with relatives and went to prison.

On the Women's Action Committee to raise funds were Khatija Meer, Amina Meer and Ayesha Meer, Marie Naicker and Hajra Seedat. Even children were inspired to make their contribution and those in Ritson Road -Yunus Essope Meer, Bubbles Meer, Farouk Meer, Bhai Meer, Yakoob Meer - came to the Red Square meeting and handed in the money they had raised for the cause. Dhun Rustomjee, Fatima Meer, Minnie Ramawther and others defied the school authorities and joined the community's efforts to uphold human dignity.

In the Transvaal the Transvaal Indian Youth Volunteer Corps elected, at its annual general meeting held on May 28, 1947, Yusuf Dadoo as chairman, AM (Kathy) Kathrada as vice-chairman, Yusuf Rawat as treasurer, Mrs Suryakala Patel as secretary and Krishna Pillay as organiser. The committee consisted of Zainab Asvat, AH Bhayat, Mervin Thandray, L Sungaran, Hoosen Coovadia and IR Singh. The youth rallied as an organised body in support of the 1946 resistance campaign.

At a meeting on June 15, 1947, in Pietermaritzburg to observe the Resistance anniversary, addressed by Dr Naicker, the African leader R Bujela said that the resistance struggle "had awakened the slumbering Africans and had made them militant in their struggle against the discrimination they suffered."

On 9 February 1947, we heard Dr AB Xuma speak. Perhaps, Dr Xuma had never before in his life addressed such a large gathering in South Africa. He had just returned from his trip to the United Nations. He called on the Indian people to reject the communal franchise and the well-paid posts on the Land Tenure Advisory Board.

This Durban meeting - addressed by top African, Indian and Coloured leaders and supported by white democrats - was a pointer of what was to follow in 1952 in the Defiance Campaign.

WOMEN'S ROLE IN RESISTANCE CAMPAIGN

Just as our women were in the forefront of the earlier passive resistance, under Mohandas Karamchand Gandhi, in 1946 too, our women were in the lead and played a tremendous role.

Cissie Gool, City Councillor of Cape Town, led her batch, Gadija Christopher was there in the forefront and Marie Naicker, tall and dignified, rallied support

from all parts of Natal, just as the Transvaal continued to do so with Suryakala Patel.

The Leader of August 17, under the headline, "Mrs Z Gool, M.A. Gaoled" told us the story of Cape Town City Councillor's role in the passive resistance. Debi Singh and I had to inform Cissie Gool, whilst she was still in prison, of her medico son's tragic death in Cape Town. The community admired the courage of this mother who had become a true South African leader.

Sarojini Naidu from India welcomed the role of our women to whom she sent a special message of "affection and admiration" and declared:

> "The heart of every women in India is filled with pride and faith in you. By your brave action, you have upheld the ideal of Indian womanhood and have exalted the honour of your ancestral motherland."

It was not surprising that the Reverend Michael Scott, the night before his imprisonment for three months, addressed a women's meeting at the Avalon Theatre on Sunday June 23, 1946. Zainab Asvat, Veeramah Pather and Dr K Goonam addressed this gathering, followed by student Zohra Meer (now a lawyer at Stanger) who said that the implications of the Ghetto Act would be felt for a long time. I remember an African woman, young in years, who spoke from the floor and in a moving speech declared that "the hearts of all the black people of South Africa went to the Indians in their struggle against the Government."

In Durban, Fatima Alli, the young bride of DA Seedat, was one of the earliest recruits. Many of the bachelors of the Liberal Study Group had by 1946 followed in the footsteps of DA Seedat, with Monty Naicker bringing his bride, Marie Appavoo, from De Aar and this dignified woman leader served her term of imprisonment.

Speaking of marriages of the Liberal Study Group members, let me add that by the time passive resistance was launched, Pauline Podbury became Mrs HA Naidoo; Jacqueline Lax became Mrs Rowley Arenstein; Mabel Jacobson became Mrs CI Amra; and Vera Albert became Mrs George Ponnen.

FREEDOM SONGS, FUND-RAISING AND PUBLICITY

It was at the launch of the 1946 resistance that for the first time I heard a freedom song being sung at a mass meeting in South Africa.

I had attended many meetings of the ICU where the meetings closed with the singing of "*Nkosi Sikelele,*" but in 1946 Suryakala Patel of Johannesburg gave us the Indian freedom movement's "*Purna Jandha ye niche jhukana,*" an inspiring, basically anti-imperialist song with a call to hold high the flag of freedom. Also

from Johannesburg came the male voice of Toti Khan echoing the same sentiments.

The freedom songs became a basic ingredient of all our meetings, including the farewell or *au revoir* meetings held nightly in the Resistance Hall in Saville Street, where the key figures were PB Singh, the dignified and calm education officer who conducted a course for the education of every resister; SV Reddy and Debi Singh in charge of resisters' welfare; and AI Meer who presided over the nightly meetings before the "batch" left for the resistance plot.

And now arrests were taking place nightly and the resisters were detained at the Umbilo police cells before their court appearance the following day. The police officer-in-charge decided to phone the resistance office in advance each evening to ascertain the number of resisters for whom he had to make cell accommodation for the night.

At the women's meeting on June 23, 1946, the important question of funds was raised and it was reported there that the Indian women of Durban had formed a committee to make door-to-door drives. Mrs Hajra Seedat and Mrs B Chetty, Deenama Rustomjee, my sister Ayesha, my cousins Mrs and Mr I Meer and other members of this committee gave details to the meeting.

On the day the Reverend Michael Scott was sent to prison six hundred pounds - which was a very substantial amount in 1946 - was handed to the Passive Resistance Council by "members of the Indian community who were shocked at the assaults on the resisters over the weekend."

Before the end of the campaign, it was openly said that the Resistance Council had obtained substantial overdraft credit facilities from the youngest of the commercial banks, the Afrikaner-controlled Volkskas.

The galleries were packed in the Durban Magistrate's Court each court day when the resisters made their carefully worded statements before Magistrate LI Cohen, who was reminded that his own Jewish people had been discriminated against by Hitler in the same manner as was being done to Indians and other blacks.

The publicity machinery of the 1946 passive resistance campaign was indeed of a very high standard and perhaps has never been matched since.

The Passive Resistance Council had its own media, the cyclostyled *Flash* issued daily, publicising the resistance batches, incidents such as attacks on the resisters, the names of those defying, and other matters of resistance interest such as raising of funds, meetings and so on.

From Johannesburg came the official newspaper of the campaign, *The Passive Resister,* edited by me with AM Kathrada playing a vital role in its publication.

Johannesburg also acquired the Cape-based progressive weekly *Cape Standard* and this too was handled by the same editorial board as that of *The Passive Resister*.

Guardian gave the campaign national coverage as did *Indian Opinion*, *Indian Views* and *The Leader*. BA Maharaj and George Singh were responsible later for launching the *Searchlight*, a bright weekly.

The *Inkundla Ya Bantu*, published from Verulam and edited by Jordan Ngubane, remained the most progressive African-owned and edited newspaper.

Among the young journalists, Ranji Nowbath of *The Leader* excelled in his journalistic work during the 1946 campaign, bringing the Ritson Road area much credit. It was from Ritson Road that AI Meer was filing his despatches to *Blitz*, the bright and breezy Bombay-based journal.

I think it was Ranji Nowbath who began "Resistance Personalities" as a new *Leader* series, commencing from its issue of August 17, 1946. He chose Mrs Suryakala Patel to begin this popular column. With her pleasant looks and melodious voice she had captured the imagination of all and indeed they avidly read all that was written in *The Leader* about her.

SURYAKALA PATEL

> "Tall, bespectacled, good-looking, inclined to be lean, and dressed in a cotton sari over a cardigan, fluent in three languages - English, Afrikaans (alien tongues) and Gujarati - Mrs Suryakala Patel betrayed no emotion as she told me her experiences in gaol, of her early life, her education and her baptism in politics.
>
> "Mrs Patel is one of the many women resisters who have done their bit. She was released from gaol last week. She comes from Johannesburg where she was a school teacher, first teaching English, Afrikaans and Indian music at the Patidar Hall school and subsequently conducting private classes. She is a South African Indian, born in Kimberley. Her father sent her to India where she studied at Baroda Girls' College for five years.
>
> "From there she went to Benaras Hindu University bent on taking a science degree but she did not complete it because the family finances ran out. She has been teaching since 1938.
>
> "She was first attracted to politics in 1939 by Dr Dadoo's Non-European United Front. Married, she has a five-year old daughter, whom she left

> behind in the care of her mother when she came to Durban to court imprisonment on resistance camp."

After giving details of her experience in prison for 23 days, *The Leader* dealt with her belief in Hinduism and added:

> "She is a progressive Arya Samajist with scant respect for antiquated customs, for instance, the white sari for the Hindu widow. White, she said, was a graceful colour for Hindu women to wear at all times. She had her coloured cotton sari pinned with a badge depicting Lieut-Colonel Lakshmi Devi of the Indian National Army, taking the *Jai Hind* salute."

GADIJA CHRISTOPHER

The Leader, in the *Eid-ul-Fitr* issue of August 24, 1946, gave us a pen-picture of another resistance personality, Mrs Gadija Christopher, who had come to us from the famous Gool family of Cape Town as the bride of Advocate Albert Christopher, and who had won our hearts as one of the chief organisers of the Child Welfare Society.

> "She was born and bred in Cape Town where her father kept open house and his children had contact with all the people who were fighting for the cause of Indians in South Africa - and people who were fired with the ideal of service to the community. Mohandas and Kasturba Gandhi passed through the open house that Mr Gool kept; the late Mr Gokhale too among others enjoyed Mr Gool's hospitality..."

In its lengthy article *The Leader* dealt with her work for 17 years in child and family welfare work where she cared for "thousands of unfortunate women and children who come to the society year after year."

She chose prison "because she was convinced that the Ghetto Act would destroy the Indian people and would come down with greater harshness on the unfortunate poor."

"She only hopes now that the passive resistance movement will never be allowed to die" said *The Leader* and added: "She wants it to go on and on until every prison cell in the country is full of resisters."

The bravery and courage of so many women requires to be remembered when we recall the 1946 passive resistance struggle. And from Pietermaritzburg came the news that four sisters had volunteered to resist. They included Mrs Inder Bramdaw and Mrs BD Maharaj.

POLICE RAIDS

On Saturday, September 21, 1946, the police raided many homes and offices, both in Durban and in Pietermaritzburg, and confiscated numerous documents.

In Durban the home of Debi Singh, chairman of the Passive Resistance Council and secretary of the NIC, was one of the first to be raided, followed by raids on the homes and offices of MP Naicker, Billy Peters, MD Naidoo, EM Moolla and George Ponnen.

In Pietermaritzburg those raided were BA Maharaj, LT Ramdeen, SB Mungal, MR Naidoo, RG Naidoo and GH Gwala.

I believe these were the first police raids on the officials of the NIC.

Meetings protesting against the raids were held both in Durban and in Pietermaritzburg.

NIC ELECTIONS IN 1946

Miss Rathamoney Padayachee and Mrs Janaki Naidoo were elected to the NIC committee in September 1946. With Dr K Goonam who was already there, the committee now had three women. MM Naidoo, Goolam Vanker, Ismail Gangat and Dr RA Karrim were also elected to the committee.

The Leader published the photograph of Miss Padayachee and informed its readers that she was an undergraduate at the Natal University College and held the post of secretary of the Women's Action Committee of the NIC.

FOCUS ON SOUTH AFRICA'S RACIST POLICIES AT UNITED NATIONS

The interim Government of India was formally inaugurated on September 2, 1946, and consisted of 12 members, six Congress representatives, three neutral Muslims and two minority members, with vacancies left for two Muslim members who were to be named later.

Sir Shafa'at Ahmed Khan, the historian and former High Commissioner to South Africa, joined the Nehru cabinet as a neutral Muslim.

It was announced in all the Indian weeklies during the first week in September that Smuts would face Mrs Vijayalakshmi Pandit, Nehru's sister, at the United Nations General Assembly.

The world looked with pride at the role India was playing at the United Nations with Vijayalakshmi Pandit at the head of its delegation.

The "Red Square" meetings at which resisters were being welcomed back from prison were given a full account of what was happening in India and at the headquarters of the United Nations Organisation as we waited with great expectations the arrival there of Mrs Pandit.

South African Indians were doubly proud of the fact that India at the United Nations was quoting the utterances of the Dadoo-Naicker leadership in exposing the evils of racism and colour discrimination to the world. With great eagerness we read that Mrs Pandit had read out from a telegram sent to her by Indian women in South Africa, a telegram she waved at the world assembly to make her point.

We were equally proud to read "HA Naidoo in Paris," under which heading *The Leader* reported the activities of our most respected ambassador overseas. Ashwin Choudree and Sorab were in the United States "fighting like cats and dogs" with AI Kajee, PR Pather and Albert Christopher sent by the old conservative SAIC executive.

On Friday, October 20, 1946, Mrs Vijayalakshmi Pandit addressed the General Assembly of the United Nations on the treatment of Indians in South Africa and repudiated the "Nazi doctrine of racialism wherever and in whatever form it might be practised."

We read with pride her speech, in which she said:

> "We have brought before the Assembly the treatment of the Indians in South Africa.
>
> "The way this Assembly treats and disposes of this issue, is open to the gaze, not only of those who are gathered here, but to millions in the world - progressive peoples in all countries, more particularly non-European peoples - who are the overwhelming sections of the human race."

Referring to the Nazis and Fascists of the world Mrs Pandit added:

> "Bitter memories of racial doctrines are still fresh in the minds of all of us. Their evil and tragic consequences are part of the problems with which we are called on to deal."

We were impressed with the role at the United Nations of Sir *Kunwar* Maharaj Singh, the "People's Prince," who was championing the cause of the people of Namibia in the Trusteeship Committee of UN General Assembly which had few Afro-Asian members, because the continents of Africa and Asia were still under the heels of the imperialist powers of Europe.

General Smuts and Heaton Nicholls found themselves in a most embarrassing situation in the Trusteeship Committee of the General Assembly where on November 6, 1946, *Kunwar* Sir Maharaj Singh subjected the Smuts Government "to a most scathing and bitter denunciation on its treatment of Africans in Namibia."

India, the *Kunwar* pointed out, was "very strongly opposed to the incorporation of South West Africa in the Union of South Africa."

Describing the proposed incorporation as a "retrograde step," the *Kunwar* described the political, social and economic conditions of the Africans in South Africa, including the restriction on their franchise and land ownership. He added:

> "I speak from personal observation and experience on these matters, having spent nearly three years in South Africa as India's representative."

The issue of South West Africa gave India the fullest opportunity of delving very fully into the laws of South Africa under the United Party's policy of segregation. And India thus became the chief spokesperson for all of South Africa's oppressed people.

Jawaharlal Nehru, now heading the interim government, was able to rely in his cabinet on the first-hand knowledge of Sir Shafa'at Ahmed Khan on South Africa. No one had expected that the diplomats from India to South Africa would be playing a vital international role in the service of a free India as was being done in 1946 by the *Kunwar* and Sir Shafa'at.

The words of Vijayalakshmi Pandit at the United Nations inspired us when she said:

> "We seek no domination over others - we claim no privileged position over other peoples, but we do claim equal and honourable treatment for our peoples wherever they may go, and we cannot accept any discrimination against them."

The "UNO Batch" of resisters went into action the day the session of the United Nations General Assembly opened in October 1946. The total number of this batch was 324 and of these 224 were from Natal and 100 from the Transvaal.

Nana Sita from the Transvaal joined the Reverend WH Satchell and Manilal Gandhi from Natal in this historic batch which saw Suryakala Patel go to prison for the second time as some of the other resisters did.

In bidding the UNO Batch farewell AI Meer told an enthusiastic and huge audience that Indians in South Africa "are awakened and no longer prepared to tolerate racial discrimination." He pointed out that the passive resistance struggle was bringing together people of different groups, including the white democrats.

The United Nations Day arrests were reported under the heading "Police Work All Night." "Thousands of people attended UNO Day demonstration in Red Square, and later visited the Resistance Camp from where 324 resisters were arrested for defying the Ghetto Act," said *The Leader*. The resisters were taken from the Resistance Camp to the charge office in Smith Street at 10 p.m. and the records were only completed at half-past seven in the morning. "Of the 324 who appeared before the magistrate, 35 were women." One hundred and forty-five men and 10 women were sentenced to three months' imprisonment because they had been previously convicted for defying the law. The rest were sentenced to 30 days in prison.

INDIA'S TRIUMPH AT THE UNITED NATIONS

On Sunday, December 8, 1946, the United Nations General Assembly condemned the South African Government for its racist treatment of Indian South Africans.

A week before India's victory on Indian South Africans, a Sub-Cmmittee of the Trusteeship Committee rejected by 12 votes to six South Africa's application for the incorporation of Namibia into the Union. Whilst Smuts was reeling from this defeat despite the support he received from the United States, Australia, New Zealand, Netherlands, France, Norway, Belgium, Brazil, Denmark and Argentina, he was being comforted that on the next resolution India had no hope.

We had been apprehensive about the fate of the resolution on the treatment of Indians in South Africa.

Even AI Kajee, cabling from New York, told us that our success may be short-lived because it was "possible that United States and British whips would be brought into play to defeat the recommendations in the General Assembly." No one had any doubts as to where the imperialist powers stood, even if Britain had a Labour Government.

But the SAPA dispatch from New York, sent by Erich Lloyd William on Monday, December 9, 1946, said:

> “The most controversial issue before this session of the United Nations General Assembly was decided last night in an atmosphere of considerable excitement.
>
> "The long, bitter and vigorous debate on the South African Indian dispute came to its close as the hands of the clock in the big assembly hall crept towards midnight.
>
> "It ended with a complete victory for India - a victory which even the Indian delegation had not expected."

In her final speech before the vote was taken, Vijayalakshmi Pandit addressed Smuts and the rest of the General Assembly in these historic words:

> "We must create for the United Nations, the abounding confidence of the common people in it, as a defender of justice, of public law and morality.
>
> "This is what I ask you to do; I ask for no favour for India, I ask for no pity, no mercy, no concession for the Indian population of South Africa who have in my humble opinion, raised the standard of human dignity by inviting suffering and offering resistance to injustice...
>
> "I ask for the verdict of this Assembly on a proved violation of the Charter on an issue... which must make or mar the loyalty and the confidence which the common people of the world have placed on us. Mine is an appeal to the conscience, the conscience of the world. I will say no more."

We read and re-read her speech and we realised that India's true voice was being heard by the world, perhaps for the first time in an international forum.

Despite the efforts of General Smuts and Heaton Nicholls, Yusuf Dadoo and Monty Naicker scored a brilliant victory, setting a precedent for other United Nations decisions in the interest of the oppressed of the world.

I remember how our people were jubilant at the precedent which had been created at the United Nations by the sacrifices of the resisters, a large number of whom celebrated the international victory achieved by them as prisoners of General Smuts.

Liberation in South Africa would eventually come from the action of the people, led by the African majority, said the Joint Passive Resistance Council, which asked for the moral support of the world on an issue which was not a "domestic matter" as Smuts alleged, but one of international concern.

And our heroine who spoke on behalf of our resisters and all the oppressed and democrats of South Africa, Vijayalakshmi Pandit, said that the United Nations decision was "a victory for the new world order which we are trying to evolve."

And Sorab, we learnt, was enjoying himself thoroughly at Flushing Meadows because he had been to prison in 1946 whilst Kajee and his associates did not do so. Sorab was lucky to have HA Naidoo at hand with his profound knowledge of the economic-political situation in South Africa but even HA was not a 1946 passive resister.

Vijayalakshmi Pandit's door was open to all South Africans, including Kajee, Albert Christopher and PR Pather and much to Sorab's joy, she asked these three: "Mr Rustomjee served three months as Smuts' prisoner, tell me how long each of you served," and they were tongue-tied, except for PR talking about his Moore Road jail incident.

But Mrs Pandit well knew that PR had been party to the Pretoria Agreement and considered Indians living next door to whites as a cause of racial conflict.

Indeed at the 1946 United Nations session our resisters were being honoured as the vanguard of the oppressed of the world through exposing racism in South Africa, Namibia and the rest of the world. And in such an atmosphere Kajee, Christopher and Pather deserved a back seat.

TIC ELECTIONS IN 1946: MILITANTS TRIUMPH

On Sunday, October 20, 1946, at "the biggest Indian meeting ever to be held in the Transvaal," over twelve thousand Congress voters placed Yusuf Dadoo and his entire cabinet in full control of the TIC by unanimously accepting the list of officials submitted by the Democratic Congress Action Committee.

Dr Dadoo, the President of the TIC, now had his own cabinet with Dr Vallabhbhai Patel and myself as Joint Secretaries, and JG Vandeyar and Jasmat Nanabhai as Joint Treasurers. Mrs PK Naidoo was elected one of the Vice-Presidents, with Zainab Asvat and Suryakala Patel as committee members.[21]

At its first Working Committee meeting held on November 3, 1946, the TIC declared its opposition to AI Kajee, PR Pather and Albert Christopher as SAIC delegates at the United Nations and moved for their recall to South Africa.

The Working Committee opposed the move to incorporate Namibia into South Africa; declared against the pending visit by Britain's royal family to South

[21] People such as Reverend BLE Sigamony and AI Minty, who had earlier been part of the Nationalist Group, were ousted.

Africa; and elected Goolam Pahad, Yusuf Cachalia, LF Williams, DT Mistry, MR Varachia, PS Joshi and Zainab Asvat to the executive.

It elected Dr Dadoo (*ex officio*), Dr Vallabhbhai Patel, JN Singh, MA Dinath and myself to represent the province on the executive of the SAIC, thus paving the way for the takeover of the SAIC by the Dadoo-Naicker leadership.

In the same month, JN Singh was arrested for being in the Transvaal after his permit under the 1913 Immigration Act had expired. He was sentenced to imprisonment with hard labour and then deported to Natal. I was also subsequently deported from the Transvaal.

NEW CONSTITUTION OF THE NATAL INDIAN CONGRESS

Seven days before the historic United Nations resolution, on December 1, 1946, the NIC adopted its new Constitution drafted by the new Monty Naicker leadership after fullest democratic discussion.

It was drawn up with the sole purpose of fully guaranteeing to the membership at the grassroot level the fullest participation in the decision-making of Congress.

George Ponnen would not be satisfied with a trade union leader unless such a leader had shed himself of bureaucracy. The workers in the factory were more important than the trade union leader who failed to function democratically and, similarly, the people struggling for homes and better education were more important than civic leaders who merely said they were community-based.

The new NIC constitution made the annual Conference the sovereign body and not the annual general meeting of all the NIC members attending. In other words, the delegates to the annual Conference would now, through "representative democracy," elect the president and his cabinet instead of the members directly through "primary democracy."

In some quarters this change was not understood fully and one Indian weekly reported the change under the heading "Days of Mass Meeting Over."

The officials of the NIC explained that the annual general meeting gave Durban an undue advantage because all the annual meetings had been held in Durban, thus making it most convenient for Durban NIC members to participate and this placed non-Durban members at a great disadvantage.

They assured the public at large that the new leadership would hold regular mass meetings and that leaders of the NIC would come from below and fully respond to what was happening at the grassroots.

Hence the NIC policy would be based on consensus of the people and would be subject without fail to annual scrutiny by the elected delegates from NIC branches formed democratically and functioning democratically. Any area with 100 or more members could form a branch.

The TIC did not then introduce any such fundamental changes in its constitution. In that Province every Indian on reaching the requisite age automatically had the right to exercise his vote without even enrolling as a member.

Under the leadership of the new cabinet of Dr Yusuf Dadoo, virtually every dorp, town and city in the Transvaal at huge mass meetings gave Dadoo and passive resistance full support. And Natal, too, entered into a period of regular mass meetings in every village, town and city.

NIC AND TIC BECAME TRULY PEOPLE'S BODIES

The new NIC constitution proved to the community at large that the Dadoo-Naicker leadership was in constant contact with the broadest masses of the people virtually on a daily basis.

That this constitution was introduced in the midst of the passive resistance struggle, guaranteeing annual elections, made the task of the changeover easier.

The sacrifices of the passive resisters and the sacrifices of the leaders of the Joint Passive Resistance Council completely united our people with even opponents not daring to open their mouths in opposition.

The Dadoo-Naicker leadership was firmly wedded to internal democracy and soon after the adoption of the new constitution, both in Natal and the Transvaal, mass meetings and mass consultations took place on a scale never before contemplated. This was the pattern which was followed in 1952 and this was the pattern which gave South Africa the Freedom Charter in 1955.

Tolerance was the greatest virtue of the Dadoo-Naicker leadership, which repeatedly acknowledged the historic role of all the past resisters to tyranny. Tolerance was extended to AI Kajee and all the others among the conservatives.

Councillor Ahmed Ismail in the Cape was perhaps the only person against whom there were allegations that he was opposed to the passive resistance struggle, but the mood of the times made even Councillor Ahmed Ismail, whose Cape Indian Congress remained outside the fold of the Joint Passive Resistance Council, to issue a challenge on this allegation, undertaking to pay five hundred pounds to charity if proved that he was against passive resistance.

In 1946 Sorabjee Rustomjee, who had caused the expulsion of Monty Naicker and his Nationalist Bloc from the NIA and who had gone against Yusuf Dadoo's Transvaal leadership, was also shown tolerance despite his political past.

In fact, the Joint Passive Resistance Council showed him respect as a resister who had served imprisonment. The Transvaal Passive Resistance Council, under its chairman Nana Sita, gave the Sorab group a rousing welcome at the Gandhi Hall in Johannesburg on September 11, 1946, with Dr AB Xuma, Moulvi Saloojee, Dr VG Patel and myself among the speakers.

It was at this meeting that Sorab said:

> "Today many of our young men and women, the flower of the community are behind prison bars. I am indeed inspired by their action and even at the age of 51, with failing health, I am prepared to go again to prison for our just cause."

I remember that whilst Sorab was not asked to serve again, there were many who volunteered to go over and over again in defiance of the Ghetto Act and among them were people like that great heroine Amina Pahad whose record in 1946 and in 1952 is perhaps unequalled.

Amina Pahad received the admiration of the Dadoo-Naicker leadership in 1946 and likewise in the 1952 campaign her sacrifices were admired by Luthuli, Tambo and Mandela, all of whom were her regular mealtime guests with AM (Kathy) Kathrada and the other Congress leaders.

I remember the discussion that took place at the highest level in the 1946 campaign as to who formed the most advanced section of our leadership and there was complete unanimity that our workers were the most vital part of our struggle. Student "activists," though welcome, were regarded as an element without an economic base.

And historically this was correct, for many of the students who called themselves militant in 1946 abandoned Congress as soon as they left studying and got involved in making as much money as possible.

And let me repeat that although there were students who sacrificed a number of years of their studies in the 1946 and 1952 campaigns, the prevailing attitude among Youth Congresses and among the passive resistance leaders was that in the face of tremendous adversity we must have as many qualified people in the professions as possible and once qualified they could follow the example set by such qualified persons as Yusuf Dadoo, Monty Naicker and K Goonam.

A united democratic leadership engaging in self-criticism was in 1946 leading a united community with our brave resisters drawn from our workers, professionals, farmers, peasants, merchants and students of both sexes.

And Dadoo and Naicker were never guilty of the "cult of the personality." They were full of humility and available at all times to each and every South African wanting to meet them and discuss their policies.They democratically submitted themselves at all times to a democratically elected "collective leadership" which subjected itself daily, weekly, monthly and annually to the fullest scrutiny.

I remember the discussion that took place daily at 5 p.m. when the secretariat met; the daily public meeting at the Resistance Hall; the well-attended Natal-wide committee meetings once a month if not more often and the huge Red Square meetings which were now being held at frequent intervals because events were moving fast in South Africa and overseas.

During the passive resistance campaign the day-to-day problems faced by our workers, merchants, professionals and others continued to receive the fullest attention they deserved.

The Dadoo-Naicker leadership dealt with the totality of the short-term and long-term problems facing the community and South Africa and with such complete involvement it could never be accused of only being "issue oriented."

And now under the new Constitution NIC branches with membership of more than one hundred each began to spring up all over Natal. Members of many branches ran into hundreds and some claimed even more than one thousand members.

Pietermaritzburg under Dr Peters, BA Maharaj, SB Mungal, VV Moodley, R Ramesar and others remained a very strong branch.

R Ramesar was one of the branch members whose record of activities was given by *The Leader* on the occasion of his visit to India during October 1946. It showed that he was in every social, educational, welfare and sports body in the capital city and his *curriculum vitae* ended with these words: "He hopes to enter politics when he returns from India." And this he did with gusto on his return.

And in 1946 I remember the Clairwood branch of the NIC reelecting as its president SM Singh who fully mobilised Clairwood for Congress.

The 1946 campaign gave us Nana Sita, one of Gandhi's most loyal followers in South Africa, just as it gave us Mervin Thandray, Narainsamy, Moulvi Cachalia, Moulvi Saloojee and so many others, whose contribution was so essential towards what followed.

The passive resistance of 1946 - when approximately two thousand Indians, supported by a small number of Africans, Coloureds and whites, went to prison in order to uphold human dignity - completely united Indian South Africans and not a single Indian was to be found in support of the communal representation offered in the Ghetto Act. Even more important, not a single Indian volunteered to fill the two posts offered to Indians in the Land Tenure Advisory Board at high salaries.

The sacrifices made by us under the leadership of Dadoo-Naicker cabinet made even a person like Jordan Ngubane, highly critical of Yusuf Dadoo, admit that there were few to equal him in his sincerity and sacrifice for the cause of freedom.

Internationally, we had focussed world attention on segregation, exposed the double standards of Smuts, and united the entire colonial world against the wrongs committed in Namibia and in South Africa.

NON-INDIANS SUPPORT THE INDIAN CAMPAIGN

Although essentially Indian, the 1946 campaign attracted African, Coloured, Malay and white resisters and we greatly welcomed the support.

The Germiston resisters who came from the Transvaal in the second week of October 1946 consisted of Indian, African and white volunteers. The batch was led by a white democrat, AH Mayes and its three African members were Simon Keetane, Joshua Makue and Eric Mlangeni, joined by TIC members G Baboolall, P Naidoo, H Ebrahim, K Naidoo, DV Naidoo and D Govender.

Father WH Satchell and Mary Barr of Durban, and Reverend Michael Scott and Bernard Sischy of Johannesburg, demonstrated to our people that our struggle was against injustice and not against the whites of South Africa.

It was Reverend Satchell who told the magistrate who sentenced him to hard labour in prison that "the idea of a *herrenvolk* or super race was wholly repugnant to the Christian Church," adding "as a South African I am filled with shame and sorrow for the attitude taken by the government."

HIE Dhlomo of the ANC Youth League wrote a seminal article about this time.

After stating that there were two separate views among Africans, as among Indians on concerted joint action, Dhlomo wrote that some Africans felt that "they had separate battles to fight and must do so independently." "Others," he continued, "thought the struggle of all oppressed peoples was one and that co-operation is necessary." He concluded:

> "The Africans are witnessing how a numerically inferior group of 'foreigners' are not only putting up a fierce struggle to gain full rights in the country of their birth, but are succeeding to embarrass the authorities and stir the public. 'Why cannot Africans, who have a better case and greater numbers, also do it?' they are asking themselves.
>
> "From these points of view, the passive resistance movement has greater significance than many think, or would like to have. For better or for worse it ends and begins a period, an attitude and a philosophy in matters of race relations in this country."

Dhlomo's article was indeed a pioneering one. He had put into writing what had been discussed but not publicised among Indian and African leaders.

Dhlomo had come into very close contact with the members of the Liberal Study Group, George Ponnen, HA Naidoo, CI Amra, AKM Docrat and myself. He had seen the functioning internal democracy in a vibrant and growing NIC, with a united community behind it, reaching out for unity with all the oppressed and democrats of South Africa for a non-racial future.

"The present leaders of the Natal Indian Congress," Dhlomo observed in his article "are young men and students of international politics, who look not only to India for inspiration and help, but to world opinion."

And he knew these "young men" even more intimately (since 1937) than did Nelson Mandela or Walter Sisulu who only came into contact with JN Singh, Yusuf Cachalia, AM (Kathy) Kathrada and myself in the forties.

REVEREND SCOTT LED, CHURCHES LAGGED

Among the white democrats who joined the 1946 resistance campaign were the Reverend Michael Scott, the Reverend WH Satchell, Miss Mary Barr and Benny Sischy, student leader from Wits. The Churches, Protestant and Catholic, were in the meanwhile practising segregation in their schools and health services, and "residential segregation" was not an issue that concerned them.

Opposition to the Ghetto Act by Michael Scott was generally regarded in white church circles as an act of an eccentric. His involvement in passive resistance, in the squatters' problems in the Transvaal and in the "slave labour" conditions on the potato farms in the Bethal area, and his championing of the Hereros of Namibia, did not receive the approval of his church hierarchy.

Michael Scott had spoken out and acted against segregation long before other Anglican, Catholic and Methodist white priests and far ahead of the white liberals who formed the Liberal Party.

And similarly the white-dominated university student movement remained fairly dormant when Benny Sischy, student leader from the University of the Witwatersrand, went to prison in opposition to the Ghetto Act.

Scott and Sischy were in the field of action right at the beginning when the white hooligans were nightly raiding the Passive Resistance Camp at the corner of Gale Street and Umbilo Road.

Michael Scott helped in organising a European "Committee for Asiatic Rights" to support the Passive Resistance campaign. He also assisted in the formation of a similar white body in Durban called "Council of Human Rights." These two bodies did much to make known to white South Africans the nature of the campaign launched under the Dadoo-Naicker leadership.

The Leader cartoonist, the talented artist-poet Yusuf Kat (who wrote his Urdu verses under the pen-name of *Mussawwir*) depicted Michael Scott under the declaration: "I am my brother's keeper." It appeared the very week Scott was sentenced, with an article by Ranji Nowbath on "The Padre, Passive Resister." Nowbath wrote that he had first seen the "tall and good-looking" Reverend Michael Scott in Resistance Hall on June 22nd, and continued:

> "I wonder... whether on that Saturday as he stood chanting in Resistance Hall, this softly spoken padre with a conscience realised that before the weekend he would perceive baptism of hate and prejudice and all that which go to make the lot of the non-European a veritable purgatory in South Africa.
>
> "Earlier that day the first batch of resisters led by Dr Naicker had been charged with trespass - the first official action against the resisters. That afternoon, though they had been warned to 'behave' the group was back at Resistance Camp.
>
> "In the evening Michael Scott visited the camp and as he was chatting with the resisters the police arrived to take them away. Dr Naicker asked Reverend Scott to leave the camp in order to avoid arrest, but the padre decided to court imprisonment also.
>
> "He was taken away with the group. He was released later the same evening with the others and asked to appear before the court on Monday morning.

> "On Sunday evening he was back in the camp, after addressing a meeting of Indian women at the Avalon Theatre. That night, however, he was to see mob violence in action.
>
> "He was one of the eye-witnesses who saw Europeans armed with knuckle-dusters, bicycle chains and belts assault not only Indian men, whose declared intention was to be passive, but also Indian women.
>
> "Later that night he saw a group of resisters lying in the gutter all unconscious. He felt the pulse of the woman in the group - Rabia Docrat, wife of AKM Docrat now in gaol - she was semi-conscious.
>
> "Michael Scott was one of the first to bring the news of this assault to the Congress office. The events of that night only made him more than ever determined to stand by the cause of the Indian people."

I have taken the trouble to give this *Leader* coverage in some detail because it made a deep impact on us.

On Monday morning Scott appeared before the magistrate in Durban and made a statement which is worthy of remembrance. I remember also the report telling us about the disgraceful attitude of Michael Scott's Church towards him.

Scott was ordered by the Church to return "at once" but his conscience would not allow him to succumb to his Church's ultimatum, and he addressed the court on Christian religion.

We were shocked to read the statement of the Venerable RAH Urquhart, the Anglican Church's Archdeacon of Johannesburg, virtually calling on Michael Scott to resign his appointment.

The Archdeacon said: "I suppose Mr Scott is on unofficial leave of absence. He has not resigned yet, but I expect he soon will."

The Reverend Michael Scott did not resign, but ceased to be an appointed paid minister.

Who was this man who brought so much respect for real Christian values in the eyes of so many in 1946? He was born in England and at the age of 19 he was sent to South Africa for health reasons. He went back to London and completed his theological training. His first job as curate was in a West End parish but he found this too sophisticated and he instead went to work in the slums of the East End.

He later went to India as Chaplain to the Bishop of Bombay. There he met the late *Dinabandhu* Charlie Andrews, Gandhiji's close associate. It was in India that

Michael Scott learnt to fly. In 1939 he joined the Royal Air Force and when he invalidated out he returned to South Africa.

Micheal Scott had lived with Kathy and me at Kholvad House for a while.

The Leader article stated: "All what Michael Scott wants is a reassertion of the Christian faith and the practical application of its doctrines - and not lip-service within the confines of the Church."

Michael Scott had indeed become our leader, when few whites in South Africa qualified for that position. We were proud of this man, whose own Church was trying to get rid of him because he had joined the "meek" to whom the Bible makes reference. He was respected for his faith and the Church has a duty to tell us what it thinks of Michael Scott in retrospect.

The Mahatma in his *Harijan* said that Michael Scott's sharing of the sufferings of Indian resisters was a "silver lining to the cloud that hangs over the devoted heads of our countrymen." Referring to Jesus, he asked whether white South Africans had "banished from their hearts the great Coloured Asiatic who gave the world the message. Do they forget that the greatest teachers of mankind were all Asiatics and did not possess white faces?"

Gandhiji posed the question whether Jesus in South Africa would be compelled to live in a segregated area and added: "Is a civilisation worth the name which requires for its existence the very doubtful prop of racial legislation and lynch law?"

The *Sunday Express* reported that most of the white clergymen in Johannesburg disapproved of the action of Michael Scott and said that it could lead to "encouragement of lawlessness."

But there was the lone church voice of Michael Scott's superior, H. Leach of the St. Alban's Mission, under whom the St. Joseph's home to which Scott was attached, was run. In his monthly letter, Mr Leach endorsed the action of Reverend Scott in actively identifying himself with the passive resistance movement. After stating that South Africa was passing laws such as those the Nazis in Hitler's Germany had passed, Mr Leach continued: "We who know Father Scott have only the highest respect for his unselfish devotion, sincerity and courage."

"Father Scott is still on our staff," he said and pointed out that the passive resistance was not only an "Indian issue" but "the just struggle of all non-European people of South Africa."

Indeed, Michael Scott had taken the lead in 1946 in the true tradition of Charlie Andrews and Imam Bawazeer, both of whom had worked with the Mahatma.

In 1946 Michael Scott put the cat of ethics into the Christian Church's docile pigeons and this eventually led to the changed role of the Churches in the years that followed.

And let us remember that many who saw "democracy in danger" only after the Nationalists came into power - and they included the "liberal" universities, the anti-Nationalist Christian Churches and the anti-Nationalist liberals - were in 1946, under General Smuts and his second in command JH Hofmeyr, continuing to fully implement segregation.

I may also mention that there were so-called Marxists in South Africa, too, who regarded the 1946 passive resistance as "a brake on the militancy of the oppressed." I remember how some of these individuals were even suggesting that the "communal franchise" under the Ghetto Act should be "used" by Indians as the Africans were "using" the 1936 communal franchise which had resulted in Margaret Ballinger, Senator Basner and later Sam Kahn and others entering the all-white Parliament of South Africa.

There were, however, no buyers for this "strategy." From Dr Naicker to AI Kajee, the entire community, to its credit, remained solidly united in rejecting an ethnic franchise.

The Reverend Michael Scott and the Reverend WH Satchell were among the few clergymen prepared to make common cause with the Congress demand for the rejection of the colour bar. Bishop Hurley and Dr Edgar Brookes, were other prominent whites who spoke out against segregation and apartheid at a time when the Liberal Party and the Progs had yet to emerge.

DISCUSSIONS WITH THE ANC YOUTH LEAGUE

The African Mineworkers' Strike began on Monday, August 12, 1946. We of the Passive Resistance Council and the TIC gave it our total support.

The resistance work virtually ground to a halt in Johannesburg as the entire organisation went out in full support of the 50,000 workers who had gone on strike. The total work force on the mines then numbered three hundred thousand Africans.

A powerful public statement of full support for the miners' action was issued by the Transvaal Passive Resistance Council and this was received favourably by all the top African leaders.

The Native Representative Council reacted sharply. The strike was crushed in three days, but it shook white industry which saw the power of labour.

The Joint Passive Resistance Council of the Natal and Transvaal Indian Congresses paid tribute to the mine workers and to those struggling against the pass laws. It called upon "the African, Coloured and Indian people to strengthen further and consolidate their respective national organisations in order to rally their entire communities behind the struggle for national liberation and for full democratic rights for all in South Africa and to launch simultaneously campaigns against oppression, thereby uniting all sections of the non-European people in action."

This call for united action was made at a time when the ANC and the ANC Youth League had not decided to work with other bodies.

In the midst of the Passive Resistance Campaign in 1946, in Johannesburg, Yusuf Cachalia, IC Meer, JN Singh and others commenced a series of discussions with the ANC Youth League led by AM Lembede, Walter Sisulu, Nelson Mandela, Oliver Tambo and others on the desirability of united non-European action against apartheid. In the cold winter nights we had many discussions in Goolam Pahad's flat.

I remember how a breakthrough occurred, followed some years later by the joint declaration signed by the SAIC and the ANC in February 1949 in Durban. Those talks paved the way for the Congress Alliance resulting in the 1952 Defiance Campaign and the formulation and adoption of the Freedom Charter.

ANGLO-SAXON RACE PREJUDICES

Colour bar had been written into many laws in South Africa and yet at the General Assembly of the United Nations in 1946, G. Heaton Nichols, ex-Administrator of Natal, had the audacity to say that there was no legal colour bar in South Africa and that "all there is is custom." His speech was, in fact, described as "one of the most vituperative and sarcastic attacks on South African Indians." He claimed long years of association with the "non-European peoples and backward races all over the world" and believed that destiny had marked them out for segregation.

The Leader published at length the speech of this "prophet of segregation" who was perhaps the most unpopular white among a long list of South African whites who justified racism and claimed a special place for the Anglo-Saxons. Exceeding his racism was his successor D. Mitchell who, speaking in his official capacity as Administrator of Natal, told the official delegation of the Natal Indian Teachers'

Society emphatically in December 1946 that "there can never be equality of pay between Indian and European teachers."

The NITS delegation consisted of E Thomas, president, AD Lazarus, I Anthony, NK Sham (secretary) and AN Lazarus (treasurer). In a hard-hitting statement NITS rejected Mitchell's viewpoint which it said was "indefensible and based on the false belief of the inherent superiority of one race over another."

English-speaking Natal was giving General Smuts all the help he needed to enforce segregation and inequality at home whilst proclaiming, for overseas consumption, the universal ideals of justice and equality.

MEER CLAN DEEPLY INVOLVED IN RESISTANCE

The year 1946 ended with almost the whole of the Meer clan deeply involved in community work.

MI Meer, the head of our clan, was at the zenith of his editorial achievements in *Indian Views*. AI Meer was secretary of the NIC.

Fatima Meer, then a student of the Girls' High School in Durban, fully supported by her father MI Meer, refused to apologise to her principal for her political activities and was subjected to disciplinary action.

The year 1947 began with the resistance campaign still in full swing. *The Leader* in its issue of January 25, 1947, recorded that both AI Meer and IC Meer, secretaries of the NIC and TIC respectively, were in prison - the former at Bergville and the latter in Stanger. Zohra Hoosen Meer also served a term of imprisonment.

I greatly admired the role of MI Meer in those days when almost everyone in his home was connected with resistance.

It was during that period that someone from the Transvaal had asked him why in his study there was only the photograph of Yusuf Dadoo and of no others and his reply was, "Find for me another person who has made greater sacrifice and we can ask the person who has put the photograph there to replace it with the photo of that person." This silenced the inquisitive person.

In actual fact his daughter Fatima had framed and hung up the photograph in the study of their home. She had become very active in the passive resistance movement at the time.

AI MEER AS SECRETARY OF NIC

AI's imprisonment had an electrifying effect on our people and led to more recruits responding in the Province. He was one of the most respected leaders of the quiet kind who said little but what he did say was important for the whole community.

In *The Leader* of January 25, 1947, AI Meer said that under the Congress the Indian South Africans had taken the difficult task of fighting against "all those things which destroy the personality of a black man in South Africa; warp and frustrate his ambitions and development and deprive a whole community of any contribution which he might have made in freer climes."

And AI Meer, now at his best, added:

> "The resistance campaign has focussed the eyes of the world on South Africa, whose treatment of African, Indian and Coloured citizens was indicted gravely by the rejection of the request for the incorporation of South West Africa and the UN resolution on the Indian issue."

"These successes," continued AI Meer, "were not the end" and he spelled out that the blacks of South Africa will only be satisfied with their birthright of full democratic rights.

On his release AI Meer, in an interview published in *The Leader* on July 5, 1947, disclosed that the NIC was making big changes in its organisation.

> "Matters concerning education, housing, civic amenities, transport etc., were constantly being dealt with by the NIC and from June 1, 1947, a big reorganisation plan had been set afoot, involving a vast network of branches, whose duty it will be to deal with matters of local concern in their own areas."

Explaining the new NIC constitution, AI Meer added:

> "No branch will be allowed to participate in the work of the Provincial Conference, unless a proper election has been held at such branch at a date within three months of the date of conference.
>
> "The time has past when only a few officials were conversant with the vast problems facing our community. Today we want every Indian to be alive and active in the fight to eradicate the many injustices from which we suffer.

> "We want every Indian man and woman to feel conscious of economic, political and social disabilities, so that as many of them as are capable of doing so can make their fullest contribution for the uplift of the community as a whole."

He then dealt at length with the eight NIC departments and their roles. These were Information, Housing and Expropriation, Finance, Labour and Unemployment, Education, Commerce, Industry and Agriculture, Social Services and Civic Amenities and, most important of all, Organisation.

He ended his interview with these words: "Congress today is truly a national organisation embracing a total membership of 34,875 and consisting of thirty-two branches."

In 1947 the NIC branches sprang up with thousands of new members joining the Congress. There was perfect internal democracy in Monty's united Congress with its collective leadership working in unison and drawing to itself the entire community. The NIC decisions came from the bottom where its strength lay, rather than from top down.

Even the strongest Congress critics were publicly declaring that the Congress leaders were "sensible talkers, and courageous doers."

NIC CALLS FOR BOYCOTT, BUT CROWDS FLOCKED TO SEE ROYALS

On February 23, 1947, the NIC held an emergency conference in Durban, attended by representatives from ten other organisations. The subject discussed was the forthcoming visit of King George VI and the Queen to South Africa.

The Conference recorded "with very deep regret Congress' inability to accord Their Majesties a glad welcome to South Africa at the present time, and its unwillingness to associate with joyous celebrations of festivities when racial intolerance and oppressive conditions make real and sincere pleasure impossible."

The NIC resolution on the royal visit left the field open to AI Kajee who acquired a fez for the *tamasha* that followed at the "Indian reception" at Curries Fountain and elsewhere. The *tamasha* did, however, draw huge crowds.

Perhaps the royal visit was Kajee’s last act of showmanship, and there was no opposition from Sorabjee Rustomjee.

The attitude adopted by the NIC on the royal visit received full support from Mahatma Gandhi who in a message to the NIC, advised that the boycott be carried out with dignity.

NAICKER AND DADOO VISIT INDIA

When the year 1946 was about to end the Joint Passive Resistance Council of the Natal and Transvaal Indian Congresses announced that Dr Yusuf Dadoo and Dr Monty Naicker were to proceed to India in 1947 to consult with Nehru's interim government, and with people in Asia generally.

We noted with great satisfaction that our former president of the SAIC, Sarojini Naidu, was taking a leading part in the convening of the Asian Relations Conference, held in New Delhi in March 1947.

Dr Xuma of the ANC wrote to that conference regretting his inability to attend. In his message he said:

> "Africans greet rising Asia. May Asia's growing power be a bulwark for world peace and international goodwill among nations, and not for domination which must lead to more human destruction."

On March 9, 1947, in Johannesburg, Yusuf Dadoo, Monty Naicker and Dr AB Xuma signed the historic joint declaration on co-operation on behalf of the TIC, the NIC and the ANC.

The Congresses were so powerful that the refusal of passports to Dadoo and Naicker by Smuts had to be speedily reversed as a direct consequence of world-wide pressure.

A week after the Doctors' Pact, Dadoo and Naicker arrived in India. *The Leader* of March 22, 1947, gave us the details of their arrival via Cairo where the two leaders had "audience with His Excellency Azzam Pasha, Secretary General of the League of Arab States."

Indian Opinion of March 28, 1947, reported that Yusuf Dadoo and Monty Naicker "met Gandhi on March 21, in a town in the province of Bihar." The report added that "they will meet Gandhiji again... after they have attended the Asian Relations Conference in Delhi," and said that the two South African leaders had already had discussions with Pandit Nehru, head of the interim government.

Yusuf Dadoo and Monty Naicker made a deep impact on the Mahatma, Jawaharlal and all the other leaders and people they met. India subsequently sent

us message after message in full support of our resistance which had drawn to itself Africans, Coloureds and white democrats.

We received a most inspiring message of support from Mrs Sarojini Naidu who was then heading for a Governorship in India freed of British rule.

We also received a message from the Asian Relations Conference in New Delhi.

When Yusuf Dadoo and Monty Naicker returned from India in May 1947, they were welcomed by the Joint Passive Resistance Council at a reception at the Gandhi Hall in Fox Street, Johannesburg. Nana Sita, Zainab Asvat, Dr AB Xuma and George Carr, President of the Transvaal Teachers' Association who had made common cause with the Congress and served a term of imprisonment in Stanger, and the white democrat EJ Burford of the Council of Asiatic Rights were the speakers. Similar welcomes were accorded in Durban and other centres.

Dr GM Naicker gave a full report of his tour of India at the Resistance Anniversary Meeting held at the Red Square in Durban on June 13, 1947. Dr Dadoo, Dr K Goonam, AI Meer and Manilal Gandhi were the other speakers.

On April 24, 1947, when Dadoo and Naicker were still in India, Jawaharlal Nehru initiated correspondence with General Smuts. The General's reply and Nehru's response of 7 May form an important part of the negotiations conducted by the head of the interim government of India with the Prime Minister of South Africa. This correspondence, which deals with the United Nations resolution of December 8, 1946, was released for publication in the first week of June. *Indian Opinion* of June 6, 1947 published the full text of the correspondence.

Smuts told Nehru "that the High Commissioner for India should return to South Africa to confer with the Union authorities on the questions in issue as the best means of dealing with them and exploring the way to a satisfactory solution." In his reply Nehru pointed out that the High Commissioner had been recalled "as a consequence of deterioration of relations between our two countries" and added that "India has to state with regret that these relations have not only not improved since, but have deteriorated further."

MODERATES SET UP NATAL INDIAN ORGANISATION

General Smuts found it necessary to find moderate Indian leaders in South Africa with whom he could work to preserve the *status quo*.

AI Kajee, on his return from America and Britain, was playing a most cautious role. It was clear that he was shielding behind AS (Nkosana) Kajee and PR Pather for the launch of a moderate body, namely, the Natal Indian Organisation (NIO).

PR had once again rushed in where angels fear to tread and came out with a statement calling for the ending of the Resistance Campaign.

In March 1947, AI Kajee made his rotary speech justifying the formation of an Indian body of "moderates" but it was not until May 4, 1947, that the Natal Indian Organisation came into existence under the presidentship of AS Kajee.

Albert Christopher and SR Naidoo, who attended the "inaugural meeting," strongly opposed the formation of a new body.

AM Moolla issued a statement in April 1947 which was rather difficult to understand with his moderate background but then there was the past history of his differences with AI Kajee, who always wanted to distance himself from Moolla.

Mr Moolla's interview appeared in *The Leader* of April 26, 1947, which wrote, under the heading "Hunt is on for moderates":

> "Because the present leaders of the Congress will not 'bite,' the hunt for the 'moderates' is on, states AM Moolla, a prominent Durban businessman, who has at all times played an effective part behind the scenes in Indian politics.
>
> "Mr Moolla declares 'we must be guarded against this clever technique.'"[22]

THE FARM LABOUR SCANDAL

In 1947, Kathrada and I were residing at 13 Kholvad House. It was a meeting place for the young, including JN Singh and Nelson Mandela. Michael Scott came to stay with us after his break with the church.

It was from 13 Kholvad House that one of the finest investigative undertakings was organised into the African labour conditions at the Bethal farms, where potatoes and other crops brought in huge profits to the farmers. The investigation was carried out by the Reverend Michael Scott. The shocking wages and living conditions were widely publicised in the press. The white farmers challenged Michael Scott, who they held responsible for the bad press they were suffering, to face them in person. There were fears that he would be lynched, but there was no room for fear in Michael Scott's heart when it was filled with justice. He faced the

[22] After opposing the moderates Moolla became the arch moderate. He opposed the "hunt for moderates" but later became the hunted and joined the Organisation in opposition to the NIC. After opposing the South African Indian Council from which he kept away for many years he became the most prominent member of that Council. After helping to draft the resolution opposing the creation of the ethnic Durban-Westville University, he became one of its top benefactors.

farmers and heard out their wrath. *Indian Opinion* said in its editorial of July 4, 1947:

> "Reverend Scott has truly carried out the mission of Christ. He will be fully rewarded by the blessings of the mute, who have been quietly slaving under the lash of the tyrant."

DEATH OF SIR SHAFA'AT

Sir Shafa'at Ahmed Khan, the Minister of Education in the interim government, passed away at Simla on Friday July 18, 1947, after a brief illness. He was 54 years of age.

In his widely published obituary in South Africa, it was recorded that he became High Commissioner of India in South Africa to succeed Sir Benegal Rama Rau.

"Besides being an able statesman, he was a distinguished historian," observed *Indian Opinion* and told us that he was educated at Trinity College, Dublin, and at London University. He was a professor of modern history at Allahabad University before joining the diplomatic service. After his term of office ended he published a book, *Indians in South Africa* (Kitabistan, Allahabad, 1946), consisting of some 577 pages, mostly recording his speeches in South Africa.

Our students had admired his knowledge and he had befriended many of them. I had toured the Eastern and Northern Transvaal with him during the winter of 1944, spending many hours in interesting conversation.

BOYCOTT OF TRANSVAAL INDIAN TRADERS

In the first quarter of 1947 a boycott of Indian traders was launched in the Transvaal by pro-Nationalist whites. *Rand Daily Mail* of April 2 commented editorially: "In principle the boycott of Indian traders, which is spreading in many parts of the country districts (of the Transvaal), is undesirable and dangerous." The Association of Chambers of Commerce of South Africa also condemned the boycott as it did too the economic sanctions imposed by India in 1946. India's trade sanctions hurt white farmers, "we have no jute bags."

But the United Party Member for Parliament, GEJ Henny, issued a statement from Swartruggens that "farmers in the Transvaal are fully justified in their boycott of Indian traders." "It must be remembered," he added, "that the farmers in the

Transvaal were hard hit by the trade embargo placed on the Union by the Indian government since the shortage of jute bags caused them to suffer serious damage."

Henny said that there was no doubt that Indian traders had opposed the Asiatic Land Tenure and Indian Representation Act of 1946 and had "instigated" and given "their full support to the representations made by the local Indian community to the Indian government for assistance."

In some rural areas the United Party supporters and the Nationalists vied with each other to give full support to the call for the boycott of Indian traders.

On April 15 General Smuts told Parliament that the boycott movement "was undoubtedly a direct result of the harm, bitterness and injustice brought about by the trade sanctions imposed on the Union government by India."

And then followed a hint of a round table conference which the Congresses had also been advocating. Smuts told the South African Parliament that "it was a matter which could only be solved through discussion between the two governments."

The Joint Passive Resistance Council of the Natal and Transvaal Indian Congresses responded in the first week of May 1947 and warned that the boycott would fade as it had in the 1920s when a similar boycott had been lodged. It added that “reports from areas in which investigations were carried out... show that... the boycott is not proving very effective."

But the boycott did cause fear among some moderates. Addressing the Rotary Club, AI Kajee advocated the ending of the economic sanctions by India and the return of the Indian High Commissioner. Kajee was strenuously opposed by the Congresses and by India.

The boycott of Indian traders collapsed within a short period of time. It is important to know what really caused it to collapse when those who spoke for the *"*Afrikaner *volk"* were advocating its fullest enforcement.

The Reverend Michael Scott was one of the field workers who tried to find out what was happening in the different country towns of the Transvaal. I was in Johannesburg when he gave his full report to the Congress, a report which caused a measure of amusement. Some of the traders who were not affected at all were claiming to be hit hard by the boycott. Some badly affected did not want their credit worthiness to be placed in jeopardy and hence declared that the boycott was doing them no harm.

A wise old Congressman pointed out at that report-back meeting that so long as Indian traders continued to give long-term credit to the white farmers without

charging any interest and so long as Indian traders remained competitive, they faced no danger from the *"volk."*

He also expressed the opinion that it was easier to deal with the individual Afrikaner farmer than it was to deal with individual Englishmen. Collectively, the English presented a liberal image whereas the individual Afrikaner who got on extremely well with the Indian shopkeeper, behaved differently and acted very "anti-Indian" as the collective "*volk.*"

In Vereeninging, where the boycott was very strong, a leading Indian shop advertised the sale of then unobtainable nylon stockings, offering two pairs to each buyer. There was a queue of boycotters' wives waiting for the shop to open. And some of the boycotters arranged with the shopkeepers to have their requirements delivered after dark when their neighbours were not watching.

Indian Opinion of July 4, 1947, under the heading "Boycott Collapses in Western Transvaal," carried a story of how the boycott had virtually ended in Bloemhof, Lichtenburg and Schweizer-Reneke. It soon became clear that the position in other areas was very similar.

FREEDOM AT MIDNIGHT

India and Pakistan were to become independent dominions of the Commonwealth on August 15, 1947.

When the Congress accepted the partition plan Nehru had said: "For generations we had dreamed and struggled for a free, independent and united India. The proposal to allow certain parts to secede, if they so will, is painful for any of us to contemplate. Nevertheless, I am convinced that our present decision is the right one even from the larger viewpoint..."

And when freedom at midnight came we, and the world, heard those unforgettable words of Jawaharlal:

> "Long ago we made a tryst with destiny, and now the time comes when we shall redeem our pledge, not wholly or in full measure, but very substantially.
>
> "At the stroke of the midnight hour, when the world sleeps, India will awake to life and freedom. A moment comes, which comes but rarely in history, when we step out from the old to the new, when an age ends, and when the soul of a nation, long suppressed, finds utterance.

> "It is fitting that at this solemn moment we take the pledge of dedication to the service of India and her people and to the still larger cause of humanity."

And whilst we admired this beautiful Nehru composition, we noted that our South African lawyer, MK Gandhi, was nowhere in the festivities.

Gandhiji was only too aware of the Hindu-Muslim clashes that had taken place. To the founding father of India, this was not an occasion of joy; it was an occasion for contemplation and for assessing the future.

Indeed, for us in South Africa, too, the partition proposals were painful. Indian South Africans found themselves terribly divided when 15 August arrived. There were three distinct types of functions to mark this important event. There were functions which only welcomed India's independence; there were functions which only welcomed the coming into existence of the new state of Pakistan; and, thirdly, there were functions at which both India and Pakistan were welcomed with a strong plea to the new states to follow a socialist path.

For people like AI Meer, Monty Naicker and Yusuf Dadoo, the August 15 celebrations posed many problems.

In Johannesburg, Yusuf Dadoo attended three separate functions, welcoming a new India, welcoming a new Pakistan and welcoming both India and Pakistan and at all three functions he was given standing ovations.

No matter how divided our people were on what was happening in India, Monty Naicker and Yusuf Dadoo were indeed symbols of our unity. Had they not in India united the League and the Congress to come on the same platform in support of our cause in South Africa? And at the United Nations AI Meer in 1947 was able to relate with the delegations of India and Pakistan; both supported our opposition to racism in South Africa.

Indian Views of August 15, 1947, under the heading "Joyful Greeting to New Dominions," told us that at Albert Park the NIC held a whole day programme of sports, physical culture displays and so on to rejoice jointly for the independence of India and Pakistan. Dr GM Naicker and AI Meer were the chief speakers in the afternoon.

In the Transvaal the TIC celebrations were held at the Lyric Cinema which was packed to capacity and a huge crowd outside heard Congress leaders - Dr Yusuf Dadoo, Moulvi Saloojee, MG Patel, VS Naicker and LF Williams - through loudspeakers.

The focal point of the day's activities were the offices of the Transvaal Indian Congress, where huge crowds gathered to hear Quaid-e-Azam Mahomed Ali

Jinnah, the Governor-General of Pakistan, and Pandit Jawaharlal Nehru, the Prime Minister of India, through loud speakers that relayed the radio broadcasts.

After reporting the enthusiastic welcome given to Dr Dadoo by the Transvaal Muslim League and the Hindu Seva Samaj in different halls, *Indian Views* reported:

> "The culminating point of the day's celebration was a monster procession, the largest gathering of the day, led by Dr Dadoo, TM Naidoo and MG Patel. The procession started from Fordsburg with the flags of India and Pakistan at the head of it.
>
> "Through the streets of Johannesburg, thousands of Indians who participated in this demonstration shouted slogans of solidarity with the two new Dominions and pledged to continue with the resistance struggle."

Indian shops in Durban, Johannesburg and many other cities and towns of South Africa were closed to enable maximum participation in the day's events.

The NIC and TIC worked hard to unite all our people whether they supported India only or Pakistan only or welcomed both new Dominions wishing them peace and prosperity.

CONGRESSES REJECT INFERIOR FRANCHISE

In April 1947, Heaton Nichols, South African High Commissioner in London, told pressmen that by the time the United Nations General Assembly met in September 1947 Indians in South Africa would be exercising the vote under the 1946 Act.

The Natal and Transvaal Indian Congresses in a joint statement spelled out in detail the provisions of the Act and pointed out that the 1946 law was not offering any vote to Indian women at all even on a communal voters' roll, whereas white women enjoyed universal franchise.

Indians were to elect three whites to the House of Assembly of 156 white members and similarly they were to elect two whites to the Senate, thus ensuring that the Central Legislature remained an all-white body.

The voter on the communal Indian voters' roll had to be a male of 21 years or more with at least Standard Six education, ownership of immovable property or an annual income of at least eighty-four pounds.

The Act allowed Indian males with property and educational qualifications to elect two Indians to represent 228,119 Indians in the Natal Provincial Council but this type of representation was denied to the Transvaal's 37,505 Indians in the Transvaal Provincial Council.

The Congress statement declared:

> "We shall never be satisfied with anything less than true democratic rights, which means the granting of the franchise to us on the same basis and with the same qualifications as applied to Europeans."

No one in 1947 - not even the Kajee moderates - was opting for a "communal franchise" with Indians on a separate voters' roll.

Maurice Webb in yet another letter to MI Meer, as the editor of *Indian Views*, asked him to advocate the acceptance of the communal franchise prescribed in the 1946 Ghetto Act.

In the editorial of the *Views* of October 29, 1947, MI published Webb's letter in full and commented:

> "Could we but feel with Mr Webb that acceptance of the present bad franchise by Indians would result in persuading European opinion to concede a better one in due course, we would unhesitatingly advise them to accept it but we do not share that belief. In our view the exact opposite is likely to be the result."

MI argued that "acceptance of the false franchise... would enable Europeans to purchase false relief by passing on a false coin to Indians as their legitimate due..." He concluded:

> "Let us not be misunderstood. We do not preach the doctrine of 'Equality or Nothing.'
>
> "We are ever ready to accept something as better than nothing. But we are averse to parading something that is palpably nothing - as something."

KAJEE DIES TALKING TO MINISTER

AI Kajee spent the greater part of 1947 trying to convince the Smuts government to hold a round table conference with India. But as GH Calpin, Kajee's biographer, observed, he "was not very popular with the government of India at this time." He was "on his way out," and "he was working with demonic energy," although seriously ill.

Kajee found himself at the end of 1947 a sick man with a heart condition, working for a round table conference and saying, "I shall retire from politics and business as soon as a round table conference is arranged."

The NIO was to hold a conference at Durban on January 8, 1948. Minister Harry G. Lawrence, who had led the South African government delegation to the United Nations in 1947, had agreed to open the NIO conference.

A meeting had been arranged between Kajee and Minister Lawrence on January 5, 1948, at the Magistrate's Court at George in the Cape Province. The community was not informed of this meeting and there was much speculation about it later.

To quote from GH Calpin's biography of Kajee:

> "The day came when he (Kajee) met Mr HG Lawrence for an interview at the Magistrate's Court. He had his notes with him. He was talking, exchanging views with this minister to whom he was much attached, when a sharp attack caught him.
>
> "His sight became blurred. He went on talking clumsily for a few moments, trying to regain his composure and to collect his thoughts... and after a minute or two he pushed his notes towards Mr Lawrence and begged him for a glass of water...
>
> "His political life might be said to have begun with a round table conference in 1926. His life was to end with a plea that another round table conference should be held...
>
> "Mahomed Paruk (MEG) was with Kajee at the time and they went out together to the car to be taken over to Dr Mann's rooms. Getting out of the car Kajee's sight became blurred. He leaned heavily upon his friend who helped him into the doctor's house. Reaching there his legs sagged beneath him and he was placed on a settee. Before the doctor had time to apply his stethoscope Kajee was heard to repeat a few prayers in Arabic. As he did so he turned over and died.
>
> "As tenderly as if bearing a General, his friend Mahomed (MEG) Paruk had his body taken to hospital. There it lay until Sol Paruk and others motored from Cape Town..."

I remember when the news of Kajee's death reached Durban on that Monday, January 5, 1948. I was at the *Indian Views* office and MI Meer wrote out his tribute to this 52-year old personality who had commenced his adult life as an employee of Amod Bhayat at a salary of eighteen pounds per year.

AI Kajee's body was flown on Tuesday, January 6, 1948, via Johannesburg, arriving in Durban at 3 p.m. It was taken to the Kajee home in Mansfield Road. The procession left Mansfield Road at about 5 o'clock followed by thousands of mourners. *Indian Opinion* wrote:

> "When the funeral cortege reached the Mosque the crowds were so dense at the Grey Street and Queen Street intersection that the large force of traffic police on duty had difficulty in controlling them.
>
> "After the funeral prayers at the mosque, the coffin was carried through the streets to the Brook Street Cemetery."

The Durban City Council was represented at the funeral by the Mayor, Councillor LL Boyd, and similarly the various authorities were also represented by dignitaries, including officials of the NIC.

Indian Opinion said that Kajee was the youngest son of Bhai *Chacha* and added:

> "He was associated with every public movement affecting Indians in the past 20 years, and he gave evidence before many commissions and select committees. He is survived by his wife, at present on a trip to India, three sons and three daughters."

In his editorial tribute in *Indian Opinion*, Manilal Gandhi said:

> "Had Mr Kajee's intellectual ability, which he had in abundance, been directed in the right channel he would have won the esteem of the masses to a degree very few people have so far done."

In an editorial in *Indian Views* of January 7, 1948, MI Meer paid him a glowing tribute, quoting from *Kunwar* Sir Maharaj Singh, the new Governor of Bombay and former Agent-General, who had said:

> "If AI Kajee had lived in a country where there was no colour bar, he would have secured the highest administrative posts.
>
> "Circumstances deprived him of academic distinctions but industry, wisdom and courage are fortunately not dependent on such distinctions and having these qualities in abundant measure, Mr Kajee at a young age rose to the topmost rung of the Indian ladder in South Africa. I found him equally forceful as a writer and as a speaker..."

Indian Views published a special supplement in its issue of January 14, 1948, with a quotation from the great poet Hali under the photograph of Abdulla Ismail Kajee.

The Natal and Transvaal Indian Congresses regarded him as a powerful opponent whom they had defeated and they joined in paying tribute to him for his many years of service to the Congress.

CROSSING OF THE PROVINCIAL BORDERS

Early in January 1948 the Joint Passive Resistance Council of the Natal and Transvaal Indian Congresses addressed a letter to Prime Minister Smuts informing him that as from January 25, 1948, in a new phase of resistance the provincial barriers would be defied, with the first batch consisting of 15 resisters. They said:

> "We emphatically refuse to believe that a struggle for justice is in vain - we are marching in step with history.
>
> "We take this step inspired by the epic struggle of all peoples fighting for freedom from time immemorial and in no less measure by the great deeds of the Afrikaner people in the war against British imperialism...
>
> "The rights of man cannot be denied to a people for all time and a stage is inevitably reached in their history when they, moved by this awakened sense of duty against the calculated acts of oppression of their rulers, assert their birthright by following the path of suffering and sacrifice and such a time has now come in the history of the Indian and other black people of South Africa."

The letter ended with a plea for the repeal of the 1946 Ghetto Act, the Immigrants Regulations Act of 1913 and "the numerous other legal enactments which impose special disabilities upon members of the South African Indian community." It declared that "as for ourselves, we have dedicated our all to the struggle, in the knowledge that a just cause never fails to triumph."

The second phase of the struggle began on Sunday, January 25, 1948. Led by the popular community leader RA Pillay and R. Mahabeer, the 15 resisters departed from the Gale Street Resistance Plot after a great send-off. And one of the important speeches made on that occasion was by Manilal Gandhi who dealt with the allegation by some that "Congress was led by communists." Manilal said:

> "The method of struggle we have adopted had not been taught us by communists. It had been taught by Mahatma Gandhi. He used the passive resistance weapon with success in South Africa and in India."

Quoting General Smuts that "communism thrives where there is suppression and oppression," Manilal Gandhi told the resisters, "the root of the evil is not communism but oppression. What needed to be eliminated was the cause of suppression and oppression and not communism."

The resisters literally followed in the footsteps of Mahatma Gandhi by entering the Transvaal without permits as Gandhi had done in 1913. They reached Volksrust at midday. I was in the small group with Dr Dadoo waiting at the border to welcome them, but as no arrests took place they proceeded to Fordsburg. I went ahead of them to prepare the ground where they pitched tents at the corner of Lovers Walk and Avenue Road, after a Johannesburg welcome meeting over which I presided.

I remember Gandhiji found time to comment on our new move, perhaps regarding our non-violence as one of his important achievements when he was in such deep gloom about India. He referred to the Pillay-Mahabeer batch at his prayer meeting on January 28, 1948, and it appears that this was to be his last comment on South Africa.

The Mahatma said that "the South African government would ultimately have to arrest the agitators." He referred to the fact India and South Africa were now both equal and independent members of the Commonwealth and added: "The fact that one party is white and the other brown should not be cause of any dispute."

And now the authorities took a surprising step towards the passive resisters.

Instead of arresting the resisters who had crossed into the Transvaal, they arrested Yusuf Dadoo and Monty Naicker for "aiding and abetting" the resisters. On February 26, 1948, both these leaders were found guilty in Durban and sentenced to six months' imprisonment each with hard labour. They began their sentence in Durban but were later transferred to the prison in Pietermaritzburg.

At the time of their sentence it was announced that Dr Goonam would lead her batch on March 13 and that Manilal Gandhi would follow her.

Manilal led a batch of nine passive resisters and crossed the Transvaal border from Natal at Volksrust on Sunday, April 11, 1948. They were entertained on the way at Ladysmith by that great mosque architect *Chacha* Jamaloodeen and Dr AH Sader. They addressed a public meeting and then left by cars for the border. At Volksrust the resisters were welcomed by Nana Sita of the TIC.

This time whilst all members of his batch were arrested, Manilal was not. It was then believed that Manilal had Transvaal domicile rights. But although he issued a written statement of aiding and abetting his fellow resisters, he was still not charged, as Yusuf Dadoo and Monty Naicker had been.

The Passive Resistance Council then requested Manilal to lead a batch from the Transvaal to Natal, making it clear that he was aiding and abetting the seven men and three women who defied the provincial barriers on April 18, 1948.

Indian Opinion of April 23, 1948, gave a detailed account of what happened at the Natal border town of Charlestown. As Manilal Gandhi crossed into Natal with his resisters, he was stopped by a police officer. The officer checked a list containing the names of the resisters, which Mr Gandhi handed him, and warned them to quit the Natal border. They refused to do so and all except Manilal were arrested.

Manilal was asked: "Did you incite these people to commit this offence?" and he replied: "Yes, I take the full responsibility of having aided and abetted these people to do what they have done." Instead of arresting him, the police officer said: "You are free to go into Charlestown, Mr Gandhi."

The ten resisters were taken by van to Newcastle where they appeared in Court on Monday. Each resister was sentenced to three months with hard labour.

Addressing a public meeting of the Transvaal Passive Resistance Council, on April 16, Manilal Gandhi had said:

> "The time has come for less speech and more action. People seem to have gone to sleep while Doctors Dadoo, Naicker and Goonam and other resisters are languishing in prison... All the oppressed people of Africa are watching with keen interest our struggle... Let us therefore wake up and be prepared to suffer the rigours of prison not in our fives and tens but in our hundreds. Let us not betray those who are in prison."

But whilst Manilal Gandhi was making this call, there were others at the leadership level who were realising that passive resistance launched on June 13, 1946, with essentially Indian support could not continue on the same basis.

Since its launching tremendous headway had been made in laying the foundation for working together with the ANC. The Dadoo-Naicker-Xuma Pact of March 1947 had ushered in a new line of thinking in respect of future resistance.

MAHATMA GANDHI ASSASSINATED

On Friday, January 30, at about 3 p.m., whilst Manilal Gandhi was buying fruit at the Indian market, some friends came to him and asked him "whether the rumour about Mahatmaji was true."

What rumour, Manilal asked. "Hesitantly and almost tearfully they said that Mahatmaji was shot."

And let me tell you what happened in Manilal's own words:

> "The scene came to me in a flash. It was 6 p.m. in India, when this announcement was made… Just about prayer time... I rushed immediately to Phoenix where my wife was all alone and in a state of collapse, the shocking news having been conveyed to her over the phone during my absence."

After telephonic messages conveyed to Manilal by *Daily News* and by SAPA, he was kept constantly busy over the phone from all parts of South Africa and abroad. Manilal continued:

> "I was stunned. As I am just recovering and coming to my consciousness, I am beginning to feel a gnawing sense of emptiness in my life which has come so suddenly and unexpectedly."

Manilal's article headed "Our Father" appeared in the *Opinion* of February 6.

On that Friday, January 30, 1948, when the Mahatma was assassinated, the only people implementing his technique of social change, *Satyagraha*, were our passive resisters in South Africa who had five days previously followed the same path that MK Gandhi had followed in 1913 at the very same border between Natal and the Transvaal at Volksrust.

Our message of sympathy was as much directed at ourselves as to the people of India. I remember the huge prayer meeting on Saturday 31 January at the Red Square in Durban, where our Moulana Bashir Siddiqi joined others in offering prayers.

On that Friday shops throughout South Africa were closed by Indian South Africans as a mark of respect to our Gandhi who had died as a Mahatma.

Indian Opinion of Manilal Gandhi and *Indian Views* of MI Meer were both able to get the services of the Mahatma's close associates, LW Ritch and AH West, to write special editorials in these two weeklies, one founded by the Mahatma and the other founded by Cassim Anglia's father to oppose Gandhiji whilst he was still in South Africa.

And in great solemnity we settled down to hear the world pay tribute to him. We heard what a broken Nehru, his successor, had to say and we followed the funeral arrangements as we did the great people's procession in India.

Perhaps more than even India we in South Africa had been left with a great heritage by MK Gandhi who had founded the NIC in 1894 and *Indian Opinion* in 1903. Manilal Gandhi was continuing with the publishing of the *Opinion* and

Gandhiji's most important heritage to us, the NIC, was now even greater than when it was founded.

In 1948 firm foundations had already been laid by Yusuf Dadoo and Monty Naicker for a Congress alliance of all the peoples of South Africa.

At a meeting called by the TIC, thousands of people heard Dr AB Xuma say at the Johannesburg City Hall on Sunday, February 1, 1948, from the same platform as Yusuf Dadoo, that Gandhi was "a man whom the whole world has accepted as an inspiration to those who fight for freedom."

In his death Gandhiji once again united the Hindus and Muslims just as he had done in the days of the *Khilafat* movement of the twenties, the days of Moulana Mahomed Ali and Moulana Shaukat Ali.

Pakistan Times of January 31, 1948, the day after the assassination, paid one of the highest tributes to Gandhiji:

> "Very few indeed have lived in this degenerate century who could lay greater claim to immortality than this true servant of humanity and champion of the downtrodden... the passing away of Gandhiji is as grievous a blow to Pakistan as it is to India..."

The whole of Pakistan observed official mourning and tributes came from the government, the people and the press of that newly founded dominion. Both *Indian Views* and *Indian Opinion* gave very wide coverage to what Pakistan had to say at the great loss India, Pakistan and the world had suffered.

Later in 1948 the Transvaal Passive Resistance Council bought the inspired wooden sculpture "Twentieth Century Martyr," produced when news of the death of Gandhiji reached South Africa, by Afrikaner sculptor-artist, William de Sanders Hendrikz. This work was presented by our people to the Government and people of India, after Pandit Nehru had accepted our offer.

Before Hendrikz's work arrived in India, where it is on public view in New Delhi's gallery, the inspiring sculpture was exhibited countrywide in South Africa.

Explaining his work Hendrikz said:

> "Mahatma Gandhi was to me one of the few remaining forces for good in a chaotic world, where bigotry, injustice and material gains are the driving forces of what we call civilisation.
>
> "The news of his violent end affected me very profoundly."

And Hendrikze added that after a sleepless night (after the assassination) he began his work with "a single-minded purpose to try to express in sculptural form the essential character of this great man" and hence the "Twentieth Century Martyr" came into existence.

William de Sanders Hendrikze was born at Brandfort, which later became famous as the place to which Winnie Mandela was banished, then a place not so well known, in the Orange Free State. He held the post of lecturer in fine arts at the University of Witwatersrand, where he studied architecture and fine arts and obtained the MA degree. He went to London to study sculpture and spent a further year in Europe. He was also for a year (1945) in New York. On his return he resigned from Wits and was in 1948 devoting all his time to sculpture. He held three one-man exhibitions of his work.

It was indeed fitting that this tribute to Gandhi should have come from an Afrikaner in South Africa.

NIC RALLIES COMMUNITY TO DEAL WITH EDUCATIONAL CRISIS

Both in Natal and in the Transvaal the Congresses played a very vital role in educational matters in the year 1947 with JN Singh and I specialising in this field. An NIC deputation led by Dr Naicker met the Minister of Education, JH Hofmeyer. It opposed the segregated university for non-whites proposed by EG Malherbe and protested the expropriation of Indian houses.

The NIC memoranda on education and on housing were well thought out and worded with care.

The Education Department of the NIC received the praise of the entire community for the manner in which it handled the education crisis in 1948.

Indian Opinion in its editorial of January 23, 1948, summed up the educational crisis when it said that "when the schools reopen at the end of January, twenty-five thousand to thirty thousand Indian children of school going age will have no educational facilities." That was the position in the primary schools - the vast majority of which were community-built in 1948, with State schools accommodating only a very small number of Indian children.

"In regard to secondary schools" the *Opinion* continued, "Sastri College cannot admit a single new student and last year refused admission to 250 students. "This year 952 Standard Six continuation passes have been granted. Thus over one thousand children will have no facilities for secondary education."

The year 1947 was the first year when Sastri College - the only boys' high school catering for Indians in the whole of South Africa, or rather southern Africa for students came to Sastri from the then Rhodesia and Basutoland also - proved too small for the needs of the community.

And it was the NIC which rallied to the community's call for more high schools. NIC wrote to the Administrator of Natal in January 1948 about the educational crisis but was rebuffed: he refused to meet a Congress deputation. The authorities argued that educationally Indians in Natal were better off than the Indians in India.

I remember the very full discussions in the executive committee of the NIC on education, which received as much attention as the passive resistance itself. A number of detailed recommendations from JN Singh's sub-committee on education were accepted by the executive and their implementation followed. Even the figures quoted in *Indian Opinion* of 23 January were checked and correct figures eventually released to the public.

Dr Naicker's NIC decided to make Indian grievances on education known as widely as possible and to work towards a united front in the community to bring maximum pressure on the Natal Education Department.

It was agreed that in order to achieve this objective Congress should work even with the Natal Indian Organisation whose leading figure, after the death of AI Kajee, was PR Pather. This eventually led to the formation of an *ad hoc* body with PR Pather as its chairman, with JN Singh and I serving on it from the NIC with members of the Natal Indian Teachers' Society.

The NIC organised a demonstration to focus on the school shortage. Let me quote from the *Opinion* which said:

> "About eight hundred Indians organised by the Natal Indian Congress staged a demonstration march through Durban on Wednesday afternoon as a protest against the shortage of educational facilities for Indians.
>
> "The demonstrators, who consisted chiefly of students and children, assembled at Sastri College. They marched via Warwick Avenue, Victoria Street, Albert Street, Leopold Street and Soldiers Way to Cartwright Flats carrying banners bearing the slogans: 'Seventy-five percent of Indians are illiterate' 'Over thirty thousand children are school-less.' Demonstrators shouted: 'We want more schools.'"

The procession, which was preceded by the Chief Constable, R. Johnston, and escorted by members of the City Police, was perfectly orderly. The Mayor of Durban, LL Boyd, had previously approved the route.

The meeting held at Cartwright Flats deplored the lack of educational facilities for about 30,000 Indian school children and the "apparent indifference" of the Natal Provincial Administration to the crisis.

It authorised the NIC, with a deputation to be appointed "by a burgesses' meeting," to see the Administrator and ask for both long-range planning and immediate temporary measures to meet the situation." (In terms of the Durban by-laws, the Mayor is obliged to call a "burgesses' meeting" if a request is made by a required number of people.)

People assembled at Cartwright Flats in their thousands heard that 280 students had written entrance examination at Sastri and only 60 had gained admission and that in 1947 Sastri had refused admission to 180 students. And to emphasise the disparity in education it was said: "Four months ago there were 38,868 Indian students accommodated in 165 community-built aided and private schools in Natal but the Province had 401 state schools for approximately 40,000 white children."

The burgesses' meeting took place on February 9, 1948, at the Kathiawad Hall in Lorne Street, presided over by RM Thomas, the Deputy Mayor, at which the main resolution was moved by Dr Mabel Palmer and seconded by JN Singh. The meeting elected a deputation to meet the Administrator. Speakers at this gathering, which was one of the most representative, included BD Lalla, president of NITS, H Natrass of ML Sultan Technikon, S Cooppan, V Sirkari Naidoo and AI Meer.

It was at this meeting that our people heard that the Congress High School would open on Monday, February 16, 1948.

Thus, the NIC was playing a vital role for the education of our people.

Among the many prominent speakers at the burgesses' meeting was the dignified, quiet and impressive Sirkari Naidoo, who in his person epitomised the educational achievement of the poorest of the poor through a programme of self-help.

Sirkari, whilst criticising the lack of high schools in the community, was indeed proud of the fact that Sastri was now overcrowded and that the small beginning at the technical education classes too had resulted in a tremendous response from our workers, clamouring to improve their education, in classes held after the normal working day.

Sirkari had excelled among the teachers and had become the president of the Natal Indian Teachers' Society. He had held that post when the first teachers' trade union - the NTU - was formed, with S Panday as its president and myself as its secretary.

In 1948 he was on the staff of the Natal University College in the Department of Economics under Professor HR Burrows. He had again scored another "first" when he was appointed as a lecturer and researcher at NUC.

Sirkari Naidoo and ML Sultan had become great friends. They travelled in the same train to Durban each day. It is said that Sultan learnt a great deal from Sirkari about the importance of technical education for our community. When Sultan made his magnificent donation which saw the birth of what is now the ML Sultan Technikon, the person happiest at Sultan's generosity was without doubt our Sirkari Naidoo.

VERULAM HIGH SCHOOL

Before the Congress High School came into existence, the only centres for secondary education for Indians in Durban were Sastri College and the Girls' High School. Woodlands in Pietermaritzburg was the next to have secondary classes and then followed Dundee.

Whilst the Education Committee at the NIC headquarters was running the Congress High School the Verulam and District Indian School Board had come into being. NIC branch members such as DV Moodley and Ajam Naby were rallying the entire community in support of its proposed community-built high school.

The community was indeed proud of the Verulam venture. Whilst Sastri College had cost the community twelve thousand pounds in 1929, the estimated cost of the Verulam High School to be built in 1948-1949 was twenty-five thousand pounds.

And when the Verulam school was eventually opened, many students daily travelled from Durban to the new community-built high school.

DEPORTATIONS OF INDIANS

Instead of extending human rights to Asians in South Africa, the Government of Smuts and Hofmeyr was in fact harassing Indians on many fronts.

Indian waiters in the Cape became the targets of the United Party Government which wanted them to be deported from the Cape under the Immigrants Regulations Act of 1913.

As early as June 1946, an Anti-Deportation Committee was formed in Cape Town. It presented a petition to Senator Clarkson, the Minister of the Interior,

objecting to the operation of the provincial barriers which denied Indians of one province the right even to be employed in another province.

The provincial barriers were, in fact, harsher than the pass laws and Indians continued to be deported, mostly from the Cape and the Transvaal to Natal, although some of those deported had worked for six years or more in the province of their employment.

It was under the Immigrants Regulations Act that Cassim Amra's stay in Cape Town was brought to an end, just as in 1948 I was compelled to leave Johannesburg.

V SIRKARI NAIDOO

We lost Sirkari Naidoo on April 1, 1948. He died at the Grey's Hospital in Pietermaritzburg, after sustaining injuries in a motor collision. He was travelling in the NUC station wagon which overturned near Camperdown.

All the Indian weeklies paid glowing tributes to Sirkari Naidoo, who had brought honour to the whole community. *Indian Views* said that he was a self-made man, who had reached his brilliant scholastic career by strenuous self-help with hardly any means."

Sirkari Naidoo had delivered a series of lectures at Rhodes and he had before his death completed his contribution to an authoritative book on South Africa published by the Institute of International Affairs in London.

"In the tragic death of V Sirkari Naidoo, we of the Natal University College, and indeed, the whole of the social research in South Africa, have suffered a grievous loss," said Prof. Burrows.

Sirkari had taught at Sastri and lectured in accounting, commerce and mercantile law at the Tech. He held two South African degrees, a diploma in commerce and a teacher's certificate.

He had served on the executive of the South African Institute of Race Relations (SAIRR) and on the Council of the ML Sultan Technical College. His lectures to the Rotary in Durban and at the Rhodes Summer School were very well received.

His informative articles in the *South African Journal of Economics* and in the SAIRR publications were of very high standard.

More than two thousand people attended the funeral on April 2, 1948. Tributes at the cremation were paid by Professor HR Burrows, BM Narbeth, Maurice Webb, Selby Ngcobo, Ashwin Choudhree and Advocate Albert Christopher.

Indeed, the community and the whole of South Africa had lost an outstanding person who had so much more to contribute, particularly in the field of research.

"LET US KICK INDIANS OUT," A CANDIDATE CALLS IN 1948 ELECTION CAMPAIGN

During the election campaign in 1948 all political parties had in some measure or other raised racist issues to attract the white voters who had for years been indoctrinated on colour issues.

But I don't think anyone equalled the late AI Kajee's one time friend, SM Pattersen, when it came to anti-Indian pronouncements. Pattersen, who at one time claimed to be a "Marxist," was standing as an Independent Labour candidate for Umbilo.

Addressing a meeting of about sixty persons in the Umbilo constituency a week before the elections in May 1948 Pattersen said: "The only way to stop the Indians' impertinent defiance of the Asiatic Land Tenure and Indian Representation Act is to deport all of them." Attacking the Smuts Government's policy as being not strong enough on the Indians, Pattersen added: "Personally, I would like to solve the problem by shooting them, but a man cannot lay himself open to a charge of murder."

The reason why he was in favour of deporting every Indian, Pattersen elaborated, was firstly because "at least seventy-five percent of them are illegal immigrants." Second, "they are a danger to the European race of the country." He added that South Africa had enough gold to pay for the repatriation of all the Indians, even if it cost one hundred and fifty million pounds.

He ended his speech with these words:

> "Let us kick the Indians out of the country in the same way as they are kicking the Britishers out of India. They have no claim or title to this land. That is for our children."

Thus spoke an English-speaking Natalian in a constituency which was traditionally labour and which had as its representative in Parliament and in the Provincial Council the popular Alex Wanless and Sydney Smit, both of whom were totally opposed to racism.

NIC'S CONGRATULATIONS ON NATIONALIST VICTORY

The second Provincial Conference of the NIC, since the militants took over, took place in Durban at the Pine Street Madressa on May 29, 30 and 31, 1948, whilst Dr GM Naicker, Dr YM Dadoo, Dr K Goonam and others were in prison serving sentences of hard labour for defying the provincial barriers.

The leadership of the NIC could have postponed the holding of the Conference until the release of the leaders scheduled for mid-July but this was not even considered.

A few days before the Conference, when Dr DF Malan's Nationalist Party won the all-white elections, the NIC sent him a congratulatory telegram signed by Dr BT Chetty, acting president, and AI Meer, general secretary. The telegram, which became controversial, read:

> "The Natal Indian Congress, on behalf of Natal Indians, congratulates you as leader of the Nationalist Party which emerged as the largest party in elections and which will form the new government of the Union.
>
> "The Indians are confident that you and your victorious party will make every effort to alleviate the grievances of the Indian minority in the Union amicably and in consonance with their position as Union nationals in a democratic state...
>
> "Congress is not unmindful that your party, under the leadership of the late General Hertzog was responsible for the first definite and concrete steps to overcome the disabilities of Union Indians by holding the first Round Table Conference with India.
>
> "Congress hopes that the future policy of the new Government and your party will be guided in the best interests of the whole of South Africa and its inhabitants, including the Indian minority population."

This over-zealous action was strongly condemned by the Transvaal and by the rank and file members of the NIC. The collective leadership of NIC had to admit that a major blunder had been committed.

But the pertinent question was how the NIC had committed such an error, congratulating a party planning for apartheid and "repatriation" of all Indian South Africans.

Delegates were given the fullest opportunity to voice their opinions.

One of the explanations offered for this political blunder was that it was Smuts who had imposed the Ghetto Act on our people, and there was a tendency to regard the "enemy of our enemy as our friend."

The fact that no one had expected Dr Malan to win - not even Dr Malan himself - had resulted in very little in-depth discussions on the consequences to our people of a victory of forces which were to the right of General Smuts and, indeed, more reactionary than the United Party.

The serious political error of sending that telegram was utilised by the collective leadership of the NIC to demonstrate its inner democratic strength. The "mighty" came in for attacks from the members and it humbled everyone to see how the "mighty" made ready admissions of their mistake. This exercise in criticism and self-criticism helped to strengthen the Congress which had already proved its mass support and its real strength derived from the people.

The Conference pledged its whole-hearted support to the People's Charter adopted by the First Transvaal-Orange Free State People's Assembly for "Votes for all" and it noted with satisfaction the decision of that conference to "convene a national assembly jointly by the national executives of the South African Indian Congress, African National Congress and the APO." This resolution, and indeed the People's Charter, were steps of great importance, coming as they did before the formation of the Congress alliance.

SUSPENSION OF PASSIVE RESISTANCE

On June 2, 1948, after Dr DF Malan became the Prime Minister of South Africa, the Joint Passive Resistance Council of the Natal and Transvaal Indian Congresses suspended its militant resistance against the Ghetto Act.

The full text of the Joint Council's statement appeared in all the Indian weeklies and it was subjected to much criticism from many quarters then and in subsequent years.

The suspension came after the Congresses had asked for an interview with the Malan Government and bearing that in mind, let me quote from the lengthy suspension statement:

> "Believing in the code of passive resistance - *Satyagraha* - the Joint Council feels that it is its solemn duty to give a clear lead and guidance to the Indian people in the present changed political situation.
>
> "It is of the opinion that the Indian people should receive a clear pronouncement from the new Government headed by Dr DF Malan, on its

> policy towards the Indian people, and in order to do so it considers it necessary that a delegation from the Natal and Transvaal Indian Congresses should have an interview with the new Government forthwith for the purpose of discussing ways and means to solve the existing deadlock...
>
> "The Joint Council, following the tenets of *Satyagraha*, as enunciated by the late Mahatma Gandhi, considers it necessary that the discussion with the new Government should be held in an atmosphere removed from any strained conditions and without prejudice and that to achieve this, the Joint Council, after giving the matter its most weighty and solemn consideration, has decided to suspend the passive resistance campaign pending the interview."

Over two thousand men and women had served imprisonment with hard labour during the campaign which lasted almost two years.

When August 1948 arrived, we had still not heard the last word on our passive resistance campaign. MP Naicker, the NIC organiser, SV Reddy and AD Naidoo (Green), recruiting officer and clerk respectively, were charged for aiding and abetting resisters to defy the provincial barriers and they appeared in Court at Durban during early August 1948.

I remember this, the last passive resistance case of the campaign. Ashwin Choudree succeeded in persuading the Congress that he should appear for the defence. MP Naicker was found guilty and sentenced to four months' imprisonment with hard labour.

Ashwin tendered a plea of not guilty in respect of AD Naidoo (Green) and a plea of guilty in respect of SV Reddy. Despite these pleas, the magistrate, much to Ashwin's surprise, found just the opposite. Reddy who had pleaded guilty was found not guilty and discharged, whilst the office clerk, Green, who had pleaded not guilty, was given four months' imprisonment with hard labour. Every subpoenaed witness said that Green was actually in charge and not "SV."

Meanwhile, in June, in his capacity as the new Minister of the Interior, Dr TE Donges announced that the Nationalist Government would abolish the communal representation part of the Ghetto Act, and further added that his government had not "yet given any attention to the Indian question."

No tears were lost over the announcement to repeal the provision for communal franchise which had been totally rejected both by the conservatives and the radicals in the Indian community.

UNITED DEMOCRATIC FRONT MOOTED AT END OF PASSIVE RESISTANCE

Dr Dadoo, Dr Naicker, Dr Goonam, RA Pillay and members of their batches were released from prison on Saturday, July 10, 1948. They were welcomed by huge mass meetings, at Durban, Pietermaritzburg and Johannesburg.

In Durban, Dr Naicker, in a speech endorsing suspension of the campaign, called for a "United Democratic Front." He stressed that the Council had acted as it did because of changed conditions.

> "Our struggle has raised the (sham) democratic curtain from the South African stage and exposed to the world happenings behind it...
>
> "We have kindled the spirit of liberty in the hearts of all freedom-loving peoples; unshackled the bonds of courageous groups of whites and have appealed to the civilised world.
>
> "Having advanced so far and having won the sympathy of true democrats, and other non-European peoples, it is our duty now to form a united democratic front, which will not only safeguard the rights of the oppressed peoples, but will also challenge the threats issued against our people."

Yusuf Dadoo, K Goonam and RA Pillay spoke in similar vein. The enthusiastic gathering heard speeches which inspired them as also the messages of welcome, particularly from Mrs Sarojini Naidu, the first woman Governor in the British Commonwealth, and from Sir *Kunwar* Maharaj Singh, Governor of Bombay.

The *Kunwar* in his brief message asked the Congresses to accept his best wishes "for your righteous cause in South Africa"; whilst Sarojini Naidu, Governor of the United Provinces, lengthily dealt with her continued support for our struggle. "Remember you can never fail, though victory may be long in coming," she said.

These words were in sharp contrast to those of AD Lazarus who, in addressing the Institute of Race Relations, had said that the passive resistance struggle of 1946 was a failure. His comments came in for much criticism in circles within and without the Congress.

The NIC was educating the whole of South Africa in 1948. South Africa was very much in need of the broad education for democracy at a time when both the churches and universities remained chained to racism.

NATS REJECT CONGRESS "HAND OF FRIENDSHIP"

With passive resistance suspended the Natal and Transvaal Indian Congresses requested an interview with the Nationalists.

The Government's reply to the Congresses came from Dr TE Donges, Malan's Minister of the Interior, who in his letter dated July 2, 1948, made it abundantly clear that the Government was not prepared to meet the NIC and the TIC. "I am at all times prepared to discuss with Indians in South Africa in a friendly and co-operative spirit, any matter affecting the interests of Indians here," said Dr Donges, who added:

> "But I am not prepared to extend this facility to any organisation of Indians who sponsors or associates itself with any organised flouting of the laws of the country. I also exclude organisations which are Communistic in their orientation or leadership or which, while claiming to be composed of Union citizens, invoke the political aid of another country…
>
> "At the moment, the Natal and the Transvaal Indian Congresses do not fall within the ambit of organisations with which I am prepared to discuss, indeed with which I could usefully discuss, matters affecting the Indian population in the proper spirit."

Dr Donges noted that the Congresses "had temporarily suspended organised law-breaking" and added:

> "While not prepared to judge the motives or reasons for this step, I can only hope that it will be followed within the near future by the permanent abrogation of organised law-breaking, and the repudiation of foreign ideological conceptions which are inimical to racial peace in South Africa."

He concluded his letter with these words:

> "If my hopes are realised, the way will be paved for the desired interview on a mutually convenient date. Until then, other Indian organisations, which satisfy the tests I have enunciated... will have to serve as the channel through which the Indian population of South Africa may approach the Government for a discussion of any matter affecting its interests."

After many long years of recognition, the Congresses were now rejected by the government of South Africa, notwithstanding the suspension of passive resistance.

The full text of the Congress reply under the joint signatures of Debi Singh and Yusuf Cachalia appears in *The Leader* of August 7, 1948.

Now the Nationalists were set to use the moderates.

The existence of the Natal Indian Organisation facilitated the rejection of the Congresses by the Government of Dr Malan. In his letter to the NIO dated July 23, 1948, Dr Donges said that he was prepared to meet a deputation of that body because the NIO was "neither communistic in their orientation or leadership" and because it did not flout the laws of the country or appeal to outside countries for political aid.

The NIO, too, was embarrassed by this attitude of the government to "outside countries" but the temptation of being considered on a South Africa-wide basis was too great for the moderates. The NIO's intention of sending a deputation to India was shelved.

CHARI, INDIAN DIPLOMAT, ARRIVES

Rajagopala Thiruvenkata Chari, diplomat of the new India, arrived in South Africa and took over the post of secretary of the High Commission of India on August 5, 1948, replacing JW Meldrum, the only member of the office of India's High Commissioner who was still in South Africa after the recall of High Commissioner RM Deshmukh.

We learnt that he had studied at Madras and then proceeded to Cambridge where he obtained his degree before joining the Indian Civil Service. He had been for five years a magistrate in Madras before he joined the diplomatic service and was serving in Ceylon before his appointment to South Africa.

He came to South Africa after a very full brief from New Delhi and presented to us the new spirit of an independent Free India with Nehru at its head. Chari, and Malhhautra who later joined the mission, were the two Indian diplomats who worked most closely with the Congresses.

MODERATES FORM SAIO; RADICALS GAIN CONTROL OF SAIC

On September 11, 1948, the South African Indian Organisation was born in Durban with SR Naidoo as its president, AM Moolla and PR Pather as secretaries, and SP Paruk and MR Parekh as its treasurers. AM Moolla, who had opposed the formation of the NIO or a moderate organisation, was now available to the NIO.

The SAIC had not yet come under the control of the radicals. Following a decision by the Appellate Division against Councillor Ismail, the radicals called the SAIC Conference in Durban on September 18-19, 1948. At this Conference, a week after the SAIO was formed, Dr GM Naicker was elected SAIC president, with JN Singh and AI Meer as secretaries, and Dr AH Sader and George Singh as treasurers.

The moderates did not attend the SAIC Conference and the Cape Indian Congress joined the SAIO.

Thus by September 19, 1948, there was organisationally a clear dividing line between the moderates and the radicals, between the Organisation and the Congress.

MEETINGS IN MEMORY OF JINNAH – SEPTEMBER 11, 1948

On Saturday, September 11, 1948, Mahomed Ali Jinnah, Governor General of Pakistan, passed away.

At a memorial meeting held at the Avalon Cinema the NIO paid tribute to Mr Jinnah, whilst the NIC held its huge condolence meeting at the Red Square where prayers were offered by our Moulana Basheer Siddiqui, Reverend AJ Choonoo and Pandit BJ Maharaj.

CRACK OF THE *SJAMBOK*: REFUSAL OF PASSPORTS TO ATTEND UN GENERAL ASSEMBLY

On the very day the SAIO was formed the Government imposed travel bans on Yusuf Dadoo and Monty Naicker who were about to leave for Paris where the UN General Assembly was meeting. In fact, Dr Dadoo was taken off the plane which he had boarded without a passport. His luggage was removed from the plane, which caused a delay of thirty-five minutes to its departure.

The Leader of September 11, 1948, on the front page, addressed an open letter to all delegates to the United Nations General Assembly which was to meet soon in Paris. It stated that the blacks - Africans, Coloureds and Indians - "fear the '*sjambok'...* with the Nazi jackboot getting into stride in South Africa." In its subsequent issues *The Leader* continued to comment on vital matters under the heading, "The Crack of the *Sjambok.*"

"The Crack of the *Sjambok*" became a very popular front page comment in *The Leader* each week in 1948. Credit for those writings should go to Ranji Nowbath.

In its issue of September 18, 1948, *The Leader* said:

> "The '*sjambok'* cracked viciously last week. Dr YM Dadoo was taken off the plane in which he was leaving for Paris. On the next day Dr GM Naicker was refused his passport... We warned last week that the non-European people were entering a period of darkness. Our warning came none too soon. In a statement the Minister of the Interior has declared that these two individuals were prevented from leaving the country because they were 'Communist agitators.' Hitler too set out on the same principle and it was not long before the whole world was in flames.
>
> "Today it is Dr Dadoo and Dr Naicker. Tomorrow who?... The refusal of the Government to let Dr Dadoo and Dr Naicker venture abroad should be sufficient evidence for the nations of the world to realise that something is rotten in South Africa. If not, then the State would not have been afraid to let them go."

And it was the Malan Government itself which answered *The Leader's* question: "Who next?" On October 21, 1948, the South African Indian Organisation applied for passports and the very next day passports were also refused to the SAIO.

The Leader of October 30, 1948, had as its front page story the refusal of the passports to the SAIO delegation chosen to proceed to the Paris session of the United Nations General Assembly. The delegation consisted of PR Pather (Natal), AI Minty (Transvaal) and Ahmed Ismail (Cape).

"Moderates Get a 'Rude Shock': Not Allowed to Go to UN," screamed *The Leader* headline with a front page comment under its weekly column, "The Crack of the *Sjambok*."

> "The *Sjambok* has cracked yet again and has made no distinction between 'moderates' and 'moderation' and 'extremism' and 'extremists.'
>
> "It is time that non-Europeans... realised that the present government of the country, fired through with fascism, naked and unashamed, is in no temper to talk or to negotiate with them."

PR Pather in his statement trying to be even more moderate than he had previously been to the Nationalists said that the purpose of the SAIO delegation to Paris "was not to aggravate the dispute... but to resolve the deadlock existing between South Africa, Pakistan and India."

And whilst PR was making this statement, Eric Louw, Malan's Foreign Minister, was telling London that "Indians in Natal are a prosperous and contended community" and that: "I doubt if five percent of them are interested in the complaint which has been lodged at UN."

Meanwhile, Yusuf Dadoo had taken the Minister to court for the action taken against him. He left South Africa without a passport on October 5, 1948, by Mercury Airways. It was then not illegal to do so. Dr Dadoo's case against the authorities on the passport issue led to new legislation being enacted against such departures.

RADICALS AND MODERATES CONDEMN APARTHEID

The eighteenth session of the SAIC was opened by the Reverend Michael Scott at the Gandhi Library in Durban on Friday, September 17, 1948. It continued on the following Saturday and Sunday at the Anjuman Islam Hall in Pine Street.

Dr GM Naicker, in his keynote address, said that "Nazism, defeated on the battlefields of Europe and Asia, is rearing its ugly head in South Africa." The Nationalist Party had already indicated how it was going to deal with Indian South Africans. The African was to be deprived of his limited political rights and meagre social benefits whilst the Coloured was to be deprived of his franchise. "The drift towards fascism must be halted," continued Dr Naicker, and declared:

> "The resistance of the various groups must be co-ordinated so as to give maximum assistance to their common struggle for the attainment of a true democracy in South Africa."

He called for a total and unqualified rejection of apartheid and reiterated the need for a united democratic front.

On September 11, 1948, a few days before the SAIC met in Conference, the newly elected president of the SAIO, SR Naidoo too had condemned the Nationalist Party's policy of separation. "I make bold to say that no Indian will submit to this policy of apartheid," he had declared after categorising apartheid as the "worst form of oppression."

At least in their pronouncements, both the SAIC and the SAIO were totally rejecting apartheid and both were supporting the calling of a round table conference. The community as a whole was totally against apartheid as it was in rejecting the communal representation under the Ghetto Act.

The major difference was that the SAIC, with its experience in the passive resistance struggle of 1946-48, was now calling for a united resistance on the part of all the oppressed and the white democrats.

I remember the speech made by General Smuts in Pietermaritzburg on November 9, 1948, when he spelt out what his purpose was in granting Indians access to Parliament, through white MPs, in the 1946 Act. Because Indian land rights had been taken away, he said, he thought that they should be given parliamentary representation "on the same basis as the natives."

> "The Indians, however, did not play. They did not accept those political rights. They stupidly refused the rights we were extending to them."

Referring to the Nationalist announcement on repeal of the franchise provisions of the 1946 Act, Smuts said:

> "The Government has taken away the rights... Now they are going to be taken away from the natives. The Indians adopted an impossible attitude over parliamentary representation."

Smuts was rightly not blaming only a section of the Indian community but the entire community for rejecting the communal franchise. And with his eyes on the forthcoming UN debate, he said:

> "We are a little European community in a vast continent. Alongside us is the whole continent of Asia. Don't let us expose ourselves unnecessarily."

Indeed General Smuts had already learnt from his personal experience that the "whole continent of Asia," with its new awakening and with people like Jawaharlal Nehru and his sister Vijayalakshmi Pandit, could expose to the world the evils of segregation and apartheid.

MICHAEL SCOTT STOPPED FROM LEAVING FOR UN SESSION IN PARIS

On November 6, 1948, the Reverend Michael Scott was at the Johannesburg airport, leaving for London as his first stop *en route* to the Paris session of the United Nations General Assembly.

He was the "ambassador" of the Herero people of Namibia who wanted their case to be fully heard at the United Nations where India was championing their cause. Before he could board his plane an immigration officer intercepted him and asked him to surrender his passport, which he refused to do. However, he had no choice but to cancel his passage.

The Reverend Scott, I believe, was the first white person in South Africa, whose passport was interfered with. His statement on this occasion received wide

publicity in South Africa and abroad. In London Dr Yusuf Dadoo made a statement on this issue.

In "The Crack of the *Sjambok*", *The Leader* on the front page of its issue of November 13, 1948, said:

> "The *sjambok* has cracked again with sickening viciousness. This time on the broad back of a man whose sympathy towards the under-dog... the Reverend Michael Scott played an interesting part in the struggle of the Indian people when they launched passive resistance; he has fought for the rights of the shanty-dwellers of Johannesburg and for the rights of the native peoples of South-West Africa..."

HATE IN THE HEARTS OF THE COLOURED PEOPLE

The Nationalist Party's rule was making the moderates among blacks realise that their days of governmental favours were over. At the same time churches and white liberals, who had virtually remained silent under JC Smuts and JH Hofmeyr, were now becoming protectors of human rights in South Africa.

With "whites' rights" under threat from the Nationalists, white liberals began to speak the language which had been previously used by people like the Reverend Scott.

JG Golding, Smuts' collaborator and chairman of the Coloured Advisory Council, declared in Cape Town that the "Coloured people are deeply perplexed at the attitude of the government" in passing the second reading of the Electoral Laws Amendment Bill and added:

> "We go forward with hate in our hearts...
>
> "It would appear the Government regards the Coloured peoples as chattels not worthy of the rights of citizenship and who must be eliminated from the parliamentary voters' roll...
>
> "The Nationalists, who have insulted us, have chased out of our hearts all feelings of goodwill and love towards our fellow Afrikaners."

The CAC, which was under heavy attack from all quarters in South Africa, was making a last minute stand and, pathetically, Golding said that they had no alternative but to infer that the government did not require the services of the Coloured Advisory Council.

The opposition to the CAC in the Cape had helped to unite supporters of the Congresses and the Unity Movement. And just at the time when Golding was

making his pathetic pronouncement in the CAC, there was a united opposition to the newly introduced apartheid in Cape trains.

In the same issue of *The Leader* which reproduced Golding's speech, there appeared a news item that 14 leaders were charged for organising resistance to train apartheid and appeared before AV Bird, in the Cape Town Magistrate's Court.

Among the accused were HA Naidoo, Cissie Gool, Moses Kotane, Sam Kahn, Dr Goolam Gool, BM Kies, Z Gamiet, James La Guma and Fred Carneson. The accused were represented by Advocate Harry Snitcher and the case was remanded to a further date.

NATIONALISTS AFFIRM ANTI-INDIAN POLICY

Dr TE Donges met the South African Indian Organisation's delegation in Pretoria on November 26, 1948. This was the first Indian delegation to be received by the Nationalists since assuming power in May. It consisted of SR Naidoo, PR Pather, AM Moolla, AS Kajee, MAH Moosa, Mohallal Parekh and EI Haffejee.

I remember the great public interest in this meeting when the Nationalists were still flexing their muscles and talking of expatriating Indian South Africans.

It must have been a new experience for even SR Naidoo who had served on the Colonisation Commission and who with his late colleagues, AI Kajee and MS Nana, was held in high esteem by General Smuts and members of his United Party Cabinet.

The Leader covered this historic meeting with Dr Donges in the front pages of its issues of November 20 and 27, 1948. "Indians Not Indigenous" said *The Leader* headline, quoting the "brutally frank" Dr Donges. The seven-man delegation was told by the new Minister of the Interior that Indians were the only group who were not indigenous to South Africa and therefore, they would by repatriation be reduced to the "irreducible minimum."

Dr Donges also told the delegation that feelings against Indians in South Africa were due to the UN debates, Dr Dadoo's utterances which he said were irresponsible, and the illegal entrants to South Africa from India. And in order to get the SAIO to oppose what Dr Dadoo had said, Dr Donges observed:

> "I know you will say that we are not responsible, but I have seen no repudiation of them (Dadoo's statements) by your organisation. Your position would be stronger if you had done so."

In an interview with *The Leader*, SR Naidoo said that the outcome of the SAIO representations was most disappointing and added:

> "There is no doubt that the Nationalist government has decided to make use of the Indian question to exploit the present political situation to its fullest extent."

It was this first interview with the Nationalists which was responsible for both AM Moolla and PR Pather refusing to join the South African Indian Council when it was subsequently formed, but true to "moderate traditions" they eventually succumbed and collaborated.

The SAIO memorandum to Dr Donges and the letter first sent to him under the signatures of PR Pather and AM Moolla are, however, important historical documents.

In the memorandum the SAIO had made it clear that repatriation, as a solution to the Indian problem, was not practicable and it had also categorically declared that "apartheid is an affront to our national honour and it stigmatises the Indian people as inferior race." After stating that apartheid will "entail untold misery" to whites and blacks who were interdependent economically, the memorandum added:

> "Apartheid cannot by any means bring about harmony among the many races which constitute the population of South Africa, for it is racial discrimination in its worst form."

The SAIO had addressed a letter to Dr Malan himself drawing his attention to the anti-Indian utterances made by his Cabinet Ministers, and had asked for his intervention to "bring about a cessation of this war of nerves." I remember the numerous quotations that were brought to the attention of Dr Malan. Among them were the following:

CR Swart, speaking at the Free State Congress of the Nationalist Party:

> "The government was well aware of the Indian problem and its policy was to regard them as an undesirable and foreign element to be kept under the thumb."

PO Sauer, addressing a meeting in Natal:

> "Your biggest problem is the Indian question - a subject very near to our hearts. We want to make South Africa a white man's country and we, as a government, want to help you in Natal. The government will not allow one part of the Union to become dominated by an eastern philosophy."

Dr E. Jansen:

> "Africa is considered the sphere for the expansion of Indian colonisation and that is what we and what the European races throughout the world have to realise."

And to crown it all Ben Schoeman, another Cabinet Minister, had this to say:

> "You may call it *herrenvolk* mentality, if you like, but if having a *herrenvolk* mentality means that we are preserving European supremacy, then we are prepared to accept the stigma of that name."

Indeed that was being forthright.

The SAIO respectfully urged Dr Malan, Prime Minister of South Africa, "out of Christian sympathy" to request his Ministers "to refrain from attacking an unrepresented section of the population of South Africa." As was to be expected there was no response from Dr Malan acceding to the request of the SAIO.

DR DADOO IN LONDON

Whilst the SAIO delegation was meeting Dr Donges in Pretoria, Dr Yusuf Dadoo was deeply engrossed in political activities in London.

The Commonwealth Conference in London and the UN session in Paris were holding the world attention during October and November 1948, with a large number of Asian-African delegates participating.

Dr Dadoo made full use of the Commonwealth Prime Ministers' Conference in London. His meetings in London with Pandit Jawaharlal Nehru, and with Pakistan's Prime Minister Liaquat Ali Khan, were obtaining bold headlines in our newspapers.

Because Dr Dadoo had not received a visa from the French government to go to Paris for the UN General Assembly, CS Jha, the Secretary-General of India's delegation to the Assembly, made a special visit to London in the first week of December 1948 to hold lengthy discussions with him.

Dr Dadoo got the headlines again when he went in Pandit Nehru's plane to India where the Indian government issued him a travel document.

The SAIC, which Dadoo represented, had him as its ambassador overseas for almost one whole year before he returned via India. The Joint Passive Resistance Council of the Natal and Transvaal Indian Congresses had issued a statement early in December 1948 declaring that "because of the onerous tasks Dr GM

Naicker has had to undertake since he became the SAIC president" he would not be proceeding to Paris. The statement expressed satisfaction at the work that was being done by Dr Dadoo.

Dr Dadoo returned to South Africa in October 1949, armed with his own document proving that he was a South African and thus entitled to be back in the country of his birth which domicile he had not lost. He was given a rousing welcome in Durban on October 23, 1949, when he outlined his work overseas.

JH HOFMEYR'S DEATH

JH Hofmeyr passed away on December 4, 1948, seven months after the Nationalists came to power in South Africa. Among those who paid tribute to him was Dr GM Naicker in his capacity as President of the SAIC. Dr Naicker said:

> "Although Mr Hofmeyr did not fully subscribe to the legitimate aspirations of the Indian and the non-European people for complete equality, he consistently advocated a more tolerant approach to colour problems in our multiracial society... his death removes from the South African political scene a man who, despite tremendous opposition, continued to pursue a policy which he believed to be in consonance with justice and fair play for all, irrespective of race or colour in the Union of South Africa."

All the Indian weeklies devoted their editorials to the work of Hofmeyr and the SAIC was officially represented at his funeral. Tributes also came in glowing terms from the SAIO.

1949 RIOTS IN DURBAN

The year 1949 was only 13 days old when on Thursday, January 13, at 5.30 p.m. an incident occurred in Victoria Street, Durban, which resulted in riots causing great loss in life and property.

According to *Indian Opinion* of January 21, 1949, this is how it all commenced:

> "Durban's serenity was broken on Thursday, January 13, at 5.30 p.m. when George Madondo... (a youngster) who was standing outside an Indian eating house was assaulted by an Indian, causing him slight injury. This incident resulted in a wave of violence, starting at the Indian market. It soon spread throughout the suburbs and by Wednesday, January 19, it reached Pietermaritzburg."

In those tragic days 142 people died and among them were 87 Africans, 50 Indians, 1 white and 4 unclassified. A further 1,087 persons were injured - 541 Africans, 503 Indians, 32 whites and 11 Coloureds. Buildings which were completely destroyed in the riots included 247 houses, 58 shops and one factory, while other properties that were damaged numbered one thousand houses, over six hundred shops and two factories.

I remember that Thursday evening at about six p.m. all the members of the NIC executive committee were summoned to meet at Lakhani Chambers, Saville Street. As we walked to the NIC offices, we saw some disturbances near the Indian market.

That whole night we worked from the NIC offices as Cato Manor went up in flames and we had to provide relief in many different fields. Thousands of Indians left their homes and took refuge in camps manned by NIC officials as rioting spread from Durban to Pietermaritzburg. In Pinetown, the residence of MI Meer and its sprawling grounds also provided refuge for many families.

Much has been written on the 1949 riots but what I want to emphasise is that the work done by the Natal and Transvaal Indian Congresses on black unity bore fruits.

On February 6, 1949 - three weeks after the riots commenced - the ANC and the SAIC formed a joint council of the two bodies "to advance and promote mutual understanding and goodwill among our respective peoples." The joint council was the forerunner of the Congress Alliance which launched the 1952 Defiance of Unjust Laws Campaign in which Africans, Indians, Coloureds and whites went to prison in opposition to the policies of apartheid and segregation.

Referring to the formation of the Joint Council of 6 February, Professor B Pachai, on page 224 of his book on Indian South Africans, says:

> "...the most significant result of the Durban riots was the growth of a new understanding, a new pact, a reorientation in outlook and attitude, in Indo-African relations in South Africa.
>
> "January 13, 1949, in essence was the beginning of an era of understanding between Indians and Africans that was sorely wanting before. This understanding was in evidence when Dr Lowen was briefed to appear before the Commission (the van den Heever Riot Commission) on behalf of the Joint Council of the ANC and the SAIC."

Ground work for the formation of a Joint Council had gone on for some years, even before the Dadoo-Naicker-Xuma Pact of 1947. It was the culmination of the work commenced by the Liberal Study Group in 1936, and the Non-European

United Front in 1939, as well as the basic work done in the Transvaal between the ANC Youth League and the TIC which had borne fruit in 1947 with the conclusion of the Dadoo-Naicker-Xuma Pact. Yusuf Dadoo's work on the anti-pass campaign had also brought the two Congresses together before the Durban riots broke out.

The ANC was represented on the National Joint Council by Dr AB Xuma, President-General, AWG Champion (Natal President), CS Ramohane (Transvaal President), RG Baloyi, H. Selby Msimang, JB Marks, J Malangabe, G Makabeni, Moses M Kotane, LK Ntalbati and Oliver R Tambo.

The SAIC representatives on the Joint Council were Dr GM Naicker, AI Meer, JN Singh, Dr AH Sader, George Singh, IC Meer, TN Naidoo, IA Cachalia, V Lawrence, MD Naidoo, Debi Singh, Nana Sita, Yusuf Cachalia and GHI Pahad.

Other African and Indian leaders were Professor DDT Jabavu, Reverend ZR Mahabane, N Mkele, DW Moshe, SB Ngcobo, SR Naidoo, TB Gwala, EO Msimang, AN Ntuli, JG Mgadi.

The meeting of the National Joint Council on February 6, 1949, was the most representative meeting of the African-Indian people to have been held in the entire history of our people in this country and for that reason the names of the participants are historically important. Chief AJ Luthuli had not yet taken over the leadership of the ANC in Natal and the absence of the name of Dr Yusuf Dadoo is due to the fact that at that time he was still in London trying to reach Paris for the United Nations session.

Dr DF Malan was prompt in appointing a Judicial Commission of three members - Justice FP Van den Heever of the Appeal Court, Ryle Masson and HFW Schulz, Chief Magistrates of Johannesburg and Durban - to inquire into the riots and this commission commenced its work on February 17, 1949.

The SAIC and the ANC were jointly represented at this commission by Dr G Lowen from Johannesburg. After the commission refused Dr Lowen's application for the right to cross-examine witnesses, the Congresses withdrew from the hearing but the NIO continued to be present. The NIO's commission sub-committee was under the chairmanship of MEG Paruk: PR Pather, AS Kajee and SR Naidoo were among those who represented the Organisation.

Outlining the case of the Congresses, Dr Lowen pointed out that the right to cross-examine was vital because "we want to prove that the horrible slum conditions of Indians and Africans are at the bottom of the riots to a certain extent." Dr Lowen continued:

> "We want to prove that racial antagonism, racial hostility and racial hatred have been propagated for years by the government which held office

before the present government and has been continued by the present government ever since it has been in power.

"We want to prove that statements made during the recent elections of Senators to represent Africans may very well have led, if they did not in fact lead to the riots.

"We want to prove that recent deeds of the present government depriving Indians of family allowances and pensions, urging their 'repatriation,' in stigmatising them as foreign elements, as elements who are here to the disadvantage of everyone in South Africa, stigmatising them as an undesirable population, have led to a certain feeling among certain people, which these people could best show by attacks.

"We want to prove that in Zeerust, Rustenberg, Groot Marico and other places certain European organisations have actively propagated race hatred against what they call undesirable elements.

"We want to prove that speeches made by Ministers of the present government... had the effect of propagating hatred in the European and in the African and we want to show that with all this working up of hostility there was a great likelihood of an explosion - that these things might occur."

Dr Lowen said he could promise that the cross-examination would be legitimate and not abusive, and would further seek to prove that certain whites had actively encouraged attacks on the Indian people.

The formation of the Joint Council of the ANC and the SAIC, Dr Lowen pointed out, supported the contention that Africans were not against Indians. Despite this comprehensive plea the Commission ruled against cross-examination and then Dr Lowen withdrew with a large number present in the gallery.

Major C Cowley, representing the combined Native Advisory Boards in Durban, followed Dr Lowen and his clients, and also withdrew from the proceedings.

But the South African Institute of Race Relations remained and led evidence blaming white attitudes to Indians for what had happened.

I remember the evidence given by Dhanee Bramdaw, editor of *The Leader*, who made telling points in a memorandum presented to the Commission. His evidence was published in the front page of *The Leader* of March 19, 1949, with the following commencing words:

"At the present juncture it can be stated without any shadow of a doubt that the Durban riots were primarily caused by the continued anti-Indian

agitation on the part of the government, certain municipalities and other influential public bodies in this country."

This was vital evidence fully supported by the brief prepared for the Congresses. Moulvi IA Cachalia from the Transvaal had collected many affidavits and these were indicated in the brief given to Dr Lowen, supported by photographic evidence of whites inciting the rioters.

The 1949 riots were a real test for the NIC leadership. Among those who helped Congress were even the office staff of the NIO, some of whose leaders had retired to places like Greytown for safety.

The NIC brought order and confidence among the victims and Congress leaders were virtually living in the refugee camps. When the NIC asked the people to return to their homes, they willingly did so with the full knowledge that Congress volunteers would protect them in their homes.

Not only did the Joint Council of the ANC and the SAIC emerge from the ashes of the riots but also during the riots there was much co-operation between the NIC and the African leadership in Natal. Many African nurses gave valuable services in the refugee camps.

The riots of January 1949 came shortly after the arrival of RT Chari, diplomat of free India, who was residing with Dr Monty and Mrs Marie Naicker at their Stamford Hill Road home.

RIOT COMMISSION'S ILLOGICAL REPORT

On April 16, 1949 - three months after the Durban riots of January 13 and 14 - the Van den Heever Commission issued its report. *Natal Daily News* described it as a document full of illogicalities and contradictions. "We do not think," the paper commented, "it can be taken as justly reflecting the quality either of our magistracy or judiciary or the capabilities of the members themselves. The statement is more ideological than judicial in tone."

I do not remember any Commission report which had received such wide condemnation from so many different sources, as the Van den Heever Commission report did. And all the criticisms were fully justified.

The main thrust of the report was the absolving of the white authorities for what had happened. Yet, in its list of "causative factors," it condemned the conditions under which the Africans were housed in the Durban area.

> "The slum areas on the fringes of Durban are a disgrace to any community which calls itself civilised... It is not remarkable that during the riots the most shocking excesses were committed on the outskirts of these areas...
>
> "The fact that numbers of native males are herded together in compounds also seems to have a bearing on the riots... Such congregations of men are ready tinder to any spark, and it is clear that the compound dwellers took an important part in the excesses."

And the Commission did not hesitate in the same breath to add that the "average native is a keen supporter of segregation."

> "He realises that as yet he is ill-equipped in the fight for survival, which has become so sharp in modern times. Consequently he demands residential, racial and economic segregation."

Indeed, *Natal Mercury* was right when it said that the report was "a profoundly disappointing document."

Let me give you some choice quotations from this report of three whites belonging to our judiciary.

Dealing with the 1946 passive resistance the learned Commissioners said:

> "Shorn of its quasi-philosophical trappings passive resistance in Durban was defiance of the law and of constituted authority; it set the native a bad example."

The Commission came to the conclusion that "events in India had repercussions here," and said that a "certain kind of South African Indian began to ride the high horse" because of India's independence and that the African resented this.

It is ironic that when the Native Representative Council had come out with a clear rejection of apartheid and segregation, the Van den Heever Commission was saying that the "native fully supported segregation."

I strongly recommend those interested in our history to study the Commission's Report which appears in the *Indian Opinion* of April 22, 1949.

It is a classic document of ignorance on what the blacks, Africans, Coloureds and Indians were thinking in 1949 when they had unitedly rejected what Smuts had called segregation and what Dr Malan was calling apartheid.

The SAIC issued a statement criticising the Commission's Report and drawing attention to numerous contradictions in it.

It pointed out that after strongly criticising housing conditions for Africans, the Commission had added: "...the shack dwellers seem to be quite content with their lot." Finding that "one of the most unsettling influences upon the native mind is the fact that South Africa has a hostile press aboard," the Commission rejected that white racist, anti-Indian speeches had any influence on Africans in our country.

After stating that all true democrats would reject the Commission's finding that Africans were "keen supporters of segregation," the SAIC said that the Commission has failed to give the country a lead which it urgently requires.

> "Its solitary recommendation that the Immorality Act should be extended sidetracks the big and urgent issues and gives the whole report a wrong perspective."

Criticising the Nationalist onslaught on existing rights, the SAIC concluded:

> "Under the policy of apartheid, the Nationalist government is leading the whole country to disaster. What the Commission failed to find is that the preaching of race hatred from high places in the government of the land was the basic cause of the disturbances. What the country now requires is a law making it a crime to preach race hatred or practice racial discrimination."

Indian Opinion, *Indian Views* and *The Leader* were unanimous in their condemnation of the Commission's Report, just as they were in praise of the SAIC for forming the Joint Council with the ANC.

DEATH OF SAROJINI NAIDU

The whole of South Africa of the oppressed was in deep gloom to read that Sarojini Naidu, former president of the SAIC, had passed away at Lucknow in India on Wednesday March 2, 1949.

The Leader recorded this sad loss by a front page editorial under the heading: "...She Can Never Die," and the *Opinion* and the *Views* joined in praise of one who had in 1924, whilst visiting South Africa, advocated the united front of all the oppressed in South Africa and who had been elected by the newly founded SAIC as its president.

Millions of her people honoured her on her return to India and she became the only person in history to become at the same time president of both the Indian National Congress and the South African Indian Congress. It was in that joint capacity that she had in 1925 welcomed the SAIC delegation to India led by that great South African, Dr Abdullah Abdurahman.

Indeed, Sarojini Naidu will never die. The oppressed of India and South Africa must never allow her to die. Her contribution for human liberation is too great for us to allow her to die.

In 1949 the Congress paid tribute to this poetess and freedom fighter who at the time of her death was the Governor of free India's United Provinces. The funeral procession was a mile long in Lucknow, attended by Jawaharlal Nehru, Moulana Azad, Lady Mountbatten and C Rajagopalachari, the Governor General of India. All of India mourned her death as we did in South Africa.

Typical of the South African memorial meetings was the one held at the Gandhi Hall in Johannesburg, addressed by Dr VG Patel, PS Joshi, Yusuf Cachalia and N Thandry among others. The Johannesburg resolution said that Indian South Africans "will never forget the invaluable services rendered by Mrs Sarojini Naidu to them at all times... In her death we have lost one of the greatest champions of our cause."

CASSIM AMRA DEPORTED FROM THE CAPE

Dr TE Donges was not only refusing passports both to Indian radicals and to Indian moderates but was taking drastic action to enforce the Provincial barriers under the 1913 Immigrants Regulation Act, which made Indians foreigners in the country of their birth outside the Province in which they were born.

The latest victim of this law was Cassim Amra who was studying law in Cape Town and organising Congress in that Province. *The Leader* of April 2, 1949, reported:

> "Mr Cassim Amra, who was reading law at the University of Cape Town, was deported to Natal on the grounds that he had taken part in political activities."

A lengthy interview with Cassim Amra was given in *The Leader*.

Cassim Amra was a founder member of the Liberal Study Group, and an important official of the Non-European United Front from its inception. He had played a leading role in student politics at Fort Hare and was the king-pin of Congress activities in Cape Town. Now in March 1949 he was welcomed back to Durban to strengthen the Congress movement.

DR DADOO AND MOLVI CACHALIA IN INDIA

Moulvi IA Cachalia and MD Naidoo arrived in India during March 1949 without any prior publicity.

An SAIC statement at the end of March said that " Moulvi IA Cachalia and MD Naidoo, who are at present in India, have been appointed accredited representatives of the South African Indian Congress by the executive committee of the SAIC."

The SAIC announcement added that these two Congressmen had already met India's Prime Minister Nehru and were in Karachi to meet the Prime Minister of Pakistan, Liaquat Ali Khan, in order to acquaint him "of the full facts of the Indian question in the Union." I remember the despatches we received from Cachalia and Naidoo after these meetings.

We were fortunate in having in our midst RT Chari, India's diplomat. In June 1949 he was joined by Mr Malhautra who arrived in South Africa with his wife and child.

The very issue of *The Leader* in which Mr Malhautra's arrival was published, told us that Dr Yusuf Dadoo and Moulvi Cachalia had participated in the meeting of the Working Committee of the Indian National Congress, where they had fully briefed India's leaders on how apartheid was being implemented in South Africa.

Moulvi Cachalia was indeed a good emissary of the Congress and he was to proceed to India again in 1955 on the way to the Bandung Conference in the company of Moses Kotane.

His father, AM Cachalia, an associate of Gandhi, was well known to the Congress leaders in India and now the son was making his mark. In 1981 the President of India honoured Moulvi Cachalia by awarding him the national award *Padma Sri*.

When Yusuf Dadoo had returned from Edinburgh after qualifying in medicine, SM Nana was at the head of affairs in the TIC. At the instance of SM Desai Dadoo had sought the assistance of Moulvi Cachalia and the Moulvi Saheb had rallied to Dadoo all the old guard who had given help to MK Gandhi.

Among them were the famous EI Asvat, who became the president of the Non-European United Front in the Transvaal, Moosa Essackjee, Mrs PK Naidoo, MD Bharoochi, BK Patel, T Narainsamy Naidoo and people such as Jasmat Nanabhai, who had taken part in Gandhi's freedom struggle in India.

In 1930 Jasmat Nanabhai, the owner of Japan Bazaar, joined Gandhiji in India in his village of Karadi from where the Mahatma had launched passive resistance and from where he had campaigned for prohibition of alcoholic beverages. The Gandhi memorial to mark this event still stands in Karadi.

Yusuf Dadoo's visit to Europe, without a passport and now his presence in India in the company of Moulvi Cachalia and MD Naidoo was of great significance. This was particularly so as a Round Table Conference between South Africa, India and Pakistan had been under discussion for some months.

NIC CONFERENCE IN JUNE 1949

The NIC held its third annual conference in Durban in June 1949. It was opened by Dr Edgar Brookes and attending the Conference as observer delegates were MB Yengwa, Selby Msimang, EG Swales and Mrs MB Lavopierre.

The Conference welcomed the UN General Assembly resolution of May 1949 inviting India, Pakistan and South Africa to meet in conference to discuss the dispute over the treatment of Indians in South Africa. The comprehensive resolution was moved by JN Singh and seconded by AI Meer.

In its resolution on apartheid, the NIC called for a united front of all the oppressed and white democrats.

AFRICAN STUDENT REFUSED PASSPORT TO STUDY IN INDIA

In July 1949 the government of India granted five scholarships to South African students to study in India and among them were Ranji S. Nowbath of *The Leader*, WG Alexander of Cape Town and Miss Laetitia S. Tsotsi of Bloemfontein, who was to study for her Bachelor of Arts degree at the University of Lucknow.

But the South African government refused to give Miss Tsotsi a passport to proceed to India. Both Dr AB Xuma and AWG Champion wrote to RT Chari, head of India's mission in South Africa, condemning the Nationalists. Mr Champion in his letter said:

> "The Nationalist Party is afraid to let its bad deeds be known by the outside world. In doing so they are even teaching our children to hate them as they grow up..."

In a letter to Dr Xuma, Mr Champion said that Africans were being treated like slaves and added:

> "Africans are now shut up in a South African compound so that the world at large should not know of our sufferings. When even students will not be allowed to avail themselves of good hospitalities afforded by other people what must we expect next?"

He asked Dr Xuma to cable the United Nations "in the strongest terms against this injustice."

Ranji Nowbath and WG Alexander left for India. These were the first cultural scholarships granted by the new government of India.

ML SULTAN'S GIFT TO THE COMMUNITY

The ML Sultan Charitable and Educational Trust was announced in 1949.

The magnificent donations of this great benefactor, who had come to South Africa as a humble indentured Indian from South India, brought much happiness to our people who were, in August 1949, in the midst of agony arising from the implementation of the Nationalist government's policy of apartheid.

In *The Leader* of August 27, 1949, we were told that ML Sultan would be the chairman of the Trust with V Lawrence as its Secretary and the donor's son Abdool Razak Sultan, the Treasurer. GB Chetty and MA Desai were also members of the Trust.

Welcoming this act of generosity, *Indian Opinion* editorially pointed out that ML Sultan had followed in the footsteps of Parsee Rustomjee and RK Khan in making the community as a whole the heirs to their wealth.

Indian Views paid Mr Sultan similar tribute, whilst *The Leader* said that "by this generous act made during his own lifetime, ML Sultan has found an abiding place in the history of his countrymen and a place in their hearts."

The Trust set aside twenty five thousand rands for the building of the ML Sultan Technical College and the sum of thirty thousand rands for the erection of a primary school in Avoca.

In 1949 Mr Sultan was 76 years of age. He had arrived in South Africa at the age of 17. Indeed, this modest self-made man had set a great example and lived to see a sound foundation being laid for blacks in the field of technical education in Durban in the face of white opposition led by the Durban City Council itself.

THE RIGHT TO SACRIFICE – CAMPAIGN AGAINST MUSLIM RITUAL SLAUGHTER OF ANIMALS

In 1949, the Durban City Council passed a by-law prohibiting animal slaughter at Muslim homes in Durban. Muslims were expected to proceed to the Durban abattoir - which was then in Congella and not at Cato Ridge as it is now - and make the *Bakri Eid* sacrifice there, presumably so that the white official could test the "blunt knives" of the "cruel Muslims" and prevent the "unhygienic practices, which threatened the health of the whites." There was spontaneous Muslim anger at this racist decision. The Muslim bodies were unanimous in their condemnation of the City Council.

At the time of *Bakri Eid* of *Eid ul-Adha* in 1949, the agitation against animal sacrifice at our homes had reached a climax, with unfounded accusations of cruelty, callousness and lack of hygiene. And once again the NIC was compelled to enter the fray, this time in defence of religious freedom.

I am certain that all those whites who acted against our people on this question had never seen how the sacrificial animal was actually slaughtered and they knew less or nothing about the Islamic requirements of humane treatment of all animals. To them only the whites were civilised and the blacks could never be assumed to show any consideration for animals.

There were usually three separate steps in the white racist propaganda. First, some racist white came out with unsubstantiated allegations of cruelty and lack of hygiene against our people. Second, the ever-ready white dailies of Durban gave such irrational viewpoints prominence, followed by comments from an equally ignorant official and then the white public entered the fray with attacks on Indians.

The third racist white step was that taken by the lawmakers who were, of course, whites who had a vested interest in ignorance. The ignorant white voter supported the equally ignorant municipal Councillor, the Provincial Councillor and the Member of Parliament. Thus followed the anti-Indian by-laws, Ordinances and Acts of the all-white legislatures at the three different levels.

This issue of *Bakri Eid* sacrifice was raised by Debi Singh at a daily meeting of the NIC secretariat. AI Meer was asked to go fully into this matter. And I remember the remark of AKM Docrat that one of the most difficult educational tasks of the NIC was to educate Durban's whites, their newspapers and their City Council, all of whom were hardened racists of old vintage, with few exceptions.

The NIC campaign, headed by AI Meer, was brilliantly executed. The campaign had the white racists on the run and isolated the moderates in the NIO, led by AM Moolla, who were prepared to consider alternatives such as slaughter in the mosque yards under supervision.

In its editorial of September 28, 1949, *Indian Views* said:

> "The Durban City Council should by now be convinced that it has made a very serious blunder in refusing to allow the Muslims of Durban to slaughter animals on their own premises during the *Bakri Eid* Festival.
>
> "Not only have thousands of people signed the protest petition and sent hundreds of telegrams to the Mayor, but leading white citizens of the City have requisitioned a meeting of citizens with the aim of reversing the unjust decision of the Council."

Indeed, the AI Meer sub-committee of the NIC had successfully isolated the racists and gained the support of leading white academics from the University of Natal and from white democrats generally.

The Medical Officer of Health and the Council's Health Committee backed down and many Councillors changed their minds, but not sufficiently to give a two-thirds majority required to rescind the offending by-law.

Indian Views of October 5, 1949, correctly noted that "had there not been a powerful campaign carried out against the Council, the Health Committee would not have come forward with a last minute attempt to put right the wrong that had already been done."

The Leader editorial of October 1, 1949, attacked the "anti-Indian tendencies of the Durban City Council," and most pertinently added:

> "The action on the part of the Council, once again illustrates how lightly the interests of the unrepresented sections are treated by the Council and is a further proof of the necessity for the Indian to be in possession of the franchise to enable him to put forward his viewpoint..."

And, indeed, there was a great deal of truth in what *The Leader* said. *Halaal* and *kosher* were both religious requirements but no one among the white racists queried the sharpness or otherwise of the "Jewish knife" or the "standard of hygiene" at "*kosher* slaughter" - not because the white racists know any more about the Jewish customs but because the "Jews are whites" and they have the vote and sit on the Councils of our cities.

And whilst the NIC was getting full Muslim popular backing, the "moderate Muslim" - as he was then named - AM Moolla, in an interview to the *Natal Daily News*, appealed to Indian political bodies and other interested parties "not to make our negotiations difficult by attempting to make what is purely a local matter for amicable settlement into an issue more important than it is." Once again on a religious matter Mr Moolla had put his foot in it as he continued to do in subsequent years.

A reply to Mr Moolla came with haste from AI Meer and it was given wide publicity. He said that it was not a question of the "slaughtering of a few goats as Mr Moolla has it" but the major question of religious freedom. Others reminded Mr Moolla that one was either a Muslim or not a Muslim and that the concept of a "moderate Muslim" was unknown in Islam.

In a strong attack on the NIO and Mr Moolla, MI Meer, in his editorial in *Indian Views* of October 12, 1949, warned that "it is... criminal... to compromise a sacred principle when there was no need to," and said that it was entirely due to the NIC agitation that the Durban City Council was inviting a discussion with the moderates in the NIO.

Repeatedly, these upholders of white civilisation spoke out against the "cruelty" of our Indian people in the way we slaughtered animals for food. The next matter was sex and polygamous marriages, subjects on which they knew even less than on the way an Indian slaughtered a goat or a chicken.

PROF. JABAVU AT WORLD PACIFIST MEETING IN INDIA

In December 1949 the World Pacifist Meeting was held at Santiniketan of Tagore fame. South Africa was represented by Manilal Gandhi, Reverend Michael Scott and Professor DDT Jabavu.

Indian Opinion in its issue of December 20, 1949, gave us details of the conference which was attended by 24 delegates from India, three from Pakistan and 63 from other countries drawn from all the living religions of the world.

Prof. Jabavu was in India when the country became a Republic on January 26, 1950. In the issue covering the inauguration of the Republic, *The Leader* carried an interview with Prof. Jabavu in Agra. He said:

> "When Gandhiji started home rule movement no one believed that he would get freedom. But it is now an established miracle and your country is free.
>
> "I shall carry the great message of *ahimsa* - non-violence - to my land, where it can be practised both by the Europeans and the non-Europeans."

Referring to the Santiniketan meeting Professor Jabavu said:

> "We are here in this land of the great Mahatma to show the way to permanent world peace. If we can save one war this conference will have done its work and we shall achieve lasting peace for humanity."

PART IV

1950-1958

Editor's Note

In 1950, the Nationalist Party government began implementing its master plan to deprive the Non-European people of their basic rights and perpetuate white domination. Its vision was of a South Africa in which the African people would be confined to scattered reserves as pools of cheapo labour and allowed to enter the rest of South Africa only to minister to the needs of the whites by menial labour. The Indians, for their part, were to be squeezed out of the country as inassimilable.

The Group Areas Act for racial segregation of residences and businesses, together with the Race Classification Act and the Population Registration Act, were regarded as pillars of apartheid. An essential complement to these was the Suppression of Communism Act to stifle any protest or resistance by banning and imprisoning opponents of apartheid. These laws and their implementation caused enormous suffering to the people.

The Group Areas Act affected the Indians with particular severity. They were moved to locations; their homes and businesses were expropriated with meagre compensation. The government even expropriated community institutions – mosques, temples, schools and welfare projects. Indian properties were transferred to whites who would in the course of time reap huge properties.

A great deal of activity of the Indian Congresses in the early 1950s was devoted to exposing the Act for what its was, daylight robbery. They appeared before the Group Areas Board in a number of cities and towns to denounce the plans to declare segregated areas for different races and show that they were nothing but moves to satisfy white greed.. The government then resorted to regulations to prevent the Congresses from the hearings.

Meanwhile, the African National Congress and the South African Indian Congress began to unite all the non-white people and white democrats for a joint struggle for democracy and human rights. In 1952, they launched the Campaign of Defiance against Unjust Laws, one of the greatest non-violent struggles in history, in which more than 8,000 people of all racial origins went to prison.

The Congress of Democrats (composed of democratic whites who supported equal rights for all the people irrespective of race, colour or creed) and the Coloured People's Congress were formed and joined the ANC and the SAIC in a Congress Alliance (which was expanded further in 1956 with the founding of the South African Congress of Trade Unions).

The Congress of the People, organised by this multi-racial alliance in 1955, was the most representative convention of the South African people until that time. It adopted the Freedom Charter which became the common programme of the Congresses.

The government tried to counter this movement by banning and imposing cruel restrictions on democrats – even followers of Gandhi and anti-Communists - under the Suppression of Communism Act. In December 1956, it arrested 156 leaders of the people in a nation-wide swoop and charged them with treason, an offence punishable by death.

But no amount of repression could make the people accept apartheid or suppress the movement for freedom and democracy.

PROPERTIES OF NATAL INDIAN CONGRESS RESTORED

In April 1950 Justice Carlisle in the Supreme Court, Pietermaritzburg, ruled that the NIC of Monty Naicker was the legal successor of the original NIC founded by Gandhi in 1894 and was hence entitled to the ownership of the Congress properties situated at 95 Prince Edward Street, 80 May Street and 197-199 Umgeni Road in Durban.

The Court further decided that the new NIC trust was entitled to take transfer of these properties and that it was also the Trust to which the Master of the Supreme Court should pay all the monies standing to the NIC's credit in the Guardian Fund.

This was a major victory for Monty Naicker's group which had succeeded where AI Kajee and others had failed in the past. I remember the great joy the Supreme Court decision brought to us but it is sad that up to this day the valuable properties remain undeveloped.

The first round of the property legal saga was on October 19, 1949, when Advocate A. Milne, acting for Monty Naicker and Debi Singh, the applicants, moved the application before Justice de Wet.

The new set of trustees were nine in number and they were Dr GM Naicker, Dr BT Chetty, V Lawrence, AI Meer, Manilal Gandhi, NJ Randeria, P Seebran, AE Shaikh and CN Rana. The application was unsuccessfully opposed by Cassim Anglia, Mrs M Padyachee and PR Pather. PR was in fact opposing officially on behalf of the Natal Indian Organisation and Anglia was an original member of the NIC formed by Gandhi.

The affidavits filed with the Court are vital documents reciting the history of the NIC since its founding and how it had become dormant for a long period before the Kajee days.

I remember the affidavit of Dr GM Naicker dealing with the NIC since its founding in 1894, when the Congress constitution did not provide for it to hold

immovable properties in its own name. The three Durban properties were hence transferred in the names of MK Gandhi and six others as trustees, of whom the last survivor was the late Mahatma, who had left South Africa for India in 1914.

By 1915, said Dr Naicker, the affairs of the original NIC were in a "considerable state of disorder" and arising from a court action, Graham Mackeurten, a lawyer, was appointed as the "receiver" of the income from the properties. When Mackeurten died in 1922, no one else was appointed in his place though lawyer D Doull continued to act as receiver and the monies continued to be deposited by him also in the Guardian Fund with the Master of the Supreme Court.

The NIC was resuscitated in November 1920, Dr Naicker added, and it continued to function on a constitutional basis until 1939 when it was amalgamated with the Colonial Born and Indian Settlers' Association.

In his judgement, Justice Carlisle noted that "in 1915 the Congress had reached a chaotic condition and there were serious disputes in regard to the internal affairs of the Congress." This had led to the appointment of "Receivers" (Mr Mackeurtan and later Mr Doull) who had deposited income from the properties into the Guardian Fund. The Judge held that the NIC had not become "defunct" and that the Monty Naicker NIC was the correct successor in law. The Guardian Fund was ordered to pay to the new trust the sum of over six thousand rand which had been accumulated.

Mrs Padyachee who had occupied one of the properties without paying rent from 1933 - for 16 years - was now facing an identifiable landlord and the possibility of eviction.

However, these properties too, were now threatened under the Group Areas Reservation Bill against which the whole community was rallying.

MK Gandhi himself has written on the conflicts which arise from a community organisation owning properties. He had faced serious conflicts in South Africa, eventually leading to his leaving the NIC and forming the Natal Indian Association.

Some years after the 1950 Supreme Court ruling, we too, in the NIC, had a very sharp difference of opinion on the question of the properties, with AI Meer, AKM Docrat, AC Meer and myself against Monty Naicker.

DEATH OF SWAMI BHAWANI DAYAL

In May 1950 we heard of the death of Swami Bhawani Dayal at his home in Ajmer in India.

Since the death of his South African mentor, AI Kajee, the Swamiji had not been as effective as he had been previously. But he had run a South African Indian office in India and had written much on the South African situation in the Indian press.

In Durban a memorial service was held by his Arya Samaj colleagues and his work in India was praised.

GROUP AREAS BILL KILLS ROUND TABLE TALKS

After lengthy exchanges between the governments of India and South Africa, it was announced that preliminary talks would be held by representatives of India, Pakistan and South Africa in Cape Town from February 6, 1950, to discuss arrangements for a round-table conference.

India's delegation consisted of Pandit Hridayanath Kunzru, YD Gandavia and RT Chari whilst the Pakistan delegation consisted of Dr Mahomed Hussain, Sajjad Haider and Akhtar Hussain. South Africa was represented by Dr TE Donges, DD Forsythe, Dr LC Steyn, JH Basson and JHN Van der Merwe.

I believe the Indian and Pakistan delegates stayed at the Mount Nelson Hotel. The SAIC had arrived in Cape Town in full force and its members were housed in different parts of the city. In 1949 the hotels in Cape Town were enforcing a rigid apartheid and hence private accommodation was the only alternative available to the SAIC and SAIO delegations.

The Cape Town City Hall was packed to capacity when Dr GM Naicker welcomed the Indian delegation at the SAIC function.

Thanking the Congress for its welcome, Pandit Kunzru said that his interest in the South African Indian community went back to the days of Mahatma Gandhi. He expressed the hope that the discussions at tripartite level would result in some success.

On Monday February 13, 1950, Pandit Kunzru was welcomed in Durban at the "largest gathering of Indians ever assembled at Nicol Square," and at this function he spoke for 75 minutes declaring that India's goal was equality for all human beings. He spent many hours meeting people from all walks of life and won the hearts of all who came into contact with him.

We came to know Pandit Kunzru well when he stayed at the Phoenix Settlement, where Manilal's daughter Sita Gandhi was looking after the visitor.

I remember the roaring trade the florists made in garlands for the overseas visitors. For instance, at the Durban airport Pandit Kunzru was officially garlanded by Dr K Goonam on behalf of the NIC; by HS Done on behalf of the Scouts' Association; by Mrs Manilal Gandhi on behalf of her family; by JW Godfrey on behalf of the SAIO; by Mrs Jalbhoy Rustomjee on behalf of the Parsee community; and by PD Hargovan, Harandas and Dr NP Desai on behalf of the Kathiawad and the Surat Hindu Associations. Indeed the visitors had brought back to us the days of the garlands.

In his opening remarks at the tripartite talks, Dr Donges took pains to stress that the personal contact between Dr Malan and Pandit Nehru in London was vitally important in the preliminary talks, trying to stress that the UN resolution was not the main factor. He added that the previous talks with India were for the purpose of reducing the Indian numbers in South Africa and asked the delegations to continue from that point. With this Pandit Kunzru disagreed.

With diametrically opposed statements as to the reasons for the talks, the delegates proceeded to go further in what was obviously going to be a continued deadlock.

The press communique at the conclusion of the talks on February 20, 1950, stated that the three delegations agreed to recommend to their respective governments that a round table conference be convened to settle the Indian question in South Africa and that in the holding of the discussions or the conference "it was understood that there was no departure from the previous standpoints of the respective governments on the issue of domestic jurisdiction."

In other words, the Malan government wanted to expatriate Indian South Africans and held that no one, including India and Pakistan, or the United Nations, had any say in the type of anti-Indian legislation that the Nationalist or the previous white governments of South Africa had enacted or would continue to enact, in its "domestic jurisdiction."

India and Pakistan held that the treatment of Indian South Africans was rightly a world issue for the United Nations and that in terms of treaty relationship between India and South Africa, Indian South Africans were entitled to equal rights in South Africa.

Notwithstanding Dr Donges' statement in the House of Assembly on February 20, 1950, that he commended the "decision to hold the round table conference," he himself torpedoed any such talks when in the same House he introduced the Group Areas Bill.

In April 1950 the Malan government published the Group Areas Reservation Bill, and this resulted in a united condemnation of the Nationalists by the SAIC and the SAIO.

India immediately demanded that the Bill be postponed pending the round table conference. India's request fell on deaf ears.

New Delhi then announced in June 1950 that the Republic of India would not take part in any round table talks because the Malan government had proceeded with the Group Areas Bill. After months of delay Pakistan fell in line with India, although at first there was a suggestion that round table talks should still be held if the Bill did not result in an Act until December 1950.

Attempts to divide India and Pakistan failed miserably. In fact, the two countries had signed a "peace pact" in the very month of 1950 when the Areas Bill was made public, guaranteeing the rights of the minorities.

In South Africa the Congress leadership played a vital role in maintaining complete unity among Indian South Africans, some of whom were supporting India and others Pakistan.

INDIAN COMMUNITY UNITED AGAINST GROUP AREAS BILL

The Indian community was solidly united against the Group Areas Bill. May Day 1950 was declared a day of protest against the Bill with huge mass meetings on Sunday and Monday.

Indian Views in its issue of May 3, 1950, recorded that over 10,000 people were present at the NIC-ANC joint meeting at Nicol Square on Monday and that on Sunday the NIO's meeting of protest at the Avalon Cinema was also well attended.

I remember the meeting of that Monday, presided over by AWG Champion of the ANC and the NRC, with Dr GM Naicker as the main speaker. This was a new development for Natal with Champion taking the lead from Monty.

In his moving speech the ex-ICU leader Champion declared that "the time has arrived for Indians, Africans, Coloureds and democratic Europeans to stand together against the increasing attacks on the rights of all South Africans… We want no colour bars in South Africa."

Dr Naicker followed with a call for the formation of a democratic united front against the new law: "The Class Areas Bill of 1925, the Areas Reservation Bill of 1926, the Ghetto Act of 1946, all pale into insignificance by the present Group Areas Reservation Bill," he declared.

The Leader described the meeting at Nicol Square as the biggest mass meeting held in the city up to that day. Dr Dadoo was not present at that meeting. He had been banned under the the Riotous Assemblies Act. Mr Champion with a great flourish told the thousands assembled that he was going to perform a "miracle." And the "miracle" did happen. People present heard the speech of Dr Dadoo which had been pre-recorded.

In 1950 there were no tape recorders and his speech was captured on a gramophone record. The banning did not at that time prevent the playing of a record or the hearing of the voice of a banned person.

The Group Areas Act for the first time extended segregation of Indians to the Cape.[23]

Dr Donges' assurance in the House of Assembly that the Group Areas Act would be implemented with justice and equality was worthless. It was very clear that this law was intended to achieve "repatriation" of Indians through economic strangulation. In fact, the government of Dr Malan did not even use the term "Indian" in the Act and this was interpreted as not even acknowledging that an "Indian group area" would be a permanent feature. Indians fell under the "Coloured group area" and as soon as they were expatriated to India in mass the Indian ghettos would cease to exist, it was argued.

SMUTS FAVOURS "MASS REPATRIATION" OF INDIANS

The talk of expatriation had escalated with the advent of the Malan government. I remember the wide publicity given to an interview by General Smuts to the special correspondent of the *Hindustan Times* in May 1950, when the Group Areas Bill was before Parliament. *The Leader* of May 13, 1950, splashed this interview on its front page as its lead story under the heading, "Mass Repatriation The Only Solution." "Gen. JC Smuts, the leader of the Opposition, is a new convert to the Nationalist Party's policy of 'mass repatriation' of South African Indians," it said.

The Leader quoted from Smuts' interview with the *Hindustan Times* in which he had declared that he was now inclined to the viewpoint that mass repatriation was the "best solution." There seemed to be no other way out, especially in view of the continued demand by the Indian community for equal rights with the whites, which demand, said Gen. Smuts, could not be tolerated.

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[23] The Group Areas Act No. 41 of 1950, and the Population Registration Act No. 30 of 1950, were both promulgated on July 7, 1950, laying the firm foundation of apartheid. On July 17, 1950, the Suppression of Communism Act No. 44 of 1950 was passed.

Pointing out that the Group Areas measure was the first step under which races would be separated, Smuts was quoted as saying: "The next step will be to move for the mass repatriation to India of the Indian community in the Union." He said that this was the main purpose of the Nationalists in agreeing to a round table conference.

It was not the first time in South African white politics that the official Opposition wanted to outdo the ruling party on racial issues. And Smuts appeared to be no different, notwithstanding his image in the international field or his place in the British ruling circles.

DEATH OF GENERAL SMUTS

This *Hindustan Times* interview, as far as I know, remains one of the last, if not the last, major interview on Indian South Africans given by Smuts who was finding it difficult to adjust to the fact that he was no more leading white South Africans. We heard little of Smuts in the months that followed this interview and in September 1950 he was no more.

And, notwithstanding his role in South Africa, tributes poured in from all quarters. "On behalf of the Indian people of the Union, the South African Indian Congress conveys to you and family their most sincere sympathies at the death of General Smuts," said Dr GM Naicker in his telegram to Mrs Smuts who was the recipient of a similar telegram from Dr Yusuf Dadoo, President of the TIC.

India's diplomat in South Africa, RT Chari, in his message to the Smuts family said:

> **“I send you most sincere condolences in your bereavement on behalf of myself and the Indian community. What can I add to the world's homage?”**

And the world was indeed paying homage to the best known white South African with Vijayalakshmi Pandit saying: "General Smuts' abiding contribution to world peace lies in the beautiful and poignant words of the preamble of the United Nations Charter, of which he was the principal architect."

And history records that Smuts who had declared publicly that "segregation was dead," kept it very much alive and that his policy on race discrimination was not materially different from that of apartheid. There was substantial truth in the statements of Nationalist leaders in the years to come that they were merely continuing a South African white tradition deeply rooted in white history.

TE DONGES AND EDGAR BROOKES ON THE GROUP AREAS ACT

When the Group Areas Act was promulgated on July 15, 1950, there was strong international reaction against it. The *New York Times* stated that it was the "most decisive and significant step thus far in carrying out the proclaimed policy of apartheid." Condemnation of the measure was voiced in the press in India. By that time, we had firm contact with India through Chari and Malhautra and we learnt with pleasure that RT Chari was appointed a member of the Indian delegation to the 1950 session of the United Nations General Assembly where Nehru's sister was once again to speak on the treatment of Indians in South Africa. We were set for the UN session with full support from India and Pakistan, both of whom had now abandoned any hope of tripartite talks.

The South African government delegation to the United Nations was led by Dr TE Donges, Minister of the Interior, who on his arrival in New York was reported as saying that the Group Areas Act had been welcomed in South Africa by the Coloured and the African people. This interview made no sense whatsoever. Speedy denials came from the Coloured and the African leaders, typical of which was the statement to *The Leader* by Selby Msimang who was then a member of the Native Representative Council:

> **"I can say definitely that in so far as I am aware, Dr Donges has never met a single African leader in Natal to ascertain the views of the African people upon whose authority he could claim as the source of his statement to the world."**

Senator Edgar Brookes, a so-called "Native Representative" in the Union Parliament, was the most outspoken white democrat from Natal. He was the consistent liberal who often went ahead of the liberal white viewpoint in South Africa. Speaking in Pietermaritzburg in 1950, he said:

> "The principle of the Group Areas Bill was the gradual, but ultimately final, and rigid separation of the various races in South Africa... there was no doubt that it was mainly directed and discriminated against the Indian."

He suggested that Pietermaritzburg should be exempted from the measure, adding that the citizens of Natal's capital were not hysterical like the whites of Durban.

Pietermaritzburg, however, welcomed and implemented the Group Areas Act. Many whites who had not voted for the Nats were racists and were hoping that the government of Malan would take firmer steps to protect white privileges.

In 1950 people like Senator Brookes were very rare in Natal.

MOVE TO "CLEAR OUT" CATO MANOR

Cato Manor Indians had suffered extensively in the 1949 disturbances. It was there that many Africans working in Durban lived in shocking conditions.

The Van den Heever Riot Commission referred to these shacks but failed to draw the conclusions expected of it. And then the Durban City Council's Native Administration Committee came with a plan to expropriate Indian-owned Cato Manor. Taking advantage of the disturbances the Council suggested the use of Cato Manor for African housing.

The entire Indian community was opposed to the Council's Cato Manor plan. *Indian Opinion*, *Indian Views* and *The Leader* all condemned it in their editorials.

This matter was discussed at length in the NIC whose officials had done thorough research into all aspects of housing. A resolution on Cato Manor was passed at the NIC Conference in June 1949, and in September 1950 the "sinister plan" of the City Council was once more making news.

In its comprehensive statement the NIC called upon the authorities to deal with African housing in a logical manner and asked that "all legal restrictions now operating against Africans in urban areas be removed to enable Africans, who are willing and able, to lease or purchase land from Indians." Cato Manor, the NIC said, should be "treated as part of the bigger problem of providing adequate housing for the thousands of African shack dwellers in and around Durban..."

It pertinently asked why the two-year-old Broome commission recommendation of 1948 on African housing was not being implemented. The Broome Commission had asked for the building of African houses at Umlazi in the south and at Richmond Farm and Zeekoe Valley in the north at a time when Kwa Mashu had not yet existed.

The NIC surprised the Durban City Council by declaring that it was prepared to support the building of African homes at Cato Manor.

The Cato Manor area was, however, declared white under the Group Areas Act. Indians lost Cato Manor not to the Africans in need of homes but to the privileged white group having the least problems in housing. Indians lost millions of rands when their properties were taken over for nominal amounts bearing no relationship to the real market value of the land.

The only reason why the whites did not build in Cato Manor was the unsuitability of the land because of shale. They had better land elsewhere in the Durban area.

That is why Cato Manor in part reverted to Indians and not because of any change of heart of the privileged.

The English-speaking Durban City Council and the English-speaking white Natalians generally had much to teach the Nationalists in their anti-Indian racist outlook.

SAIC MOVES TO JOHANNESBURG WITH DR DADOO AS PRESIDENT

We discussed at length the problem facing the SAIC in the Cape Province where the Cape Indian Congress had remained under the influence of Councillor Ahmed Ismail and had become part of the SAIO.

An Indian Cape Townian, Mr Nagia, wrote in *The Leader*:

> "The affairs of the Indian community of the Cape have too long been neglected and the time has now come to remedy the situation...
>
> **"Now, particularly, when the Nationalist government by passing the Group Areas Act, has taken away our rights to live and trade where we want to, the Cape Indian Congress has reacted by breaking away from the South African Indian Congress. When unity is most essential they have caused division.**
>
> "It is precisely for these reasons that the Cape Indian Assembly has been formed. We have full confidence in the SAIC. Our first task, therefore, is to strengthen the bonds of unity with our brethren in Natal and the Transvaal by seeking affiliation to the SAIC.
>
> "By building up the Assembly into a strong and progressive organisation we feel that we will be making our contribution to the furthering of the cause of the Non-European United Front."

That is how the SAIC obtained its new constituent body in the Cape. The Cape Indian Assembly's first officials were: President, DA Nagia; Vice-presidents, Anand Naidoo, Dawood Allie and OM Rawoot; Secretaries, Sundra Pillay and HE Mall; Treasurers, AS Karjieker and Hadjie Essop Vallie.

The Conference of the NIC after the passing of the Group Areas Act was held in Durban and once again Senator Edgar Brookes was asked to open the Conference. In his opening address Dr Brookes said:

> "The governing classes of European South Africa have shown pretty clearly that they do not want Indians in this country.

> "This unpleasant truth must be faced. At this Conference you must register the fact that the South African Indian population was an integral and permanent part of the Union and that it would never expatriate itself."

Senator Brookes said that he envisaged for the Indians a continuance of the struggle for political freedom, for economic opportunity and for civil liberty. He also envisaged an effort to turn the enemies in white South Africa into friends.

I remember the comprehensive presidential address delivered by Dr GM Naicker at this Conference at which H Selby Msimang brought a message of solidarity from the African people.

The Conference re-elected Dr Naicker and Debi Singh as the President and the General Secretary respectively of the NIC.

Opening the conference, Dr JS Moroka told the delegates and members of the public present that the Africans "were satisfied with the presence of Indians in South Africa." This declaration was in its context important at a time when the Nationalists were informing the world that Africans supported the Group Areas Act and when the white rulers were pointing to the 1949 riots to claim that the Africans were not satisfied at the presence of Indian South Africans and that "repatriation" was, therefore, a solution favoured by the African majority.

Dr Moroka said that Indian South Africans must not believe that it was the wish of the Africans that they should be thrown out of South Africa, and added:

> "Any insinuations of that nature are the desperate efforts of desperate minds deliriously clutching at every straw to further their own ends and not in the interest of the Africans."

Dr Naicker dealt with race discrimination in South Africa in its global context when direct colonial rule over the peoples of Asia and Africa had started to weaken with the independence of India in particular. "As long as racial discrimination prevails in any part of the world, world peace cannot be secured, for racism has within it the seeds of international conflict," declared Dr Naicker.

With the formation of the Cape Indian Assembly, the Conference of the SAIC was now scheduled for September 15-17, 1950, with Johannesburg as the venue.

And in the historic context of 1950 we were fully cognisant of the fact that whilst in 1946 the passive resistance struggle had made Durban and Natal its focal point, because of the concentration of Indians there, the new shift would be to the Reef and the Transvaal where the African workers were concentrated.

It was hence necessary that even the headquarters of the SAIC should shift from Durban to Johannesburg. Nelson Mandela, Oliver Tambo and Walter Sisulu were the emerging leaders who were in close contact with Yusuf Cachalia, AM (Kathy) Kathrada, and Mervin Thandray as they were before with JN Singh and IC Meer. It was most important that the SAIC officials should be based in Johannesburg.

And so the 1950 SAIC conference decided to have the SAIC headquarters in Johannesburg. Yusuf Dadoo became the holder of the highest post in the SAIC when he took over the presidentship from Monty Naicker, with Yusuf Cachalia and DU Mistry as secretaries. Passive resister YM Dendar became treasurer with Dr VG Patel.

Chari and Malhautra were kept fully informed of the strong organisational bonds that were developing between the ANC and the SAIC as clearly reflected at the Congress conferences of 1949, 1950 and the years that followed. Chari was the first diplomat of India in South Africa to develop close contact with African leaders, often speaking from the same platform as African leaders under the NIC, TIC and SAIC auspices.

By the time the SAIC met in conference in September 1950, the Nationalist government had banned a number of persons under the Riotous Assemblies Act and among them were Dr Yusuf Dadoo and Solly Sachs of the Garment Workers' Union in Johannesburg. The ban on Dadoo brought forth protests from many different quarters throughout South Africa.

Inkundla Ya Bantu, an African weekly published from Verulam, said editorially that "the attack on Dr Dadoo is merely a softening process, paving the way for bans on Dr Xuma, Professor Mathews, Chief Luthuli, Mr SM Mabude and every other African who has the moral courage to say that apartheid is the evil thing that it is."

But the working committee of the NIO of AM Moola and PR Pather refused to protest at the Dadoo banning on the grounds that such a protest was inconsistent with the NIO constitution debarring membership to communists.

Indian Views, which had run a series against the materialistic philosophy of Marxism and Communism, took the NIO to task. It said in its editorial that "these puerile arguments will not convince anyone that the NIO has acted correctly on this question," and added that the denial of passports to the NIO leaders by the Nationalists should make them realise that the threats to civil liberties from the Malan government were faced by all South Africans.

Indeed the question of civil liberties in South Africa was assuming great importance in 1950 and one remembers the sick joke of a Nationalist M.P that with his banning Sam Kahn had now become Sam Can't.

RACE PREJUDICE AGAINST NON-EUROPEANS

The fifties began with the NIC and the TIC as the most potent factors against every discriminatory move affecting the black sectors of the population in South Africa.

The government was at the same time taking administrative and legal measures against the people and their leaders in many different fields.

In a small dorp in the Orange Free State Senator van Rensburg told a meeting that eleven million non-Europeans in South Africa, "the coolie, *kaffir* and Coloured," were mustering their strength against the Europeans. And when countrywide protests from the blacks against these insulting words ensued, the Minister of Justice, CR Swart, could only say that "Afrikaners intended no insult when they used the traditional word *kaffir* to describe a native."

Indeed, people in high places within the Nationalist Party were in urgent need of basic education before they progressed from *kaffir* to native, from native to Bantu, and then eventually from Bantu to African.

NATS INTRODUCE POLITICS INTO SPORT BY WITHHOLDING PASSPORTS

The Nationalist rulers of South Africa introduced "politics into sport" with a vengeance, starting, I believe, with the refusal of a passport to sportsman SL Singh, followed by similar bans on Cassim Bassa of table tennis and much later on MN Pather and many others. "Politics in sports" in respect of overseas teams was also a Nationalist government innovation when the MCC was barred because it had a former South African Coloured, Basil D'Oliviera, in its team.

In the fifties our people were deeply involved in soccer, cricket, tennis, table tennis and golf when the full might of racial discrimination operated against them. The government of Dr Malan was making it clear that it would not tolerate even talk of integration in any of the sports.

SL was the manager of the South African Indian soccer team which was proceeding to the then Lourenço Marques to play two matches. He was refused a passport, and his players were given passports.

The Leader pointed out that after a trial match in May 1951, when the players had been selected, the "usual formalities were proceeded with, and each player individually reported to the local immigration offices where forms were filled,

subsequently examined by the local police authorities and then transmitted to Pretoria." The same procedure was followed by SL Singh.[24]

> "On Friday last intimation was given by the local immigration authorities that passports were available for the players but not for the manager, Mr SL Singh."

The Leader report ended with the intimation that in the absence of SL Singh, A. Harry Naidoo would act as manager. The team would play two matches on June 23 and 24 and return on June 25.

In the fifties soccer dominated sporting activities among our people and this had been the position from the earliest times.There were many homes in Natal where a photograph of a football team with the family's past and present members occupied a place of pride on the wall of the lounge, all clad in the boots and jerseys.

The secretary of the South African Indian Football Association (SAIFA) in 1951 was Charles M Pillay. I remember the meticulous way in which he presented the secretarial report to the nineteenth biennial general meeting held at Curries Fountain on May 26, 1951. In that report he intimated the steps taken to form a Federation of the African, Coloured and Indian soccer controlling bodies.

SL Singh, George Singh and Charles M. Pillay went during the Easter recess to Johannesburg where the Federation meeting was held. The delegation of three was accompanied by K Samuels and A Harry Naidoo. Prior to the Federation meeting they had meaningful discussions with the officials of the Coloured and African soccer bodies.

BIRTH OF FREEDOM DAY, JUNE 26, 1950

1950 was the first year when 26 June was observed, following a call by the ANC President, Dr Moroka. This "day of protest and mourning" later became the "Freedom Day."

In Durban the racist City Council took the lead in dismissing workers who stayed away on the first Freedom Day in our history: 334 Indians and 80 Africans

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[24] In the fifties all whites - including white Communists - were issued passports over the counter without any delay whatsoever. And, as a matter of course, all Indians - including Indian anti-Communists - encountered a delay of up to six months before a passport was either granted or refused. An Indian applicant was required to give a mass of details about his family when he wanted a passport.

received dismissal notification from the City Council. The racial imbalance was deliberate. It was a warning to Indian workers.

In the beginning of the fifties the Indian industrial workers were still paying a heavy price for their trade unionism whilst the "pass-bearing African" was prohibited by the Industrial Conciliation Act of 1927 from being a legal member of a registered trade union. *Indian Views* editorially noted that because of the labour laws of South Africa, "Indian workers have played a more important part than African workers in trade unions," and called for a change in legislation to enable Africans to join unions. "Looked at in its correct perspective the move to replace Indian workers with African workers, is an attack on trade unionism as such. It is an attack on organised non-European labour," the V*iews* said, and added that it was imperative that African and Indian workers stood together in respect of their employment and political demands.

CUBA MOVES CONDEMNATION OF APARTHEID IN UNITED NATIONS

In 1950, the United Nations was focussing attention on race discrimination in South Africa. India was leading the Afro-Asian countries; and this leadership was formally recognised two years later when Vijayalakshmi Pandit was chosen as the President of the UN General Assembly.

Mrs Pandit urged the United Nations to declare in unequivocal terms that the principle of segregation on the grounds of race - that is, apartheid – was inconsistent with the principles of the United Nations Charter and the Universal Declaration of Human Rights.

The debate in the General Assembly on Indian South Africans and in particular on the Group Areas Act, gave the Afro-Asian nations the opportunity of venting their true feelings on colonial subjugation and they put the imperialist and neo-imperialist powers on the defensive. Cuba spoke out strongly and proposed a clause in the resolution that apartheid was necessarily based on doctrines of racial discrimination, thus rejecting South African propaganda; it was carried by 20 votes to 3, with 32 abstentions. The large number of abstaining states reflects the difficult task India and others were facing in trying to get support from the imperialists and their minions.

The delegate of the Philippines, Senor Lopez, talked about suspending or expelling member states which went against the UN Charter. Haiti condemned the "barbarous treatment in South Africa.

Pakistan's Tafazal Ali fully supported Vijayalakshmi and appealed to Dr TE Donges to get his government to postpone the enforcement of the Group Areas Act, so that Pakistan could sit at a round table conference in tripartite talks to solve the problems facing Indian South Africans.

India's stand against apartheid and the Group Areas Act received support from *New York Times* and the press in India.

THE YOUTH WINGS OF POLITICAL PARTIES IN 1950

RAF Swart, the chairman of the Junior United Party, in a letter informed the Natal Indian Youth Congress that his organisation could not accept the invitation to participate in a symposium of the NIYC because it had "as its object the removal of the colour bar." This letter was splashed on the front page of *The Leader* of January 6, 1951.

Dr TE Donges had rejected the NIC-TIC moves to hold discussions with the government and now the United Party youth was following suit in rejecting politics of dialogue and understanding.

RAF Swart later became the top leader of the Progressive Party and many leading NIC men and women came to know him better when he had himself rejected the colour bar. But his 1950 letter throws light on white thinking 48 years ago when only a handful of white socialists were supporting democracy, and when the Reverend Michael Scott and the Reverend WH Satchell had been among the few clergymen prepared to make common cause with the Congress demand for the rejection of the colour bar. Bishop Hurley and Dr Edgar Brookes, too, had spoken out against segregation and apartheid at a time when the Liberal Party and the Progs had not yet emerged.

The ANC Youth League was by 1950 a powerful pressure group forcing internal reform of its parent body and about to take over the leadership. The United Party and Nationalist Party youth bodies were as conservative as their parent bodies.

AM Kathrada (Kathy) was playing a significant role in the Transvaal Indian Youth Congress and the Natal Indian Congress Youth was headed by DA Seedat's younger brother Ebrahim. They were vigorously supporting the radical programmes of their respective parent bodies.

In 1950 Ebrahim A Seedat was trying to organise a symposium and he had written to the Junior United Party to take part in that symposium. The Junior UP first wanted to examine the constitution of the NIYO before replying to its friendly gesture. And then came the shocking reply. RAF Swart, then a young law student and chairman of the Junior United Party, in his carefully worded letter said:

> "While my Council appreciate your approach, on examination of your constitution, in view of Section A of Clause 3 thereof, the Council

expressed the view that it would be impossible to participate in such a symposium...

"For your information I would like to point out that while the United Party is fully alive to its responsibilities to both the Indian and the African people in South Africa, it cannot subscribe to any movement which has as its object the removal of the colour bar."

And after this pronouncement, Mr Swart added:

"There are ways and means for all sections of our community to work together for the common good of our country without tampering in any way with the colour bar which we feel is in itself a prerequisite to full racial co-operation, and the removal of which would be to the detriment of all sections."

Ebrahim Seedat, in his public reaction to this frank and outspoken support of the colour bar and the tone of patronage it conveyed, regretted that the Junior UP had rejected politics of dialogue, and added that there was little difference between the UP and the Nationalists.

The Swart stance was discussed in the NIC and the Liberal Study Group. There were those who wanted to have no further invitations to be extended to such white bodies as the Junior UP for any dialogue. Others persisted that it was the duty of the Congress to teach all whites in South Africa the common danger that the country was facing on civil liberties. This second viewpoint fortunately succeeded.

The Liberal Study Group members who had united socialists and non-socialists for a non-racial democracy had a most difficult task on both sides of the colour line even to get people together to meet and discuss the problems facing South Africa.

And let me emphasise that our educational task on non-racial democracy achieved through peaceful means was not confined to the whites of South Africa. We had a very positive role to play in exposing prejudices within the black sector between Indians and Africans, between Zulus and Pondos and at so many other levels.

TEACHERS' SOCIETIES

We had to educate the educators, more particularly in Natal which had given us the Natal Teachers' Union, the only teachers' trade union in South Africa. This trade union had ceased to exist. Virtually all its members, with the exception of S Panday, its president, and a few others, had joined the Natal Indian Teachers' Society, a body whose 1950 president was Dr AD Lazarus.

In the Cape the African, Coloured and Indian teachers had shown great militancy.

In the Transvaal, under the presidentship of George Carr, Indian and Coloured teachers were in one body - TICTA - and from this body had come Mervin Thandray, who was the secretary of the TIC and had served imprisonment in the 1946 campaign. He was indeed one of our outstanding leaders in 1950 when a full-time Congress official and he remained a dedicated Congressman all his life. The Reverend BLE Sigamoney had, as a teacher, actively sided with Dr Yusuf Dadoo in the early days of the Nationalist Group of the TIC. And "Major" CF Williams, another Indian teacher, had served imprisonment in the 1946 campaign without abandoning his career as a teacher.

But in Natal the Indian teachers were not displaying any such militant spirit. The Provincial Ordinance barred our teachers from playing any political role but during the days of the NTU, they had made common cause with the demands of the organised industrial workers in Natal. That spirit fast disappeared when the "aided school" teachers succeeded in getting their salaries "improved" to the same level as those of the teachers in the government schools.

Dr AD Lazarus criticised the 1946 passive resistance campaign in an address to the South African Institute of Race Relations. In 1950 as the NITS was approaching its Silver Jubilee Conference, there were many in our community pointing fingers at the failure of Indian teachers to serve the community.

The "Letters to the Editor" columns of the Indian weeklies are full of teachers' comments both on the suggestion made public by S Panday that Indian teachers should make a financial contribution towards the building of schools and on the way in which the Silver Jubilee Conference of NITS was being organised.

The critics, in particular, attacked the brochure which they said had little to record of the contribution of Indian teachers to the community and criticised NITS officials for filling space with an “Indian Teachers Who's Who” which cost each teacher ten rands for self-publicity.

The Natal Administrator, DG Shepstone, in his opening address told the delegates to the Silver Jubilee Conference of NITS that in Indian schools there was equality - Muslim, Hindu, Christian and other children played and worked together - but this upholder of segregation and a caste society accused Indian parents of failing to foster that spirit at home. He asked Indian teachers to visit Indian homes and help to break down the caste and religious barriers, of which he had no knowledge.

The Silver Jubilee NITS' Conference is, however, important in one respect. I believe it was the first teachers' conference in Natal to which the NIC was invited. JN Singh represented the NIC.

EDUCATION CRISIS: COMMUNITY'S RESPONSE TO LACK OF SCHOOLS

At the official opening of the Verulam High School, I called for free and compulsory education. The Department's own "Wilks Committee" had recommended that education for Indian children once admitted to a school should be compulsory up to, I think, Standard Four. Many, many children left school even before reaching the fourth standard and therefore the Natal Education Department was being pertinently asked why it was not even implementing its own report's recommendation.

Ebrahim Seedat and the Natal Indian Youth Congress were rallying our young people under the slogan "Education for Freedom."

At a meeting called by the Durban and District Women's League on the question of school accommodation before the new 1953 term commenced, Mrs Radhie Singh addressed the huge gathering of Indian mothers directly affected by the education crisis, and called for prefabricated buildings to be erected to meet the crisis. She pointed out that in the white suburb of Sherwood in Durban the authorities had given 60 white children accommodation in a prefab building.

At this same meeting HJ Bhengu dealt with the crisis in African education which was even more severe. At a school where Mr Bhengu was employed, 300 children were admitted and 1,200 turned away. At another school where his sister was teaching 1,300 children had been turned away.

In 1951, *The Leader* headlined "Many Children Turned Away From Natal Schools" and "Children Growing Up In Enforced Illiteracy." It reported girls being turned away from the only Indian Girls High School. "In all probability the overflow from this school, which is estimated to be over one hundred will be absorbed by the Congress High School which is contemplating conducting parallel classes in different buildings." Separate high schools were opened by Congress for boys and girls.

In January 1951, 570 students sought admission to Sastri College, which could admit only 100. Never in the history of Indian South Africans had they ever faced such an educational crisis as they were facing in Natal in 1951.

Reviewing the work of the Congress High since its inception in 1948, the principal, MB Naidoo, reported in 1950, that 45 students had written the Junior Certificate examination with 24 of them obtaining passes - three in first class, five in second class and 16 in the third class. The total expenditure on the Congress High for the year 1950 amounted to £1,185-6-3. "The Congress High School received no financial grant from the Natal Education Department or any other

authority. Teachers' salaries and other expenses are met from school fees and public donations," the report said.

The NIC, whilst keeping up maximum pressure for equal free and compulsory education for all in South Africa, had done practical concrete work. It was this type of work which made the entire community rally behind the Monty Naicker leadership.

In Verulam and Tongaat, the community responded magnificently and built a high school.

In the field of technical education too it was left to public-spirited people like ML Sultan to take over what was essentially the responsibility of the government of South Africa.

ML Sultan Technical College opened its doors to all black students in 1951. There were ten branches of the ML Sultan Technical College. The Bantu Education Act later excluded Africans from that institution - totally against the wishes of its philanthropic founder.

In tertiary education in Natal only segregated classes were available to African, Coloured and Indian students who were completely barred from attending the main whites-only campus at Howard College and at Pietermaritzburg.

In the Transvaal, Yusuf Cachalia, Moulvi Cachalia, Mervin Thandray, AE Patel and A Kajee submitted the TIC memorandum on education to the Transvaal Education Department in August 1951. The report received wide publicity in *Indian Views* and in *The Leader*.

The report recommended free and compulsory education for African, Coloured and Indian children up to the age of sixteen years. The memorandum dealt at length with the training of teachers and various other aspects of education, including the curriculum. The TIC said that its memorandum had the support of all sections of the Indian community numbering approximately 40,000 in the Transvaal and added that the capacity of South Africa's 300,000 Indians to make the fullest contribution was hampered "because of the practice of racial discrimination" by the government. It called for equal opportunities for all South Africans.

Bantu education was not yet on the agenda but all the blacks were getting a very raw deal under the different education departments.

NURSING AND MEDICAL TRAINING FOR NON-EUROPEANS: MCCORD'S HOSPITAL

The American Board of Missions pioneered both nursing and medical training in Natal in 1836, under Dr Newton Adams after whom Adams Mission came to be named. In fact, Dr Adams was then "the only scientifically trained doctor in all Natal." The Africans called him "The Man with the Three Coats" - a white one for his patients in the morning; a black one to preach on Sunday and a faded blackish-green one which he donned when he taught building and gardening to his helpers at the Adams Mission Station to the south of Durban.

Dr James B McCord succeeded Dr Adams in 1899. In 1904 he moved the hospital from Adams Mission to Durban's Berea and as was to be expected, he faced serious white opposition to this site.

I remember reading of Dr McCord's death in 1950 and the posthumous publication of the book *My Patients Were Zulus* which became a bestseller. It reflects the tremendous sacrifice made by Dr McCord to give medical services to our people, when no one else was prepared to do so.

In 1921 Dr and Mrs Alan B Taylor joined the staff of the American Board of Mission's Durban hospital, named McCord Zulu Hospital, and they worked with Dr McCord until he retired in 1940.

McCord's Hospital played a vital role in opening up the medical profession to our people from the earliest days. Its founders had envisaged it as a medical school and it was at McCord's that Ebrahim Jadwat became the first Indian intern, to be followed by Dr Mahomed GH Mayat who had quite a struggle to keep the McCord's doors of internship open to our doctors. He became a life-long friend of Dr Taylor and joined the prestigious Board of the McCord's Hospital.

Beatrice Gcabashe, the first African nurse who obtained medical registration in Natal in 1927, received her nursing training at McCord's and her son Dr VM Gcabashe served his internship there.

At the time of the Golden Jubilee of McCord's Zulu Hospital in 1959, Albert John Luthuli, the ANC leader, was a member of McCord's Hospital Board. The hospital then had 330 beds with 17 full time medical officers and 25 honorary physicians and surgeons. It was training 130 pupil nurses and 50 pupil midwives. The African ward patients were at the time paying 35 cents per day when the actual cost was two rands and thirty cents per patient. Thirty-five cents for a day for medical care, food and bed was indeed a great service in 1959 to the indigent.

Dr MI Essack served at McCord’s for twelve years from 1957 to 1969. He installed a water fountain on the death of Dr Taylor in 1969 as a tribute to his service.

One of the declared aims of the McCord's Hospital was - as stated in its 1959 Golden Jubilee brochure - to "popularise nursing among Indian women," a task in which the community has succeeded immensely.

FOUNDING OF NON-EUROPEAN MEDICAL SCHOOL

In February 1951, Dr EG Malherbe, Natal University's principal, announced the opening of the Medical School which was to have two years of premedical to "maintain high standards." (I remember that on another occasion Dr Malherbe had stated that black students required an additional year to complete the medical course, forgetting that our black students had done remarkable work at Wits and at Cape Town without any additional year after their matric.)

The Medical School of the University of Natal was established in Durban in 1951, with Dr Alan Taylor of the McCord's Zulu Hospital as its first dean.

Addressing the segregated Sastri Section of the University of Natal for black students on February 16, 1951, Dr Taylor gave an outline of the new institute. He said that the South African government was providing capital funds approximating a quarter of a million pounds and would provide seventy thousand pounds annually for bursaries and maintenance when the school became fully operative.

> "The Province of Natal is prepared to place all of the facilities of King Edward VIII Hospital plus more new buildings at the disposal of the university in its plan to build up a truly great teaching centre.
>
> "Our last hurdle is getting the Durban City Council to accept the Province's offer of six thousand five hundred pounds for a bit of land surrounding on two sides by King Edward VIII Hospital and fronting on Umbilo Road which is essential as the site for the new Medical School."

He also disclosed that fifteen students (later increased to 17) would be selected for government bursaries. Other bursaries were made possible by the "governments of the Protectorates and the Rhodesias."

The NIC strongly criticised the University of Natal for promoting apartheid by requiring the students to sign an agreement that they would "exercise their profession only among non-Europeans in areas approved by the government."

The NIC said that despite the university's repeated undertakings that white students would be admitted to the new Medical School at Durban, it had been discovered by Congress that the Natal University had in fact undertaken to refer every white application to the Minister of Education of the Malan government. Calling for an urgent explanation from the university - which as far as I remember never came - the NIC added that the extra year at Natal "was prescribed because of the Nationalist unscientific and racialist contention" that Africans have a "slower learning rate," to quote the minister.

NEUM UNDER DR LIMBADA OPPOSES SAIC–ANC UNITY

When the non-European Unity Movement (NEUM) was being formed, its organisers had anticipated that the SAIC would be an integral part of it. The name of AI Kajee was bandied about as a possible vice-president. But whilst Kajee, Councillor Ahmed Ismail and other conservative SAIC leaders attended the exploratory meetings before the formation of the NEUM, nothing came of it.

By 1951, the NEUM had travelled a long way, and it was passionately opposed to any form of collaboration with the governments. It had been active against the government-created Coloured body, the Coloured Affairs Department (CAD) led by Golding, and had now declared *non-collaboration* to be basic and central to the advancement of its ten-point programme for democracy in South Africa. It attacked the ANC for participating in the Native Representative Council and in the election of white representatives to the Senate and the Assembly through a communal vote.

By 1951, the NIC too had travelled a long way since the days of the Anti-Segregation Council. The TIC and the SAIC had also come under radical leadership.

The Dadoo-Naicker-Xuma Pact and the Joint Council of the ANC and the SAIC after the 1949 Durban disturbances had laid the foundation for closer working between the Congresses.

As far as the Indian community was concerned there had been a total rejection of the communal vote offered under the Asiatic Land Tenure and Indian Representation Act of 1946. This rejection had come also from the Kajee-Pather group. There was total opposition to the CAD from Indians in the Cape who were supporting the Dadoo-Naicker leadership.

Let me add that white democrats were taking part in the Congress Alliance and in the Non-European Unity Movement.

The Dadoo-Naicker leadership envisaged the "Non-European United Front" - the term "non-European" was then in common use - as emerging and consolidating in action against the injustices of segregation and apartheid. Calls for days of protest and the organising of joint protests were regarded as vital to raising the political consciousness of all the blacks for the unity of the oppressed and democrats.

Those now in the leadership of the NIC had taken part in public debates as far back as 1945 on the issue of participation in government institutions and at one such public debate HA Naidoo and DA Seedat had put forward opposing views. It was, indeed, most refreshing to find this openness in political debate. The people

publicly debated and rejected participation in government structures. The people were taken into the fullest confidence in formulating the NIC policy.

By 1951 the policy followed by the Dadoo-Naicker leadership had been formulated democratically at the annual conferences of the Natal, the Transvaal and the South African Indian Congresses. It was the democratic decision of the TIC, the NIC and the SAIC that there should be the closest possible co-operation with the ANC and that they act together with ANC and others in opposing segregation and apartheid.

Taking this into consideration, the attacks suffered by the NIC at a meeting of its Dundee branch were unwarranted. *The Leader* of August 3, 1951, reported this meeting under the heading "Dr Naicker Accused Of Betrayal." The chairman of the Dundee branch, VG Naidoo, had made his accusation and said that the only way to build the Congress and to solve the problems of the Indian people was to affiliate to the NEUM.

The NIC replied to the Dundee branch, pointing out that it was carrying out the democratic mandate of its Conferences and that it had achieved positive results in its policy of unity and united action. It refuted charges of betrayal and rejected the contention that "stay away" protests were acts of unjustified adventurism.

Debi Singh's full reply appeared in *The Leader* of August 17, 1951. However *The Leader* also reported that from Dundee the NEUM campaign had spread to other parts of Northern Natal.

At a branch meeting at Newcastle addressed by Dr GM Naicker, Debi Singh and myself, a resolution calling for affiliation to the NEUM was defeated. Dr AI Limbada and VG Naidoo were allowed to speak as guest speakers in support of the Unity Movement. Dr Limbada was also allowed to speak at the Ladysmith branch meeting of the NIC at which the principal speaker was Dr Yusuf Dadoo. These branch meetings in Dundee, Newcastle and Ladysmith as elsewhere were being held in preparation for the annual Conference of the NIC in Durban in September.

The Leader on October 5, 1951 gave a full report of the annual Conference at which one of the resolutions was on affiliation to the Non-European Unity Movement. It said:

> "Conference rejected the resolution by an overwhelming majority and instead passed a resolution endorsing the action of the Natal Indian Congress in its efforts to achieve unity of all blacks and democrats in South Africa."

The Conference was opened by Chief Albert John Luthuli who was attacked as a "quisling" in a pamphlet distributed by the Dundee branch at the Conference, said

The Leader report, which added: "But no delegate asked for disciplinary action against the Dundee branch for this direct insult to its guest of honour."

The delegates from Dundee who moved the resolution for affiliation with the NEUM declared that the leaders of the ANC were "quislings and collaborators" and that the NIC should have nothing to do with them. *The Leader* added that they described passive resistance contemptuously as a "stunt" and "adventure."

The 1951 Conference, however, issued a warning to its branches that expulsion could follow if a branch were to affiliate to the Unity Movement in opposition to the democratic decision. At the 1952 Conference, Dr Limbada's Dundee branch was subjected to disciplinary action after a full hearing.

The NEUM-Congress Alliance dispute had one positive feature. It showed the democratic nature of the Monty Naicker Congress and it educated the membership politically.

UNITED NATIONS SESSION IN PARIS, 1951-52

The Sixth Session of the General Assembly of the United Nations commenced in November 1951 in Paris. Sir Benegal Narsing Rau who led India's delegation, and Sir Zafrullah Khan who led the Pakistan delegation, gave outstanding performance of their legal skills at the session and both of them later became Judges of the International Court of Justice with its headquarters at The Hague.

We were, therefore, not perturbed when we heard that Mrs Vijayalakshmi Pandit, India's Ambassador in Washington, would not be attending the United Nations session but would be returning to New Delhi. She was to take part in free India's first general elections in January 1952, in which one hundred and seventy five million voters were to take part in polls spread over three months.

Indeed, India had become the world's largest democracy and the most powerful voice of the Afro-Asian people, either freed from or still under colonial oppression.

At the 1951 Paris session of the United Nations, the South African government's contention that our question was a matter of domestic jurisdiction was once again rejected, with Sir Benegal Rau giving an effective reply to GP Jooste.

India made special effort to expose all aspects of colour discrimination in South Africa. In a front-page story *The Leader* told us that "a 48-page illustrated booklet titled *Apartheid* has been distributed among all UN delegations at the Palais de Chaillot by the Indian delegation in Paris." This booklet contained the information supplied to Chari by the Congress Movement and it remains a magnificent document to which no convincing reply was possible.

In South Africa the Congress Alliance was uniting all those suffering under the policy of apartheid and in the United Nations India was broadening its complaint against the Malan government so that eventually apartheid would become a separate item for consideration.

The speeches made by India's delegates in the Trusteeship Committee of the United Nations in 1951 were indicative of India's leading role on the South-West Africa issue, demanding independence for Namibia.

And Pakistan was fully backing India on both issues. Mian Zianuddin of Pakistan told the Trusteeship Committee in 1951 that it was unfortunate that the South-West Africa Mandate had been handed to South Africa where "the pigment of the skin of human beings made a fundamental difference in human rights."

The attack on the South African government was so severe that its delegation walked out of the Trusteeship Committee.

And in South Africa, the SAIC issued a comprehensive statement on Namibia in 1951. It pointed out that its campaign against the Group Areas Act was part of the great struggle for democracy in South Africa and in Namibia too.

The Political Committee of the United Nations held six meetings between December 20, 1951, and January 5, 1952, to discuss our treatment under apartheid and finally adopted its resolution by 41 votes with 13 abstentions.

On January 12, 1952, the General Assembly adopted the Political Committee's resolution, calling upon the Malan government not to enforce the Group Areas Act and appointing a three-person Commission to assist the governments of India, Pakistan and South Africa reach a settlement. The Malan government completely rejected the UN resolution and was not prepared to hold any discussions under the world body on a matter of "domestic jurisdiction."

Hence the new year commenced with a firm deadlock in the international sphere.

CONGRESSES DECIDE ON DEFIANCE CAMPAIGN

1951 was a year of greater oppression and at the same time, of greater unity among the oppressed.

The joint executive meeting of the ANC and the SAIC of July 29, 1951, decided to embark on the Campaign for the Defiance of Unjust Laws.

The Defiance was to be focussed on six specific unjust laws, selected from hundreds on the Statute Book of South Africa:

* The Pass Laws which were the most hated laws affecting the African majority, and under which hundreds of thousands were sent to prison. Act 67 of 1952 tightened the pass laws.

* The Separate Representation of Voters Act, No. 46 of 1951, which removed the Coloured voters from the common roll.

* The Suppression of Communism Act, No. 44 of 1950, which made serious inroads into the civil liberties of all South Africans.

* The Bantu Authorities Act, No. 68 of 1951, which abolished the Native Representative Council and created tribal councils for Africans under the control of the white government.

* The Stock Limitation Regulations which limited the number of cattle for grazing and against which the rural African population had reacted with anger.

* The Group Areas Act of 1950, which had rallied world opinion against the Malan government.

With the meeting of July 29, 1951, we had now reached the fifth stage in the Congress-led passive resistance in South Africa. Let me explain.

The NIC was founded in 1894 by MK Gandhi and others and the ANC came into existence in 1912.

The first passive resistance was led by MK Gandhi who in 1906 opposed the unjust pass law affecting Indians in the Transvaal. The second passive resistance was also led by MK Gandhi in 1913 against the unjust provincial barriers and the £3 tax; this culminated in the great march of over five thousand persons into the Transvaal from the coal mines of Natal.

The third passive resistance was the one launched in 1941 by the TIC against the trading and land restrictions imposed against Transvaal Indians by the Smuts government. This took the form of vending of fruit and vegetables in defiance of the law.

The fourth passive resistance was led by Congress leaders Yusuf Dadoo and Monty Naicker in 1946 against the Asiatic Land Tenure and Indian Representation Act.

And now preparations were on the way for the launching of the fifth non-violent resistance campaign on the same pattern as the previous ones, against six specific laws.

This Defiance of Unjust Laws of 1952 spanned Congress leadership from MK Gandhi to Albert John Luthuli, with Yusuf Dadoo and Monty Naicker making available their experiences of the past and particularly that of the 1946 campaign in which over two thousand resisters had gone to prison.

SASTRI COLLEGE PLAYED GREAT ROLE IN UPLIFTING COMMUNITY

In 1951 the ex-Sastri students were in the leadership of the NIC and in fact ex-Sastri students were giving us our new lawyers, doctors and graduate teachers in increasing numbers each year.

At the end of 1950 Sastri College had 636 students. Of these 529 were in the high school section catering for boys only and 107 in the teacher training department open to boys and girls. Among the girls who had been trained as teachers at Sastri were Francesca Lawrence and Sybil Paul.

Besides being a high school and a teacher training college, Sastri had since 1932 housed commercial classes after normal school hours and these commercial classes developed into the ML Sultan Technical College. In addition, since 1936 Sastri was being used for university education of African, Coloured and Indian students under the Natal University which prohibited blacks from attending Howard College.

Thus, historically, Sastri College was providing secondary education, technical education, teacher training and university education when Indians and all other blacks had no other technical college or tertiary education in the whole of Natal. And Sastri students came from many parts of Africa, including what were then known as Southern and Northern Rhodesia.

In 1951 many Sastri students were making news at the political, educational and economic fronts as more and more lawyers, doctors and others were taking part in Congress and trade union activities.

One of the first full time matriculate trade unionists in the community was NG Moodley who later became director of Child and Family Welfare Society in Durban.

In our long struggle in the field of education the role played by Sastri College can never be over-emphasised.

SPRINGFIELD COLLEGE OF EDUCATION

In 1951 the Springfield College of Education for training Indian and Coloured teachers was opened in Durban with William Anderson, head of Sastri, becoming its first principal. Sastri College became a boys-only, full time institution and obtained its first Indian principal, Arthur Dawson Lazarus.

The Education Department saw to it that there were no white teachers under him. The entire white staff of Sastri was transferred to the Springfield College of Education, thus ensuring that they worked under the white principal, William Anderson. Until then, Sastri had separate staff rooms for its white and Indian teachers. The Durban Girls' High School continued to have white members on its staff - first wholly and then partly - long after 1951 and retained a white principal for many, many more years.

William Anderson's departure also ended Sastri's special relationship with CR Warriner who, before becoming an honorary secretary of William Anderson, had been producing dramatic plays regularly every year from 1934 to 1951. Mr Warriner had, in fact, become an institution. Under the so-called "Indianisation" of Sastri College, an Indian principal could not have a white secretary.

DOCTORS AND RACISM

In the fifties the white racists found that they had failed to stop the black doctors and lawyers from qualifying and so they began to tighten the screw in respect of internship for doctors and articles of clerkship for lawyers.

The Leader of August 31, 1951, told us of the tremendous difficulties the doctors who had qualified at Wits and Cape Town were facing in getting internship at hospitals. And those who eventually succeeded in getting internships were not allowed to work at any of the Provincial hospitals in South Africa.

The difficulties about finding internship were felt by the new Indian doctors even more than by the African or Coloured doctors who were given first preferences at the mission hospitals. The Provincial hospitals remained closed to all the blacks.

This is how *The Leader* of August 31, 1951, recorded the position:

> "The colour bar operated against Indian students who had qualified in medicine in obtaining employment as interns - the necessary pre-requisite for admission to the Medical Register. Three Johannesburg Indians have appealed to the Medical Association."

And *The Leader* continued:

> "In accordance with legislation passed three years ago (in 1948) all successful graduates have to serve a year in a 'house' post before they may be allowed to practice the profession. Indians are unable to find a 'house post' in any of the Government or Provincial hospitals in the Union."

The Leader stated that there was a limited opening at the McCord's Zulu Hospital in Durban which gave preference to Africans and rightly so. There were also limited openings at the Victoria Hospital at Lovedale in the Cape and at Cape Town's Somerset Hospital but all these institutions had no vacancies for Indian graduates.

The three Johannesburg Indian medical graduates - whose names *The Leader* did not give - had been without posts for the past three months. They had remained unemployed since qualifying and had made "more than thirty applications for posts in non-European hospitals but without success."

The Natal and the Transvaal Indian Congresses discussed the plight of our medical practitioners who had graduated but who found themselves in similar position as AH Mulla, IC Meer and AKI Vahed, among others, had found themselves after qualifying in law.

There were those who were saying that some in the white-controlled Medical Association were hoping that these doctors would leave South Africa and thus prevent an "Indian or black penetration into a white profession." The "Group Areas mentality" extended from land to the professions with ease. And there were those who were saying that the law requiring articles of clerkship and internship were enacted primarily to create difficulties for all the blacks so as not to deprive the white lawyers and doctors of the very profitable black clients and patients.

The Leader of September 7, 1951, reported that the Natal Provincial Administration's reasons for not training black medical graduates at the Provincial hospitals were challenged by the National Council of Women, a white body, when giving evidence on hospital services. The NCW viewpoint came like a fresh breeze in the polluted racist atmosphere.

This enquiry dealt with the employment of black doctors in Provincial hospitals and not only with the problem of training doctors. The Provincial Council had argued that a full-fledged black doctor - whether African, Coloured or Indian - could not be appointed at all to any Provincial hospital because the European nurses would refuse to work under him - just as it was argued that a white teacher would refuse to work under AD Lazarus at Sastri College.

Mrs VHM Barrett, leader of the NCW delegation, was most forthright in rejecting the Province's contention. She said that working under a black doctor should create no problem. "There should be no friction. Any nurse worth her salt should realise that a doctor is trained and should be prepared to carry out his instructions," she said.

Dr VCJ McPherson, head of the nursing division of the Red Cross of Southern Natal, condemned the Provincial ban as "disgraceful." He called the prohibiting regulation "scandalous" and said:

> "We make no difference in Red Cross. We have no colour bar. I personally would think very poorly of any nurse who wasn't prepared to co-operate with a non-European doctor."

The early black doctors, in order of the year of qualification were Dr Abdullah Abdurahman, South Africa's first black doctor (1893); Dr Mancherji Ratanji Nanji (1902); Dr William Godfrey (1903); Dr Abdul Hamid Gool (1910); Dr James Sebe Moroko (1918); Dr Modiri Silas Molema (1919); Dr Hathibhai Shankerlal Patel Masters (1924); Dr Ahmed Hajee Allam (1925); Dr Maurice Robert Joseph Peters (1926); Dr Luke Nain Liang (1926); Dr Wardea Abdurahman (1927); Dr Alfred Bitini Xuma (1927); Dr Abraham Dala (1928); Dr Kassim Mahomed Seedat (1929); and Dr Innes Balantine Gumede (1930). All these doctors qualified overseas and were not required to do internship in South Africa. In 1936 Yusuf Dadoo, Monty Naicker and K Goonam qualified at Edinburgh. In 1943 Dinshaw Tavaria was the first Indian doctor to qualify in South Africa at Wits and did not come under the internship regulations. Doctors qualifying in South Africa later had problems of internship.

HURDLES FOR INDIANS TO QUALIFY AS LAWYERS: THE VAHED CASE

A Sastri student who hit the headlines in 1951 was AKI Vahed - Kader to his friends - a self-made man, who was later to acquire deserving reputation as an outstanding civil lawyer in Durban. The Vahed case of 1951 proved that the body representing the white lawyers in Natal had been most consistent since 1894 when it opposed MK Gandhi's application for admission as a lawyer to practise in Natal.

Let me point out that until 1934 there was in Natal what was called "a dual practice," that is, a lawyer could practice both as an advocate and as an attorney. Thus people like JW Godfrey and Albert Christopher were both advocates and attorneys. By the time the first Indian qualified in South Africa as a lawyer - and that honour went to AH Mulla who qualified at Wits - the dual practice had come to an end. A person then qualifying with the LL.B. could forthwith apply to

practice as an advocate but to practice as an attorney he had to serve his articles of clerkship, which had to be registered with the Law Society. From the time the articleship requirements came into force our candidate attorneys faced many difficulties.

Under the apprenticeship laws, the white ruling classes in South Africa had applied a strict colour bar, preventing black labour acquiring necessary skills. The white trade unions wanted to protect their craft for whites. When they did not call for differential wages, it was because no black could acquire the skill to get the higher categories of work. And no white was getting "equal pay" with blacks for unskilled work because such posts as labourers, sweepers and messengers were never ever filled by whites.

The white workers had succeeded in barring black workers from higher paid skilled jobs and white lawyers and white doctors, too, were keen to preserve white monopoly in these professions. Hence the serious problems facing doctors in the fifties to get hospitals to give them internships, and lawyers to get articles of clerkship.

The first lawyers to qualify in South Africa in our community had to pay premium to their principals for articles of clerkship. The Law Societies eventually abolished the taking of premium for training, and it became a practice to pay the articled clerk a monthly remuneration whilst serving his articles.

These facts must be borne in mind in connection with the 1951 AKI Vahed case. Vahed obtained his LL.B. at Wits and he entered into articles of clerkship with attorney Ashwin Choudree of Durban but the Natal Law Society refused to register his articles. He had to make an application to the Supreme Court for an Order compelling the Law Society to register his articles.

The Law Society had taken the point that the articles agreement had no clause regarding payment to be made to the clerk. Vahed succeeded in the Court, rightly arguing that the law did not require payment as an essential part of the agreement between him and his principal.

In fact, difficulties had been placed in Vahed's path even whilst he was a student at Wits. In an interview to *The Leader* of September 21, 1951, he said that he had to cancel his articles in the Transvaal because the Immigration Department would not allow him to remain there for any other purpose besides studying at Wits.

Indeed AKI Vahed had triumphed in adversity. He was not allowed to study law at the "liberal" University of Natal which at the instance of the Law Society had cancelled all law lectures to the blacks and then he was hounded in the Transvaal - where he worked and studied - and he was further hounded when he wanted to complete his practical in Natal.

People such as AKI Vahed, JN Singh, IC Meer and NG Moodley, among a host of others, could not have studied medicine, because they had to work and earn money for their fees and upkeep.

The dual adversity of want and racism did not deter our pioneering students in qualifying in the different professions.

Let me state here that Kader Vahed and his devoted wife were ever ready to give assistance to those who had become the victims of the security legislation.

The NIC was deeply concerned with the lack of proper legal representations in our Courts of Law and with the health services in South Africa. In those years the government was not providing any legal aid to the poor and the biggest sufferers, as usual, were the blacks.

Our professionals were rallying to the cause of the people. The black lawyers, Africans and Indians, were in fact providing their own legal aid. And a large number of our medical practitioners were serving the poorest of the poor without charging them any fees.

By 1956 almost all our South African qualified black lawyers were banned by the government.

HEALTH SERVICES AND SHORTAGE OF INDIAN NURSES

In 1951, the Pietermaritzburg branch of the NIC, led by Dr MM Motala, Dr Omar E Hassim, SB Mungal and R Ramesar, told the Commission of Inquiry into hospital services in Natal that these were grossly inadequate for non-Europeans.

The comprehensive Pietermaritzburg NIC memorandum on health services went into numerous aspects of hospital and other facilities. It conceded that the "erection of the proposed non-European hospital at Edendale" could "remedy to some extent the very serious shortcomings in the existing hospital facilities..." Dealing specifically with Indians, it said:

> "The entire Indian community of Pietermaritzburg, comprising 11,000 persons, had to make the most of the 40 beds at Greys Hospital. This shortage of hospital facilities must therefore deprive even the most deserving patients the benefit of hospitalisation."

And the memorandum recorded that non-European doctors "are not taken on either the paid or honorary staffs of hospitals or local health clinics even if vacancies remain unfilled for any length of time."

In September 1951, the press publicised the continued shortage of qualified and trainee nurses in the Indian community.

The NIO's response to this shortage was to suggest that Indian nurses be recruited from India, just as the first Sastri teachers were recruited from India. The NIO suggestion did not get any real backing from the NIC or the community. Instead Indians now turned their thoughts to nursing.

Under a bold headline reading "Indian Men take to nursing", *The Leader* of October 12, 1951, reported:

> "With the shortage of Indian female nurses at present, three young Indian male nurses have given the lead to the noble profession...
>
> "Mr Govindsamy Moonsamy Billy, of Clairwood, is one of the first three Indian male nurses in South Africa to complete the final State Nursing Examination for medical and surgical nurses, thus obtaining a unique achievement.
>
> "The other two are Mr Jeewarathnam Paradasee of Glendale, who has successfully completed the requirements of the examination in General Nursing - both medical and surgical - conducted by the South African Nursing Council and Mr Muthusamy Poonsamy Naicker of Cato Manor, one of the first Indian male nurses to qualify as a staff nurse in the country."

Nursing, as a "traditional" female profession, highlighted the factual position in respect of the education and employment of our women.

According to Miss M Dorey, principal of the Durban Indian Girls' High School, in 1951 there were 77 Indian girls in Durban doing the J.C., 11 matric and 37 teacher's T5 examinations. These figures suggested that until there was a dramatic increase in the girls' high school attendance figures, there was little prospect for more recruits to the nursing profession.

EDUCATIONAL ACTIVITIES OF THE NIC

1952 was a year of many meaningful activities in the midst of defiance. These activities brought the NIC leadership in very close personal relationship with our workers, professionals, merchants, religious leaders, farmers and sportsmen.

We did not hesitate to appear on the same platform as PR Pather or AM Moolla in the cause of advancing Indian education.

After the 1949 riots the NIC engaged in the building of schools and the District of Inanda was particularly active, with Verulam and Tongaat taking the lead.

Every school built in the township of Verulam was built by the community and the same applied to the entire rural area of Inanda.

The Education Department had not built a single high school for us. In 1952 the Natal Education Department, under the United Party-controlled Provincial Council, told Shakas Kraal Indians that it had no intention of building any high schools for Indians, using the argument that its priority was primary schools.

The Emona Primary School was opened on August 13, 1952. The key figure at that function was Congressman Gopallal Hurbans who, in 1956, became one of the accused in the first Treason Trial. The Verulam High School was opened on November 29, 1952, when DV Moodley, a delegate to the Conference of the SAIC from Natal, played an important part with his colleagues of the School Board.

The Verulam contribution for the secondary education needs of our people was tremendous. Many students from Durban travelled daily to the new Verulam High School whilst Durban was in dire need for more high schools.

Let me recall the plight of Indian South Africans in 1952 from the NIC records and other sources.

The position at the end of 1952 was summed up in the survey carried out by *The Leader* which appeared in its issue of January 30, 1953, timed with the re-opening of schools. "Crisis: 40,000 Are Without Classrooms," said *The Leader* headline and reported:

> "Natal Indian education is at crisis point. With between 40,000 and 50,000 pupils who want to go to school unable to do so because there are no buildings and no teachers, the situation has become intolerable... The cry, 'Give our children schools' is echoing over South Africa. It cannot be stilled by talk of a high Indian birthrate."

In its issue of February 6, 1953, *The Leader* gave us a vivid picture of what happened when the 1953 term opened:

> "It was a heart-breaking assignment visiting the Indian schools which opened for the new 1953 term. Everywhere it was a case of turning away girls and boys who had applied for admission...
>
> "How many thousands saw the doors of the schools closed on them, I am unable to say.

> "The Department of Education in Natal has circularised principals not to divulge information as to the number refused admission."

In contrast, *The Leader* reproduced the following from the evening newspaper of Durban:

> "Today 2,000 European children, who will reach the ripe age of six in this coming year, entered Durban primary schools... these self-possessed youngsters... got a free issue of ice creams."

The NIC, in a statement to *The Leader*, said that in the province there were 183 so-called government-aided Indian schools and of these 156 were built by the Indian community, and the rest by religious organisations. There were only 27 State schools in the whole of the Province of Natal and they included schools such as Sastri College and Verulam and Umzinto High Schools which were built by the community.

On the other hand, the NIC pointed out, when the Indian and the white population of Natal was about the same in number, there were 167 government-built white schools and only 30 white schools which were not wholly built by the State. Whilst education was free and compulsory for whites it was not so for Indian South Africans.

There were twenty thousand Indian children without any schooling.

> "To achieve the best results, it is important that we should know the exact magnitude of the problem and the area where the shortage of accommodation is most acute…
>
> "We suggest that the factual position obtaining could be easily appraised if, at the beginning of the next term, all children of school-going age who have been unable to get admission to schools are made to register on a 'waiting list' at their nearest schools."

The NIC then dealt at length with "makeshift arrangements" and put forward the proposition of having "platoon classes" as a temporary measure and of using married women teachers who were then without employment in many instances. The NIC at the same time raised the question of compulsory education for Indian children and their need for regular medical examination.

WHITE GREED BASIS OF GROUP AREAS ACT

I remember how the Natal Provincial Council, an exclusive white body, and the whites-only municipal councils of English-speaking South Africa came out in full

support of the government of Dr Malan, especially in respect of the Group Areas Act.

No one believed the statement of Dr TE Donges, Malan's Minister of the Interior, who had, in introducing the Group Areas Bill, stated that this racist law would be implemented with equality of sacrifice and with fairness to all. It proved to be the most powerful legislation dispossessing settled communities of their homes and land on grounds of race.

I remember an article written by Ahmed Ismail Bhoola which appeared in *The Leader* under the heading "Group Areas Act - Indian Viewpoint."

When Bhoola wrote this article, Durban had acquired Percy Osborne as its new Mayor, succeeding Leo Boyd. And Percy Osborne had now become the leader of anti-Indian sentiments in the province's largest urban settlement.

Bhoola's article is worth reading even decades after it was written, for it shows the English-Afrikaner alliance of white greed, the basis of the 1950 Group Areas Act. It reminds us of the ugly anti-Indian sentiments used by white politicians to climb the political ladder from the municipal level to that of Provincial Council, to Parliament and to the Cabinet.

Bhoola quoted from a spate of press statements and speeches of the chief protagonist and votary of racial zoning, Percy Osborne, the mayor of Durban. Here are some of his "verbal gems":

> "I am still convinced, however, that the best plan for the Indian community is separate townships, where they can develop their own culture and eventually aim for some sort of autonomy." (*Natal Mercury*, November 27, 1951).
>
> "The Indian population of the city, now 145,741, will increase to nearly 500,000 in twenty years' time, if the present rate of increase continues. That is a conservative estimate... They will walk and drive through the Berea, Glenwood and Stellawood in their thousands every day to reach their work in the industrial areas. These areas will simply be Indian thoroughfares and Durban will be a second Mombasa...
>
> "Unless they (Indians) are given an area of their own they will push the white man from many types of employment, and there will be a demand for powerful representation which will perhaps become impossible to resist." (*Daily News*, November 24, 1951).

Ahmed Bhoola dealt devastatingly with Osborne's arguments. I do not want to quote these arguments - they are there for the historians to glean from the pages of *The Leader*. But what I want to stress is that the dailies in Durban were showing

their total sympathy with the white racists and the extensive coverage given to the Mayor's racist views was in keeping with their own racist approach in 1952.

Let me record, from a personal angle, that each and every Meer family home in Durban was under threat of confiscation under this hated law.

MI Meer's twenty-five acre land on which stood his homestead in Pinetown fell into the "white area" and so did his 84, Ritson Road home.

AI Meer's home at 62, Ritson Road and EM Meer's home at 26, Ritson Road, also became "white," and so did the Meer residences in Etna Lane, in Azad Court in Mansfield Road, in Lanyon Grove and in Madras Road.

What had happened to the Meers in Durban had happened to hundreds of thousands of other South Africans throughout the country as the dispossessions under the racist law continued to rage havoc.

EXPOSING THE GROUP AREAS ACT AT HEARINGS

The SAIC and its constituent bodies excelled in exposing the racist policies of Dr Malan to the world.

I remember the Land Tenure Board hearing that took place in Durban in August 1953 when the NIC was represented before it by JN Singh and myself. Ashwin Choudree and Cassim Amra gave evidence on behalf of the NIC. That hearing proved that the NIC tactics in appearing before the Board, and rejecting every plan before it, exposed the real purposes of the Group Areas Act.

Ashwin Choudree was able to place before the Board our objections to the Act and to give his own personal experience at the United Nations to show how the world had rejected this racist measure which had taken over from the 1946 Ghetto Act.

Cassim Amra's testimony was a grave indictment of white rule in South Africa in the provision of amenities at the level of central, provincial and local authorities.

Similar hearings took place later in Ladysmith. JN Singh appeared also for the Mosque and *madressa* in the Ladysmith hearings, and I represented Hindu institutions, thus uniting Hindus and Muslims. Dr AH Sader and *Chacha* Jamaluddin, the self-taught architect and builder of the splendid mosque, were among those who organised the local community to oppose all plans to implement the Act.

Whereas the NIC rejected all Group Areas plans, the SAIO, represented by people such as AM Moolla, PR Pather, AI Minty and ZV Parekh, put forward "alternative plans" asking for more land than was being given to Indians. The Organisation came under severe public attack for this policy which was in fact a policy of implementing the racist law. If the Organisation was sincere in rejecting the Group Areas Act, it was argued, it should not ask for any Indian Group Area. It must totally oppose all Group Areas just as the NIC and the TIC were doing.

This double exposure of the government and those who were collaborating with it was too much for the authorities. Hence the TIC and the NIC were banned from appearing before the Board, thus ending the role of the Indian Congresses.

The ban was challenged in the Supreme Court. The TIC application failed, but its petition provides useful historical material.

"NAMING" OF CONGRESS LEADERS UNDER THE "RED ACT"

As the Congresses prepared for the Defiance Campaign, the Nationalist government took action against leading NIC and TIC members by having them "named" under the Suppression of Communism Act.

The Leader of October 5, 1951, under front-page banner headlines, gave the story under the heading: "Congress May Be Outlawed: leading Officials 'Named' by Liquidator." It said:

> "The Congresses, both in Natal and the Transvaal are in danger of being outlawed in terms of the Suppression of Communism Act, for their leading officials have now been named.
>
> "Dr GM Naicker, Mr Debi Singh and IC Meer, President, General Secretary and Vice-President respectively of the Natal Indian Congress: Mr Nana Sita and Mr Yusuf Cachalia, President and Secretary of the Transvaal Indian Congress were 'named' last week. The President of the South African Indian Congress, Dr YM Dadoo, has already been named."

More and more names were rapidly added by the Liquidator, with some of them challenging successfully that they did not fall within the definition of the Act - no matter how wide the definition of Communism given in the Act.

There was much support for the viewpoint of Dhanee Bramdaw's editorial headed "The Police State" which appeared in *The Leader* of October 26, 1951, criticising the use of the Suppression of Communism Act even against declared non-Communists. The editorial said:

> "People who have had nothing to do with communism, but as leaders of political groups in the Indian community, are being drawn into the vortex of communistic suppression."

It warned that "every non-European newspaper focussing attention on its community's grievances and holding views which are in disagreement with government policies may find itself being asked to show cause why it should not be suppressed."

The listing of people under the Suppression of Communism Act took away the public's right to hear the views of some of our most outstanding elected leaders. It made "statutory Communists" of even the most rigid adherents of Mahatma Gandhi's non-violent policies.

Among the increasing number to be "named" by the Liquidator under the "Red Act" were many who had obtained their education at Sastri College and this applied particularly to the leadership of the NIC. Among them was JN Singh, who in June 1951 was objecting to the Group Areas Act's effects on the education of our people in the Malvern area.

LETTERS TO DR MALAN BY ANC AND SAIC

The ANC called upon the government of Dr DF Malan to repeal the six objectionable laws by not later than February 29, 1952, and this call of the ANC was supported by the SAIC.

If the government did not accede to the call of the ANC and the SAIC, then a mass demonstration was to be held throughout the country on April 6, 1952, the day on which the opening of the Van Riebeeck Tercentenary was to take place. The white Afrikaner rulers of South Africa regarded this date as a date of great significance. The actual defiance date was to be decided after the joint Congress meeting at Port Elizabeth on May 31, 1952.

The Defiance Campaign was eventually launched on June 26, 1952.

The ANC letter dated January 21, 1952, signed by Dr JS Moroka and WM Sisulu, is a historic document, as is the SAIC letter dated February 20, 1952.

Dr Malan's private secretary replied to the ANC letter on January 29, 1952, making it clear that the Nationalists were not prepared to enter into meaningful negotiations with the ANC. His letter is conclusive proof of the way in which the Nationalists looked at the future of South Africa in which white domination was to remain completely unchallenged, as seen in the following two paragraphs:

> "It should be understood clearly that the government will under no circumstances entertain the idea of giving administrative or executive or

legislative powers over Europeans, or within a European community, to Bantu men and women, or to other smaller non-European groups.

"The government, therefore, has no intention of repealing the long existing laws differentiating between Europeans and Bantu."

Since the Malan government rejected the repeal of the six unjust laws, the ANC replied on February 11, 1952, stating that it had decided to proceed with the Defiance Campaign.

While the ANC had decided on the Defiance Campaign at its Bloemfontein Conference held on December 16 and 17, 1951, the SAIC adopted the defiance plan at its 20th Conference held in Johannesburg at the end of January 1952.

Prime Minister Nehru, in his message to the SAIC Conference, said that the Indian National Congress welcomed "your co-operation with representative organisations of the Africans in your attempt to get certain unjust and racial discriminatory laws repealed." Even at the opening of India's Parliament, after the elections in January 1952, President Rajendra Prasad highlighted our plight under apartheid, and added:

> "Any policy which is based on racial intolerance and domination cannot be accepted or succeed in the modern world and must lead to conflict which might endanger peace."

It is important to understand the thinking that went on in the SAIC and its constituent bodies led by Dr Yusuf Dadoo and Dr Monty Naicker.

The SAIC letter of February 20, 1952, to Dr DF Malan is a valuable document on the Congress attitude to negotiations and dialogue. It recalled that when the Nationalists came to power in May 1948 the "passive resistance struggle was suspended and an approach was made in your capacity as the Prime Minister for a statement of government policy."

> "This offer... was rejected and the Congress was informed through... the Minister of the Interior, Dr TE Donges, that the government was not prepared to grant the requested interview..."

The SAIC told Dr Malan that the attitude of the Nationalist Party towards Indian South Africans arose out of its election manifesto which described them as a "foreign and outlandish element which is unassimilable," and should be expatriated as "an immigrant community" without any future in South Africa.

It declared that the Group Areas Act, which Dr Malan had described as "the kernel of apartheid," was a law which "runs contrary to all the fundamental principles of democracy and of human rights." After pointing out the long-term effects of this law, the letter said that "even at this early stage of its enforcement,

untold damage has been done to the interest of the people," and "immovable properties running into hundreds of thousands of pounds are in the process of being confiscated by the State in terms of the Act." It continued:

> "The South African Indian Congress, as the representative organisation and the mouthpiece of the South African Indian community, has at all times striven to protect and safeguard the interests of the Indian people against discriminatory legislation and to ensure their honourable and legitimate share in the development and progress of the land of their birth and adoption in common with all sections of the population, both white and non-white.
>
> "In spite of all attempts, however, the position of the Indians, together with the rest of the non-European people has been rendered intolerable by the discriminatory laws of the country..."

The SAIC letter then annotated the evils flowing out of the laws such as the Bantu Authorities Act, the Suppression of Communism Act, the Separate Representation of Voters Act and the Groups Areas Act. It declared:

> "Apartheid is primarily intended for the complete suppression of the non-European people so as to procure an unlimited supply of cheap labour.
>
> "With this purpose in mind the government is endeavouring to divide forcibly the population of our country into separate racial groups and tribes."

Let me now give you the rest of the letter almost verbatim and without any comments.

> "The policy of apartheid is anti-democratic, reactionary and contrary to the laws of natural development of history and can only be imposed by means of Fascist tyranny and unrestrained dictatorship.
>
> "Indeed, not only have the non-European people become the victims of this policy, but it has also encroached upon the rights and liberties of the European people, as evidenced by State interference with the freedom of individuals to travel abroad; with the freedom of the right of parents regarding their children's education; with the freedom of the press and with the freedom of trade unions to conduct their own affairs.
>
> "There has been a constant tendency to place unlimited and arbitrary powers in the hands of the Ministers, powers which under the provisions of the various laws enacted by your government are being used to crush the rights and liberties, particularly of the non-European people.

"There has been continuous impoverishment of the non-European people... with brutal enforcement of the Pass Laws, the forcible deprivations of the African peasants of their only wealth, their cattle, and the further enslavement of the urban African population through the Native Laws Amendment Bill.

"It was in this rapidly deteriorating situation that the African National Congress resolved to adopt a plan of action to obtain the repeal of (1) the Group Areas Act; (2) the Bantu Authorities Act; (3) the Suppression of Communism Act; (4) the Separate Representation of Voters Act; (5) the Pass Laws; and (6) the Regulations for the culling of cattle, as an immediate step to lessen the burden of oppression of the non-European people and to save our country from the catastrophe of national chaos and ever-widening conflicts.

"This plan of action was endorsed by the conference of the South African Indian Congress which met in Johannesburg on January 25, 26 and 27 of 1952.

"In terms of this decision we have been instructed to convey to you, the full support of the South African Indian Congress to the call made upon your government by the African National Congress for the repeal of the above-mentioned Acts, failing which, the South African Indian Congress will participate with the African National Congress, in holding protest meetings and demonstrations on 6 April, 1952, as a prelude to the implementation of the plan for the Defiance of Unjust Laws.

"It is with abiding faith and calm confidence in the truth and justice of our cause and from conviction in democratic ideals and principles that we make this supporting call, notwithstanding the contents of your reply to the letter of the African National Congress.

"We solemnly affirm that the Indian community of South Africa is South African and that it shall live and work for the progress and prosperity of the country on the principles of equality of rights and opportunities for all sections of our population, irrespective of race, sex, colour or creed and that it shall continue its firm alliance with the national organisations of the non-European people and all democracy-loving Europeans in the struggle for a free and democratic South Africa..."

In its concluding paragraphs the Congress said:

"The Indian people of South Africa bear the proud inheritance of the precepts and examples of Mahatma Gandhi, of devotion to the cause of righteousness and truth, of courage and determination in the prosecution of peaceful struggles against injustice and oppression."

This historic SAIC letter, after stating that the struggle was not directed against any "national group" but solely against unjust laws and that "non-European peoples cannot allow their destruction by accepting apartheid," ends with these final words:

> "In the interest of peace, humanity and the future well-being of our country and of our peoples, we expect that unbiased justice will prevail and that laws which offend the dignity of man and retard the progress of South Africa will be repealed."

The Public Safety Bill and the Criminal Law Amendment Bill were, at the time of the writing of the SAIC letter, before Parliament and these measures sought to declare even the Defiance Campaign as being totally illegal, thus ending virtually all forms of extra-parliamentary non-violent protests.

These were some of the world events when Walter Sisulu and Yusuf Cachalia were going round the country with other ANC and SAIC leaders to make the defiance decision understood fully at the grassroots level.

Never in the history of the Congresses had such wide mass consultations taken place. Eastern Cape was giving the country a powerful lead in 1952 with Njongwe and Mji becoming household names. South Africa also came to know better Govan Mbeki and others from an area where the ICU had also made an impact in earlier days.

And it was in the 1952 campaign that Nelson Mandela became the recognised Congress leader and young AM (Kathy) Kathrada, with one prison sentence to his credit in the 1946 campaign, became a top field worker.

PREPARATIONS FOR THE DEFIANCE CAMPAIGN

Much hard work went into organising the Defiance Campaign. The details were worked out by Moulvi Cachalia: he produced his document in Urdu and it was translated into English by Yusuf Cachalia.

From the Transvaal headquarters of the Congresses Yusuf Cachalia and Walter Sisulu went all over South Africa to get Congress approval. If I remember correctly, Yusuf Cachalia was in doing so arrested in the Transkei. The plan was finally approved by the Joint Planning Council of the ANC, the SAIC and the Franchise Action Council.

At a meeting of the Pretoria branch of the TIC in October 1951, Yusuf Cachalia analysed the implications of the Group Areas Act and declared that blacks in

South Africa "will not accept the Act, which the government regarded as the kernel of apartheid." He then made the first public announcement of a joint campaign.

He told his audience that "in the very near future you will be called upon to do your share in the struggle against apartheid tyranny."

Other speakers at this meeting were Dr William Nkomo, Nana Sita, Ramlal Moolloo and the TIC secretary Mervin Thandray.

Yusuf Cachalia was again the keynote speaker at a TIC meeting in Benoni where he called on the black people to unite for the struggle that lay ahead. At this meeting, India's diplomat RT Chari was the guest of honour. He was welcomed by the Chairman AE Patel, Secretary B Rawjee, and L Lovell, Labour M.P.

The Congresses were rallying full-time honorary workers and both the ANC and the constituents of the SAIC had full-time staff at their numerous offices in the different provinces.

Yusuf Dadoo, Yusuf Cachalia, Moulvi Cachalia and Walter Sisulu were among the full-time Congress workers in Johannesburg. The total number of full-time workers in Durban exceeded thirty in number, including Debi Singh and MP Naicker in the NIC office and many full-time secretaries of trade unions.

And in each town and dorp professionals, in particular doctors, led the Congress and provided the resources necessary for its functioning. A new crop of lawyers had also emerged, among whom in the Transvaal were Duma Nokwe, Nelson Mandela and Oliver Tambo.

In Natal there were many lawyers in the NIC executive and when in 1954 the mass banning came, it was said that almost all the South African qualified black lawyers - African, Indian and Coloured - had been banned. Indeed, the black professionals played their full role in the Congress politics of the fifties.

For the first time since we had taken over the leadership of the NIC, we encountered opposition and we had to deal with that opposition and unite our people with us before we could launch the Defiance Campaign in Natal. Our campaign to re-organise succeeded and we gained the necessary support to launch the campaign.

A number of people were speaking out against the campaign and among them were the Unity Movement supporters in the NIC ranks, mainly belonging to the NIC branches at Dundee and later at Pietermaritzburg. The Unity Movement also carried out a campaign in Natal against the Congress.

In its editorial of March 7, 1952, *The Leader* voiced its concern and referred to the coming into existence, in opposition to the ANC, of the Bantu National Congress led by SS Bhengu who was making numerous anti-Indian speeches. This organisation, however, had a very short existence. Bhengu was trying to please the Nationalist rulers but he failed miserably in getting any support from the people.

Whilst the preparations for the April 6 Day of Protest were on, Manilal Gandhi was expressing his concern and doubts about the defiance.

Manilal had to play his part but he was uncertain about his role; nor was he certain about the adherence to non-violence on the part of the African people. He said so openly and then proclaimed that in order to purify himself and get the proper guidance he was going to undertake a 21-day fast before arriving at his decision. Manilal did subsequently take part in the Defiance Campaign.

The Congresses set about uniting their ranks. The provincial Congress structures were strengthened with increasing emphasis on youth and women's organisations.

The Federation of South African Women (FEDSAW) was founded in Johannesburg in 1954 and we saw that as another front on which we would campaign for support. A strong delegation from Natal attended the inaugural meeting of the Federation and among them were Bertha Mkhize, president of the Durban and District Women's League, Fatima Meer, Fatima Seedat, Janapathy Singh and Ruth Shobane.

After the ANC and the SAIC decided on July 29, 1951, to embark on the Defiance Campaign, preparations were pursued under the direction of the Joint Committee of the Congresses. A large number of mass meetings were held throughout the length and breadth of South Africa and the significance of April 6 was outlined.

Yusuf Dadoo, Chief Albert Luthuli, Monty Naicker, Dr Njongwe and many other Congress leaders addressed meetings all over the country in a well organised educational programme monitored by Walter Sisulu and Yusuf Cachalia, the secretaries of the ANC and the SAIC.

April 6, 1952, was observed as protest day by the whole of South Africa. There was a phenomenal response.

There was unprecedented mass support in the Eastern Cape and it was decided to hold the key planning meeting of the Congress Alliance at Dr Njongwe's headquarters on May 31.

DAY OF PROTEST SHOWED UP GREAT BLACK-WHITE DIVIDE

Cape Town held the main function of the white ruling minority on the tercentenary of the arrival at the Cape on April 6, 1952, of Jan Van Riebeeck who, they claimed, had brought "civilisation" to the southern tip of the "dark and Godless continent."

The SAIC and ANC call for a national stay away received enthusiastic support. The Day of Protest on April 6, 1952, was the largest demonstration to date of our peoples' opposition to white domination.

History will record two noteworthy features of the Congress protest. First, the ANC-SAIC led campaign was free of any racism and without any bitterness against white South Africans. It invited whites to join the blacks in the demand for a shared society. Speakers all over South Africa emphasised that the ANC and the SAIC were wedded to the principles of non-violence in bringing about a democratic and non-racial regime in our country.

The main speakers at the Durban meeting at the "Red Square" were Dr GM Naicker, "Stalwart" P Simelane, IC Meer and JN Singh, with Hassan Mall speaking on behalf of the Natal Indian Youth Congress and Manibehn, daughter of Nana Sita from the Transvaal, making her first speech in Natal.

In his keynote speech, Dr Naicker said that the ANC and the SAIC were going to "use the weapons of non-violence to defeat *herrenvolkism*" and his words were drowned in a long applause when he added:

> "Violence is the attribute of the oppressor, not the oppressed."

Speaking on behalf of the Natal Indian Youth Congress, HE Mall[25] said that "three hundred years ago... Jan van Riebeeck landed on the virgin soil of South Africa and preferred to remain as an uninvited guest." He referred to the high infant mortality rate among Africans, Indians and Coloureds and the denial of educational facilities to them and added:

> "The decision we are now going to take is that we are no more going to tolerate any form of oppression."

[25] Hassan Mall had obtained his LL.B. degree at the University of Cape Town. A few days before his April 6 speech he had been admitted as Natal's first black advocate who had qualified in South Africa. Cape Town's black advocate AM Ndhlovu, instructed by Ahmed I. Bhoola, had appeared for Hassan Mall's admission. Under the heading "Advocates make history," *The Leader* of April 11, 1952, pointed out that "it was the first time that the Natal Supreme Court, since its inception, saw or heard an African in the role of an advocate before it."

In India the Congress Working Committee, meeting in Calcutta, declared full support for the Defiance Campaign. It denounced the policy of apartheid as "ruthless" and added that the government and people of India "can never accept any policy based on race discrimination." It expressed sympathy with Africans "who suffer under degrading and discriminatory measures," and welcomed the co-operation of Africans and Indians in not submitting to legislative and administrative measures which "condemned them to servitude." Meetings in support of our day of protest were held in many parts of India, including Bangalore, Lucknow and Delhi.

LYDENBURG: HISTORIC REVERSAL FOR GROUP AREAS ACT, MAY 1952

One of the main targets of the defiance planned by the two Congresses was the Group Areas Act enacted in 1950. The way in which the authorities began implementing this law in 1952 is of great historical significance. Because of this I want to give you some details connected with the Transvaal's - if not South Africa's - first hearing before what was then called the Land Tenure Advisory Board.

The Lydenburg hearing of May 1952 exposed the Act in all its vicious nakedness, disclosing the real nature of the measure.

At such a hearing, in terms of the original Act, the Town Board or the Borough or City Council presented a plan of racial separation for residence and trade. The Natal and the Transvaal Indian Congresses appeared and cross-examined the various Town Clerks who introduced the plans and so did the representatives of the property owners.

The Lydenburg Municipality's plan sought to eject the 18 Indian families - the total Indian population of the town - to an undeveloped site some two miles away from the town.

The evidence submitted by the municipality was subjected to strong cross-examination by the representatives of the Indian community, and an inspection of the proposed Indian Group Area established that this area had no amenities whatsoever.

Those who appeared for the Indian community at the hearing included Advocate IA Maisels, Q.C., Advocate Joe Slovo and Yusuf Cachalia.

The Lydenburg municipality was represented by Advocate V Hiemstra who was reported as saying:

> "If the Indians want to live in harmony with the other sections they would be advised to concern themselves less with business and more with other trades."

In reply IA Maisels said he would not make a political speech but would instead quote Dr Donges who had stated that the Group Areas Act would be implemented with justice to all. He pointed out that the Lydenburg scheme made a mockery of justice.

Even the government-appointed chairman of the Land Tenure Advisory Board, G.F. de Vos Hugo, declared in his finding:

> "In view of the inspection and the facts that we have elicited in evidence, the Board finds it difficult to recommend the proposed areas."

This was a great victory for the hard work put in by people like Yusuf Cachalia, secretary of the SAIC, which enabled Advocates Maisels and Slovo to have the Lydenburg municipality's proposals thrown out.

Why did the white majority of Lydenburg want to remove the 18 Indian families - a tiny minority - from the commercial centre to a bare veld? This question was asked by many. And the answer was simple. It was simply white greed.

I may mention that many of the progressive lawyers who appeared before the Board did so without charging any fees and in some cases for a nominal fee. In any such group areas hearings in Natal, a team of Congress lawyers including JN Singh and I appeared, and exposed the unjust plans of the municipalities. We charged no fees.

But the much amended Group Areas Act continued to be amended and took away the right of our people to cross-examine Town Clerks as in Ladysmith and in Pietermaritzburg. In fact plans were eventually presented to a Group Areas Act Committee instead of the municipality.

Although the Lydenburg scheme was thrown out by the Board, its chairman, de Vos Hugo, added:

> "I would like to enjoin on the non-European communities to come forward with possible areas for different groups... The Act will have to be applied sooner or later."

The attitude of Yusuf Cachalia of the Congress was that the Act itself was unjust and therefore no justice could flow out of it. The TIC and the NIC, led by the

SAIC, were totally against proposing any group areas before the board or anywhere else.

AI Minty of the Transvaal Indian Organisation, on the other hand, said that he would be prepared to investigate alternative schemes.

I remember the wide publicity given to the Lydenburg decision by the Transvaal dailies. The *Star* raised the pertinent question, which the Congresses had posed since 1950, namely "whether it was possible ever to administer justly so unjust a law."

We know from our history that the government did not listen. The Act was ruthlessly implemented and hundreds of thousands of our people uprooted all over the country.

After the warning of Lydenburg came the many amendments which enabled the authorities to deprive our people of District Six in Cape Town, of Cato Manor in Durban and of Sophiatown and the Western Areas in Johannesburg, just to mention three of the large number of traditional black occupied areas which were confiscated, at a loss of millions of rand to the owners, to whom compensation was given in such small amounts that many of the previous landowners could not own land again and became municipal tenants for all time.

TIC CONFERENCE IN MAY 1952

On Sunday, May 17, 1952, at the conference of the TIC, held at the Trades Hall in Johannesburg, Nana Sita, the President of the TIC, told the delegates present that the government of Dr Malan was determined to crush the Indian community with measures such as the Group Areas Act. Referring to the pending Defiance Campaign, he said that Indians were fighting for the rights of all oppressed in South Africa.

"We must not falter", said Nana Sita, and called upon Congress members to act non-violently, following in the footsteps of Mahatma Gandhi. This great Gandhian added: "The government agents can provoke violence but this we must avoid."

The conference, which was opened by Dr Yusuf Dadoo, was told of the plan to enrol ten thousand volunteers, and to collect "one million shillings for the Freedom Fund." Indeed in 1952 it was stressed over and over again that the political struggle must be financed by the people themselves from their resources within the country, and that the collection of the pennies and shillings was an important political task.

DADOO AND OTHER BANNED LEADERS DEFY BANS

The next step in the pending Campaign was the Joint Executive Committee meeting of the two Congresses which was to take place at New Brighton, Port Elizabeth on May 31, 1952.

Even before the Joint Committee met, the Malan government acted against Congress leaders: Yusuf Dadoo, JB Marks, Moses Kotane, JW Bopape and JM Ngwevela were banned under the Suppression of Communism Act.

At a press conference held at New Brighton, Dr Moroka and Dr Naicker announced that the five banned Congress leaders had decided to defy the Minister's ban on them and that they would be the first volunteers in the Defiance Campaign.

On June 5, 1952, Yusuf Dadoo and David Bopape were arrested outside the Lyric Cinema in Fordsburg, after they had spoken to a gathering. The arrest of JB Marks and Moses Kotane followed.

Dr Dadoo appeared in court, represented by Abraham Fischer and A. O'Dowd, instructed by Attorney N. Bhoolia, and was sentenced to six months imprisonment. David Bopape, JB Marks and Moses Kotane were also found guilty, but they were sentenced to four months imprisonment. I think Dr Dadoo was given the additional two months because of his previous convictions in respect of his anti-war activities and the 1946 passive resistance.

DEFIANCE CAMPAIGN LAUNCHED IN NATAL AT BEREA STATION

1952 was the year in which South Africa and the world came to know Chief Luthuli, Nelson Mandela, Oliver Tambo and other "new leaders" of the ANC.

It was the year in which the Defiance of Unjust Laws Campaign cemented a lasting relationship between Africans and Indians in South Africa.

It was the year in which the ANC received its mass following with a tremendous increase in its membership.

When the new year commenced Chief Luthuli had already been elected president of the ANC of Natal, having succeeded to that post previously occupied by AWG Champion. At the national level, the ANC president was still Dr JS Moroka of the Free State.

On June 22, 1952, we held our first joint mass meeting of the two Congresses in Natal at the Red Square. Among the speakers was Nelson Mandela who made his first speech in Durban. He addressed the huge crowd and explained the nature of the campaign. The youth leader had become a member of the ANC National Executive.

He shared the platform with the Natal presidents and secretaries of the ANC and the NIC, namely Chief AJ Luthuli, Dr Monty Naicker, MB Yengwa and Debi Singh.

On Sunday, August 31, 1952 - two months and five days after the Defiance Campaign had been launched on June 26 - Durban's first batch of 21 resisters went into action.

The official explanation for the delay was that Natal had been awaiting the call from National Headquarters in the Transvaal but others said that the delay had been caused by the reorganising of the Natal ANC after the Luthuli takeover from AWG Champion.

Chief Luthuli had cautiously led the Provincial ANC after taking over from Mr Champion. And the Unity Movement was questioning this cautiousness. For instance, the April 6 protest was not organised jointly by the NIC and the Natal ANC. Two separate meetings were held: the NIC held its meeting at the Red Square whilst the ANC held its much smaller meeting at the so-called "Bantu Social Centre Hall." The Unity Movement referred to the two separate Natal meetings as "apartheid meetings."

Internally the NIC was facing some agonising problems. At Pietermaritzburg the NIC branch officials supporting the Unity Movement rejected the Defiance Campaign. *Indian Opinion*, *Indian Views* and *The Leader* of April, May and June 1952 gave details of the controversy. Whilst the Dundee breach with the NIC headquarters was permanent, the Pietermaritzburg breach was temporary and healed before the adoption of the Freedom Charter in 1955. These internal matters caused much agony among members of the NIC in Natal and elsewhere.

Despite the delay caused by these developments, Durban's entry into the campaign was most impressive. The resisters marched from Nicol Square along Pine Street, Grey Street and West Street to the Berea Road railway station, where they were arrested after they entered the "Whites Only" section of the station.

Over four thousand people marched with the resisters from "Red Square" to the segregated railway station.

And in the first batch, which came to be led by Monty Naicker and PH Simelane, was Dr Naicker's colleague from the thirties, the tried and trusted AKM Docrat, who had played a pivotal role in the Liberal Study Group, in the Nationalist Bloc

and in the numerous court cases against the Kajee-Pather leadership before the takeover of the NIC by the new leadership.

Mrs Fatima Seedat, who had with her husband DA Seedat taken a lead in the work of the progressives in Durban, was also in the batch as was the young Billy Nair.

In fact, all the 21 members were leading activists well-known to the community.

Let me spell out the names of the 21 who constituted Natal's first Batch of Resisters: (1) Dr GM Naicker, (2) PH (Stalwart) Simelane; (3) AKM Docrat; (4) Zakariah Gumede; (5) Mrs Fatima Seedat; (6) Teresa Mofekeng; (7) Billy Nair; (8) Reverend JM Sibiya; (9) R Chengan; (10) Michael Mangele; (11) DV Chetty; (12) Ernest Mate; (13) A Vadival; (14) Elson Khanyile; (15) Manny Naidoo; (16) Fanyana Majozi; (17) Abel Nyinde; (18) Mrs Janapathy Singh; (19) Augustine Malinga; (20) Nomuntu Nyukiza; and (21) my brother AC Meer.

The front page of *The Leader* of September 5, 1952, gave the story of that day of Natal's Defiance.

The mammoth meeting at Nicol Square heard Chief AJ Luthuli tell us about the significance of that day with Dr Naicker stating that the roots of fascism were being strongly implanted in South Africa and adding that only the people could uproot this threatening menace.

Monty Naicker was indeed in top form. "We... are determined to defy discriminatory and unjust laws, to save our souls, our honour and our future," he declared and added amidst tremendous applause that "our struggle is for freedom - freedom from the moral and physical torture which obtains in this country."

Our resisters were indeed proud of Monty Naicker who had more terms of imprisonment to his credit than any other resister in that batch.

They were detained for the night in police cells. The next day they appeared before CE Russel in the Durban Magistrate's Court where they were convicted of contravening the railways apartheid regulations and sentenced to pay a fine of £7-10-0 each or to serve imprisonment of one month each. No fines were paid.

Before sentence was passed Dr Naicker addressed the Court in English and PH (Stalwart) Simelane did so in Zulu.

Dr Naicker's address on September 1, 1952, was given much publicity in the media with *The Leader* making it a front page story.

In quiet measured tones he told the Court that he was before the magistrate with the full realisation of his responsibilities to South African society, and then continued in these words:

> "Your duty as a judicial officer is to enforce laws passed by the legislature. But it is the basic concept of democracy that Parliament should represent all the peoples of the country so that when it passes laws it interprets the wishes of the majority of the country.
>
> "My colleagues and I before you today represent that majority of the South African people, yet we have no say in the making or the administering of the laws of the country. Because we are denied a say in the government of the country, it is our contention that more often than not we are legislated against... with the result that our Statute Book abounds with laws which we consider to be unjust and against the dignity of man..."

After a lengthy explanation of the unjust laws, Dr Naicker pointed out that the campaign was non-violent in character, seeking peaceful change.

> "We have adopted a civilised weapon in our protest, for we preach hatred towards none and we are bound by the noble ethics of non-violence.
>
> "Our struggle is not against the white people of South Africa as such but against oppression and injustice..."

In his concluding remarks Dr Naicker said:

> "Sir, my people have come to believe that when unjust laws prevail in the country, the place for all just people is in the prison of the country in defiance of these unjust laws.
>
> "History will decide whether it was correct for us to have decided to defy unjust laws as we are doing today.
>
> "In our minds we are satisfied that history is with us, for in the struggle of every nation men and women have had to make sacrifices including courting imprisonment in order to usher in democracy."

Monty's stirring words remained in the minds of those who had packed the court galleries.

Whilst Monty was in prison we learnt that the government of India was going to raise the matter of the Defiance Campaign at the session of the UN General Assembly in New York and we were heartened to hear that Mrs Vijayalakshmi Pandit was once again to lead the Indian delegation. And we learnt that thirteen

Arab-Asian nations had demanded a full-dress debate on the South African racial laws by the General Assembly.

In a letter to the Secretary-General, Trygve Lie, the thirteen nations said that racism in South Africa was "creating a dangerous and explosive situation" and added:

> "Apartheid, which is the declared objective of the government... implies a permanent white superiority over the non-whites who constitute the great majority of the Union's population..."

The All India Congress Committee, in a resolution on South Africa, said that the "basic principles of the United Nations Charter are being violated in South Africa and barbarous methods of suppression are being employed against a peaceful population." It added:

> "It is for the conscience of the world to take heed and prevent this struggle from developing into something which might endanger world peace."

Pandit Govind Vallabh Pant, who moved the AICC resolution, said:

> "What is happening in South Africa has no parallel in world history. The Malan government is perpetrating the worst form of atrocities against people whom they regard as belonging to an inferior race...
>
> "In South Africa the interest of Africans ought to be paramount and it was the duty of Indians there to co-operate with them..."

DEFIANCE CAMPAIGN PROMOTES AFRICAN-INDIAN UNITY IN ACTION

The Defiance of Unjust Laws Campaign brought the ANC and the NIC together in a working arrangement which was not unique to Durban.

But it was in Natal that the new national head of the ANC was to be located and in Natal where, three years previously, the Afro-Indian disturbances had taken place. Whilst Johannesburg was the national headquarters, Durban and Natal had a pivotal role to play in cementing a lasting relationship amongst our peoples. It was hence natural that this day-to-day working together should give rise to the question whether the time had not arrived to have only one national liberation organisation instead of four separate ones.

I remember the lengthy discussion that took place in the Central Prison in Durban, and outside.

The historic backgrounds and the separate laws which operated against the different peoples favoured the continuance of the NIC and the TIC, both wholly dedicated to a non-racial democratic South Africa.

Laws such as the "Curfew Laws" applied only to Africans, and hence even joint defiance of all the racial laws was not possible.

Durban's second batch consisting again of 21 resisters went into action on Sunday, September 7, 1952, defying the curfew regulations, after a huge mass meeting held at the Red Square where MB Yengwa and I were the chief speakers. As the curfew regulations did not in 1952 apply to Indians, this batch was an exclusively African one.

We were surprised to learn that Peter Abrahams, one of our ex-colleagues of Liberal Study Group days whom we had so lovingly supported when we had little in our own pockets, had an article in the *Drum* strongly criticising Indians and Coloureds. He emigrated from South Africa and had re-visited our country. Abrahams said that all blacks in South Africa should accept "Africanism" as the basis of their struggle. He criticised Indians who even within the NIC and the ANC still entertained "reservoirs of very sharp prejudice."

Abrahams himself was under severe attack in our discussions for, in 1952, people who had left South Africa for good were looked upon as people who had "run away from the struggle."

In any case the people in Durban who knew Abrahams well - and AKM Docrat was one of them - felt that Abrahams should have visited Durban and discussed his views with his past colleagues who had been of such great help to him in his most formative days.

The Leader reproduced Abrahams' views in its issue of July 11, 1952, and gave prominence to his summing up on the "I" in the NIC. He said:

> "For myself, I would say that the day for unity has arrived when Coloureds and Indians have enough faith in the Africans and their capacity for leadership as to join, as individuals, the African National Congress and make that one organisation for all non-Europeans. It would then be both National and African. Or are there non-Europeans who object to being called African?"

But let me make one point clear. In 1952 the ANC had no Indian and Coloured members because it was then not open to Indians and Coloureds. Whatever may have been the position of its constitution, the ANC was then an African body.

By the time the ANC held its Natal Conference on November 1, 1952, the Africans and Indians in Natal had seen unity in action. The ANC noted that the greatest achievement of the Defiance Campaign was the welding of an unbreakable, inseparable unity and singleness of purpose and the development of a common South African outlook between the Indians and the Africans. The Conference was opened by Dr JLZ Njongwe, President of the Cape ANC. The NIC received a standing ovation when I delivered its message.

There were numerous discussions in 1952 on the advisability of forming "one merged body" of existing democratic organisations but this idea was rejected on historic and political grounds. The NIC executive and the joint ANC-SAIC executive agreed on the advisability of white democrats forming an organisation supportive of the Congresses.

More than two hundred European democrats attended a private meeting at Darragh Hall, Johannesburg, on November 20, 1952, in response to a joint ANC-SAIC invitation. They were addressed by Oliver Tambo and Yusuf Cachalia. They expressed support for the objectives of the Defiance Campaign and elected a provisional committee to draw up a constitution for a new organisation with the aim of exposing the evils of racial discrimination and colour bar. The Congress of Democrats was born out of this initiative.

The unity achieved during the passive resistance in 1946 was extended in the 1952 Defiance Campaign to include all blacks and white democrats. There were in 1946 some African, Coloured and white resisters. But in 1952 the majority of the resisters came from the ranks of the Africans.

The 1952 Defiance Campaign did not have a newspaper of its own, unlike the 1946 Campaign which had the *Passive Resister*. In Durban, however, *Flash*, which had made its regular and almost daily appearance as a cyclostyled sheet in 1946, was revived. The 1952 *Flashes* recorded important campaign events and in this task Ahmed Ismail Bhoola played his part.

The Defiance Campaign was larger than any previous protests I had witnessed. In 1952, mass meetings became the order of the day. At these huge meetings in all parts of South Africa people of all "races" came together as human beings and at almost all of them, the platform presented the united front of all blacks and democrats, regardless of race, colour or religion.

FOCUS ON BOKSBURG IN DEFIANCE CAMPAIGN

I had visited Boksburg with Moulvi IA Cachalia and Kathy (AM Kathrada) on Sundays in the early forties. *Chotibhai* Bayat's family had a thriving general

dealer's business there. Moulvi Cachalia would visit the shop assistants and lengthy discussions would take place on India's struggle for independence and on the need to rally all democratic forces in South Africa just as Nehru and Gandhi had done in India. Moulvi Cachalia was indeed a powerful link with the days of his respected father, Gandhi's most admired resister in South Africa.

On June 26, 1952, when the Defiance of Unjust Laws campaign began in South Africa, about 105 volunteers selected by the Action Committee of the ANC and the SAIC - Africans and Indians - assembled in Johannesburg to launch the campaign. They were addressed by Nana Sita, president of the TIC, who appealed to them to maintain order.

While 50 volunteers - led by Walter Sisulu, secretary-general of the ANC, and Nana Sita, president of the TIC - were on their way to the Boksburg Location from Johannesburg, Yusuf Cachalia, joint secretary of the SAIC, went to the Boksburg Magistrate's Court to deliver a letter to the Chief Magistrate, telling him that the volunteers intended entering the Boksburg Location without permits.

The Leader of July 4, 1952, reported:

> "Warned that the volunteers were arriving and would try to enter the location, Mr AS Marais, the location manager, ordered the gates to be closed.
>
> "The first batch of volunteers including four Indian women were however allowed into the location...
>
> "The police - above 25 in number - under the command of Captain K Van der Merwe, Commandant of Police, Boksburg, arrived almost simultaneously."

They prevented the second batch from entering the location. One of the volunteers dared the police to arrest him, which they did.

> "Forty other volunteers followed and they were all put into a lorry by the police and driven away. Later eleven others were arrested inside the location, including the four Indian women."

They all appeared before the presiding magistrate and were given the option of a small fine or imprisonment. They all chose the latter.

The campaign continued attracting more recruits. It also caught the attention of the white business sector which would reap profits in peace – no peace, no profits.

DR BORIS WILSON, WHITE BUSINESSMAN, WARNS AGAINST APARTHEID

In 1952 the Defiance Campaign pricked the conscience of the white businessmen who feared a decline in their profits. Among those who spoke out was Dr Boris Wilson, who had served on the Students' Representative Council of the University of the Witwatersrand with JN Singh and me.

Dr Wilson had qualified from Wits in medicine but he concentrated on the business sector, eventually becoming South Africa's or rather Johannesburg's big man for the multinational Philips.

Boris Wilson was in fact a pioneer in the field of white business support for the elimination of apartheid for the preservation of a free enterprise system.

What Dr Wilson had to say in 1952 is important and I remember his speech given to Springs Rotary Club - next door to Boksburg - received wide publicity in South Africa and abroad. Dr Wilson said:

> "Implications of apartheid are frightening to the 72,000 businessmen who control South Africa's commercial and industrial enterprises and who employ a large section of the total labour force of the Union..."

Dr Wilson said the implications were frightening because it was nothing less than an attempt to reverse the tremendous commercial and industrial expansion that had taken place in the Union in the past 25 years in the interests of "a shaky theory of race prejudice that had no economic foundation whatsoever."

Obviously Dr Wilson was reacting against the Nationalist party, whose racist policies were under attack by the ANC and the SAIC in their defiance of apartheid laws.

He told his audience that economically the future of the country depended on the basic principle that there must be "the greatest integration in the economic sphere of all races." He pointed out that "profits were no good if there was industrial, social and political unrest in the country."

Warning that apartheid could result in the "greatest economic crisis that South Africa has yet seen," Dr Wilson called on every businessman to make his stand against apartheid "with his cold, calculated logic before South Africa slips into the abyss of commercial and industrial unrest from which it will never recover."

Dr Wilson, a liberal-minded businessman, was saying all this before the Progressive Party was formed and before Oppenheimer began talking such language.

I was most interested in the way Dr Wilson dealt with the importance of the African majority who were still referred to as "natives" by the liberal businessmen in our country. This is what he said:

> "We need the native. We need his labour. We need his buying power. We need him in our homes, our factories, our hospitals and our farms.
>
> "The native needs us. He needs our guidance and our help to a higher and healthier way of living. He needs our capital, our accumulated experience of the tolerance of white civilisation.
>
> "He wants to get rid of poverty-stricken conditions of lack of housing, hospitals and schools and of the prevalence of disease."

In 1952 there were few white businessmen prepared to say even that which Dr Wilson said at Springs in the midst of the Defiance Campaign.

RED SQUARE PLACED OUT OF BOUNDS

JN Singh led the fourteenth defiance batch a week after the Natal Conference of the ANC. The Mayor had by then grown alive to the political significance of our Red Square meetings. He refused to give permission to hold the farewell meeting in a "public" place and since the Nicol Square was a public place it was out of bounds. JN Singh's batch was given a farewell from an open place which was not a “public place” at the corner of Carlisle Street and Albert Street. The meeting unanimously passed a resolution pointing out that "there had been no violence or threat of violence at the large number of meetings organised by the African and Indian Congresses since the campaign commenced and that there was no justification for the action taken by the Mayor."

JN Singh, the lawyer who had been appearing for the resisters, stood in the dock with his 13 fellow resisters and the magistrate sentenced them to 14 days' imprisonment with hard labour.

The Defiance was continuing with tremendous success. In October 1952 the Action Committee of the Campaign from its Johannesburg headquarters told South Africa and the world that in less than four months 6,880 volunteers had gone to prison in 32 separate centres in the Union of South Africa, with Eastern Cape in the lead.

Eastern Cape made the highest contribution with 5,719 resisters followed by the Transvaal with 1,911, Western Cape 423, Orange Free State 258 and Natal 246.

Whilst there were no disturbances in Natal we had had reports of violence in other parts of South Africa and hence the meeting in another resolution called upon the Minister of Justice to appoint a judicial commission to enquire into the disturbances that had taken place at Port Elizabeth, Kimberley and Denver. It expressed regret that many lives had been lost and condemned all forms of violence.

DEATH OF DHANEE BRAMDAW

On July 4, 1952, our community learnt with a sense of great shock and sadness that Dhanee Bramdaw, editor of *The Leader*, passed away on board the *Warwick Castle* between Mombasa and Aden, whilst he and his wife were on their way to the United Kingdom, where he was to consult doctors. He had been in failing health. His remains were cremated at Aden.

The Leader told us that its founder and editor died at the age of 51, leaving behind a proud record in the field of journalism. "Unfortunately he was working in South Africa, where his colour was against him... In any other country he would have reached the highest point in the newspaper world."

Dhanee Bramdaw was born in Pietermaritzburg. After receiving his early education in Natal he proceeded to Fort Hare, where his ability as a writer was recognised and he was appointed editor of *SANC*, the Fort Hare students' magazine. After leaving Fort Hare he joined the *Natal Witness* and later Reuters, becoming its acting Chief Editor in 1934. He was the first black journalist to work on a daily and was a correspondent of many leading newspapers in South Africa.

By becoming the South African correspondent of well-known papers of India such as the *Hindu* of Madras, *Pioneer* of Lucknow and the *Madras Mail* he scored another first for black journalists of our country.

His published works included *Sastri Speaks*, a collection of Sastri's speeches, and *Out of the Stable*, an historical overview of Indian South Africans relating to the Round Table Conference. He also published the *Indian Who's Who and the Commercial Directory*. He was best known as the editor of *The Leader*, a weekly that he edited until his illness before his untimely death in 1952.

NATS ABROGATE SMUTS-GANDHI AGREEMENT

In February 1953, Dr TE Donges, the Nationalist Minister of the Interior and author of the Group Areas Act, announced that his government had decided to abolish the Smuts-Gandhi Agreement of 1914.

The response of the SAIC came in the form of a letter addressed to Dr DF Malan, the Prime Minister, perhaps one of the last letters to be written by the premier Indian political body in South Africa to the Nationalist government. This letter, signed by Yusuf Cachalia as the secretary of the SAIC, said:

> "We... lodge our most emphatic protest to you against the declaration of the Minister of the Interior, Dr Donges, that the South African government has decided to abolish the Smuts-Gandhi Agreement."

"The Smuts-Gandhi Agreement," said the SAIC leader, "was concluded in 1914 at the end of eight years of strenuous suffering by the Indian community under the leadership of Mahatma Gandhi, and was hailed by him as the '*Magna Carta* of our liberty.'" Its abolition was a matter of vital concern to the entire Indian people.

After pointing out that the abolition of the Gandhi-Smuts Agreement "would adversely affect the entry of Indian women married to South African Indians, and their minor children," the SAIC leader noted that such entry was in fact and in law governed by the Immigrants Regulations Act of 1913, as amended. The letter then asked Dr Malan:

> "Is it to be implied that the government intends repealing existing legislation? Or will the government use provisions of the Public Safety Bill, when it becomes law,[26] to suspend the operation of existing legislation in an arbitrary manner?
>
> "The ambiguous statement of the Minister has caused grave consternation and apprehension among the Indian people and in view of its seriousness we request you to state the true intention of your government to the public of South Africa and to the world at large."

The SAIC letter also pointed out to Dr Malan that particularly on the occasion of general elections Indian South Africans have been made scapegoats "of unreasonable and unjust racial and colour prejudice, in flagrant breach of the Smuts-Gandhi Agreement."

No acknowledgement or reply appears to have come from Dr Malan. It was the Nationalists who had abandoned negotiations and had adopted institutional violence as the official State policy.

Soon after, in defiance of the Gandhi-Smuts Agreement of 1914, the Malan government announced that it would not allow brides from India, married to South African Indians, to enter South Africa. Brides from other countries had been banned earlier.

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[26] The Public Safety Bill was at that time before Parliament.

This was also a time when a Cabinet Minister ruled that whites must not shake hands with blacks even at university level and that civil servants must drop "Dear Sir" when writing to blacks but use the alternative apartheid salutation, "Greetings."

INDIAN BRIDES PROHIBITED ENTRY

The Leader in its issue of October 2, 1953, gave two full pages to the House of Assembly debate in which Dr TE Donges, Malan's Minister of the Interior, explained why brides from India were being banned from entering South Africa. Dr Donges told Parliament that the Immigrants Regulations Act of 1913 had excluded from the definition of prohibited immigrants the wife and a child of an immigrant and that he wanted to ban their entry under the new law. He had the temerity to argue that the reason for exempting brides was the fact that according to the 1911 census, the South African Indian population consisted of 63 per cent males and only 37 per cent females. By the 1951 census the Indian females had increased to 48 percent of the population and hence, he said, there was no need for bride exemption from India. To Dr Donges the refusal to allow entry to one's wife and child was justified on arithmetical grounds and he was obviously not concerned with the moral or other considerations. We condemned him for what was indeed a callous measure aimed at destroying many families.

The SAIC lodged a strong protest on this issue, and addressed a letter to each and every Member of Parliament pointing out the violation of the Smuts-Gandhi Agreement. The office of the High Commissioner of India in South Africa, too, spoke out against this move, as did Pandit Jawaharlal Nehru himself in India.

There were then many brides waiting to travel to South Africa and their future was placed in jeopardy. The steamships of the All India Navigation Company plying between Durban and Bombay began to bring the affected brides to South Africa. They were made to go through an X-ray vehicle to have their chests checked against tuberculosis. Among the 257 passengers that were landed by the *Kampala* on May 30, 1953, there were approximately two hundred affected wives from India.

During that very debate, Prime Minister Malan blamed Jawaharlal Nehru for not helping to solve the "Indian problem." "India's demand," said Dr Malan, "was that Indians in South Africa should have equality in all respects with Europeans, and Mr Nehru had said that they did not want to hear anything about repatriation. To Mr Nehru it was a question of India's prestige." After giving a lengthy explanation about South Africa's stand Dr Malan said that the "only real obstacle... was the present leader of India, Mr Nehru."

NIC CONFERENCE IN 1953 OPENED BY CHIEF LUTHULI

On February 21, 1953, the NIC held its annual conference. Chief Albert Luthuli declared this Conference open and his opening speech was hailed by all as brilliant. In a message from New York, singer Paul Robeson greeted Monty Naicker and said:

> "The heroic struggle of the South African people is an inspiration to us in America and to the oppressed people everywhere. My full solidarity until final victory is won."

The 58th plenary session of the Indian National Congress, meeting in Hyderabad in January 1953, called upon "all nations of the world" to support the Defiance of Unjust Laws Campaign. It "noted with deep satisfaction" that Africans, Europeans, people of mixed racial descent and Indians had made common cause in the struggle against "oppression and racial violence."

Nehru welcomed the African leadership of the Defiance Campaign in which the Indian South Africans were playing their part. He pointed out:

> "In South Africa the question of Indians, although important to us, has been deliberately allowed by us to become a secondary issue to the large issue of racial discrimination."

The Nehru pronouncement was clear. In 1946 the Indian South Africans led their passive resistance and at the United Nations India had put on the agenda the item "Treatment of Indians in South Africa." Now it was not that item - which still remained on the agenda of the United Nations - but the broader question of Race Discrimination and Apartheid which was the main issue for India.

Monty Naicker told the conference:

> "Our freedom cannot and will not come from the United Nations Organisation, India, Pakistan or any other outside source, however important and welcome their support.
>
> "Once we realise the cardinal fact that we have to strive for our freedom in South Africa itself, then it is necessary for us to have a clear policy and programme for the achievement of our objective."

Dr Naicker pointed out that the "present leadership of the NIC, for almost fifteen years now, has consistently impressed on the Indian people that colour and racial oppression will be ended only with the united struggle of all the non-European

people, supported by those Europeans who genuinely belong to the democratic camp."

The very comprehensive secretarial report of general secretary Debi Singh appeared in *The Leader* of March 6, 1953. Debi Singh had served for many long years as the NIC secretary and we were reluctant to relieve him of that post which he had occupied with such distinction. JN Singh, who was no longer secretary of the SAIC since its headquarters were shifted to Johannesburg, was elected to Debi Singh's post at the 1953 NIC conference.

LIMBADA EXPELLED FROM NIC - BANNED BY GOVERNMENT

At this conference Ahmed I Bhoola moved for the abolition of all parties within the NIC, pointing out how disruptive Limbada's group had been.

Within days of the 1953 NIC conference, Dr AI Limbada was banned by Minister CR Swart under the provisions of the Suppression of Communism Act. The banning order was dated February 10, 1953, and it confined him for twelve months to the Dundee district. As *The Leader* noted, "Dr Limbada is a known anti-Communist" but that did not matter. Anyone bringing the oppressed of South Africa together and opposing the policy of apartheid was deemed to be a Communist in terms of the wide definition given in the Suppression of Communism Act.

In 1950 this banning order did not prevent the statements of the banned person from being published and hence in its issue of March 13, 1953, *The Leader* printed a front-page interview with Dr Limbada.

One of the first protests against the Limbada banning came from the very NIC which had expelled him. Besides the public protest from its platform at the Luthuli Square on March 8, 1953, the NIC issued a carefully worded statement "lodging its strongest protest at the action taken against Dr Limbada."

THE NIC IN 1953

There were in 1953 almost 30 NIC members holding full-time office in trade unions and other community-based organisations and these leaders, with clearly defined constituencies, were summoned to discussions to assist the NIC secretariat which met for a short session after 5 p.m. on an almost daily basis.

We had key persons such as Gopallal Hurbans, Chota Motala and Dr AH Sader who were in a position to summon the leadership of the North Coast,

Pietermaritzburg and the Midlands at short notice. Similarly, we had easy contact with the South Coast where SV Reddy and Ramsunder were in contact with the leadership from Clairwood to Port Shepstone.

Dr GM Naicker was proud of the dedicated selfless collective leadership which was deeply respected by the community.

In *Indian Opinion*, *Indian Views* and *The Leader* of 1953 - as in the previous ten years - the NIC leaders were the newsmakers and even the white-owned dailies could not ignore them.

NIC SLOGAN, "EDUCATION FOR DEMOCRACY"

Education for democracy was the slogan of the NIC leadership in 1953. We regarded acquisition of skills as a positive way of opposing segregation and apartheid. Our Congress education departments were run by people who had worked hard to achieve their educational successes in adversity.

I remember the NIC campaign to find classrooms for all our children in South Africa. In Natal alone between forty thousand and fifty thousand Indian children and many more African children had never been inside a classroom.

The NIC mounted a campaign to get a petition signed by parents and there was a tremendous response to this from the community.

The leadership of the NIC and the Natal ANC, too, were drawn very much closer in this educational campaign, whilst the Defiance Campaign heightened the main political slogans of the Congresses. Mass meetings on the educational deprivation of our people were held and Chief Luthuli appeared on this platform with NIC education committee members such as JN Singh, IC Meer and CI Amra.

Whilst campaigning with the ANC on the major educational platform the NIC was also playing a positive role in the Indian educational front.

The NIC strategy was to achieve maximum unity at all levels on the question of education. Besides running the Congress High School, the NIC was calling for maximum pressure from the entire community to force the hands of the Natal Education Department, dominated by the United Party.

I remember the discussion that took place in the NIC executive committee on the need to form a united education front with the Natal Indian Teachers' Society and even the NIO. The community knew full well that the NIC was in the lead on the question of education and yet to achieve unity in action the NIC was ready to play its full role even if the leadership was not technically in NIC hands.

Cassim Amra was one of the NIC spokespersons at the Educational Conference which followed. The conference decided to form the Natal Education Committee with PR Pather as president and P Raidoo of the Natal Indian Teachers' Society as secretary. Each organisation affiliated to the Committee was entitled to send two delegates to it. JN Singh and I were elected to represent the NIC.

It was important for the community to see a united delegation of this new body with PR Pather, AD Lazarus, IC Meer, P Raidoo, JN Singh and others making a strong demand to the Education Department in Pietermaritzburg.

At its meeting with the Department, the NIC delegates were firm in rejecting any move to reduce the number of teaching hours in Indian schools. Leaving aside the platoon classes the NIC took a strong stand that education should be of the same standards in respect of teaching hours as was laid down in the Ordinance for the white schools.

In 1954 Indian education in Natal was still under the Natal Education Department with an entirely white inspectorate. I remember the publicity given that year to the appointment of M. Hurbans and C. Kuppusami as "School Supervisors." The whites were not yet ready to appoint Indians as inspectors although *The Leader* said that Hurbans and Kuppusamy would be discharging duties "more or less similar to that of an inspector of schools."

The community was continuing to build more and more schools of its own as distinct from the State schools.

But already there were rumours to the effect that Indian education would be taken over and fully controlled by the Nationalist government. The community dreaded that happening.

In the community-built schools we still had a community say in the use of school buildings. We were fully aware as to what was happening with the so-called Bantu education.

The community wanted one single educational system and single control and not ethnic education controlled by the ruling Nationalist Party which had its so-called Christian Education Plan which appeared to us to be totally un-Christian.

I remember the Natal University graduation which took place at the City Hall, Durban, at the end of March 1953, when Dr SH Skaife, a leading scientist-educationist, in his keynote address said that "no nation can flourish when a large part of its population is treated unjustly, and that is a thing that must sooner or later be rectified..."

Dr Skaife had earlier stated that "our non-European citizens feel quite rightly, I think, a sense of grievance, that they are not accorded full citizen rights, and the reason why we cannot and do not do it is because we are afraid of being swamped..."

Dr Skaife was addressing a segregated audience of whites and blacks and yet this "we" meant whites and "they" meant blacks. We had to educate the "white educationists" to realise that "our non-European citizens" were not properties of whites and that on such occasion as the graduation one should not use the term "we" to exclude the black majority. The learned Dr Skaife appeared even more confusing when later in his address he made a statement which startled us.

He said in categorical terms, "I don't know whether apartheid is a good thing or a bad thing," adding that he could not express an opinion about it because "nobody has yet sat down to think out deeply and carefully and in all its ramifications exactly what apartheid is exactly, why it should be necessary, exactly how it should be carried out, and exactly what the results will be when it is carried out."

Whilst in 1953 there were many whites, both educated and uneducated, who did not know whether apartheid was good or bad, there was not one single black who did not know that apartheid was bad and very bad at that.

PASSPORTS REFUSED TO FOOTBALL TEAM

A South African Indian soccer team was scheduled to tour India in May 1953 at the invitation of the All India Football Federation. SL Singh was to accompany them as manager and Bob Pavadai as the assistant manager. At the end of March 1953, the announcement of members of the team at Curries Fountain, Durban, was met with "wild scenes of enthusiasm."

Four days before the scheduled date of sailing of the soccer team, Dr TE Donges, Malan's Minister of the Interior, announced that passports had been refused to the entire team and the officials accompanying it to India. So unexpected was this refusal that *The Leader* of May 1, 1953, had in its front page wished the touring team Godspeed.

The NIC and the NIO both issued lengthy statements condemning the refusal of passports even to our sportsmen. Dr GM Naicker, President of the NIC, said in his statement:

> "The decision of the Minister taken together with previous policy of refusing passports to African and Coloured students proceeding to India... and his recent refusal of passports to individuals of trade unions and other bodies... clearly shows that he intended to keep the non-white people in an

exclusive iron curtain...”

NATS WIN 1953 ELECTION WITH MAJORITY WHITE VOTE

In 1948 the Nationalist Party came into power with a minority of the total white votes cast in that year's election. The United Party and the anti-Nationalist whites generally believed that in the 1953 general elections the Nationalists would be defeated. But this was not to be. Instead, the Nationalists were returned to power, this time with a majority of white votes.

If the United Party had defeated the Nationalist Party in the May 1953 elections, the Union Federal Party and the Liberal Party would perhaps not have been formed at all. These parties were politically far removed from the demands of the Congress Alliance, though both of them spoke out against "racism," and sometimes we just did not understand what they meant.

The 1953 elections have very many important lessons for all in this country, where many believed that if the Indians had accepted the communal franchise under the Asiatic Land Tenure and Indian Representation Act of 1946 and if the Indians had returned their white MPs to Parliament, then in 1948 the Nationalists would never have come into power. The United Party required a scapegoat and who better than an Indian, the darling of all racists, to climb the political ladder to the all-white government structures?

Speaking at Mtunzini on the North Coast during his election campaign RAF Swart launched a frontal attack against the Indian community because "the Indians threw back the communal franchise in our faces and India then began its attack on South Africa at UN."

Despite these remarks of RAF Swart our work to educate all whites in South Africa continued. And it was not long before Swart had joined the "Progs" as they subsequently came to be called. He worked closely with some of the NIC members thereafter.

THE LIBERAL PARTY AND VOTE FOR THE “CIVILISED”

The Liberal Party opened its doors to all whites and blacks but at its inception it declared for common roll franchise for "all who had reached an adequate level of civilisation," not the universal franchise demand of the Congress Alliance. Now who was this "civilised voter" for whom the Liberal Party was formed? Obviously the "civilised voter" included Margaret Ballinger, Alan Paton and

others, and did not exclude a single white in South Africa as far as I could ascertain.

There was no Liberal Party statement saying that a person who believed in racism in South Africa had failed to "reach an adequate level of civilisation." If the Liberal Party had made such a pronouncement, it would have defeated its very objective, so we believed. And that objective was to get white support in South Africa.

At a public meeting held in Durban the Liberal Party was introduced to the city by Margaret Ballinger. The meeting was chaired by Professor Leo Kuper of the Department of Sociology at the University of Natal and in the audience was also Violain Junod from the same university.

At that meeting AKM Docrat challenged the Liberal Party's proposed vote for the "civilised." Docrat's probe on "who was civilised" and why this test had been incorporated if the new party was non-racial, was so exhaustive and persistent that Professor Kuper, the good man that he was, said from the chair that he personally favoured universal franchise instead of one loaded in favour of a "civilised person" who, Docrat had proved, could not be defined. And from the floor came the voice of Junod that she too rejected the "civilisation test" and supported universal franchise.

The Liberals were looking at each other at the display of their differences on the franchise issue.

BERTHA MKHIZE AND FATIMA MEER IN CATO MANOR

Even before the year 1953 ended we in Durban were taking stock of our strengths in various fields. The trade union remained our strongest sector. And the factory floor promoted the most potent contact between Africans and Indians and yet when the factory workers went home, the evenings, weekends, holidays and all leisure hours were spent by the workers in ethnic isolation. Even in later years, this isolation was emphasised when the Durban Combined Ratepayers Association headed by Dr Alam Babollal, IC Meer and Harry Deoduth, remained an exclusive Indian body because of separate housing.

The one area in Durban where housing of Indians and Africans was mixed was Cato Manor. Cato Manor was hence in 1953 a most challenging area for Indo-African co-operation at residential level. In this area where the NIC and the Youth Congress had not been able to get down to any solid work, a powerful group of our women stepped in. And from the day they did so the Security Branch kept them under constant vigil.

The full story of the pioneering work of our women in Cato Manor has yet to be told and our historians have an open field here.

The initiative for work in Cato Manor came from Bertha Mkhize, president of the ANC Women's League, and her young social worker companion, Fatima Meer who was in her twenties.

Fatima Meer's home at 1997A Umgeni Road became the centre of planning of one of the most satisfying undertakings of our women of the fifties, undertaken in the name of the Durban and District Women's League of which Miss Mkhize was president, Fatima Meer the secretary, and Dr Ansuyah Singh the treasurer.

Combating poverty was the League's main concern, and it also strove to unite all the people of Cato Manor. This is how *The Leader* gave us the story:

> "While Cato Manor continues to be a subject for all and sundry - the large majority of whom are theorists and planners on paper - a silent band of women social workers, in keeping with their progressive go-ahead policy, are grappling with the problem of malnutrition.
>
> "The Durban and District Women's League, which includes a large number of Indian housewives, has been distributing free milk to needy African families for some time now and are in need of urgent financial assistance in order to extend their services."

The Leader pointed out that besides working in Cato Manor the Women's League had raised funds for the victims of the tornado at Springs where African families were rendered homeless; assisted victims of the Sea Cow Lake floods to the tune of four thousand pounds; and made active presentations for free and compulsory education for all the blacks in South Africa.

In 1953, the mothers of Cato Manor were emphatically saying that South Africa belonged to all her people. The work done by the Durban and District Women's League, with its membership drawn from all groups, demonstrated how working together could bring results.

Indeed, the Cato Manor mothers were demanding redistribution of wealth so that the slums of Cato Manor with the poverty, disease, ignorance and racial isolation could come to an end.

Working among the people of Cato Manor at grassroot levels, our women brought back to Luthuli and Naicker the real demands which are presently enshrined in the Freedom Charter. In a way Cato Manor was a new experience in the field of work at residential level. It was most potent political work showing how Indians and Africans had common problems, common suffering and common objectives. 1949 was being seen in its correct perspective.

But then, even after the riots in 1949, the Cato Manor refugee camp had shown harmony with African nurses attending to Indian sick in the camps established by the NIC. The Congress Alliance had proved once again what the SAIC-ANC had been ready to tell the van den Heever Commission - that the riots were the work of apartheid instigators who wanted to sow suspicion and envy and distrust among Indians and Africans, both victims of racist oppression.

NIC CONFERENCE IN FEBRUARY 1954

As the time for the 1954 NIC conference approached, controversies over two issues were shared among members. First there was the question of the future of the Congress properties situated in Umgeni Road and in Prince Edward Street and, second, whether the 1954 annual conference should be an open or a closed conference. Consideration of "security" was at the bottom of both these problems.

Monty Naicker's suggestion to form a trust, with a broad-based membership outside of the NIC activists, received majority support, but AI Meer, Ahmed I Bhoola and I were totally opposed to any such move. We argued against any such precautionary measures and stressed that politically such a move was reactionary.

Second there were those who argued in support of a closed conference.

Dr Naicker, the NIC president, had been banned from attending "all meetings to which the public had access." And this ban became the trump card in the hands of the advocates of a closed conference. They argued that Dr Naicker would be able to attend a closed conference and therefore we owed it to him to abandon our past record of open conferences.

The public, the press and the rank and file members of the NIC were in no mood to tolerate any closed conferences. Eventually the executive relented and decided to hold an open conference at a time when the Security Branch pressure against the NIC was reaching an all-time high.

Indian Opinion, *Indian Views* and *The Leader* all gave the Congress controversies much publicity.

The Leader of February 12, 1954, gave details of this most democratic conference ever held by the NIC, at which a motion of no confidence in the executive committee on the property issue was fully discussed before the delegates and the public. Although this no-confidence resolution obtained only 14 votes out of a total of nearly two hundred, the lively debate established the vitality of Congress so essential for the Congress of the People and the Freedom Charter that were to come in 1955.

This healthy democratic debate in no way ended my life-long friendship with Dr Monty Naicker. We differed but our loyalty to the NIC was never in issue. In 1956 I worked very closely with Dr Naicker and JN Singh in raising funds and did so again during the State of Emergency of 1960.

As Chief Albert John Luthuli too was absent, his speech was delivered by Dr WZ Conco. The opening address of Walter Sisulu, in his capacity as the Secretary General of the ANC, was the highlight of the opening session. Hassan Mall, the young advocate, was given the task of moving the vote of thanks.

In the absence of Monty Naicker, I was given the honour of delivering his presidential address. And Monty's words were received with standing acclamation.

It was at this conference that on the motion of Debi Singh, seconded by the veteran SM Mayet, the NIC became a co-sponsor of the Congress of the People.

Let me quote from *The Leader* front page report on this conference.

> "It was a hectic conference, the largest of its kind ever and the most fiery since the present leadership took office in 1945.
>
> "Sharp divisions were evident and debates were so contentious at times that tempers were frayed and angry words, insults and innuendoes were exchanged across the floor of the house..."

The people of Natal saw and read about true democracy in action. Never in the history of the NIC had there been such a demonstration of criticism and self-criticism in full glare of the public.

And it made no difference whatsoever that there were genuine fears of the NIC being declared an unlawful organisation with mass bannings of its leaders. Was this the last conference of the NIC? This was uppermost in the minds of those assembled and the public at large. MP Naicker was appointed full time organising secretary. Debi Singh, who had handed the secretarial office to JN Singh for a year, was back as general secretary in the elections that followed.

The property issue had resulted in many of us not offering ourselves for re-election though our loyalty to the NIC remained and we worked even harder for its objectives.

The 1954 executive committee was also without Dr K Goonam. Fatima Meer, in fact, was the only woman member of the NIC executive which set into motion the full-scale rallying of our people for the Congress of the People and the Freedom Charter. Another notable absentee from the 1954 executive committee of the NIC was AKM Docrat who had actively opposed any undemocratic moves in the NIC from the days of AI Kajee.

The new NIC executive committee continued to have a strong working-class base, a base we required to carry out our campaign in the work place and in residential areas such as Cato Manor, Merebank and Newlands in the days when Chatsworth and Phoenix had not yet come into existence.

The Merebank branch of the NIC, under RG Pillay and L Ramsunder, president and vice-president respectively, was a top NIC branch in daily contact with the people of this thickly populated area.

DEMOLITION OF HOUSES IN MEREBANK

At the end of February 1954 the Durban City Council began demolishing our people's houses in Merebank on the ground that the Council's planning requirements had not been met.

In the midst of their struggle to save their homes, the NIC took them the message of the Congress of the People and the Freedom Charter.

On March 19, 1954, *The Leader*, in a front-page story told us that "forty-two Indian families, comprising 327 men, women and children living on privately owned land in Merebank, have been given notice to demolish their buildings and vacate within ten days the land they are at present occupying." It then gave a full report of the NIC meeting held the previous Sunday when RG Pillay, L Ramsunder and MP Naicker addressed each and every person affected by the callous acts of the City Council. All three shared strong working class backgrounds. Had municipal franchise existed for our people, they would have gained maximum votes.

A comprehensive survey was carried out by the NIC's Housing and Amenities Committee and the NIC in its letter to the Town Clerk said that these 42 families "have been yearly tenants of the land, paying rates and taxes levied on the property. They have lived on the land for periods ranging from four to thirty years." It added: "The family incomes of these people range from nine pounds to 30 pounds per month and the majority of them may be described as being of the low-income group."

The NIC letter, which received wide publicity, gives an insight into our lower income group's plight and it also exposes how the all-white City Council was hounding these people. It placed on record that since the notices served on the residents, the City Council had ended sewage removal and called on the Council to meet the NIC to discuss the matter. I must admit that I don't remember what eventually happened to these 42 families facing eviction without any alternative housing being offered to them.

PROTEST AGAINST WESTERN AREAS REMOVALS

In 1954 Father Trevor Huddleston came to be known in South Africa and overseas for his opposition to the Nationalist government's cruel racist move to expel all blacks from their homes in the Western Areas of Johannesburg

He joined the Reverend Michael Scott who, together with the Reverend WH Satchell, had identified with our cause as early as 1946 and served imprisonment in the passive resistance campaign.

Before Father Huddleston joined us, however, we heard the sad news of the death in India of the Reverend William Harold Satchell who was well-known in Durban, where he was for a period the priest-in-charge of St. Aidan's Indian Mission. He had gone to India where he had joined a Christian *ashram* and founded the Friends of South Africa Society on the model of the Friends of India Society. He was killed by a falling tree in the grounds of the *ashram*.

And now in 1954 whilst Michael Scott was busy abroad with the Namibian cause, Father Huddleston from the Community of Resurrection in Sophiatown joined the people in opposing the uprooting of settled communities purely on racial grounds. The Congress movement, in the midst of its campaign for the Freedom Charter, was deeply involved in the Western Areas protest.

I remember the conference convened jointly in Johannesburg by the TIC, the ANC (Transvaal) and the Transvaal Congress of Democrats on the Western Areas removals. At this conference the platform was shared, with the African leaders of the Western Areas, by Moulvi IM Saloojee, who later became the TIC president, and Father Trevor Huddleston.

Moulvi Saloojee had studied Islamic theology in India and he was a tower of strength to the TIC and the Congress movement as a whole. He had served a term of imprisonment in the 1946 Passive Resistance. With Fakeer *Chacha* from Langlaagte, Suleman Saloojee from Newlands and Ismail M Jada from Evaton, Moulvi Saloojee made a reliable team which worked in many fields. This team was vital, in particular to the raising of funds in the Transvaal.

At the Joint Conference on the Western Areas, Father Huddleston declared his full support for the people's struggle to defend their homes and added that he was with the people in their opposition to all forms of race discrimination.

Notwithstanding the total opposition of the people of the Western Areas as expressed by community leaders such as PQ Vundla, the Nationalists destroyed the Western Areas of our people. Sophiatown and Vrededorp are mere memories.

A packed meeting was held at the Kajee Hall in Durban - by the Congress Alliance and others, including the Liberal Party - to hear Father Huddleston on the Western Areas removals. Among the speakers was Professor Leo Kuper of the Liberal Party, a person who worked closely with the Congresses, as did his wife, Hilda Kuper. I was in the chair.

Intimidation was at its maximum at this meting, with the hall completely surrounded by armed policemen. Towards the end of the meeting uniformed policemen appeared at the two doors leading to the hall and stopped every member of the public attending the meeting from leaving.

"Immediately this was noticed," said *The Leader*, "Professor Leo Kuper moved a resolution condemning the action of the police, which was carried with acclamation." Following my address, "the police began to take down the names and addresses of each and every person present..."

I called for calm and assured the people that the police could do nothing apart from taking down their names and addresses. This took hours because the meeting was very well attended.

There was additional drama. Debi Singh, the general secretary of the NIC, refused to give his name to a policeman who knew him well; he was arrested though later released.

SAIC CONGRESS IN 1954 PLEDGES FULL SUPPORT TO CONGRESS OF THE PEOPLE

In 1954 we were busy organising the 21st SAIC Conference under most difficult conditions. Not only was Yusuf Dadoo banned but the SAIC secretary, Yusuf Cachalia, had met a similar fate. And in Natal Dr GM Naicker, who became the acting president of the SAIC after the banning of Dr Dadoo, was himself banned from attending gatherings to which the public had access. Another victim of the bannings then was Nana Sita, president of the TIC.

We decided to call the SAIC Conference in Durban during the second weekend in July 1954, so timed that it would take place within days of the expiry of the one-year ban on Dr Monty Naicker.

We wanted Dr Naicker to preside at this historic Conference at which the Congress of the People for the Freedom Charter would be considered.

Chief Luthuli opened the Conference on Friday July 9, 1954, at the Kajee Hall and it continued on Saturday and Sunday at the Pine Street *Madressa*. Within 48 hours of its opening Chief Luthuli was served with a banning order whilst he was in Sophiatown in Johannesburg in connection with the Western Areas removals.

More than 15 messages from all parts of the world and South Africa were received at this Conference which was the last conference of the premier Indian national body in our country.

Mao Tse-Tung, President of the People's Republic of China, in his message to the SAIC declared:

> "On behalf of the Chinese people, I fully support the just stand of the non-white peoples of South Africa for democratic rights and against racial discrimination and oppression."

And others expressing similar sentiments were C Rajagopalachari of India, Canon L John Collins of London, Reverend Michael Scott, Prime Minister Gamal Abdel Nasser of Egypt, Prime Minister Ismail El Azhar of the Sudan, Paul Robeson from America and Salvador P Lopes of the Philippines.

An important resolution passed at the Conference was on the Assisted Emigration Scheme introduced under the 1927 Cape Town Agreement. India under British rule had accepted this voluntary scheme under which Indian South Africans were offered an allowance if they went back to India. Under this obnoxious scheme the Nationalist government sought to expatriate our people to India.

The scheme had come into force in July 1927 and in the year 1928, 3,477 Indian South Africans were expatriated. That was the largest annual number and by 1940 the figure had dropped to a mere 48.

The Nationalist government came to power in 1948 with its Black Manifesto under which it had promised the "repatriation" of our people, leaving behind a small "irreducible minimum" to be deprived of their trading rights and consigned to ghettos under the Group Areas Act.

To Dr Malan the main significance of the 1927 Cape Town Agreement was the repatriation scheme. Both India under the British and moderate Indian South Africans, who had been ousted from the Congress by the Dadoo-Naicker leadership, had become involved in this suicidal scheme.

After India had acquired independence, the Cape Town Agreement remained a valuable legal basis for India's right to take our case to the United Nations. And hence no one had suggested that India should in any manner reject any portion of the Agreement, including the Assisted Emigration Scheme.

The 1954 SAIC resolution on expatriation, passed unanimously by the Conference, called upon the government of India to refuse to accept any expatriates. In other words, even if an Indian accepted payment and agreed to leave for India under the 1927 Scheme, India should refuse to accept such an "expatriate."

Indeed, by 1954, repatriation or expatriation to India - or to any other British colony - was dead. The SAIC resolution gave this dead scheme the burial it deserved.

DEPARTURE OF INDIA'S LAST DIPLOMAT

RT Chari and later JL Malhautra, as secretaries in the office of the High Commissioner for India in South Africa, were spokesmen of a Free India. Under them, the Congress Alliance had full access to the office. In fact, we were diplomatically in contact with India on a daily basis and through India we were able to reach the world. The Nationalist government asked India in 1954 to close the office.

When Malhautra arrived in Durban from Pretoria for his final departure to India, he and his wife did not stay at Hotel Edward, the usual venue for India's diplomats. They were significantly the guests of the president of NIC, Dr GM Naicker, at his Innes Road home, where Monty and Marie entertained them daily with a host of African and Indian friends.

On Sunday, August 1, 1954, the NIC held in their honour a public farewell meeting in Durban presided over by Dr Naicker. One of the main speakers at this meeting was MB Yengwa, who was then the Natal secretary of the ANC. The campaign for the Congress of the People and the Freedom Charter was then in progress. It was a dignified farewell with a large gathering drawn from all sections of the South African population.

Mr Malhautra said what was expected of him as the last representative of India, but what he left unsaid as a diplomat had to wait five further days when *The Leader* appeared in the streets of Durban on Friday, 5 August 1954.

I was present when *The Leader* interview took place before the *SS Kampala* sailed. The long interview appeared on the front page and on page two. In a box on the front page, *The Leader* prominently displayed the crux of the interview under a bold headline, "Continue To Build A Free South Africa."

Referring to the Government of India's policy Mr Malhautra said: "The Government of India believed in full co-operation of all races, especially between Indians and Africans." He noted that such co-operation had increased

tremendously in the past five years and said that "at the various meetings I have addressed during my stay here, I was pleased to see large numbers of Africans present."

He added that the SAIC and the ANC were following the ideals of Mahatma Gandhi and he spoke of the high moral stature of Chief Albert Luthuli, the ANC leader.

Asked for a message to the Indian people in South Africa, Mr Malhautra said:

> "The Government and people of India support you fully in your struggle for freedom and equality in this country. I sincerely hope that the Indian people continue on the path they have taken - to work in co-operation with all sections of the South African population to build a free and democratic South Africa in which racialism and oppression will be completely destroyed.
>
> "I have been here for five years and in that time I have seen a tremendous revolution taking place among the black peoples. This revolution is taking place in their minds and hearts.
>
> "Their whole outlook is being transformed... When a subject people lose the fear of their rulers, then it is never possible for the rulers to continue to subjugate them..."

COUNCIL OF ACTION SET UP TO ORGANISE CONGRESS OF THE PEOPLE

In December 1953 the ANC placed before the people its decision to convene the Congress of the People for the formulation of the Freedom Charter.

This decision electrified our people who realised that they in their tens of thousands, would have to answer the question, “What next?” And chalk out for South Africa its ultimate destiny of a democratic country achieved by peaceful, non-violent means.

The official announcement on the Congress of the People which appeared on the front page of *The Leader* of July 9, 1954, informed us that the Congress, whose aim was to draft the Freedom Charter, would be held "not later than June next year." The organiser was the Council of Action formed jointly by the ANC, the SAIC, the Congress of Democrats and the Coloured People's Organisation. Every South African organisation which declared support for the COP and its aims was to be accorded representation on the Council of Action.

"Congress of the People Committees" were contemplated on provincial, town, suburb, factory and street basis in order to organise the Congress which was eventually held in Kliptown, near Johannesburg. And delegates were to be elected from all parts of South Africa consisting of persons who were over the age of 18 "without distinction of race, colour or sex."

Indeed, the plan envisaged the rallying of the people of our country to a most representative Congress where the hopes and aspirations of our people were to be recorded by the people themselves.

We responded to this national call under a leadership which had brought many new personalities to the fore.

The Defiance Campaign had given us such personalities as Nelson Mandela, Oliver Tambo, Duma Nokwe and Walter Sisulu in Johannesburg. From the Eastern Cape had come to the fore Govan Mbeki and Doctors Njongwe and Mji among others. In Natal MB Yengwa, Wilson Conco and "Stalwart" Simelane were rallying round the new Natal and national leader, Chief Albert John Luthuli of Groutville.

The 1946 Indian Congress leadership, too, was joined by young people under the leadership of AM Kathrada. Among this new crop of leaders were Paul Joseph, NT Naicker, Essop Jassat and Mosie Moolla.

I may mention that by 1954 in the Transvaal the TIC and SAIC leaders Yusuf Dadoo, Nana Sita and Yusuf Cachalia had been banned under the Riotous Assemblies Act and hence they were unable to continue their work as before. That explains why they were not among the 156 accused in the 1956 mass treason trial.]

NATAL CONGRESS OF THE PEOPLE CONFERENCE

July and August 1954 were busy months for us to comb the cities, towns and villages of Natal. The Natal COP Conference was held in the first weekend of September 1954 at the Kajee Hall in Durban. Police intimidation was at its height by the time the Conference was held. But not a single individual talked of a closed conference.

In a front page story *The Leader* of September 10, 1954, said:

> "Three hundred and nine delegates, representing organisations with an aggregate membership of 168,811 participated...

> "They unanimously resolved to give ‘wholehearted support for the convening of the National Congress of the People of South Africa of all races for the formulation of the Freedom Charter.’"

Chief Albert John Luthuli was already banned. Dr Wilson Conco of the ANC, whose family and himself I was privileged to accommodate for a period at my Etna Lane flat, presided over this Conference where the keynote address was delivered by me. Other addresses were delivered by Dr GM Naicker, president of the NIC, Jan Hoogendyk of the Congress of Democrats, Violaine Junod of the Liberal Party and Mannie Naidoo of the Trade Union Action Committee.

Speaker after speaker at this conference emphasised that South Africa belonged to all her people and that its resources should be shared with equity. They noted that the Nationalist Party government had refused even to talk with Congress leaders, leave alone negotiate with them. And yet the Congress leaders and the people were declaring their full support for non-violence. Peaceful change and ending of apartheid's violence were demands that came from all assembled.

The people's alternative to racist oppression and white domination was a democratic future in which white and black can with equality lead South Africa to her great non-racial and harmonious future. But in 1954 and in the years that followed such talk of peace and ending of race discrimination was regarded as treason by the authorities.

The Northern Natal COP Conference was held on September 19, 1954, at Ladysmith under the Chairmanship of Dr AH Sader whose contribution towards the formulation of the Freedom Charter was great. It was attended by 238 delegates and the keynote address came from MP Naicker, the Organising Secretary of the NIC. The other speakers on the platform were MB Yengwa of the ANC, CK Hill of the Liberal Party and H Bhengu, secretary of the Rosboom branch of the ANC.

At this meeting CK Hill said that the Liberal Party supported the Congress of the People. But the Liberal Party never became a co-sponsor.

I may mention that in Stanger one of Chief Luthuli's right-hand men was EV Mahomed of the Liberal Party and when eventually the Kliptown Congress of the People took place, he attended that historic gathering and claimed to represent the banned leader as his friend.

The Natal Conferences of the COP were similar to the COP Conferences that were being held in the Transvaal, the Cape and the Orange Free State.

The most significant achievement of the campaign for the Freedom Charter was that it united people of different colours, different faiths and different languages against the common oppression imposed by the ruling white caste.

It was in this atmosphere that Canon L John Collins of St. Paul's Cathedral in London arrived in South Africa at the invitation of a white business tycoon to see for himself what was happening in our country. And we were thankful that this good Christian was able to see and understand what havoc apartheid was inflicting on the majority. The visit misfired for the white apologists of South Africa. Fatima and I met Canon Collins at Monty's residence where Marie had prepared a delicious meal.

SWAMI NISCHALANANDA AND RAMAKRISHNA CENTRE

The mid-fifties saw significant revival in Hinduism. The most impressive was the founding of the Ramakrishna Centre headed by Swami Nischalananda.

He was admired by followers of all faiths and his work extended to many fields. Children, women, youth and grown-ups all had parts to play under this South African-born Swamiji.

When the "Goodwill Week" was observed in 1954, *The Leader* reported that men from the Ramakrishna Centre Youth League put on their working clothes and painted the roof of the community-built, government-aided Hillary Indian School. This was indeed a discharge of religious duty in the truest sense.

The Leader also told us, under the heading "Swami's effort to aid the needy," that the Ramakrishna Women's Circle had collected clothing for distributing to the needy at Burnside, Glencoe, Ladysmith and other northern Natal centres.

Just as the NIC had realised the need for work among and with women and youth, the Ramakrishna Centre, too, had taken up such work most seriously.

The Swamiji's work was not confined to blacks only, said *The Leader* and added:

> "He had collected and distributed a large amount of clothing to European benevolent societies during Christmas after he had been requested for assistance."

Indeed he was the biggest crowd drawer after the Congress Alliance in Natal. And I want to record for posterity that the Swami Nischalananda Fund supported the campaign for the Freedom Charter. He was an outspoken supporter of Hindu-Muslim unity and a close friend of many top NIC officials.

Pandit Nardev Vedalankar revived interest in the Arya Swamiji movement. In 1954 his lecture on "Our Spiritual Heritage" was an interesting exposition of the Vedic philosophy.

I admired the work he put into the Gujarati Eisteddfod, where one of his pupils spoke on the life of Hazrat Omar, the second Caliph of Islam, whose just rule was extolled by this little boy. It was most inspiring to have such unity in thought and action.

There were also exchanges between Hindus and Muslims. The Arya Samajist Sukraj Chotai presided over the Arabic Study Circle public speaking contest on Islam and Fatima Meer spoke at the Vedic Mandil on the significance of Diwali.

I was present at the Maha Yajna held in Pietermaritzburg and I participated with Pandit Nardev and Professor Soni in propounding on the Rig Veda.

DISCRIMINATION IN COURT SENTENCES

A week before the Natal Conference of the Congress of the People we had in Durban a well-organised protest at disparity in Court sentences.

The Leader of September 3, 1954, told us that "over 100 women representing 16 political, social welfare, cultural and other organisations met on August 24, 1954, to discuss the sentences passed in the Cape Province recently - a European was sentenced to nine months gaol for raping an Indian girl and a Coloured man was sentenced to death for raping a European woman."

The Durban protest meeting was called jointly by Mrs Gadija Christopher, president of the Indian Child Welfare Society and the Durban and District Women's League whose president was Mrs Bertha Mkize and whose secretary was Mrs Fatima Meer.

This meeting condemned the inequality of the sentences and unanimously adopted a resolution which declared:

> "While admitting the fact that without having all the evidence before us, it is difficult to determine the factors which led to this inequality in punishment, the disparity is so great that we cannot help but express serious concern over this question.

"In the administration of justice there can be no room for inequality based on racial consideration, and when such unequal sentences are imposed, they are bound to increase the already mounting tension in our multi-racial society.

"We express our further concern at the comments made by the learned judge in the East London case of rape to the effect that it was ‘within the knowledge of the court that Indian children married at an early age.’

> "This statement, if correctly reported, seems most irrelevant for it has no bearing on the offence committed and it creates the impression that the judge did not regard the Indian girl concerned giving birth to a child at the age of 12 as an aggravating factor."

We were proud of the co-ordination of Bertha Mkhize, Gadija Christopher, Fatima Meer, Ahmed I Bhoola, Debi Singh and *The Leader* in exposing these inequalities in sentences whilst we were in the midst of the Freedom Charter campaign to eliminate all racial discrimination in every aspect of South African life.

DEBATE ON LOADED FRANCHISE

Universal adult franchise was the non-negotiable goal of the Congress Alliance .The NIC was formed in 1894 when Indian franchise rights in the Colony of Natal were threatened and subsequently taken away in 1896. The ANC was formed in 1912 to oppose the 1910 Constitution which, among other measures, took away even the rights of the people of colour in the Cape to vote on a common roll. The 1946 passive resistance was in part against the racial voters' roll.

Notwithstanding this long historical record in respect of the franchise, in 1954 there was much confusion in the ranks of whites in South Africa who called themselves democrats. The Indian moderates, out to appease the unappeasable white rulers, were also still advocating a "loaded franchise," though totally rejecting a communal vote.

On August 26, 1954, the NIC and the Liberal Party debated the question of the franchise at the Gandhi Library. CK Hill and Ronald Morris spoke for the Liberal Party motion that universal adult franchise can only be introduced in an evolutionary manner in South Africa. AI Meer and AKM Docrat opposed the motion. *The Leader* of September 17, 1954, gave the debate prominent coverage.

Mr Hill said that the Liberal Party's policy on the franchise had not been completely finalised. The Party was divided on the question. There was a radical wing and a conservative wing and that he belonged to the latter.

Mr Hill said that he was the first to admit that the chances to qualify were heavily loaded against non-Europeans, but that was "the price of peace" which we had to pay. The European was afraid that if power passed to non-whites "they would treat the whites in the same manner as the whites were today treating the non-whites."

AI Meer, speaking against the motion, said that it was tragic that the franchise should be a debatable issue at this stage in the history of South Africa. Man had progressed and advanced tremendously since Darwin first propounded the theory of evolution, he added, in his typical humorous way, brightening up the debate.

Mr Meer said that the effect of the Liberal Party policy was that we would be discriminating against people on grounds of colour. In South Africa, he said, the non-Europeans were denied equality in all spheres including education and "now the Liberal Party's policy denied the franchise to the illiterate on the very ground that they are illiterate."

Supporting Mr Meer, AKM Docrat traced the history of the franchise in South Africa pointing out how the rights of the people of colour had continued to be whittled down. He said that the Liberal Party was not free of the white fear-complex. There was a danger that the Liberals would be used unwittingly to disrupt the liberatory movement.

Among those who took part in the discussion from the floor was Dr Ralph Hendrickse, who in the fifties played a vital role in the life of the Coloured community in Durban. He said that the Liberals must learn to speak "in terms of principles and human values, not in terms of alternatives."

The Liberal Party motion was defeated when put to vote.

After a short period the Liberal Party accepted universal franchise and dropped its civilised franchise call.

Dr Yusuf Dadoo had condemned in the strongest possible language the formation of the Liberal Party but with the change in its policy the Congress invited Liberal Party speakers to its platform. In Natal Dr GM Naicker and Alan Paton spoke from the same platform against the Group Areas Act. The Liberal Party was invited to join the Congress of the People but it declined to do so.

The Liberal Party had within its ranks blacks who, in fact, were against the Congress of the People, as well as whites who were calling on the Party to co-sponsor the Congress of the People. It was not difficult to understand some of the reactions of the Liberal Party's Indian and African members. I remember an Indian member of the Liberal Party embarrassing his Party, at a meeting of the Party in Durban, by declaring that he was not certain whether all Africans were ready for franchise. And I remember a leading African member, at a similar Liberal Party meeting in Pietermaritzburg, making a public protest against those white members of his party who were for co-sponsoring the Congress of the People. This well-known African leader said that he had left the ANC and its extremism to follow a "middle of the road" Liberal Party policy and here were some of its white members driving him back into the arms of the ANC.

In Durban, both Professor Leo Kuper and Violain Junod remained very close to the Congresses and they were held in high esteem by many members of the SAIC and the ANC. At Pietermaritzburg Peter Brown was acknowledged by all as an outstanding South African democrat. When the death of Monty Naicker took place many years later one of the persons who gave the funeral oration was Alan Paton.

BANNINGS GALORE AIMED TO CRIPPLE CONGRESSES

By 1954 almost every Congress leader in South Africa was silenced by Dr Malan's government. Notwithstanding these bans, the Congresses continued to carry out their tasks with great determination.

The South African government was also making it increasingly difficult for our people to go abroad.

In June 1954 a passport was refused to Professor ZK Mathews, acting principal of Fort Hare. He was to attend a world conference on race relations at the University of Hawaii from June 28 to July 23. As usual no reasons were given for the refusal of the passport.

Professor Mathews had obtained his BA in 1923 and he was well known in the academic world. The refusal of a passport to him was world news and evoked many protest meetings in South Africa.

AM Kathrada (Kathy) hit the headlines in October 1954 when he was banned from 39 progressive organisations in South Africa. This was indeed a record. No one until then, including Chief Albert Luthuli and Dr Yusuf Dadoo, had had banning orders with such a large number of organisations mentioned. The Minister of Justice also imposed a ban prohibiting Kathy from all trade union activities. A second notice served on him by two special branch members prohibited him from attending any gathering in South Africa and South-West Africa for a period of two years.

Kathy was a member of the National Action Council of the Congress of the People, an executive member of the TIC, an executive member of the World Federation of Democratic Youth and secretary of the Youth Action Committee which was the co-ordinating committee of the ANC Youth League, the South African Indian Youth Congress, the Modern Youth Society, the Congress of Democrats and the Students' Liberal Association.

In a way, the silencing of Kathy was an acknowledgement that he was our outstanding youth leader.

In November 1954 came the acknowledgement of our work among our women when Fatima Meer became the first woman to be banned in South Africa. The

work done by the Durban and District Women's League in Cato Manor thus came to achieve recognition.

Just as AM Kathrada had hit the headlines, Fatima Meer's banning created a sensation.

The press pointed out that she was the first woman to be banned and a scathing attack on the Minister of Justice for this banning came from the pen of Manilal Gandhi in *Indian Opinion.*

The Leader of November 19, 1954, under the heading "Woman Social Worker Banned by Swart," said that the ban on Fatima Meer "has caused tremendous surprise and concern."

> "The reaction of the leading members of the community interviewed was that if the Minister can successfully ban Mrs Meer from her social welfare work, then not a single person in South Africa is safe, and anyone can become a victim of the Minister of Justice, armed with arbitrary powers under the Suppression of Communism Act."

"She has not confined her activities among the Indians alone," said *The Leader* and added:

> "As secretary of the Durban and District Women's League she was one of the prime movers of establishing a voluntary milk distributing scheme for African children in Cato Manor, a scheme which received favourable comments even from the daily press in Durban..."

In the next issue of *The Leader* on November 26, 1954, under the bold heading "C.S.I.R. Sacks Mrs Meer," the public learnt that Fatima Meer had been dismissed from her research post by the government-controlled Council for Scientific and Industrial Research.

The bannings of AM Kathrada, Fatima Meer and virtually all the leading NIC Executive members was a tribute to the Freedom Charter campaign.

The bannings were highlighted in the front page of *The Leader* of November 19, 1954. It said:

> “Drastic measures against the present leadership of the Natal Indian Congress have been taken by the Minister of Justice, Mr CR Swart.
>
> "Within a week Dr GM Naicker (president), Mr JN Singh and Mr IC Meer (both vice-presidents) and Mrs Fatima Meer (an executive member) have been banned from attending gatherings."

Mrs Fatima Meer and her husband, IC Meer, were the only couple in Natal to be banned. In fact the bannings prohibited them from talking to each other.

Pointing out that only a short while before MP Naicker, the organising secretary of the NIC, had been banned, *The Leader* added:

> "These banning orders are bound to create serious organisational problems to the premier political organisation of the Indian people of Natal."

These bannings, in fact, brought tremendous further support to the NIC whose official statement on the subject said:

> "The Congress founded by Mahatma Gandhi cannot be obliterated by Mr Swart.
>
> "The banning orders will only make the membership of Congress even more determined to oppose racial discrimination with all their strength."

Monty Naicker had proclaimed that for every person banned another would arise from the masses to take his or her place and this was happening with rapidity.

The people's determination to record their hopes and aspirations succeeded, notwithstanding the intimidation unleashed.

The bannings were discussed at a meeting of the Working Committee of the NIC. Advocate HE Mall's resolution condemning the action of the government was unanimously passed. At that meeting, the working committee elected NT Naicker as its acting secretary.

By the end of 1954, a very large number of Congress leaders in all the provinces of South Africa were banned under the Suppression of Communism Act.

These mass bannings of our leaders were strongly condemned by 12 prominent Natal citizens, whose names the historians have a duty to record as they had acted when there was little support from Christian Churches for the victims of apartheid.

The Leader of December 3, 1954, reported:

> "A call for a restatement of belief in the fundamental rights of man in South Africa, and a protest against 'banning' orders... has been issued by 12 prominent Natal citizens..."

These 12 citizens said:

> "Each time we deny these rights, each time we restrict the liberty and deny the happiness to which all self-respecting men and women aspire, we

undermine the morality on which our civilisation is based and expose ourselves to dangers far more terrible than those we fear."

This historic and fearless statement was signed by Dr Edgar Brookes, Peter M Brown, Dr Leo Kuper, Dr Mabel Palmer, Alan Paton, Professor G Durrant, Dr S. Cooppan, Dr AM Keppel-Jones, Mrs Bertha Mkhize, Paul Sykes, AH Zulu, and Dr K Kirkwood. Peter Brown himself was later banned by the government for many long years for his anti-apartheid work in Pietermaritzburg.

A powerful protest also came in the form of a joint statement from ten leading trade unions in Durban which also condemned the banning in the Cape of Oscar Mpetha and others.

POLICE RAIDS TO DISRUPT CAMPAIGN FOR FREEDOM CHARTER

The nationwide campaign for the Freedom Charter and its adoption in 1955 was, from the point of view of the Nationalists, an act of high treason. That being so we can understand the forces of intimidation that were let loose by bannings and by show of police strength at meetings throughout South Africa.

These acts of intimidation only strengthened our peoples' resolve to give South Africa the Freedom Charter, recording the hopes and aspirations of all the oppressed and democrats who wanted a peaceful non-racial democracy to replace a racist regime.

In August 1954 the police carried out raids on the offices of the *Advance* in Cape Town, Johannesburg and Durban. (*Advance* had come into existence after the banning of the popular *Guardian*.) In Durban the homes of Mrs Jacqueline Arenstein and DA Seedat were searched and documents in connection with the Freedom Charter were confiscated. The home of Dr Yusuf Dadoo was also searched in Johannesburg.

A raid was carried out at a joint meeting of the national representatives of the ANC, the SAIC, the South African Congress of Democrats and the South African Coloured People's Organisation, who were the sponsoring organisations of the Congress of the People. This meeting, chaired by Chief AJ Luthuli, President-General of the ANC, met at Fairbreeze on the North Coast of Natal on August 15, 1954, to review the campaign in connection with the convening of the Congress of the People.

Five members of the Special Branch of the CID from Durban and Johannesburg raided the premises where the meeting was being held.

I recall these events in order to point out that the campaign for the Freedom Charter was being carried out in the midst of great intimidation. There was an unprecedented clamp on both the written and the spoken word but despite intimidation the people continued to chalk out the future South Africa.

FIRST FIVE-YEAR BAN SLAPPED ON AI MEER

In the first week of 1955, the year of the Freedom Charter, came the first five-year banning order in the whole of South Africa.

The honour of receiving it went to AI Meer who had held the post of secretary of the NIC in 1945 and 1947 and the SAIC in 1948-49. He had served a term of imprisonment in the passive resistance against the Asiatic Land Tenure and Indian Representation Act of 1946, and represented us at the United Nations in 1947.

CR Swart, as the Minister of Justice, said that the action was being taken against him because he was promoting feelings of hostility between whites and blacks and because he was furthering the objects of Communism.

AI Meer, South Africa and the world knew, was doing nothing of the sort. He was preaching the brotherhood of all South Africans, white and black. The Minister had failed in his attempt to make him a "listed person," thus tacitly admitting that AI Meer was not furthering the objects of communism.

Under no stretch of imagination could the provisions of the Riotous Assemblies Act or the "Red Act" apply to AI Meer who was being punished without trial for his strong anti-apartheid views and for no other reason.

And the same applied to the others banned by the Minister.

Meanwhile, according to *The Leader*, the Minister had not yet replied to Dr Naicker and to Fatima Meer - both not "listed" - as to why they were being banned.

They, unlike the "listed persons," were entitled to reasons for their bannings and these reasons came almost 15 months after the two-year bans. The Minister said that they had associated with listed persons, and that for the safety of the State he was not prepared to disclose the other reasons to them.

FORT HARE AND SASTRI COLLEGE PLAYED VITAL ROLE IN GROOMING OF BLACK LEADERS

An important point of healthy contact for blacks was the field of education. And in this field Fort Hare (South African Native College) and "Sastri" occupied a place of deep pride for all our people.

Dhanee Bramdaw, founder of *The Leader*, was one of the early group of Indian students to enrol at Fort Hare, at a time when even Wits, UCT and the Natal University College would not admit any blacks. Long before the Nationalists came to power, the authorities had not allowed Africans, Coloureds and Indians to study at the centres which now call themselves "open universities" and preach "academic freedom."

Fort Hare started training Indians in the twenties. The "Sastri Section of the University of Natal" was launched by Mrs Mabel Palmer with classes in a very limited number of courses for African, Coloured and Indian students.

In 1953 the NIC leadership included George Singh, CI Amra, HE Mall and DV Moodley, among others, who had studied at Fort Hare. Nelson Mandela, Zainab Asvat and Archie Gumede were among students at Fort Hare.

From the Sastri Section of the Natal University College, the NIC had acquired JN Singh, MD Naidoo, NG Moodley and myself. Prominent Africans trained at Sastri were Nimrod Mtsele and MV Gumede.

By 1953 we had a fairly large number of personalities in our community in Natal who had qualified at Fort Hare or Sastri Section. In fact, all the graduate teachers in our Sastri College high school section had come from Fort Hare.

The first Fort Hare qualified teacher to teach at the Sastri College (secondary school) was AD Lazarus. George Singh and S Cooppan were among those who followed Lazarus.

HURLEY DEFENDS THE RIGHT TO PROTEST

Dr DF Malan resigned in November 1954 and was succeeded by Strijdom as the new Nationalist Prime Minister. The Strijdom-Verwoerd take over from Malan was an accentuation of rigid apartheid, and one of the first measures was “Bantu education.” There were also moves for the eventual takeover of Indian education from provincial control.

Archbishop Denis Hurley, in a carefully worded speech to the annual meeting of St. Thomas Aquinas Catholic Teachers' Association in 1954, noted that the Nationalist government "intended to establish a monopoly in Bantu education and to dispense with the direct and immediate participation of missionaries."

The missionaries, he said, were asked to stand aside from the field of education "while the future of South Africa is hewn out with massive apartheid measures that fall like hammer blows on the soul of the black man and the conscience of the white."

Archbishop Hurley said that it was hardly fair of Dr Verwoerd to construe criticism of his principles and policies as an attack upon him personally or upon the State. He added:

> "Every loyal South African has a duty to oppose ideas that he considers dangerous to the State.
>
> "There is no personal animosity or disloyalty in this. It is patriotic duty. It is doubly a duty when one has the obligation of spiritual leadership."

We welcomed this stand by Archbishop Hurley. In 1954 the Church was most cautious but it was on the path which we had trod already. And in the years that followed the voice of Archbishop Hurley became stronger and stronger in the cause of justice and democracy.

INDIAN HIGH SCHOOL IN JOHANNESBURG

In 1954 our people in Johannesburg were protesting at the removal of the Government Indian High School from Booysens to Lenasia (Lenz).

The government created the segregated location for Indians at Lenasia. It calculated that if their children were forced to study there, the parents would be forced to give up their Johannesburg homes. It mattered not to the authorities if the children concerned had to travel up to 22 miles each way to and from school.

Over 400 parents attended a protest meeting at the Gandhi Hall on December 12, 1954, under the chairmanship of Narsi Parbhoo.

The TIC was in the lead in opposing the closure of the school in Booysens. The Parents' Committee under Mr Parbhoo did valuable work.

A private school was started for the affected Indian children. The principal of this school was Michael Harmel who held a Masters Degree and had played a leading role in the Congress of Democrats. Among the teachers were the well-known African personalities D. Tloome and D. Nokwe. The starting of this private school was indeed an act of defiance against the Nationalist Party's educational policy.

DR NAICKER INVITED TO OPEN THE 1954 ANC CONFERENCE

To my mind the most important event of 1954 was the 42nd Annual Conference of the ANC held at the Bantu Social Centre in Durban from December 16 to 19, 1954. Dr GM Naicker, president of the NIC and the acting president of the SAIC, was invited to open this historic conference. *The Leader* of December 10, 1954, rightly observed:

> "This is the first time a national conference of the ANC will be opened by an Indian, and this gesture on the part of the ANC shows the close co-operation that exists between these two national organisations, which are fighting for rights and justice in South Africa."

Every word of Dr Naicker's opening speech at the Conference was worth recording. Monty said:

> "Today we find a great bond of friendship and understanding between our peoples through the joint struggle for freedom launched under the banners of our Congresses, and it is my hope that jointly we shall advance together with all the true democrats in South Africa to the goal which we have set to achieve freedom in our lifetime.
>
> "...today more strongly than ever before the country finds itself under the rule of a group grimly pledged to the policy of apartheid and all that apartheid stands for.
>
> "The Strijdom-Verwoerd era has commenced and the anti-Nationalist forces in the country realise that even greater attacks on democracy and freedom are on the way."

Dr Naicker said that it was to the credit of the leaders of the ANC that African nationalism had chosen the path of democracy, notwithstanding the environment in which it had emerged.

The slogan of the ANC is not South Africa for the Africans, but South Africa for all her peoples of all creeds and nationalities, said Monty and added:

> "Today the African National Congress is the most potent factor for democracy in the country."

It was an act of maturity on the part of the ANC to make the call for the Congress of the People for the formulation of the Freedom Charter, said Dr Naicker and pledged the support of the Indian people in that task.

The ANC, in an agonising decision at this conference called upon parents to withdraw their children from junior schools indefinitely as from April 1, 1955, in protest against the Bantu Education Act. This was an important decision reached unanimously by the delegates present.

But this decision for the boycott of schools was constantly under review and the question of alternative education was under serious consideration. The ANC National Executive Committee discussed the matter at length and postponed the date of boycott from April 1, 1955, to a date to be announced.

Could the people institute an alternative education plan of their own? The people knew their limitations and hence the original call was modified to a call for a boycott after an alternative education plan had been implemented.

BISHOP REEVES CONDEMNS BANTU EDUCATION

In 1955 when we faced the threat of Bantu education, we had only a few hundred African, Coloured and Indian students at universities, with the bulk of them confined to Fort Hare and the segregated facilities in Durban. These figures showed the neglect of our education at the primary and secondary levels, just as the presence of many tens of thousands of whites at white universities showed how the ruling group was pampered.

And in 1955, as far as I remember, there were no advertised plans for the tribal colleges that came later. Perhaps in the mind of Dr Verwoerd there was no need for tertiary education for those destined as racial groups to hew wood and draw water.

We had thousands of Indian children without classrooms but still receiving some education and we had tens of thousands of African children without even teachers to instruct them. Without the spirit of self-help we could not have made the progress we made in education.

And now the Churches were told by Dr Verwoerd that they were not wanted. He did not want Africans to get any education which would give them hope of being anything other than hewers of wood and drawers of water.

And now some of us for the first time heard of Bishop Ambrose Reeves of Johannesburg because of his strong condemnation of Bantu education. In January 1955, at a press conference in London under the auspices of Christian Action, he stated that the policy behind the Bantu Education Act "violates the principles upon which all true education ought to rest."

He quoted the South African Minister of Native Affairs, Dr Verwoerd, as saying:

> “There is no place for him (the Native) in the European community above the levels of certain forms of labour...
>
> "Until now he has been subjected to a school system which drove him away from his own community and misled him by showing him the green pasture of European society in which he was not allowed to graze."

Bishop Reeves told his London audience that in conscience it was impossible for him to take any part, however remote, in implementing such a policy, and declared:

> "For this reason I cannot contemplate either selling or leasing our school buildings to the government."

There were in the Congress Alliance in South Africa those who found it difficult to understand Bishop Reeves when he said that under Bantu Education "Church property would be used to indoctrinate children with a racial policy which I am persuaded is contrary to Christian Gospel," whereas his Church had been from time immemorial practising racial segregation in school buildings.

I am recalling at some length what Bishop Reeves had to say in London to show the "new awakening" among Christian leaders.

This was the Church's response to Nationalist policies just as the very formation of the Liberal Party, too, was a response to apartheid.

CACHALIA AND KOTANE AT BANDUNG ASIAN-AFRICAN CONFERENCE

The Asian-African Conference was held at Bandung, in the mountain setting of Indonesia, two months before the Freedom Charter was adopted at Kliptown in June 1955.

We felt it vitally necessary that we should be represented at Bandung so that the Afro-Asian nations and people could hear about our defiance of apartheid and our positive work towards the Freedom Charter. Moses Kotane and Moulvi IA Cachalia were officially elected to represent the people of South Africa. Essop Nagdee, who accompanied the Kotane-Cachalia delegation, was not an official delegate but as always he was of great help to our Moulvi Saheb.

At this historic conference 29 Afro-Asian nations were present, representing one thousand five hundred million people of the world. It was the most representative conference of the Afro-Asian people ever held until that year.

It "extended its warm sympathy and support for the courageous stand taken by the victims of racial discrimination" in South Africa and "applauded all those who sustained their cause."

Dr Homer A. Jack, the American Minister of the Unitarian Church, covered the Bandung Conference for *Indian Opinion* in two articles which appeared in its issues of May 13 and June 3, 1955.

Dr Jack informed us that Moses Kotane and Moulvi Cachalia representing the ANC and the SAIC respectively, together with EM Nagdee, were given quarters in the Savoy Hotel "reserved for official delegations." The South African delegation was allotted Number 32 at the official conference table.

COLOURED AND INDIAN VOTERS LOSE CAPE VOTE

In May 1955, the Nationalist government introduced the Senate Bill to remove the Cape Indian and Coloured voters from the common roll. Strijdom was trying to succeed where Malan had failed to achieve the same object through such constitutional tricks as the High Court of Parliament Act.

The NIC statement on the Senate Bill was given prominence in *The Leader* in its front page of May 20, 1955. It was a carefully worded document exposing the Nationalists as the enemies of all black rights, including the "group rights" imposed on them since 1910. The NIC said:

> "The Nationalists made it abundantly clear even before they came into power that under their regime the Indians, Africans and the Coloureds were to have no voice in the affairs of their country.

> "Hence they did away even with the dummy representation under the Asiatic Land Tenure and Indian Representation Act, abolished the Native Representative Council and have been doing their utmost to remove the Indian and Coloured voters in the Cape from the common roll."

The NIC opposed the Senate Bill and said that it was an obnoxious measure which sought to circumvent the judgement given by the Appellate Division of the Supreme Court on the entrenched clauses of the Constitution.

The NIC stressed that the black majority in South Africa did not regard the 1910 Constitution, which denied them the right to enter Parliament, as sacred and added that the "mistake" of 1910 had to be corrected by the united action of the people to establish a non-racial democracy.

In the face of the total onslaught of the Nationalists the people were not "sunk in apathy and despair." On the contrary they were marching forward without preaching any racism in reverse.

The white man's laws were to be hated but not the white person. The black majority had suffered much under racial laws but it was not preaching black domination over the whites. It was not seeking revenge. That was crystal clear to all who were following the campaign for the Freedom Charter.

CONGRESS SPOKESMEN EXCLUDED FROM GROUP AREAS HEARINGS

Because of the wide publicity that the Group Areas hearings received the government once again amended the Group Areas Act in 1955 preventing the Congresses from appearing before the Land Tenure Board. This amendment was a victory for the racists but at the same time it proved how effective the Congress opposition had been before the Board. Under the amended Act the chairman of the Board had the power to exclude the Congresses and other bodies on the grounds that they did not qualify as interested parties. With this amendment the farcical hearings became even more farcical because the Minister was in any case not bound by the findings of the Board.

The NIC lawyers took an active part in Pietermaritzburg where - after amendments to the Act - it was ruled that Dr Edgar Brookes, JN Singh and I did not represent persons and bodies having a "real interest" in the hearing of the Board as laid down by law and by definitions which had emerged from Supreme Court decisions.

At all these hearings the NIC approach was to put the Group Areas Act and the Nationalist Party on trial.

In the Year of the Freedom Charter, a new Advocate, Joe Slovo, was appearing at many hearings for the Indian community. He received wide publicity for his appearance at Walmaranstad in 1955. Slovo was known to our people from his teenage days.

DRAFTING OF THE FREEDOM CHARTER

The national drafting committee of the Freedom Charter, based in Johannesburg, consisted of Walter Sisulu, the secretary general of the ANC, Yusuf Ahmed Cachalia, the secretary of the SAIC, Rusty Bernstein of the Congress of Democrats, Duma Nokwe of the ANC and Stanley Lollan of the Coloured People’s Organisation. It was in close contact with all regions of the country. The people's demands were sifted and submitted to the drafting committee which in turn consulted and got approval from the regional bodies. Yusuf Dadoo was constantly consulted by the committee.

Chief Albert John Luthuli, the President-General of the ANC, was in close contact with the Johannesburg-based drafting committee of the Freedom Charter and so were the other Natal-based ANC leaders, including MB Yengwa, Wilson Conco and "Stalwart" Simelane.

The final Natal meeting to approve the national draft of the Freedom Charter took place in the surgery of Dr GM Naicker. The government's bannings did not prevent those banned from having their full say in respect of the draft which eventually was read out clause by clause to the Congress of the People.

In the years to come people would ask: which leaders gave us the Freedom Charter? And the answer is the people gave us the Charter and among the leaders were all those who had been banned by the Nationalist government, like Luthuli, Monty Naicker and Yusuf Dadoo who were absent along with almost all the executive members of the Congresses.

The objective conditions of the Year of the Freedom Charter demanded that the leaders continue to carry out their leadership tasks without defying their banning orders. This proved to be the correct tactics.

Our leaders never claimed that the struggle for freedom had begun with them. In fact, they readily accepted that the struggle began as early as 1652 when within the household of Jan van Riebeeck there were slaves from the East - including Indians from Bengal - who, like the local Africans, resented the white rulers assailing their human dignity.

The 1952 Campaign of Defiance of Unjust Laws was uppermost in our minds when the draft Freedom Charter was under consideration in each of the four provinces of our country. Actually, the Freedom Charter could be regarded as the culmination of all our defiance campaigns from the earliest times.

NIC WORKING COMMITTEE ADOPTS FREEDOM CHARTER

On June 5, 1955, we spent the better part of Sunday at the Working Committee meeting of the NIC. It was a most democratic and representative meeting despite the fact that many top officials and executive members had been banned by the Minister of Justice. Every NIC branch was adequately represented, proving the oft-declared statement by the NIC that for every NIC leader banned two or more would arise to fill each and every vacancy.

This was our last Working Committee meeting before the historic Congress of the People at Kliptown.

The Working Committee called for a National Day of Protest against the Senate Bill which was then before parliament, and which the NIC viewed as a fascist measure against the people of South Africa.

It stressed the importance of the Congress of the People, noting with approval the "progress made in all parts of South Africa for the Kliptown Meeting which is to be held on the 25th and 26th June, 1955."

It unanimously adopted a resolution on the events at Fort Hare where the students had shown a great deal of militancy and the authorities had closed the institution. The NIC Working Committee "viewed with deep concern" the action taken against Fort Hare and called for the appointment of "an independent fact-finding commission" with full student representation to resolve the problems facing Fort Hare.

In a resolution on the Group Areas Act, the Working Committee condemned the 1955 amendment to the Act which excluded Congress from participation at the Land Tenure Board hearings.

The Working Committee condemned the new Nationalist tactics on the Group Areas Act, asked our people not to co-operate in its implementation and called on all NIC branches "to organise Group Areas Conferences in their areas inviting religious, cultural, social, sporting, debating and other institutions with a view to educating the people of the real dangers of the Act and taking the necessary steps to agitate against the declaration of Group Areas."

This Working Committee also condemned the Population Registration Act then recently enacted.

CHIEF LUTHULI HOSPITALISED FOR LEAD POISONING

I remember the day in April 1955 when we heard that the ANC President-General, banned and confined to the Lower Tugela magisterial district, had fallen ill.

Dr MV Gumede telephoned me at Verulam to point out the urgent need to have him removed to the McCord Hospital in Durban and this was done without first obtaining permission from the Stanger Magistrate. I took the responsibility for that and then conferred with the Stanger magistrate.

Chief Luthuli was diagnosed as having suffered lead poisoning. This could have easily occurred from the water stored in tanks at Groutville, sometimes painted internally. The Chief was very ill and special prayer meetings were held in Durban for his speedy recovery.

Indian Opinion of April 22, 1955, observed:

> "We are happy to note that Chief AJ Luthuli, President General of the ANC, has been discharged from McCord Hospital, where he had been for some weeks receiving medical treatment, and has returned to his home at Groutville."

The *Opinion* expressed regret that Chief Luthuli would not be able to take an active part in public affairs for some considerable time and wished him well.

DECLINE AND FALL OF JORDAN NGUBANE

Whilst the Strijdom government was going all out to implement apartheid as strictly as possible, and whilst the Congress Alliance was presenting a clear-cut alternative - that of a non-racial democracy based on one person one vote - the Liberal Party of South Africa was still groping with a policy which was not easy for its black members to understand.

Among the leading black members of the Liberal Party were Selby Msimang of Pietermaritzburg, EGM Njisane, the sociologist, and Jordan K Ngubane who had taken a leap from the ANC Youth League to the Liberal Party. A study of Jordan Ngubane's role in the ANC Youth League, in the Liberal Party and finally in the Inkatha movement is indeed most fascinating.

In the Year of the Freedom Charter Ngubane was going all out to attack the Youth League leadership of the ANC. His series in *Indian Opinion* presents an interesting insight into his activities.

Ngubane had been a leading journalist on *Inkundhla Ya Bantu* and in 1955 he was given the complete run of *Indian Opinion*, founded by Mahatma Gandhi. He was rationalising his own inability to play a militant role in the new ANC of Chief Albert John Luthuli and used *Indian Opinion*, in numerous articles, to create the false impression that the future Nobel Peace Prize Winner was not a free agent.

Ngubane interpreted the organisational resolution passed by the December 1954 ANC Conference, giving more power to the Secretary General, as tantamount to a vote of no confidence in Luthuli.

Whilst Ngubane was attacking the "radicals" within the ANC, people such as Violain Junod and Leo Kuper were working closely with the Congresses and Alan Paton appeared on many occasions on the same platform as Dr Naicker in Natal.

At the 1954 Liberal Party Conference in Durban Ngubane had spoken out particularly on the question of franchise and as was expected the conservative Liberals disagreed with him. Ngubane's "Reply to Liberal Criticisms" appeared in two separate articles in *Indian Opinion* of February 4 and 11, 1955. He wrote in *Indian Opinion* of February 4, 1955:

> "For the Liberals to hesitate to come out with a clear-cut policy of equality merely piles up the difficulties we shall face when the African masses feel they are strong enough to enforce compliance with their wishes."

Ngubane went on to say:

> "...I understand the difficulties of the Liberals. On the one hand they have to convince an obstinate white electorate that only an enlightened racial policy will now save South Africa.
>
> "On the other, they have to assure a numerical majority - which is already conscious of its strength and its capacities to ensure respect for its wishes - that it can get what it wants by being patient the Liberal way.
>
> "The whites in this atmosphere say the Liberals go too far. The oppressed say Liberalism puts a break on their political progress..."

In his second article which appeared in the *Opinion* of February 11, 1955, Ngubane pointed out that "already progressive white opinion is divided," and added:

> "The Congress of Democrats have come out with a franchise policy which is acceptable to the African National Congress.
>
> "This has made it possible for a number of Europeans known to me and who have no sympathies with communism to join the COD. For my part I do not like the Congress of Democrats. I do not say it is in any way communistic.
>
> "But it has within it weaknesses which might one day make it a front serving the end of the Moscow-men. Before it proves to me that it has shed these weaknesses, I shall prefer to walk warily..."

Even whilst advocating the acceptance of universal franchise by his Liberal Party, Ngubane was using the "red bogey" to advance his viewpoint.

Ngubane continued his attacks even after the Freedom Charter had come into existence. Some of the provisions of the Freedom Charter, he insinuated, would

find a place of honour in any orthodox Communist programme. This was his way of discrediting the Charter in the eyes of the Liberals.

As future events were to prove, Ngubane drifted away from the Liberal ranks. After spending a long profitless period in the United States, he returned to join the ranks of the Inkatha organisation but even there he made no lasting contribution.

Some of our people regarded Ngubane from his *Inkundhla* days to his Inkatha days as his period of decline and fall.

Many of us had regarded Ngubane as an outstanding black journalist and the *Inkundla Ya Bantu* as a powerful independent newspaper worthy of our struggle for greater human dignity in South Africa. We also regarded many of Ngubane's writings in the *Opinion* as definitely not in the interest of the mass democratic movement of its time. In effect, he was not promoting the goodwill that was necessary for the creation of a non-racial society for all who lived in South Africa.

Despite Ngubane's misuse of *Indian Opinion*, we kept in close contact with Manilal Gandhi and never tried to isolate him. This was the normal behaviour of the Monty Naicker collective leadership, and it paid good dividends.

Manilal Gandhi in the Year of the Freedom Charter was also working very closely with Patrick Duncan and the Liberals generally.

Positive work also came from Manilal Gandhi as a journalist. He recorded for posterity not only the Western Areas removal and the closure of the Booysen's Indian School in Johannesburg, but even more important, he recorded the happenings at Kliptown when the Freedom Charter was formulated. The Manilal account of the Congress of the People and the adoption there of the Freedom Charter is indeed most valuable for all those interested in recording a people's history of South Africa.

VOICES OF SANITY AMONG WHITES

The Freedom Charter campaign was to my mind one of the greatest adult education undertakings ever implemented in South Africa. From grassroot levels the people of South Africa were educating their trusted leaders on their innermost hopes and aspirations. The Congress Alliance was the top educator of the rest of the country in this process.

Leaving aside the Congress of Democrats, in whose ranks were to be found democrats who had been active in politics for many long decades, white South Africa was indeed in need of education. Even those who claimed to be "liberals"

often proved to be most conservative. The Churches required to be educated more than even others as to what their ethical responsibilities were.

The English-speaking press, with a horrid past of anti-people stance, was, whilst opposing the Nats, not giving a democratic lead.

We, hence, valued the courageous voice of people like Dr Edgar Brookes, senior lecturer in history at the Natal University, who in the Year of the Freedom Charter, inspired us when he addressed the graduation assembly at Fort Hare, a month before it was closed down by the authorities. He told the assembly that never was there a more fear-ridden country than South Africa. The people of South Africa, he said, were beset by fear of one another, fear of the future and fear of the truth. Edgar Brookes was talking the language which the blacks understood.

Inspiring written words came from the pens of John Gild and CWM Gell who were in the Year of the Freedom Charter continuing with their useful work in the columns of *Indian Opinion*.

The white Liberals, both clergy and laity, were latecomers to the freedom struggle and the Communist scare could easily make them early quitters. We were much impressed with such members of the Liberal Party in Natal as Professor Leo Kuper, Violain Junod and Peter Brown. Alan Paton, too, had joined us in attacking the Group Areas Act from the Congress platform, whilst Dr Edgar Brookes remained our firm favourite.

LIBERAL JOHN GILD ATTACKS “LIBERALS” FOR THEIR ANTI-COMMUNISM

In 1955, the government introduced the Cape Coloured Ordinance, aimed particularly against the militant Cape Coloured teachers. The Superintendent-General of Education was given powers to dismiss summarily any teacher regarded by him as a "Communist" and such a dismissed person could not hold any other teaching post.

Writing in *Indian Opinion* of April 22, 1955, John Gild said:

> "That the Cape Liberal Party should have kept silent about this Teachers' Ordinance is deplorable, but not surprising. It is not surprising because Cape Town Liberals, under the influence of men like Oscar Wolheim and Mr Gibson, regard attacks on Communists as one of their chief aims."

After noting that the influence of the Communists among the blacks "was due to the aggressive and uncompromising way in which they preached and practised

racial equality which is, of course, essentially a liberal doctrine," he said that the Liberal Party was foolish "in trying to retain some shreds of respectability by joining the pursuit and persecution of former Communists."

He added that real danger to South Africa "comes from the Nationalist Party which rules our country and which uses anti-Communist cry to obscure its own sinister purposes."

Gild wrote in *Indian Opinion* of June 10, 1995:

> "The Johannesburg public library, which maintains a rigid colour bar, has a wide back wall facing a busy street. Months ago these words were painted late one night on the wall 'We Black Folks Want To Read'..."

He pointed out that no matter what steps were taken to remove these words they kept on appearing on that wall.

The Star published a photograph of the latest inscription on its front page. In an editorial comment this paper, claiming to be wedded to liberal principles, said:

> "The puzzling thing is that this offence can be repeated, almost within a stone's throw of Marshall Square without interference from the police. It is a significant commentary on the preservation of law and order in this city."

John Gild received our fullest approval when he pointed out in the *Opinion* that whilst *The Star* was rarely moved to discuss police actions or criticise the police, it had to raise points of law and order when a "politically inspired protest against illiteracy" took place.

CHRISTOPHER GELL

CWM Gell, a prolific writer, spoke out more strongly and even more regularly on human rights than John Gild.. *Indian Opinion* had this to say about him:

> "Mr Christopher WM Gell, whose name is well-known to the readers of the *Indian Opinion* has now made Port Elizabeth his permanent place of residence.
>
> "Mr Gell flew from his home in Rustenburg to his new home in Port Elizabeth last Sunday in a chartered plane from Rustenburg to Johannesburg and in a South African Airways Skymaster from Johannesburg to Port Elizabeth.

> "Mr Gell, who was paralysed by polio ten years ago, at the age of 27, while in the British government service in India, is placed in an iron lung. He can leave his iron lung only for six hours at a time.
>
> "He was therefore taken out of his iron lung just before he left Rustenburg and was placed in another lung on arriving in Port Elizabeth...
>
> "There are few people in South Africa with as clear a vision and as deep a knowledge of the political situation as Mr Gell.
>
> "The Indian community is greatly indebted to him for the way in which he has been championing their cause and the cause of the oppressed people generally."

We had no hesitation in endorsing the views expressed by the *Opinion* about this honest man who opposed race discrimination and who was more outspoken than many within the Liberal Party of South Africa.

Gell has written on many topics including a long series on the Group Areas Act, a subject on which he excelled.

Soon after leaving Rustenburg, he wrote in the *Opinion* of April 29, 1955, on Group Areas in Port Elizabeth, an article in which we get a glimpse of the Liberals and the Churches. Condemning the Act's implementation in Port Elizabeth, he said:

> "As for the local branches of the Liberal and Federal Parties, we can pass them over in the silence they themselves seem to prefer when controversial causes, to which they are theoretically pledged, call for public action. Even the Churches bear no public witness..."

From his iron lung, this ex-civil servant from India was able to identify himself fully with the cause of the people and his comments on the Liberals and the Churches were indeed most appropriate.

It was Gell who invented the term "Tory-Liberals" for members of the South African Liberal Party and others who used the Communist bogey and in doing so played no part in evolving the united front of all South Africans opposed to racism. He wrote a series of five interesting articles, headed "The Liberal Party and the ANC," in which he took the South African "Tory-Liberals" to task.

Historians will find the Gell articles most interesting and they are preserved for posterity in *Indian Opinion* of October-November 1955.

Mr Gell, from his iron-lung in Port Elizabeth, exposed Ngubane's mischief. In his fourth article which appeared in the *Opinion* of October 28, 1955, referring to

Ngubane's comment that some of the provisions in the Freedom Charter would find a place of honour in a Communist programme, Gell asserted: "Equally they would find a place of honour in any genuinely liberal programme."

After strongly criticising the "sneering and jeering at Communism," Gell in his next article in the *Opinion* of November 11, 1955, said: "It is really time that the Liberals shook off the shadow of Swart in regard to 'Communism.'" (CR Swart was the Justice Minister who had banned Luthuli, Dadoo and Naicker among others.). Gell added:

> "The Far Left witch-hunt really must be left to Swart and the Special Branch. Anyone else who tries it is bound to be contaminated with their nasty methods and purposely ill-defined views."

The real enemy in South Africa, he pointed out, is not the Far Left but "white *baaskap* and apartheid."

DEATH OF RT CHARI

I remember the sadness with which we learnt of the death of RT Chari in the Year of the Freedom Charter.

Indian Opinion of September 9, 1955, recorded Chari's death in London on September 6 after a brain operation.

Mr Chari's name was a household word among the Indian community in South Africa where he was in charge of India's diplomatic representation after the High Commissioner had been recalled. He was in South Africa until 1951 and at the time of his death at the age of 42 he was Deputy High Commissioner for India in Karachi. He had gone to London for treatment.

The funeral took place at the Golders Green Crematorium.

TRANSFER OF NIC PROPERTIES

The Working Committee of the NIC, at its meeting held at Bharat Hall, Durban, on August 28, 1955, gave final approval for the alienation of the Congress properties by way of donation to the Mahatma Gandhi Memorial Trust, independent of the NIC.

The NIC owned two immovable properties situated at 95 Prince Edward Street and at 80 May Street, Durban, whose municipal valuations were 6,940 and 3,890

pounds sterling respectively. These properties were acquired by Mahatma Gandhi and, as stated earlier, Dr Naicker's NIC obtained the transfer after a successful Supreme Court application.

At the 1955 NIC Conference a resolution moved by Dr MM Motala, and seconded by Dr AH Sader, directed the Working Committee to "deal with the properties in any manner, if necessary, to alienate or dispose of them in the interests of the Indian people."

The NIC Executive Committee on June 2, 1955, discussed the Conference resolution at length and submitted its report to the Working Committee meeting of June 5, 1955, where Advocate HE Mall led the discussion. The Working Committee appointed a subcommittee of 16 members to give further consideration to this matter. The sub-committee met on July 24, 1955, and it submitted its support for alienation to the Working Committee.

In giving its final approval the Working Committee said that the alienation was subject to the approval by the NIC of the Trust Deed of the Donee and the names of the Trustees. *The Leader* of September 9, 1955, recorded that the opposition to the alienation had come from AKM Docrat, RS Pather, AI Bhoola, AI Meer, HA Meer and IC Meer. In fact, there was at one time a move to seek the intervention of the Court against alienation but this was abandoned in the greater interest of the NIC.

Although I was on the receiving end let me point out that the Working Committee discussed this issue fully before the final decision was reached. Those opposing remained unconvinced and, in humility, I add that the properties still remain undeveloped. [27]

The Working Committee decision was followed by a statement from our banned president Dr GM Naicker who said: "The entire NIC membership has been called upon to express its views through Congress branches so that before the final decision is taken by the Working Committee, branch delegates who constitute the Working Committee will have a true mandate from their respective branches."

No further opposition was, however, forthcoming and the properties were eventually transferred.

I found my disagreement with Monty Naicker rather painful but the NIC believed in democracy and those who opposed the transfer had the right to be heard. We were in the minority but it has happened often in history that the minority is eventually proved right.

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[27] When I was in India with Nelson Mandela, Rajiv Gandhi offered a very large sum of money from his Congress to help develop some project in South Africa and I immediately thought of the Congress properties but when I discussed this with Nelson, he proposed purchasing Shell House in Johannesburg as the ANC headquarters. The money was thus used for that purpose. Shell House, now Luthuli House, proved to be a bad investment.

BANTU EDUCATION AND THE CHURCHES

The Bantu Education Act had put the Churches on trial before the people of South Africa.

We must review the Churches and their policies in the light of their stand on education under apartheid, bearing in mind that the Churches had merrily continued to provide education in their own racially segregated schools.

April 1, 1955, was the crucial date by which the Churches had to give their decision to the government on mission control of primary and secondary schools for Africans.

If the Churches wanted to retain control of their black schools their subsidy would be only 75 percent up to the end of March 1956 and thereafter reduced to 50 percent until December 1956. For the year 1957 the subsidy to primary and secondary schools run by the Churches would be only 25 percent and thereafter the subsidy would be totally terminated. The Churches were, however, given the alternative of relinquishing all control over both the primary and secondary schools and selling or letting them to the government.

It was clear that the government wanted one single servile system of education for all blacks and that it was forcing the Churches to relinquish control by reducing and then abolishing the subsidy.

I remember the confused state among the different Church groups who had - all of them - provided segregated schooling when no law prevented them from having non-racial schools. The Churches' opposition to Bantu Education was hence not based on opposition to racial separation.

If education had been integrated in mission schools then it would have been impossible to impose the Bantu education on them. But since the Churches had themselves run schools on racial lines even when there were no laws that forced them to do so, it was very easy for the Nationalists to take over these racial schools under the new policy.

The Congresses were totally opposed to all racial discrimination, including that practised by the Christian Churches and hence their opposition to Bantu Education went far beyond that of the Churches. The liberation movement was patiently teaching the Churches to rid themselves completely of all traces of ethnic and racial separation in all spheres including education.

The Bishops of the Catholic Church in Southern Africa objected to the new Nationalist plan as one which would "lead to secularisation of education" whilst

the American Board Mission said that it considered education "as a means by which the Kingdom of God can be advanced."

So the Churches were objecting on "religious grounds" but they had abandoned for centuries in South Africa the religious ground for having all children of all colours being taught in one and the same school. We found it difficult to understand how the very act of separation on grounds of race was not irreligious and secular, nor did we understand why the Kingdom of God was being advanced while the Churches had racial schools and not when the government took over.

The Churches had no grounds whatsoever for defending the practice of "separate but equal." More often than not they provided separate but unequal education facilities to whites and blacks in South Africa.

And we were not surprised at some Churches selling or leasing their schools to the government. Some completely closed down their schools. This confusion was to be expected.

Ambrose Reeves, the Anglican Bishop of Johannesburg, decided that he could not co-operate even to the extent of leasing buildings to the government. We admired his stand just as we deplored the stand of the Methodist Church, the Presbyterian Church, the Congregational Union, the United Jewish Reform Congregation (Transvaal) and others who decided to lease their schools to the government.

GOVERNMENT ACTION AGAINST STUDENTS AND TEACHERS

The ANC called for the boycott of all schools imparting education for servitude and although it postponed its decision to implement the boycott from April 1, 1955, thousands of children in Benoni, Brakpan, the Western Areas of Johannesburg and Germiston absented themselves when schools reopened on April 12, 1955.

And the great South African mass student protest had now begun in earnest.

On April 14, 1955, there were demonstrations in the African townships of Benoni, Brakpan and Germiston. Women and youths marched through the streets carrying ANC banners and placards reading "We don't want Bantu Education." Armed police were called to disperse large crowds which had gathered at street corners.

On April 14, 1955, the Minister of Native Affairs warned that those of the boycotting children who did not return to their schools by April 25 would be deprived of all further opportunities for education, and the posts of their teachers too would be abolished. When April 25 arrived some 7,000 children had still

stayed away. The names of many of them were removed from the rolls and 116 teachers were dismissed.

Let us remember that on June 7, 1954, Dr Verwoerd had bluntly stated that under apartheid there was no place for Africans "in the European community" - which meant in the whole of South Africa, save the thirteen percent given to the Africans under the Land Acts - above the level of certain forms of labour. His education policy based on apartheid would end the existing system which, according to Verwoerd, created vain hopes among African pupils.

Verwoerd thereby challenged African students all over South Africa and in 1976 Soweto gave the most telling reply to him and to Bantu education.

RACE CLASSIFICATION: VIOLENCE AGAINST HUMAN DIGNITY

Father Huddleston had spoken of the Nationalist government's policy of "dividing man from man."

Among the basic laws implementing this policy of divide and dominate was the Population Registration Act against which the Congresses had spoken out in the strongest language possible.

Early in 1955, the process of registration of South Africa's population under the new law commenced in Cape Town, where the officials of the Bureau of Census and Statistics set about attempting to classify the Coloured people. The Director of this Bureau personally interviewed some 700 "borderline" cases: many of the individuals concerned claimed to be white, not Coloured.

The Bureau's officials later visited Welkom, Pretoria, Kimberley, towns in the Western Transvaal and Johannesburg and by the time the Freedom Charter was born, the world was being made fully aware of the humiliating experience of those who were subjected to race classification.

I remember with shame the numerous stories that we heard of the methods used to classify human beings into different categories.

The 1954-55 *Race Relations Survey* records:

> "Non-whites alighting from trains on their way to work (in Johannesburg)... were ordered to produce their reference books, and it was alleged that any who had the appearance of Africans and did not possess these were arrested forthwith and ordered to report to census officials for classification... many of the Coloured people were subjected to mortifying tests - it was alleged that in some cases hands or pencils were passed

through their hair."

We also heard of the "pin test," under which the "cry" of the person determined whether the person was African or Coloured.

Those accepted as Coloureds were given certificates to that effect, and the rest were sent for the further humiliation of finger prints etc., to obtain the Pass - the Reference Books issued to Africans.

This race classification procedure, a most severe form of violence imposed on human dignity, was among the most disgraceful racist acts of the Nationalist government.

FREEDOM CHARTER ADOPTED AT CONGRESS OF THE PEOPLE

Saturday and Sunday, June 25 and 26, 1955, occupy a very special place in the history of the freedom struggle in South Africa. The Congress of the People met on these two days at Kliptown in the Transvaal and the Freedom Charter was born.[28]

Yusuf Dadoo, Monty Naicker, Albert Luthuli and many other top leaders - including Yusuf Cachalia, Nelson Mandela, Oliver Tambo, Kathy Kathrada, IC Meer, JN Singh, Dr GM Naicker and Fatima Meer - were debarred by banning orders from attending the launch of the Charter.

But the people were there, with many leaders drawn from grassroot levels.

Among the large number of messages that came to the Conference were messages from the United Nations; UN Dhebar, President of the Indian National Congress; Chou En Lai, Prime Minister of China; Paul Robeson, the black American leader; the Prime Minister of Sudan; and numerous world bodies of workers, women and youth.

Manilal Gandhi was able to attend and record what happened at Kliptown on those two history-making days. What follows is taken verbatim from his report which appeared in *Indian Opinion* of July 1, 1955:

> "The Congress of the People to formulate the Charter of Freedom for all democratically-minded and freedom-loving people of South Africa, which was held in a privately-owned sports ground at Kliptown, about eleven

[28] The Kliptown site was found by IM Jada and his associates. IM Jada had played a pivotal role in the TIC under Yusuf Dadoo.

miles away from the City of Johannesburg, began its session at 3.30 p.m. on Saturday, June 25 and concluded on Sunday at 5 p.m.

"Its grand success was beyond all expectations. It would not be amiss to say that never in recent history of South Africa has such a representative meeting of the oppressed people known to have been held. And it was under the most difficult circumstances imaginable.

"For what did the government not do to prevent it?

"Under the Suppression of Communism Act and the Riotous Assemblies Act it banned the movements of all the Congress leaders that count when the proposal for such a meeting was made known a year ago. It banned many public meetings called for the legitimate purpose of airing the grievances of the people.

"One cannot but bow one's head to and very heartily congratulate the organisers of the meeting for the magnificent work they did.

"There were two thousand eight hundred and eighty four delegates from throughout the Union of South Africa present at the meeting despite the fact that about two hundred were prevented by the authorities at Beaufort West in the Cape Province and at Standerton in the Transvaal Province from proceeding to the meeting, under the pretext of not being in possession of permits required under the Immigration Laws or passes under the African Pass Laws.

"It was all done, quite obviously, for the purpose of frustrating the holding of this meeting.

"Besides these delegates, there had assembled at this meeting over three thousand of the public.

"The police, both European and African, and a squad from the Special Branch were present at the meeting from the beginning to the end.

“Notwithstanding that provocative act, it must be said to the credit of the public that they were not sullen and angry but were happy and gay during the whole session.

"The weather, too, had been exceptionally kind…

"But on the day of the meeting it was like a beautiful clear summer day which testifies that God had showered His blessings on the meeting.

"After the preliminary work had been done, the draft Freedom Charter was taken clause by clause and speeches were made on it and each clause was then put to the vote and passed unanimously.

"There was justifiable emotion in the speeches made. It was a demonstration of the physical, mental and spiritual torture suffered by a vast majority of this so-called democratic country.

"Mothers spoke feelingly about the future of their children; pass laws which were causing the Africans untold suffering and humiliation were condemned; the Bantu Education Act was described as slave education act; the living conditions of the Africans were condemned; their economic conditions under the industrial laws affecting them adversely were strongly criticised.

"Some unsavoury things were quite justifiably said about the policy of the Prime Minister, Mr JG Strijdom and the Minister of Native Affairs, Dr Verwoerd.

"Things went very smoothly until after lunch which was served to all the delegates between 2 and 3 p.m. during which period the whole crowd was entertained with songs and music.

"Then half an hour after the afternoon session commenced, between 3.30 and 4 p.m., all of a sudden it was announced from the platform that armed police were coming towards the platform and that the people should remain calm.

"There was some excitement and the people were on their feet to look at what was happening.

"About twenty to thirty police, armed with sten guns surrounded the platform while higher officials walked on to it, and then it was announced that the police had presented a search warrant to the chairman of the meeting, Mr P Beyleveld, which said that they were investigating a charge of treason, and that they had come to look for 'inflammatory and subversive literature.'

"There was surely no need for all this military display since there was no secrecy on the part of the organisers of the meeting.

"It was held in the open and the police had access to all the documents they desired.

"But, of course, it would be a wonder if the South African Police would practice a little grace. To be graceful is evidently not in their dictionary.

"There was surely no occasion to tear down the peoples' national flags and to tear off the delegates' badges. But, nevertheless, that was the first thing they did.

"Then while the delegates on the platform were being searched, the police stood by below with sten guns just ready for orders to shoot. They had a wild look on their faces.

"Some jeered at the delegates and while the delegates were shouting 'Africa' with their thumbs up some of the police were responding with their thumbs down.

"They apparently thought they were courageous standing with guns facing an assembly of six thousand unarmed people.

"That was of course not all. There was an army of fully armed police, both Europeans and Africans, and over thirty mounted police surrounding the whole area in which the public had gathered.

"Their number is said to have been about two hundred but it appeared to be much more.

"Once again it was to the credit of the organisers and to the vast assembly that they refused to be intimidated and kept their heads and proceeded with the remaining work.

"Due credit must also be given to the police for having allowed the remaining work of the meeting to be concluded whilst the delegates were being searched on the platform.

"There were just a few more clauses in the Charter remaining to be discussed; the last one, just when the police came on the scene, was on Peace and Friendship.

"The whole draft Freedom Charter was then passed with acclamation and with the singing of the African National Congress anthem "*Nkosi Sikelele*," with the government being present on the platform as though to bear witness to it. It was all an act of God.

"And then the searching of the three thousand delegates began. The police had already taken all of the papers referring to the meeting - thousands of copies of the agenda, the draft Freedom Charter, the messages received from distinguished personalities from throughout the world.

"Every delegate was searched and his or her name and address were taken and all the papers connected with the proceedings of the meeting were taken away.

"Every European, in addition, was photographed. Searching went on till a little after 8 p.m. and the scene was then removed to the police station.

"Scores of Africans and some Indians were arrested for not being in possession of the required permits or passes. The sum of about 60 pounds, I was told authoritatively, was paid in admission of guilt and all of them were released.

"On their way to the police station the Africans were roughly handled both by the European and African police. There were instances in which men were beaten up and kicked and spat on by the police.

"This is quite a common thing with the police in dealing with Africans, in particular. It is nothing to be surprised at when, at times, some Europeans are not spared. There is no remedy for it. The only remedy is a firm determination not to yield to the tyrant no matter whatever happens; not to lose one's own head and start retaliating by the same methods...

"While we have nothing in common with the present tyrannical government, we have something in common with the communists although we may not agree with everything they say or do.

"The things we have in common are their organising capacity, their fearlessness, the principles for which they stand and work with a firm determination.

"I would certainly wish that our whole movement would be without the slightest tinge of communism. But we cannot afford to shun the movement because it may be led by communists.

"And the present government has left no room to distinguish between who is a communist and who is not. According to its interpretation all who refuse to talk in the language it bids us to act are communists. We must think of the cause and not the name by which it is called.

"The ideals set out in the Charter of Freedom cannot be taken exception to by anybody. It is not possible to reach the highest ideal all at once. We can reach it by stages during which it may be necessary to come to some honourable compromise with a government that is reasonable.

"There can be no compromise where reason is completely absent and unreasonableness, stark injustice and tyranny is the order of the day."

With these words Manilal Gandhi ended his article on the historic Congress of the People which gave us the Freedom Charter. And in *Indian Opinion* of July 8, 1955, the full text of the Charter was given, with the following opening words:

> "We the people of South Africa declare for all our country and the world to know:
>
> "That South Africa belongs to all who live in it, black and white, and that no government can justly claim authority unless it is based on the will of all the people..."

Indeed, history was made in South Africa. The Freedom Charter took its rightful place with the other human documents, including the Rights of Man of France, the American Declaration of Independence and the declarations that came from freed Afro-Asian countries.

Let me stress that the Freedom Charter was a document fully consistent with the religious ethic of the Hindus, Muslims, Christians, Zorastrians and others.

The written report to the NIC by its delegates to the Congress of the People described the conference as "the most epoch-making event that has ever taken place on South African soil and on the South African political scene."

It recorded that "at the Kliptown Conference the fundamental achievement was the spontaneous assertion of unity in thought, action and spirit for a free and better South Africa." It added:

> "A new brand of South Africanism, which expressed its loyalty to a universal creed, loyalty to self-respect and human dignity, to the basic inherent natural aspirations of the people for peace, progress, freedom and democracy, was born.
>
> "Delegates to the Conference expressed their resolve to extend and broaden the frontiers of our freedom struggle and to carry the Freedom Charter to each and every person who loves liberty, who loves the security of his home and holds high the respect for common justice against evil."

The Freedom Charter contained "the aspirations of the millions of South African people who have pitted themselves against police rule, a police State and a fascist dictatorship."

> "It has become another milestone on the road to freedom and, however intriguing and difficult this road may seem, the determination and resolve displayed at Kliptown make it abundantly clear that the people will tread this road successfully and will reach their goal – 'Freedom in our Lifetime.'"

The report recorded that of the 2,884 delegates attending the Conference 360 were Indian, 320 Coloured and 112 white.

The Working Committee of the NIC, at its meeting held at Bharat Hall, Durban, on August 28, 1955, noted with approval the formation of the National Joint Consultative Committee to popularise the Freedom Charter and the contemplated formation of regional committees. The joint committee consisted of two representatives each from the ANC, the SAIC, the Coloured People's Organisation and the Congress of Democrats - the four national liberation organisations.

The Working Committee was informed that regional committees had been formed in Natal Midlands and in Northern Natal.

It noted that one million signatures in support of the Freedom Charter would be canvassed for and that of this figure, the Natal allocation was one hundred and fifty thousand. Meetings were to be held throughout South Africa and the Freedom Charter fully explained, so that every home in the country knew what the Charter meant.

FREEDOM CHARTER OPTS FOR MIXED ECONOMY

Whilst we were in the midst of our campaign for the formulation of the Freedom Charter, there was a healthy discussion in the country on the merits of socialism and on the kind of economic policy a democratic South Africa should have.

In the Freedom Charter it was eventually decided to have a mixed economy in which both the State and the so-called "free enterprise" could participate.

We were dealing with a matter which was of great interest to all former colonies in Asia and in Africa. It was hence natural that we would follow what was happening in India with a great deal of attention.

In December 1954 Jawaharlal Nehru, Prime Minister of India, told the Lok Sabha in New Delhi that his government aimed at creating a socialist society in which there was "bound to be more and more nationalised industry."

"We cannot progress without public initiative," said Nehru. Strategic industries must be controlled by the State and the line dividing the public and private sectors would "ever be a changing one."

The idealist Nehru seemed to have a practical approach and an insight into the future when he pronounced that there was a lot of good in private industry and that it must be left free to function "under certain broad strategic controls."

We were impressed with Nehru's approach and he influenced many of the Congress leaders in South Africa with his thoughts.

In formulating the economic policy of post-apartheid South Africa, the question of re-distribution of the wealth of this country was very much in our minds. It was agreed on all sides that apartheid was preventing even the "fruits of capitalism" being shared with some measure of non-racialism. There was no dispute about the fact that capitalism had created serious problems for the majority.

Hence, in South Africa and in India and elsewhere the oppressed people were taking a keen interest in what socialism had to offer.

SUICIDES RESULT OF RACISM

From segregation to apartheid, racism had gone from bad to worse and one consequence of frustration was suicides.

I remember a white man and an Indian girl were charged under the Immorality Act at Verulam and I appeared for one of the accused. The white male accused, who was employed by the Borough of Stanger, committed suicide and thus escaped the immoral trial.

When the Freedom Charter was hardly a month old, *The Leader* of July 29, 1955, told us of the mass suicide committed by five sisters whose ages ranged between 14 and 26 years. The entire Indian community was shocked at this tragedy which occurred on the North Coast.

I was in the Verulam Magistrate's Court where the inquest was held and the big question remained, "Why such suicides?"

Perhaps more than any other factor this "five sisters tragedy" resulted in social science graduate Fatima Meer undertaking a post-graduate study of this topic.

The well known publishing house of Routledge and Kegan of Britain and the United States gave Fatima Meer's findings to the academics of the world in a 320-page book entitled *Race and Suicide in South Africa*. It is a book covering 1,500 cases of suicide in Durban occurring during the period 1940 to 1970.

This is how *The Leader* reported the tragedy.

> "Away in the peaceful hills of Natal's North Coast, five sisters were found hanging in two wild fig trees, victims of a mass suicide pact said to be unprecedented in South African history.

"They were the daughters - five of fifteen children - of Thopalan Moonsamy and his wife, and had already suffered uprooting from their home in the 1949 riots.

"The Thopalan Moonsamy family originally came from Marianhill, near Pinetown, where they had leased a 20-acre farm, producing bananas and vegetables.

"In the Durban riots of 1949 their wood-and-iron home was burnt down and all the family's possessions lost, including cash and jewellery and of course, a lucrative farm.

"And from that period the family moved from one place to another until they made Richmond Farm on the North Coast their new humble shack-home.

"It was at Richmond Farm that in the early hours of Friday July 22, 1955, the five sisters were found hanging from the two fig trees.

"The dead girls were Kamlatchee (26), the twins Thavanai and Veli both 17, Amony 21 and Naganasundri, only 14 years of age.

"Early on Friday morning the parents awoke to take produce to the market and found that their five daughters were not in their bedroom, nor in the kitchen where they were expected to be.

"Thinking that they may be outside Mr Moonsamy took his torch and went looking for them. He saw his little dog running from the direction of the trees and when he flashed his torch in that direction a gruesome sight met his eyes..."

More than five thousand people representing all sections of the community attended the funeral - the majority, in fact, were strangers to the Moonsamy family.

The five bodies were laid to rest in a banana plantation about two hundred yards from the Moonsamy home and *The Leader* concluded with these words: "It was a touching scene, with many people openly weeping."

This incident once again highlighted the criminal neglect of the Durban Municipality in providing housing for the blacks - Africans, Coloureds and Indians who were serving the needs of the city.

The Durban City Council's inhumanity drove our people to suicide when they were deprived even of the poor shacks in which they were compelled to live.

In August 1955, the Merebank home of Mrs Munniamah and her nine children was destroyed by the Durban City Council because it was not built according to the required plans. *The Leader* in its issue of August 19, 1955, told us about this Merebank tragedy in these words:

> "Mrs P Munniamah's home was pulled down on Sunday last by Council officials, in the presence of the family and a large gathering of neighbours.
>
> "Members of the South African police stood by to provide security for the demolishers. A number of her friends pleaded to the officials and the police to allow her to stay until she could find alternative accommodation.
>
> "They were given no consideration. The Council demolishers left her with a kitchen.
>
> "Mrs Munniamah, her husband and the nine children spent the night sitting in this little kitchen. Her furniture, sewing machine and other belongings were in the open. The weather was freak and rainy, so passed the hours of the Sunday night for this family."

Mrs Munniamah's Mayville house had been destroyed during the 1949 riots.

Describing this as a "typical case of what is happening in Merebank today," *The Leader* pointed out that the City Council is refusing permission to build in Merebank even according to approved plans, because the area is earmarked for a housing scheme.

MASS RAIDS ON HOMES OF LEADERS OF FREEDOM CHARTER

It was well over a year from the birth of the Freedom Charter to the arrests of the people who led the Charter campaign and its formulation.

I assume that the authorities took three months to consider carefully the material confiscated at the Kliptown Conference which was produced as exhibits at the 1956 Treason Trial, material which included the huge banner reading "Soup with meat" and "Soup without meat," a banner to direct vegetarians to the rightful source of nourishment during the conference session.

In the early hours of the morning of Tuesday, September 27, 1955, when it was still pitch dark, the Security Police carried out its most extensive raids in the history of South Africa until then - or perhaps for all times - when in all parts of South Africa the people’s leaders and their homes were searched and documents

confiscated, documents which also made appearance at the trial of the 156 Freedom Charter accused. The raids were continued the following day.

The SAIC issued a statement that these raids, like other raids since 1954, purported to investigate treason, sedition and the like but in fact they were "intended as acts of intimidation, and to restrict the legal rights of the people to carry on legitimate opposition to the Nationalist Party governments." The democratic people of South Africa, it declared, would not be intimidated by such acts.

> "We reaffirm our determination to continue with redoubled energy our struggle to implement the noble demands embodied in the Freedom Charter, which has become the rallying point and inspiration for all who work for a free and democratic South Africa in which all will be secure from arbitrary raids and infringement of their rights."

The nationwide police raids of September 27-28, 1955, received world-wide publicity. *The Times* of London was one of the many overseas newspapers to comment editorially on what had happened after the Freedom Charter had been born.

There were, I am sure, many within the ranks of the Nationalist Party who believed that a "Red plot" had been discovered in the raids. We were not surprised at the beliefs held by many whites at a time when senior police officers were easily confusing JB Marks with Karl Marx.

John Gild, writing in *Indian Opinion* of October 14, 1955, under the heading "Who are the Guilty Men," said:

> "And this brings me to the second reason why the police look so hard to find so little. The ex-communists are no fools. They have neither the desire nor the intention to organise a revolution next Saturday afternoon.
>
> "Their activities are not concerned with hiding arms (which they have never possessed) but with revealing ideas. These ideas are concerned with racial equality and with the proper distribution of wealth and personal freedom.
>
> "Now these ideas are not necessarily Marxist, although many of those who express such ideas originally received them from socialist sources."

John Gild then went on to say that all this was very hard for political policemen to understand:

> "They are men whose political education has been very slight.

"What Marxists or socialists or liberals stand for and how they differ from each other is hard enough for well-educated people to grasp. It must be doubly and trebly difficult for Afrikaner detectives whose main reading has been tainted Nationalist newspapers.

"This explains why the police make such silly mistakes. They fail to distinguish liberals like Trevor Huddleston or Patrick Duncan from the ex-communists who have been 'named.'

"No doubt most detectives, like some magistrates, really believe that to assert the value of racial equality is to support communism.

"Of course, communists do believe in racial equality. But that does not mean that everyone who believes in racial equality must be a communist...

"It is perfectly legal to promote the idea of racial equality, just as it is not lawful in South Africa to promote the specific ideas of communism.

"My own guess is that even if the police ever stage a treason trial, they will not succeed in convicting anyone before the Supreme Court."

Indeed, John Gild proved right when in the first mass treason trial the Supreme Court found the 156 Freedom Charter accused not guilty of any offence whatsoever.

The best historical record of the Congress speeches on apartheid, Bantu education, the Group Areas Act and such other racist laws is to be found in the records of the 1956 Treason Trial, including thousands of historical documents confiscated by the police when they raided our homes.

The attacks on the leaders and the people's organisations continued unabated, but old and new leaders continued with the liberation struggle.

The Diwali Number of *Indian Opinion* of November 11, 1955, told us that Dr William Conco, deputy president of the ANC, who had presided at the first session of the historic Congress of the People, had received a banning order. The increasing numbers of banned now also included Albert Sachs, Ben Turok, Sonia Bunting, Hilda Watts, Eli Weinberg, Abraham Fischer and Josie Palmer.

We heard more and more names of our leaders from all parts of South Africa being placed on this list of honour.

I remember the carefully-worded statement issued by the NIC when the entire leadership of the Congress of Democrats and the Coloured People's Organisation, as well as leading trade unionists and others had joined the ANC-SAIC leaders as restricted persons. The NIC said:

> "Instead of recognising the legitimate democratic demands of the vast masses of South Africa for full and free participation in the social, economic, political and cultural life of the country, the Nationalist government systematically and blatantly repressed the people's organisations by banning their leaders, and the Minister of Justice went around the country telling his electorate that he was determined that in future any uprisings or organised demonstrations would be severely dealt with..."

Asking the government to lift the bans, the Congress added:

> "The battle for freedom and democracy will continue unabated and no matter what steps are taken by the authorities to thwart the justice of our cause, the vast masses of the voiceless and the voteless in South Africa will achieve the objective, 'Freedom in our Lifetime.'"

In 1955, the Nationalist Party government continued to refuse passports to almost all the leaders of the Congress Alliance including Chief Albert Luthuli, Dr Yusuf Dadoo, Professor ZK Matthews and Dr Monty Naicker.

It was abundantly clear that passports were being refused in order to intimidate anti-apartheid leaders and to prevent blacks acquiring education different from the Bantu education of the Nationalists.

In 1955, the Nationalists passed the law prohibiting anyone from leaving South Africa without a passport. This was the "Dadoo amendment" because Yusuf Dadoo had left the country in 1948 without a passport and returned. The government could not prosecute him for his departure from South Africa in a charter plane. Under the new Act both the person leaving South Africa without a passport and his "carrier" could be imprisoned.

CHURCHES AND APARTHEID

On October 2, 1955, the Reverend Arthur Blaxall opened the anti-Group Areas Act Conference attended by 16 organisations at Mayville, Durban. The Reverend Blaxall was far ahead of the Churches in opposing apartheid.

This Conference appointed top NIC persons on the Co-ordinating Committee with VSM Pillay as chairman, Harry R Deoduth, secretary and T Nabbie, treasurer.

Mayville played a vital role in opposing the mass uprooting of our people from all areas including Cato Manor.

People were fully aware, more so in the fifties, that the Communist Party of South Africa had a clear record of opposing racism for years whilst the Christian Churches had done little in that direction, just as organised Jewish, Muslim and Hindu opinion, too, had remained muted.

The Christian Churches and Muslim and Hindu organisations owe a great deal to the liberation organisations for the educated opinion on racism which they hold in South Africa today.

The Christian Churches were at the time virtually silent on such issues as segregation in schools, residences and places of entertainment. No support had come from any of the mainstream Churches for the Defiance Campaign.

In 1952-1953 the Christian Churches in South Africa and internationally had not made common cause with our opposition to the anti-Christian policies of the Nationalists and the United Party. We noted with regret that the Lucknow meeting of the Central Committee of the World Council of Churches in 1952 failed to condemn apartheid and racism in South Africa. The WCC bypassed the real issue and in a weak and meaningless resolution "offered their support to all people and agencies trying to solve racial disputes in South Africa and elsewhere." This is the furthest "Christian reconciliation" could take the WCC. A report on this meeting appeared in *The Leader* on January 9, 1953.

We were pleased to note that Sir *Kunwar* Maharaj Singh, the former Agent General of the government of India in South Africa and a former Governor of Bombay, was one of the delegates from India to this meeting of the Central Committee of the WCC. Obviously dissatisfied with the WCC's approach, he asked that it "take a really Christian attitude towards the situation in South Africa." His stirring call to the WCC to take a firm stand on racism "without giving in at all" fell on the deaf Christian ears assembled at Lucknow.

Nearly all the white Christians who made common cause with us in the 1946 Passive Resistance - Michael Scott, Father Satchell and Paul Sykes - had had association with Gandhi's India. CF Andrews had played a leading role with Gandhiji in South Africa and in India. The Mahatma, it seems, had "revived" the Christian spirit among white Christians who were fast forgetting Christ. We were later to see the rise of Father Huddleston who made common cause with the most oppressed people of Johannesburg. We were inspired by his role in the fifties just as we were inspired by the role of Michael Scott in the forties.

The mainstream Churches regarded the actions of Scott and Huddleston as being against "Christian reconciliation."

We in South Africa had, indeed, a difficult task to educate the Churches within our country and equally difficult task of educating the WCC when its members in

South Africa were practising racial discrimination in many fields, including education and even in payments given to the Christian clergy.

The second assembly of the World Council of Churches that took place at Evanston, USA, during 1954, asked the churches to discontinue racial segregation among their own congregations and to protest against any law or arrangement which is unjust to any human being or makes Christian fellowship impossible. It was made clear that the churches could not approve of any law which discriminates against persons on grounds of race.

The WCC recognised that many churches found themselves confronted by circumstances which made the immediate achievement of non-segregation extremely difficult, but expressed confidence in their strength and courage to overcome such difficulties.

Evanston in 1954 justified to the hilt what Michael Scott had done in 1946 when he opposed race discrimination and in doing so went to prison with the Reverend Satchell.

CANON COLLINS CHALLENGES ARCHBISHOP OF CANTERBURY

It was indeed surprising that the Archbishop of Canterbury, notwithstanding the 1954 Evanston declaration, should have in 1955, during his African safari, taken a weak stand against racism. And the brave Canon Collins was hence obliged to reply.

In June 1955, the Archbishop of Canterbury addressed the Lord Mayor's banquet given to the Archbishops and clergy of the Church of England and declared that "the colour bar was not the sort of thing we should get excited about and fanatical over."

Enlarging on this shocking theme at a time when the colour bar's oppression was reaching a climax in South Africa, the Archbishop of Canterbury added:

> "The real thing was the culture bar... So slowly in Africa the colour bar would be seen no longer as a social sort of colour bar, but the ordinary kind of cultural and social division which existed in every society...
>
> "The real question which arose was, should they go at a pace which prudence dictated as best, or should they take risks in moving in the right direction."

We in the Congresses were surprised at such an approach when apartheid with its colour bars had to be condemned in the strongest terms possible and not glossed

over. Indeed, we were rightly "excited" about apartheid because our dignity was affected and we were "fanatical" - if that is the right word - about ridding ourselves of this un-Christian doctrine and establishing the brotherhood of which Christ had spoken.

Indian Opinion, in October 1955, featured on its front page an article headed: "Canon Collins Replies to Archbishop - Africans and Racial Equality."

In challenging the Archbishop of Canterbury, Canon Collins dealt with the many statements made by the Church leader during his African safari and said that Africa should not be looked "through British eyes."

He said that "paternalistic attitude towards Africa and Africans is quite out of keeping with the gospel which we profess to believe in and which teaches us that God chooses the weak things of the world to confound the wrong."

This article of Canon Collins is worth reading in full. It ends with the following words:

> "It is only when we heartily agree, right down inside ourselves, that all men are equal in the sight of God that we can hope to assist in bringing peace and happiness to the African continent.
>
> "As the Archbishop rightly warns us, we must try not to be fanatical about the colour bar, but literally for God's sake let us not be lulled into somnolence and apathy."

Canon Collins made his point which was applicable to all religions in South Africa.

This was what we had heard in the MK Gandhi days from Imam Bawazeer and his group; what Reverend Mahabane had been saying in the All-African Convention; what Moulvi Cachalia and Moulvi Saloojee of the TIC had said when they defied and went to prison; and what Swami Bhawani Dayal had said during his sojourn in India.

The Mahabanes, the Cachalias and the Saloojees of the fifties were telling us of the relevance of religion to the oppressed and they had prepared the way for the coming of Archbishop Tutu, Allen Boesak, Imam Haroon, Moulana Farid Essack and Moulana Ebrahim Moosa, among others, who would make common cause with their own people in the liberation struggle in this country of ours.

And in Durban in the Year of the Freedom Charter Swami Nischelananda had also made common cause with those who were leading the struggle for non-racial democracy in South Africa.

MANILAL GANDHI'S DEATH MARKED THE END OF A HISTORIC ERA

Indian Opinion of December 23, 1955, informed us that Manilal Gandhi had been discharged from the hospital on December 15, 1955, and that he was resting at home. "He is feeling well," said the *Opinion*, "except that his left arm is not yet normal."

But he had to be hospitalised again, this time at the McCord Hospital, whose superintendent was Dr Alan Taylor. In February 1956, when Dr and Mrs Taylor left for the United States of America on a holiday, Manilal Gandhi from the McCord's ward garlanded Dr Taylor and presented Mrs Taylor a bouquet. This was perhaps the last "public function of Manilal." His death took place on April 5, 1956 at Phoenix.

Manilal Gandhi had worked very closely with the Dadoo-Naicker groups in Natal and the Transvaal. Although there were often differences between Manilal and the new Congress leadership, there was much respect for both Manilal and Sushilabehn for their work within the community.

In a front page editorial in *Indian Views* of April 11, 1956, MI Meer paid a deserving tribute to the late editor of *Indian Opinion*, notwithstanding their numerous political differences. He wrote:

> "South Africans, particularly Indians, were proud of Manilal Gandhi, proud of his physical link which existed in their midst with the great man in India.
>
> "Proud of the fact that in his own way, to the best of his ability he tried to follow the teachings of his father, and proud of his sacrifices to the service of his people."

Indian Views detailed Manilal Gandhi's many terms of imprisonment in India and in South Africa, and ended with these words:

> "We remember him for his simple and dedicated life and for the physical pains which he imposed on himself for the service of his people and while our memories of him live on, we give our thoughts to his courageous wife and young children on whose shoulders now rest the burden of his responsibility."

In his message to the bereaved family, Monty Naicker, in his capacity as the acting president of the SAIC, conveyed the "deepest sympathies" of the Indian people. Recalling Manilal's acts of defiance against racism he added:

> "Although we in the South African Indian Congress at times disagreed with him, we were essentially united in the common objective to attain freedom for all in South Africa."

After an impressive funeral attended by people drawn from all sectors of our South African people, a memorial service was held on Sunday, April 8, 1956, at the Gandhi Hall in Durban, presided over by the Reverend AJ Choonoo.

Wide media coverage was given in December 1956 when Arun Gandhi left on board the *S.S. Kampala* from Durban carrying with him the casket containing the ashes of his father Manilal for immersion in the sacred rivers of India. Arun was then 22 years old. On his arrival in Bombay he was met by his uncle, Devdas Gandhi, editor of the *Hindustan Times*. The ashes were taken to Allahabad and then to Triveni Sangam, where three of India's sacred rivers meet, and immersed there.

FATHER HUDDLESTON RECALLED BY HIS CHURCH

The Gandhi Hall in Johannesburg was packed to capacity on November 14, 1955, at the function held under the auspices of the Bharat Yuvak Mandal to observe the 66th birth anniversary of Jawaharlal Nehru. Manibhai K Patel presided.

Dr AB Xuma, the former president of the African National Congress, was one of the key speakers. He spoke of the outstanding qualities of Nehru and declared:

> "Nehru was the man of the age. He not only contributed to the freedom of India but he inspired other peoples all over the world to be free... I salute him on his 66th birthday."

In a moving speech TIC leader Moulvi Saloojee made an earnest appeal to South Africans to follow the lead given by Nehru to fight racism and all oppression.

And then followed Father Trevor Huddleston, who had already won the hearts of all the oppressed in South Africa and who had become the hero of many. The audience had reserved the biggest applause for him when he declared support for Nehru's stand against apartheid, and said that apartheid was fundamentally unchristian and morally unjust.

We also learnt at this function that Father Huddleston's father had spent a lifetime in India as a naval officer.

Many in the audience wondered whether this was the last public appearance of Huddleston, who was being recalled to London by his Church when he was playing such an important role in South Africa.

I remember the big question mark about the reasons for the recall to Britain of the Reverend Trevor Huddleston announced in the Year of the Freedom Charter.

An official statement had to be made by the Church after this shocking news of transfer was announced. It said that he was not being recalled "because of pressure from official sources, nor because the Community of the Resurrection in England disagrees with his attitude towards apartheid." We were told that he was being recalled to take up the duties of a novice master.

By the time of his recall Huddleston had won for himself a lasting place in the history of the liberation movement and his book *Naught For Your Comfort* was a valuable documentation of that period.

Alan Paton in his biography of Geoffrey Clayton, then Anglican Archbishop, tells us that when Clayton met Huddleston at St. John's College on December 9, 1955 - "both of them know that Huddleston was going to be recalled." His very next sentence is most revealing: "Huddleston knew that Clayton had advised Raynes to recall him."

Many of us who knew Huddleston knew that what Clayton was doing was, in fact, getting rid of Huddleston, just as he deprived Michael Scott of his St. Alban's appointment and stopped his payment from the Church, before getting rid of him for getting "too heavily involved for his spiritual health" when he went to prison in the 1946 Passive Resistance.

Michael Scott gave his best when he saw the attacks of the racists on Zainab Asvat and her group at the resistance plot in 1946 and he himself became a defier in defiance of Archbishop Clayton. I will not be wrong if I say that in the life of Trevor Huddleston the "Zainab Asvat role" was played by Oliver Tambo and his banning in 1954.

The humble Huddleston is on record as saying that to "my shame I did very little to help" Michael Scott when he lived among the African squatters in Johannesburg before the Nationalist government declared him a prohibited immigrant.

The real "change" to open opposition came when he wrote his famous article in the *Observer* (London) of October 19, 1954, under the heading "The Church Sleeps On." Alan Paton wrote that this article came after one of his African friends, Oliver Tambo, a faithful worshipper at the Church of Christ the King, had been banned under the Suppression of Communism Act.

The *Observer* article indeed put the Church in South Africa and the world on trial. Said Trevor Huddleston:

> "The Church sleeps on. It sleeps on while 60,000 people are moved from their homes in the interest of a fantastic racial theory; it sleeps on while Bantu education is being implemented... The Church sleeps on - though it occasionally talks in its sleep and expects (or does it?) the government to listen..."

Huddleston said that the day was drawing near when the African Christian would no longer accept the authority of the sleeping Church, "and he will cast it off."

Huddleston's historic 1954 words are:

> "In God's name, cannot the Church bestir itself all over the world and act? Cannot Christians everywhere show their distress in practical ways by so isolating South Africa from contact with all civilised communities that she realises her position and feels some pain in it...
>
> "I am pleading for a cultural boycott of South Africa."

This was indeed too strong for Archbishop Clayton and the British head of the Community of Resurrection in London. Huddleston had to be recalled and was recalled.

From Clayton to Tutu is indeed a long road for the holder of the Anglican post of Archbishop of Cape Town.

A moving farewell was given to our hero-priest, Father Huddleston, in Durban on January 28, 1956, just prior to his departure.

His departure without any serious white liberal protest was further proof of the failure of the Churches and the white liberals to join the forces of democracy in our country.

This is the appropriate moment to recall an event in Bedford, England, which linked *The Leader* with Father Trevor Huddleston; it is recorded for history on the front page of the weekly of June 15, 1956. It deals with the meeting between Miss Hironmoyee Bramdaw and Father Trevor Huddleston.

> "When she got into the book store, there was *Naught For Your Comfort* on the shelves - but there was also the author, Father Huddleston himself, who was born in Bedford, and was autographing copies of *Naught* bought that day...
>
> "Father Huddleston greeted Miss Bramdaw... as one of the persons about whom he had protested in the *Naught For Your Comfort* and had great pleasure in signing the book for the school library."

Next day Miss Bramdaw found herself "front-paged" in the British press with her picture appearing in the local newspapers.

Father Huddleston preached that Sunday at the Bedford School Chapel, calling for total, unqualified condemnation of colour prejudice.

We shared with Hiron Bramdaw the great admiration due to this simple man of God. The Church failed to crush his spirit. He was our finest ambassador abroad.

Whilst white domination of the blacks tightened under apartheid, people like Abraham Fischer, Michael Scott and Trevor Huddleston helped the majority understand the uncompromising Congress policy of non-racialism.

Never, never did the Congress movement ever exclude the white democrats from jointly participating with the blacks in the fight against segregation and apartheid.

SHOCKING MURDER OF SOLLY JOOMA

The year 1956 began with much anxiety for all of us. On January 15, 1956, at about 3.00 a.m., Solly Jooma of Middelburg, a leading member of TIC, was murdered in Quinn Street, Fordsburg, where his body was found.

I knew Solly Jooma personally. He was a man of peace, dedicated to opposing racism by non-violent methods.

Dr HM Moosa, AE Patel and Solly Jooma, all of the TIC, had sued Police Constable Willem Gideon Johannes Visser, aged 24, for wrongful arrest in December 1954. This civil case for damages was to come before the Supreme Court on March 6, 1956.

Constable Visser made a statement before A Reinach, an additional magistrate:

> "On the night of January 14, 1956, I drove past an Indian man. This man had a civil case against me. As I passed him I recognised him. He pointed his finger at me in a threatening manner. I turned the car and went back to the Indian. I met him in Quinn Street in Fordsburg.
>
> "I climbed out and told him I was tired of his nonsense. He asked, 'What are you going to do about it?'
>
> "I hit him with the flat of my left hand. He grasped my tie. I hit him with my right fist on the left side of his face. He fell with his head on the pavement. He lay still and I thought he was unconscious."

Constable Visser was also alleged to have said:

> "When I put my hand on his heart there was no pulse. I was panic-stricken and wanted to drive away.
>
> "I looked for a stone but could not find one. I hacked his forehead with the heel of my boot so that detectives would think he was assaulted by natives."

Solly Jooma had come from a well-known family of Middelburg, engaged in commerce. The whole of South Africa was shocked at this case.

It was the first case that I had heard of where a police officer had been charged with the murder of a community leader.

If I remember correctly Visser was found guilty and sentenced to a term of imprisonment. And there was a scandal when he was released very early from prison. Questions about his being seen outside the prison were raised in Parliament.

NATAL WOMEN'S DEMONSTRATION AGAINST PASSES

When we think of the great marches for freedom in South Africa, we recall the great Pietermaritzburg march organised by the women of Natal in 1956 against the introduction of passes for African women.

It was perhaps the biggest women's demonstration ever to be held in Natal and I remember that under the leadership of Bertha Mkhize and Fatima Meer, African, Indian, Coloured and white women rallied to the cause.

Pietermaritzburg was the venue because the protest was being lodged there with the so-called Chief Native Commissioner.

Among the Indian women who joined their African sisters were Mrs Sushila Gandhi, Mrs PL Patel, Mrs Radhie Singh, Mrs MM Motala and Mrs TC Mehta. Among the white women were Violain Junod and Hilda Kuper.

Earlier, African women were not "pass bearing" and as such they could become registered members of trade unions formed under the Industrial Conciliation Act which excluded African males because they were "pass-bearing."

In November 1955 the Congresses recorded "with horror the prospect of African womanhood being placed at the mercy of the police and being subjected to the same sort of brutality now meted out to men. We are confident that the African

women will maintain the splendid tradition of struggle against the passes. In fact, it is therefore the duty of the African men and democrats of all races to join in the Congress struggle against the extension of the pass system to women".

The Congress Alliance had strongly objected to the Population Registration Act, which imposed the "pass" on all South Africans.

The Congresses quoted from the Freedom Charter on this issue and the relevant section read:

> "All shall be free to travel without restrictions from countryside to town, from Province to Province and from South Africa to abroad."

Hence the passes, the provincial barrier permits and the refusal of passports all went against the Freedom Charter.

The hated pass laws made literally millions of blacks into criminals over the years. No other racial law claimed so many victims and we have to remind posterity of this law and of the provincial barriers which operated against Indian South Africans.

ML SULTAN TECHNICAL COLLEGE OPENED IN CENTENARY ROAD

It is most remarkable that whilst the Nationalists were creating serious educational problems for us under the Group Areas Act and the Bantu Education Act, the community's efforts in education continued with even greater determination.

ML Sultan received posthumous tributes from many quarters when on August 7, 1956, the ML Sultan Technical College was opened in Centenary Road in Durban.

The Leader rightly recorded that "this college is a living monument to the public spirit and love for education of the late ML Sultan who donated thirty-three thousand pounds towards its erection."

Indeed, people were wondering what moved this simple-living soul, with his indenture background and Tamil scholarship, to make such an outstanding donation. Sultan was indeed a great philanthropist, but there were many in our community with more wealth than he had.

Let me record that our wealthy donors towards educational projects did not try to create elitist educational institutions.

Sastri College was built essentially from donations of the merchants but rightly the majority of the students there were drawn from the descendants of the indentured. And the ML Sultan Technical College was intended by the donor for all black students, African, Indian and Coloured. But by 1956 the Bantu Education Act closed the Technical College's doors to Africans.

The Indian worker, too, made huge contributions to provide education and, moved by these community efforts, the Indian teachers, although poorly paid, gave freely from their earnings to build additional class rooms and schools throughout the Province.

OPPOSITION MOUNTED AGAINST ONSLAUGHT OF GROUP AREAS ACT

The Natal All-In Anti-Group Areas Act Conference was held in Durban on Saturday and Sunday, May 5 and 6, 1956, at Bharat Hall. It was convened by the NIC and attended by 193 delegates drawn from 63 organisations. The Conference was opened by Leo Lovel, a Labour MP, who was in the fifties speaking out boldly against all racist laws in South Africa. It was presided over by Gopallal Hurbans from Tongaat. The imposing list of speakers included Alan Paton, the Reverend Dr AW Blaxall of the Christian Council of South Africa, Archie Gumede of the ANC and EC Swales, the Coloured leader in Durban.

Dr S Cooppan presented a comprehensive in-depth paper on the Act's effects on the education of our people. He gave facts and figures as to how the Act was affecting the community, and pointed out that the City Council's group areas proposals would, if implemented, affect 35 Indian schools with a student population of 8,771, that is, 25 percent of the total number of Indian pupils in the city. He pointed out how such a policy militated against a common loyalty in South Africa, and posed this pertinent question about apartheid:

> "Are we fully aware of the price that might have to be paid in the future by placing iron curtains around the intelligentsia of the different racial groups?"

The main resolution moved by Alan Paton soundly and roundly condemned the Group Areas Act and called for vigilance committees to be formed all over Natal together with all sections of the South African population to oppose the measure. Advocate HE Mall seconded this resolution. A second resolution condemned the Tomlinson Report as giving "unscientific approval to apartheid" and for rejecting "the sound policy of creating a common society in South Africa." This resolution was moved by Archie Gumede.

The Conference set up a Vigilance Committee of the participating organisations.

The TIC convened the Transvaal All-In Group Areas Conference, in Johannesburg at the end of August 1956. *The Leader* of September 7, 1956, reported that "Indian women rallied in their thousands in defence of their homes in a protest march through Johannesburg." The march was the highlight of the Conference and included all religious and language groups.

The Johannesburg conference was attended by 1,058 delegates representing merchants, professionals, workers, women, youth and students. Fraternal delegates came from the South African Labour Party, the ANC, the South African Coloured People's Organisation, the South African Congress of Democrats, the SACTU and the Black Sash Movement. We were indeed proud of the TIC and its leaders for the way in which they organised this conference at a time when all the top TIC leaders had already been banned. Dr HM Moosa and Dr Zainab Asvat took the leading part together with other TIC leaders.

The conference called upon the SAIC to "take practical steps in co-operation with the African National Congress, South African Coloured People's Organisation, South African Congress of Democrats, South African Congress of Trade Unions and other democratic bodies for halting the onslaughts of the government."

Conference also called upon the SAIC "to seek the support of the Afro-Asian powers in influencing the member States of the United Nations to take necessary steps to compel the Union government to cease violating the provisions of the UN Charter and the Universal Declaration of Human Rights."

The Leader gave front page coverage in its issue of October 10, 1956, to the attack on the Group Areas Act machinery by leading Congress lawyers and others at Ladysmith. The Group Areas Board was asked to recuse itself because it was sitting in judgment over its own proposals to cut up Ladysmith into racial zones. When the Board refused, Indian, African and Coloured people and their legal representatives walked out from the hearing in the Town Hall.

Advocate JB Macaulay, Q.C., who appeared with Advocate HE Mall, had argued that the Board "in some measure had prejudged the issue" on the desirability of declaring group areas in Ladysmith. His contentions were supported by Advocate Joe Slovo and Messrs JN Singh, IC Meer, NT Naicker, BJ Christopher and Gopallal Hurbans.

So far as I remember this was the first appearance in Natal of Advocate Joe Slovo and he was greeted with much warmth by the people of Ladysmith. Under the heading "Scathing attack by Advocate: Nothing but Genocide," *The Leader* gave almost the full address of Advocate Slovo at the hearing.

The Group Areas Act was affecting our places of worship also. *The Leader* of August 17, 1956, told us that a mosque in Claremont had fallen in a racial zone which prevented its use by its regular worshippers.

VIGILANCE COMMITTEE AGAINST GROUP AREAS ACT

The 16-member Working Committee of the Natal Vigilance Committee, set up by the All-in Group Areas Conference, had some of our most important leaders who were as yet not banned. It incorporated not only the Congresses but also bodies such as the Liberal Party. The Committee consisted of Gopallal Hurbans (NIC) as Chairman; Alan Paton (Liberal Party), vice-chairman; Dr Michael Hawthorn (Congress of Democrats), treasurer; NT Naicker (NIC) and PH Simelane (ANC), joint secretaries; and Dr AH Sader (Ladysmith NIC), Moses Mabhida (Pietermaritzburg SACTU), Harry Deoduth (Combined Ratepayers' Association), Dr MM (Chota) Motala (Pietermaritzburg NIC), CK Hill (Liberal Party), Advocate HE Mall (NIC), Archie Gumede (Pitermaritzburg ANC), Billy Nair (Durban SACTU), GS Naidu (NIC), D Beharie (Federation of Social Clubs), and E Singh (Natal Indian Youth Congress).

At the inaugural meeting of the Vigilance Committee, on the motion of Advocate Mall, seconded by Alan Paton, it was unanimously agreed that the committee "shall be open to any other organisation seeking affiliation." This Vigilance Committee planned a Natal-wide campaign that gave the people the fullest opportunity to voice their feelings on the harm that the Group Areas Act had brought to all blacks in South Africa. In different areas there were local vigilance committees in which the Congress leaders played most important roles. Among those who did outstanding work on this issue in the Durban region was Jack Govender.

In Pietermaritzburg the local chairperson of the Natal Vigilance Committee, Dr MM (Chota) Motala, made an important contribution. Many of his speeches in 1956 and in previous years were quoted, and often misquoted, at the Treason Trial.

Let me give you a feel of what happened at the mass group areas protests organised by the Vigilance Committees.

In October 1956, the Regent Cinema in Pietermaritzburg was packed to capacity when Dr Chota Motala presided over the Group Areas protest against the removal of the Sobantu Village. The list of speakers included Alan Paton, chairman of the Liberal Party of South Africa, Chief Albert John Luthuli, President-General of the ANC, Dr Michael Hawthorn of the Congress of Democrats and NT Naicker of the NIC.

Paton said that "in order to achieve apartheid justice" many unjust acts must be performed. And he added: "The Group Areas Act has been described as ‘robbery and plunder’ and the majority of Europeans in this country do not realise that this robbery and plunder is being carried out in their name." He said that there could be no compromise with the Group Areas Act which steamrolled over the individual interests of the people to benefit the all-powerful interest of the State. He called for the total rejection of the policy of apartheid.

In contrast to the NIC policy of rejecting all group areas, the NIO was prepared to go with its beggar’s bowl and ask for more than what the government was giving as ghettos.

The South African Indian Organisation sent a deputation to meet the Nationalist government. *The Leader* told us that the three men who had met Premier Strijdom and Dr TE Donges were AM Moolla, PR Pather and AI Minty but little else was known about these talks and hence there was much speculation. The SAIC issued a statement under the signature of its banned president, Dr GM Naicker, calling for full details of the talks. Dr Naicker noted: "According to a press report, secret proposals for the implementation of the Group Areas Act formed part of these discussions."

By 1956, the Johannesburg City proper had been proclaimed totally white, with all Indians and Africans "removed" to Lenz and to Soweto.

But what about Natal? *The Leader* recorded on October 26, 1956:

> "The first Group Areas blow has fallen in Natal - on Dundee, which has been officially proclaimed.
>
> "The Proclamation defined occupation and ownership areas for Indians, Coloureds and whites, and the inhuman uprooting of families must be completed in four years from October 6, 1956."

Indeed Dundee where the Unity Movement had prevented Alan Paton from speaking in opposition to the Act, was the first victim of the law!

OPPOSITION TO EXPROPRIATIONS UNDER GROUP AREAS ACT

The Natal Provincial Vigilance Committee on Group Areas was very much in the field in the last quarter of 1956.

Duff’s Road

The Vigilance Committee drew the attention of all "to the injustices and hardships that would be inflicted on the Indian, Coloured, African and European landowners and tenants at Duff's Road under the policy of apartheid." It condemned the government and the City Council of Durban for the Duff's Road expropriation proposals for housing which was taking away 150-odd acres of Indian-owned land when over 300 acres of cane land was available in close proximity. After pointing out that the monetary compensation to the affected owners is "entirely inadequate," it declared that in fact "there can be no adequate compensation for the disruption of a community which has been settled for some 80 years at Duff's Road."

Clairwood

When the Durban City Council proposed to have Clairwood declared a white group area, the NIC was once again in the forefront of the agitation against this move. Clairwood was almost entirely Indian owned and occupied, with a very large population.

The Leader of November 30, 1956, carried a front-page story on Clairwood after months of publicity for its expropriation. Said *The Leader*:

> "Clairwood residents can breathe freely again - the Durban City Council's greedy and inhuman desire to have the area zoned as an undated white group area has been curbed by the Natal's Administrator-in-Executive Committee."

The hard work done by the NIC under Sam Pillay and SM Singh, in particular, was primarily responsible for the defeat suffered by the Durban City Council.

But the racist City Council, with an all-white membership, continued to harass the Indian landowners of Clairwood, and for decades the development of this valuable area suffered.

Merebank

The NIC further exposed the Durban City Council when in November 1956, it published its comprehensive research into Indian living conditions in areas under the Council's jurisdiction. This NIC statement was issued in response to the Council's proposed housing scheme for Indians in Merebank. The NIC had one of its strongest branches in the Merebank area, under Ramsunder and others who had opposed the Council's freeze on new plans for building and the destruction of homes built without plans.

NEGLECT OF INDIAN HOUSING NEEDS

Under the heading "Durban's Shocking 20-Year Record," *The Leader* of November 30, 1956, gave us an insight into the NIC findings on housing for Indians.

The NIC said in its survey that more than one-third of the Indian families in Durban lived in single rooms," and that the provision of housing for the Indian community had generally been neglected. Whilst rejecting apartheid and segregation, it called for "large scale plans for Indian housing."

It was clear that the Durban City Council was even more energetic than the Nationalist Party in having the Indian people "reduced to irreducible minimum" by expatriation to India, and that from the Council would come full support for the uprooting of settled Indian communities.

We saw what happened in the years that followed. Indians were systematically uprooted from their homes in Cato Manor, Riverside, Block AK in the Greyville area and many other areas. Millions of rands of profit were made by the government from land expropriated from Indians. And thousands upon thousands of Indian landowners were forced to become tenants of the Durban City Council because the meagre compensation was not sufficient for the uprooted ever to become landowners again.

We remember how the Grey Street complex was frozen for twelve years and then "freed" without residential rights. It was outright racism that whilst whites could own and live in flats in Grey Street - renamed Broad Street, from West Street to the Bay - Indians were not allowed to build flats in the same street, extending northwards from West Street to the race course. The Grey Street freeze cost the owners of land millions of additional rands in the development that took place after a delay of twelve years. The high cost structure resulted in rentals which most of the old tenants could not afford.

Further, in its statement in respect of housing in the Merebank area, the NIC said that the Durban City Council's record "over the last twenty years was shockingly poor," and strongly criticised the delay in building homes in Merebank.

The Council, said the NIC, acquired land with alacrity but having acquired it, did nothing about building homes for Indians, a voiceless section of the City. The Council had begun its expropriation of Indian-owned land in Merebank from 1943 and by 1956 it had not built one single house for Indians in this area.

The NIC pointed out that whilst vacant land was available the Council was bent on uprooting one thousand families owning and occupying land spread over 600 acres in the Merebank area. The Indians facing expropriation "had acquired small building plots after considerable sacrifice over a number of years.

"In the circumstances Congress was emphatically opposed to the

uprooting of the settled community and the expropriation of its land."

Instead of this senseless expropriation, the NIC recommended "that the Durban City Council should take immediate steps to pass plans and encourage individual property owners in Merebank to build on their own land with the Council providing adequate loans."

UNITY MOVEMENT CAUSES DIVISIONS AMONG BLACKS

The Unity Movement was not uniting but dividing our people even on such issues as the Group Areas Act where there was a need for the broadest possible front against the Nationalists. And, of course, there was retaliation against the Unity Movement from those who disagreed with their "purist" approach of having a "principled stand" - whatever that meant.

When it came to mobilising the people for action the Unity Movement was not there - it was too busy teaching theory to its followers.

I had personally known Dr AM Limbada and there was no doubt about his personal support in Dundee. But it was most hurtful that his Unity Movement would not allow the voice of Paton and others against the Group Areas Act to be heard in Dundee. There was no logic in what they had done.

And there was no logic in the breaking up of the Unity Movement's meeting in Durban called to protest against the exclusion of African students from ML Sultan. The meeting was presided over by Dr Zuleikha S Christopher, with Enver Hassim, Frank Sithole and EK Essack advertised as speakers.

Mohammed Lappa Sultan had donated his money for a technical college for the use of all. He had been totally opposed to any exclusion of African students. But the government had stepped in with its Bantu Education to train Africans for servitude.

The accusation was that the Tech committee, headed by Albert Christopher, father of the Unity Movement's Dr Zuleikha Christopher, had given in too easily to Government demand not to enrol African students.

A statement issued by Advocate Christopher in 1956 is however most informative. "The present enrolment of Africans is 695, which is more than in 1955 and is the highest on record," said Christopher and added: "This in itself is a direct denial of the so-called ‘exclusion’ of Africans from College facilities."

But Advocate Christopher had to admit that in 1950 the government had instructed the College that "no African should be admitted to Standard I to IV in any centre where there was a Bantu Adult Night School in operation." And

Africans had been refused admission in terms of this. And Advocate Christopher also disclosed that the present African students at the Sultan Tech were being admitted until further instructions came from the government.

The NIC issued a strong statement on the question of excluding African students at the ML Sultan Technical College and met the college's principal, H Natrass, to lodge its protest on this matter.

The NIC did not only talk on education: its Congress High School in Natal and the TIC's private school in Johannesburg were living proofs of the practical work done by the provincial congresses in educational matters.

As against this record of the Congresses, the Natal Indian Organisation, as a body, had had very little to its credit but its individual members such as AM Moolla and PR Pather had been actively engaged in the community's educational projects.

The whole community was against the exclusion of African students brought about by the Bantu Education Act but at the meeting of the Unity Movement blacks were fighting with blacks - as had happened at Dundee.

The NEUM meeting was broken up, by blacks. *The Leader* report said that the trouble started when a request from the floor to start the meeting with the singing of "*Nkosi Sikelele*" was turned down by the chairperson, Dr Zuleikha Christopher. The crowd, however, stood up and sang the national anthem with gusto.

There were only two whites present, namely, the Reverend Dr AW Blaxall and Mrs Mary-Louise Hooper, a visitor from the United States of America who later identified herself with the treason trialists and was eventually deported from South Africa for sympathising with the black majority. Africans and Indians predominated but Dr Christopher "was forced to relinquish the chair and abandon the much publicised meeting."

The Leader also reported that Security Branch members WB Truter, M Moodley and F Moorgas prevented the opposing groups from engaging in greater violence after "one African woman was assaulted." The meeting was abandoned.

Both the Dundee meeting on the Group Areas Act and the Durban meeting on the admission of Africans to ML Sultan Tech were abandoned and both of them brought no credit to those who caused the stupid uproar and prevented people voicing their protests against apartheid.

ADVOCATE NOKWE'S EXCLUSION FROM CITY CHAMBERS

The Leader of August 17, 1956, told us in bold headlines: "Law Man Out - Sorry No Office." It recorded:

> "Mr Philemon P Duma Nokwe, who only four months ago became the first African in the Transvaal to be called to the Bar, has been told that he cannot take up chambers in His Majesty's Building, Johannesburg, in terms of the Group Areas Act and the Native Urban Areas Act.
>
> "A cobbler's son - his mother also took in washing to pay for his education - Mr Duma Nokwe... in an article in the State Information Office Bulletin for overseas is held up as a shining example of the progress being made by blacks in South Africa - where it is stated anyone with ability can become a professional man... But now he is not being allowed to occupy the office he wants."

In Johannesburg in 1956 all the advocates were housed in His Majesty's Building which had facilities such as a common law library for their use. By denying Mr Nokwe offices or chambers at His Majesty's Building, the authorities were virtually preventing an African from practising as an advocate.

For years every black lawyer was prevented by the Group Areas Act from occupying offices nearest to the Court. The Nationalists wanted African lawyers to have their legal offices in the African townships and not in the cities and towns where white lawyers functioned.

LAST CONFERENCE OF THE SOUTH AFRICAN INDIAN CONGRESS

The annual conference of the NIC was held in June 1956 and the 22nd biennial conference of the SAIC in October of the same year.

The NIC conference was opened by Dr Arthur Letele, Treasurer-General of the ANC, at Gandhi Hall, Durban, on June 22, 1956. The secretarial report is of great importance as are the resolutions that followed on Sunday, June 24.

By 1956, sufficient work had been done by the Congresses on the sporting and cultural boycott of South Africa. We had moved towards the boycott of South Africa in soccer and cricket, and we had already scored a victory in table tennis. Hence the main resolution referred to these matters at some length. The Conference "welcomed the world-wide support against racial discrimination not only in the political field but also in the cultural and the sporting fields."

In particular it "welcomed the decision of the International Table Tennis Union in disaffiliating the ‘whites only’ South African Table Tennis Union and the giving of full recognition to the non-racial alternative body in South Africa." It also

welcomed the decision of the British Musicians' Union not to permit its members to perform in South Africa before segregated audiences. (We may note that in 1956 there were no "mixed performances" in South Africa).

The work begun by our George Singh and his colleagues was bearing fruit. The NIC acknowledged their work by welcoming the stand taken by non-discriminatory South African sporting and cultural bodies in their fight for the total removal of colour bar and race discrimination.

It called upon all international sporting and cultural bodies to disaffiliate any organisation claiming to represent South Africa if such an organisation in its statutes or in practice upheld racial discrimination in any form.

Four months later the 22nd biennial conference of the SAIC was opened in Durban on Friday, October 19, 1956, by Chief AJ Luthuli, President-General of the ANC, *in absentia* as he had by then been banned. Gopallal Hurbans of Natal presided over the Conference.

At this conference the main resolution on the Group Areas Act was moved by Dr AH Sader and seconded by Salim Saleh of Johannesburg.

But undoubtedly the most important resolution before Conference was the resolution adopting the Freedom Charter. The SAIC was meeting for the first time since the Congress of the People and it was proper for the SAIC to pledge the Indian community's full support.

The conference also referred to the developments that were taking place in the Christian world in South Africa and "acclaimed the bold, courageous decisions taken by the leaders of the organisations of African people, convened by the Inter-denominational Ministers' Federation, to oppose apartheid."

It also expressed its indignation at the "threat of a government spokesman to ban the African National Congress under the Suppression of Communism Act," and said that such a threat was an expression of the "police state mentality, which is unable either to answer or to tolerate democratic criticism and opposition."

The 1956 Conference was the last SAIC Conference. An interesting poser: is the SAIC still "alive"?

MAJOR POLITICAL EVENTS OF 1956

Events overseas were fully occupying our minds during the last quarter of 1956, the year in which Stalin had been dethroned. It was the year in which the Soviet

army went into socialist Hungary to quell a people's revolt and the year in which Britain, France and Israel attacked Egypt with their military might.

In that year, the Nationalists struck at the Congress Movement and tried their best to have the Freedom Charter declared by our Courts of Law as a "treasonable document."

The Freedom Charter had given South Africa a clear answer to the challenges of apartheid. We opted for a mixed economy for our country. We wanted the productivity of South Africa to increase and we wanted all the peoples of South Africa to share in the wealth created by all her peoples. It was clear to us in 1956 that "nationalisation" or State control of South African Railways and Harbours and the Postal Services were right and proper.

SASOL and ISCOR and our health services were not for sale to the only buyers, that is the white minority. The provision for nationalisation of the mineral wealth of South Africa appeared to us as a mere extension of State ownership that had existed since Union and before.

In 1956, I found myself among 156 persons arrested for treason. Among this group were Chief Albert John Luthuli, Dr Monty Naicker, Professor ZK Matthews, Joe Slovo and Nelson Mandela. These men went into "permanent session" at the Fort and the Drill Hall and, later, in Pretoria debating basic questions in great depth.

I remember Dr Chota Motala, Gopallal Hurbans, DA Seedat, MP Naicker and other NIC members expressing their views on the Soviet forces in Hungary. The Indian weeklies, too, dealt with these matters in their editorial comments. The invasion of Egypt by Britain and France to help their satellite state of Israel was in keeping with the past attitudes and actions of the imperialists, but how could a socialist Soviet Union use armed forces in a socialist Hungary?

The Leader editorial of November 2, 1956, headed "The Hungarian Revolt," said that the people of Hungary had "struck a blow for democracy" and that "their example will be an inspiration to all the oppressed peoples." It added:

> "The Hungarian revolt will be a further warning to all governments that no political system in the long run can survive without the consent of the governed."

The Asian-African countries appeared to be confused and some of them remained "neutral" by abstaining from voting against the Soviet Union when the matter came up before the General Assembly of the United Nations. They all combined, however, in voting against the British-French-Israeli action against Egypt.

Should not the Afro-Asian countries have spoken out against the Soviet Union? Silence can be very costly both to a nation and to an international body like the United Nations. The world had still to learn that important lesson.

UNEMPLOYMENT, REMOVALS AND SEGREGATED BEACHES

The year 1956 saw the rise of the South African Congress of Trade Unions (SACTU) which was taking a leading part in the Congress movement. It was SACTU which brought Billy Nair to our attention.

In 1956 the Durban Local Committee of the SACTU held a protest conference at the "Bantu Social Centre." It was attended by 104 delegates from 49 factories and organisations representing over twenty-five thousand organised workers.

The conference condemned the so-called Native Labour (Settlement of Disputes) Act designed, in the words of the Minister of Labour, Ben Schoeman, to "bleed the African trade unions to death." It also totally opposed the Industrial Conciliation Bill which was then before parliament.

This conference was addressed by Leslie Masina, general secretary of SACTU; Errol Stanley, our veteran trade unionist; Mannie Pillay of the Biscuit Workers' Union; Moses M. Mabhida of the Howick Rubber Workers' Union; Steven Dlamini of the Textile Workers' Union; and our young and active Billy Nair.

SACTU held a meeting in Durban during September 1956 to deal with the question of unemployment due to the implementation of apartheid. The meeting was presided over by Stanley Naidoo who said that at least ten thousand Indians were out of work in the greater Durban complex.

He said that the black workers generally suffered most under the policy of apartheid and that the number of Coloured and African workers without jobs was rising. After referring to statements by government spokespersons that there was a shortage of skilled workers in South Africa, Stanley Naidoo said:

> "In spite of this alarming shortage the government pursues a vigorous colour bar in industry.
>
> "In 1910 nearly six thousand Indians were employed by the South African Railways and Harbours. Today a mere 627 Indians were thus employed.
>
> "Nearly four thousand Indians had Durban City Council jobs in 1938, but recently this figure had dwindled to less than two thousand."

The meeting called "for the repeal of all colour bar industrial legislation, which stifles the industrial growth of South Africa and retards the progress of all black workers." It called for more jobs being made available by the Central government, the provincial administrations, the municipalities and the owners of mines, commerce and industry.

The Leader gave wide coverage to unemployment in our community with a front-page photograph of unemployed Indians queuing outside the offices of the Department of Labour in Durban.

Unemployment, lack of housing, lack of health services and lack of education were the chief "benefits" accruing to black South Africans from apartheid and segregation.

In the same issue of *The Leader* there also appeared a report of the ANC annual Natal conference held at Edendale and in Durban. The ANC "viewed with great concern, horror and indignation the action of the government which in pursuing its policy of apartheid, is uprooting non-white peoples from their long-established homes, thus reducing them to a state of abject poverty, as has been done with Africans in Sophiatown and is now to be done with other non-whites - Indians and Coloureds." It pledged to work with all other freedom-loving people to oppose the oppressive policy of the Nationalists to the bitter end. Speaker after speaker at the Conference wholeheartedly supported the policy of the ANC, both in respect of militancy and of co-operation with political organisations of other racial groups in South Africa, and its efforts to create a broad front to form a liberatory movement in the country.

As for "petty apartheid" - in fact all apartheid was both petty and large when it came to white imposition and black hurt - the Durban City Council decided in October 1956 to spend £97,000 to impose total beach apartheid. In some respects the Durban City Council was two steps ahead of the Nationalist government in matters of race discrimination. And the same applied to the Provincial Council of Natal. The English-speaking Natalians were among the most racist in South Africa. There was clearly gross discrimination on how the Durban City Council was to spend the ninety-seven thousand pounds on separate amenities: thirty-five thousand for whites, thirty-one thousand for Indians, twenty-four thousand for Coloureds and six thousand two hundred pounds for Africans.

Even an ocean called "Indian Ocean" was not available for the use of Indians freely nor was it available to the Africans although the ocean was bordering the African continent. Posterity must be made to remember such white follies.

In a 1956 memorandum to the United Nations Secretary-General, Arthur Lall, India's representative in New York, said that persons of Indian origin had been uprooted from their homes and had been forbidden to reside in important industrial and commercial areas of South Africa. The South African government

had "refused to meet the wishes expressed by the General Assembly" that it negotiate with India and Pakistan.

When the General Assembly began discussion of the item in November 1956 and the world unitedly spoke out against apartheid and its cornerstone, the Group Areas Act, Eric Louw and his team, representing the Pretoria regime, withdrew from the proceedings. A joint statement issued by the SAIC and the ANC on this walk-out appeared in *The Leader* of December 7, 1956.

INDIAN CONGRESS HELPED FOCUS WORLD ATTENTION ON APARTHEID AND NAMIBIA

The SAIC and the Joint Passive Resistance Council of the Natal and Transvaal Indian Congresses were the first to focus world attention on segregation and apartheid. The question of the treatment of Indian South Africans was on the agenda of the United Nations General Assembly from its first session in 1946.

The resistance against the Group Areas Act and five other laws in the Defiance of Unjust Laws campaign, in which more than eight thousand went to prison, resulted in the United Nations including a separate item dealing with apartheid itself on its agenda in 1952.

Just as the Congress movement had made the world conscious of the evils of racism in South Africa, it was also India and individuals in the Congress movement that had focussed world attention on the "Mandated Territory of South-West Africa" and its administration by the South African white regime.

It was from Flat No. 13, Kholvad House, 27 Market Street, Johannesburg, that Michael Scott, IC Meer, AM Kathrada and others had worked out the strategy to tell the world of the need for Namibia's independence.

When the question of "South-West Africa" came up before the Trusteeship Committee of the United Nations in 1946, it was India which was leading the onslaught against Pretoria. Sir Kunwar Maharaj Singh, who had been India's Agent General in South Africa, spoke for the Indian delegation on this issue. His stay in South Africa had given him an in-depth insight into the workings of segregation and perhaps he knew more than anyone else at the United Nations what racism meant to the people of Namibia.

Then, after consulting the Hereros of Namibia, the Reverend Michael Scott proceeded to the United Nations and there he did outstanding lobbying.

Kathy left Father Scott (*Bajee*, Father, to some of us) at the Rhodesian border. When Scott sent a telegram to Johannesburg saying "Cannot proceed further transport problems – *Bajee*," he was sent a reply from Kholvad House addressed to him in Rhodesia saying: "*Bajee*. Imperative you reach chosen destination - walk if necessary." Michael Scott did not have to walk but he, with little or no finances, did reach Flushing Meadows, New York, the site of the United Nations General Assembly, and there he educated the world on the plight of the Herero people.

Namibia is indeed indebted to the Congress Movement, to 13 Kholvad House, to Father Michael Scott and to India for making the world conscious of the need for South-West Africa to become an independent country.

"TREASON" SWOOP BY SECURITY POLICE

Wednesday, December 5, 1956, became a historic day in the liberation struggle in South Africa. In the early hours of that day, the Security Police arrested 156 leaders of the Congress Alliance in a mass swoop. Military planes were used to transport the accused to Johannesburg where they were detained on a charge of high treason.

The first mass treason trial in South Africa was about to begin.

I was among the accused; I was recuperating after undergoing an abdominal operation. I was "house arrested" in Ritson Road and later, after appearing in the Magistrate's Court in Durban, put on the train bound for Johannesburg.

Indian Views of December 5, 1956, in a front page story, under the heading "Nationwide Arrests," quoted Mrs GM Naicker as follows:

> "At about 4 a.m. we were awakened by the police. My husband, who opened the door, was told that they had warrants to search the house.
>
> "He was handed the warrants of arrest and search. After a search lasting nearly two hours, they left the house taking away some documents and my husband."

Bail applications were refused at first but all the accused were later released on bail and the hearing of the preparatory examination was fixed for January 9, 1957.

The 156 accused, it was alleged, had committed the crime of High Treason by the part they had played in the adoption of the Freedom Charter at Kliptown in 1955.

The SAIC, in a statement on the arrests, said that "the eyes of the world were now on South Africa," and added:

> "Let all freedom loving South Africans re-dedicate themselves to the cause for which we and our leaders have stood...
>
> "Our struggle against apartheid and oppression, against measures such as the Group Areas Act, the Bantu Education Act and the host of legislation which have assailed civil liberties and individual freedom must continue with increasing vigour and intensity."

The NIC reaffirmed its belief in working actively and non-violently for a truly democratic South Africa of harmony and peace where black and white people would "be judged on merit alone and not on skin colour."

Among the well-known ANC members charged with treason in 1956 were Chief Albert John Luthuli, Professor ZK Mathews, Walter Sisulu, Oliver Tambo, Moses Kotane and Nelson Mandela.

These arrests had far-reaching national and international reactions.

In Durban, a week of prayers was organised by Dr Mabel Palmer, Swami Nischalananda, Mrs Sushila Gandhi, Moulana Afriqui and the Reverend ED Adendorf. Their joint appeal read:

> "We are deeply disturbed by the events facing South Africa as a result of the mass arrests which took place on 5 December, 1956.
>
> "In these moments of major crisis before the country we call on all citizens of Durban together for a week of prayers and seek the guidance of God towards the path of justice."

A prayer meeting was held in Durban at Gandhi Hall in Lorne Street under the auspices of the Civil Liberties League and was addressed, among others, by JN Singh and Advocate John Didcott; the interpreter was Billy Khoza of the ANC.

In Johannesburg, a powerful legal team was assembled for the defence. It included Abraham Fischer, N Rosenberg, Maurice Franks, I Maisels, VC Berrange and John Coaker.

A 22-person citizens' committee, headed by the Archbishop of Cape Town and the Bishop of Johannesburg, was formed to finance the defence of the 156 accused. One of the trustees of the Treason Trial Defence Fund was Alan Paton. The NIC made a donation of one thousand pounds and the TIC, following the example of the NIC, gave its donation of one thousand pounds early in 1957.

In December 1956 it was being estimated that the trial would last about six months and the costs could run up to approximately 90,000 pounds. At that stage no one had anticipated that the preparatory examination and the trial would in all take more than four years and that it would cost much more. International reactions were extensive and supportive of the accused, with the press in India, Pakistan and Britain giving a lot of space to the arrests and to the law on treason in South Africa.

Let me for a moment digress to deal with the law in South Africa as it existed in 1956 where offences punishable with death were concerned.

First, the Courts had unfettered right to grant or refuse bail. Later the law was amended to enable the Attorney General to hand in a certificate which took away the normal rights of the Courts to grant bail.

Second, in respect of all capital offences, the accused first appeared before a magistrate who held a preparatory examination at which each and every State witness gave evidence and it was left to the defence either to cross-examine or not to cross-examine such witnesses. At the end of the preparatory examination the accused could be committed for trial before the Supreme Court or the Attorney General could decide not to proceed against the accused. The magistrate had the right to discharge the accused even before the papers were forwarded to the Attorney General for his decision.

The advantage of a preparatory examination was that the accused knew before going to the Supreme Court the details of the evidence against him. The preparatory examination has now been abolished and this has really put the accused, facing capital punishment, at a disadvantage.

We in the NIC were dealt a heavy blow by the 1956 Treason Trial. Many of our leading members were now sitting at the Drill Hall in Johannesburg instead of helping the NIC in Natal. Among our members charged with treason were Dr GM Naicker, Debi Singh, DA Seedat, MP Naicker, Billy Nair, Dr MM Motala, Gopallal Hurbans and myself.

The 156 accused appeared in a huge cage and to this the defence team took strong exception, and it was eventually dismantled. But it not only gave Anthony Sampson the title of his book *The Treason Cage*, but provided a humorist with the opportunity of placing a bold notice on the cage reading: "Don't Feed."

In the Transvaal our women, led by Zainab Asvat, did great service to the accused, helped by great women such as Amina Pahad. The Women's Committee brought daily hot meals for all the accused at the Drill Hall. In adversity once again our people rallied behind their leaders and we were proud of their courageous reactions.

As the year progressed the 156 leaders were now settled in a permanent conference. From the Drill Hall came important interviews to the local and overseas media, given in particular by Chief AJ Luthuli, Dr GM Naicker, Reggie September and Professor ZK Matthews.

There was tremendous world interest in what was happening at the Drill Hall. We met there, for the first time, Mary Benson who was the secretary of the Archbishop's Fund and who later became the first ANC historian and biographer of Nelson Mandela.

The BBC recorded interviews with the accused outside the Drill Hall. Indeed, the accused were kept very busy with many happenings outside the hearing and this included interviews with Anthony Sampson who was busy with his book, *Treason Cage*, and the evenings spent with foreign diplomats.

I doubt if any treason trial anywhere in the world had so many journalists covering the proceedings from the dock itself. *New Age*, *Indian Opinion*, *Indian Views*, the *Graphic* and *The Leader* were all supplied full details from the Drill Hall on a weekly basis.

A photograph of the entire treason team of 156 men and women was taken just outside the Drill Hall and it became internationally famous.

THE ACCUSED IN THE TREASON TRIAL

Let me make one point clear: the 156 accused at the treason hearing at the Drill Hall in Johannesburg did not hold any "monolithic" or rigid political views. We had, among the accused, socialists and non-socialists but all united by their support for the Congress movement and the Freedom Charter.

Moses Kotane and Professor Matthews, Monty Naicker and MP Naicker, Joe Slovo and Reverend Thompson differed with each other on many issues and yet the Drill Hall had brought them together and helped to increase their understanding of each other.

Our NIC and TIC accused had consistently opposed communal representation for Indian South Africans. They spent quite a lot of time trying to convince all that the communal vote had to be totally rejected.

Yet Sam Kahn, Fred Carneson and Brian Bunting had stood for election on communal voters' rolls allocated by the Nats for Africans and were elected to Parliament and the Cape Provincial Council. In the midst of the treason hearing Ben Turok, accused from the Cape, was elected unopposed to the Cape Provincial Council.

The Leader of June 21, 1957, printed a photograph showing NIC leader Gopallal Hurbans congratulating Turok. Under the picture was an appropriate caption which read: "Although I don't agree with this form of representation, as a fellow treason accused I wish you well."

And *The Leader* also gave us the views of Ben Turok who said:

> "As a democrat I stand for direct representation for the non-European people in all legislative bodies of the country and I will, in and out of the Provincial Council, consistently advocate this viewpoint."

The Nationalist Party was to deprive the African majority of even this type of representation by whites.

FARID ADAMS, ACCUSED NUMBER ONE

Farid Adams from the Transvaal Indian Youth Congress was accused number one and as such gave his name to the treason proceedings. The record of Regina *versus* Adams has indeed become a much sought-after historical material.

The Leader reporter from the Drill Hall dock told us all about Accused Number One:

> "Young Farid received his primary education in the capital city of the Transvaal and later studied at the Johannesburg Indian High School...
>
> "Farid completed his matric in 1951, and then entered the political arena in a full time capacity.
>
> "He was associated with the publication of the youth newspaper *The Spark* and during the Defiance Campaign he played a prominent role on the National Welfare Committee...
>
> "Farid has been an active member of the Transvaal Indian Youth Congress. During the Western Areas removal campaign, he was charged under the Criminal Laws Amendment Act.
>
> "The Court returned a verdict of not guilty. Farid Adams, Accused No. 1 at the Drill Hall, is a typical product of South Africa of the present age."

Farid Adams was following in the best traditions of AM (Kathy) Kathrada, who was the "*guru*" of many young people who were occupying the "cage" at the Drill Hall.

AYESHA DAWOOD, ONLY INDIAN WOMAN ACCUSED

The Cape gave the treason hearing its only Indian woman accused, Miss Ayesha Dawood. *The Leader* correspondent from the Drill Hall dock told us about this first Indian member of the ANC. I must admit that I had not heard of any Indian in 1957 or before who had been a member of the ANC.

This is how Dhanee Bramdaw's weekly gave us the Ayesha Dawood story:

> "Who is that sari-clad figure in the 'cage' at the Drill Hall, Johannesburg? Many an Indian visitor at the treason inquiry has asked this question...
>
> "Modest, publicity shy, hard-working 29-year old Miss Ayesha Dawood of Worcester (Cape Province) is the only Indian woman accused among the twenty women appearing at the treason inquiry.
>
> "With her three brothers and one sister Ayesha grew up in Worcester, where her father is a businessman and a farmer... In 1949 as the secretary of the Worcester United Action Committee she was in the forefront of the struggle to prevent the threatened removal of the non-European people from the town to the so-called 'squatters camps.'
>
> "She was equally active in organising the opposition of the people against the removal of thousands of Indian and Coloured voters from the common roll.
>
> "In 1950 she joined the local branch of the African National Congress, whose doors are open to all South Africans of all races, and soon became completely identified with the growing Congress movement in the country.
>
> "Whenever the name of Worcester was mentioned during the Defiance campaign, the name of Ayesha Dawood was always linked with it.
>
> "Not neglecting the particular needs of her own sex, Ayesha Dawood joined the colour-bar-free South African Women's Democratic Federation and as a member of this organisation represented the South African women, together with Miss Anna Scheepers, at the Conference of the Women's International Democratic Federation held at Copenhagen in Denmark in 1953.
>
> "From Denmark she proceeded to Romania, Hungary and England and in all these countries she carried out her duties as the ambassador of the voiceless people of South Africa.

"After Europe came India and there in the little village of Gondager, in Konkan, some sixty miles to the south of Bombay, while living with her grandmother for eight months, she saw how free India was tackling the great agricultural problem facing her.

"Back in the Union in 1954, Ayesha was again in the lead, this time organising the Congress of the People. But she was prevented from being present at Kliptown when the Freedom Charter was drawn up and adopted.

"With 70 others Ayesha was held up by the police at Beaufort West, while on the way to that great Assembly held on June 26, 1955.

"Ayesha Dawood is a typical product of South Africa of the present era. Her presence, sometimes in a colourful sari, at this marathon trial adds colour to the drabness of the Drill Hall."

NGUBASE, THE STAR WITNESS, A LIAR AND A CRIMINAL

To us the most sensational day at the Drill Hall was when Solomon Ngubase, who claimed to be the holder of a B.A. degree from Fort Hare, stepped into the witness box on behalf of the Crown. He testified that Professor ZK Matthews was "a secret agent," that the ANC had in 1951 decided to obtain arms and "gas powder" from Russia, that, like the Mau Mau, the ANC wanted to murder all whites in the Transkei and that the ANC held the view that Dr Malan's mother was a Hottentot.

This Crown witness had stood triumphantly in the witness box, and then "declined and fallen" when subjected to a brilliant cross-examination by Advocate VC Berrange.

Solomon Ngubase claimed that the Freedom Charter was drawn up at an ANC Conference held at Bloemfontein and attended by Dr GM Naicker and Advocate HE Mall, both well-known to him. He further claimed that the original copy of the handwritten Freedom Charter drawn up in 1951 was hidden away by him in Port Elizabeth and that he could produce this in Court if given the opportunity to do so. He claimed that he himself was a member of the committee which drew up the Freedom Charter and that others on that committee were Dr Letele, Dr Mji and Advocate HE Mall.

Ngubase further claimed that on certain specific dates he had, on the instructions of the ANC, taken part in riots in the Eastern Cape.

This evidence was different from all the evidence led up till then. The accused at the Drill Hall were dumb-founded. How could such a witness be called by the Crown?

The hearing adjourned on that historic day with much anxiety on the part of all those who did not know Solomon Ngubase. But there were, among the Natal accused, those who knew this man and they supplied the defence team with all the particulars at their disposal.

Ngubase was most positive that he knew Dr Naicker very intimately but when he was asked to point him out he pointed out not Dr Naicker, but Debi Singh instead.

The defence was able to establish through a letter written by Ngubase from the Durban Central Prison that on the days when he was supposed to have been engaged in riots in the Eastern Cape, he was locked up in prison.

Ngubase admitted that he had lived the greater part of his life on lies and by criminal activities. And he had come from a prison to give evidence after contacting the Crown team.

Further retractions came one after another.

He had no university qualification. He had practised as "an advocate in Durban" and had been in custody for doing so when he had written to Advocate HE Mall.

Advocate Berrange told the Court that Solomon Ngubase was a person whose behaviour was that of a paranoiac, whilst Advocate Joe Slovo said that the witness was "obviously mad."

At the end of the cross-examination it became obvious that an over-zealous Crown had little knowledge of their own "star witness" who began so well and ended so poorly.

IC MEER SPEECH, HANDED IN BY PROSECUTION, STRESSES NON-VIOLENCE

In January 1957, the defence team was keen to have on record the Congress movement's stand on violence. The first major opportunity occurred in the second week of the preparatory examination when Detective Sergeant G Van Papendorf of the Johannesburg Security Police took his stand in the witness box to hand in documents confiscated by the police in the raid on the Johannesburg offices of the Congress of Democrats.

The procedure then was for the police witnesses to hand in documents confiscated in the raids and not to read them.

Let us get a feel of what happened in the Drill Hall:

> "*Papendorf*: Your Worship, I confiscated this document in the Johannesburg office of the Congress of Democrats.
>
> "*Prosecutor*: Your Worship will note that this document will be marked and referred to as Exhibit C93 and will the witness further identify the document?
>
> "*Papendorf*: It deals with the Natal Congress of the People held in 1954 and it bears the name of accused MP Naicker as having issued it in his capacity of the Organising Secretary of the Natal Indian Congress. It is headed 'Speech delivered by IC Meer - the keynote address on the Freedom Charter to be adopted in 1955.'
>
> "*Advocate VC Berrange*: The Defence requires the entire document to be read into the record and not merely handed in.
>
> "*Prosecutor*: Sergeant Papendorf, will you read the contents of Exhibit C93 into the record."

And then the Court heard what this document C 93 - a press release issued by MP Naicker on the keynote address by IC Meer at the Natal Congress of the Congress of the People - had to say.

The Leader of January 25, 1957, quoted copiously from this document.

> "Mr Meer said that the leadership had repeatedly stressed two cardinal points in their campaign. They were that non-violence was the basis of all campaigns and that there was to be no hatred towards the whites."

In his address Mr Meer said:

> "When we are launching another great campaign, let me stress that we are not advocating any form of violence. Anyone who talks of or engages in violence is the enemy of the people. Even if we are provoked then too, there must be no violence on our part, because those who engage in violence will be harming our cause and they can have no place in the peaceful campaign we are initiating.
>
> "I have to stress this point, not because I have any doubts on how our people will behave, but because of the sinister propaganda which people in

> high places in the government of the country are carrying out and will carry out against the freedom movement in South Africa."

Mr Meer continued:

> "It is our task to enshrine the hopes and aspirations of the people of South Africa into this Charter of Freedom. That is the objective of the Congress of the People - a specific and well-defined objective."

He added that there was always the danger of nationalism taking a narrow and bigoted path, as Afrikaner nationalism had done in South Africa. One would have to guard against a black nationalism preaching in the reverse what the Nationalists were preaching today.

Fortunately, said Mr Meer, the ANC was not narrow and bigoted; it had called on South Africans of all races and colours to come together in formulating a Freedom Charter, a Charter which would prevent the emergence of bigotted nationalism on the part of the liberation movement of the oppressed people of the country.

The accused and the defence team were thankful to MP Naicker for his 1954 press release and even more thankful to Johannesburg's Congress of Democrats for preserving this document until Papendorf raided their offices and was now handing it to Magistrate Wessels as "C93."

In the fifth month of the treason hearing Detective Head Constable WB Truter and Detective Sergeant PC Swanepoel from Natal began reading their notes on Natal meetings. When cross-examined by Advocate VC Berrange both of them conceded that at many of the Congress meetings in Natal speakers had condemned the use of violence and had advocated racial harmony in South Africa.

Although Advocate Hassan E. Mall was not an accused, Detective Sergeant Swanepoel gave details of his speech made at Bharat Hall in Durban on December 11, 1955. According to Swanepoel, Advocate Mall said: "We have here a picture of Mahatma Gandhi in the hall... His philosophy was one of peace. He condemned the use of violence." And then, referring to South Africa, he added: "Any person who talks of violence is not with us but against us."

EVIDENCE OF POLICE SPIES EXPOSED

In the first week of July 1957, evidence was given by the first police informer called by the Crown. Others followed later and the accused got a deeper insight into the workings of police informers.

I remember how Advocate Berrange put to test the accuracy of the recording in long hand of what people had said at meetings.

A member of the Special Branch was asked to take down notes of what Advocate Berrange said, pretending that the taker of the notes was seated on a motor cycle, as he claimed he had actually done. As was to be expected there were many discrepancies in the notes so taken in long hand.

An African member of the Special Branch, who said that he had a BA degree and who gave evidence on the people's protest against the Bantu Education Act, answered questions put to him by Advocate Berrange.

Asked what he thought of Bantu education, the black policeman replied: "I hate this law." And with that answer no further questions were put to him.

There was another instance in which the policeman who had taken notes hesitatingly read out that the accused in question had said that "Time has come to shoot Malan." Advocate Berrange asked for his notebook, had a penetrating look at the notes, and handed back the book to the witness and then asked: "Spell 'shoot' in your notes." The witness hesitated and then spelled his word C-H-E-C-K and not S-H-O-O-T.

Arising from this last incident a number of the accused who were lawyers spent time with the prosecutors checking the notes taken before evidence was given. A typed sheet of what was in the notebook came to be handed in by consent without admitting the accuracy of the record.

This procedure saved a great deal of time and one of our lawyers came back with the story that a very junior member helping the Crown case had assumed that our JB Marks was the same person as Karl Marx, many of whose books formed part of the exhibits obtained by the police in raids on the accused.

"EXPERT" WITNESS AT TREASON TRIAL TRAPPED BY OWN WORDS

Two other highlights in the treason hearing were the evidence given by the Crown's expert witness on communism and the evidence given by police "plants" within the ANC.

The Leader of May 31, 1957, gave much space to the evidence of the Crown's expert on communism. According to its correspondent in the Drill Hall dock:

"There was expectancy in the Drill Hall Johannesburg, when the bespectacled Dr Andrew Murray, Professor of Philosophy at the University of Cape Town, entered the witness box to give expert evidence on Communism...

"And then began the evidence by this slight-built man, dealing with the philosophy of Marx, Engels, Lenin, Stalin and Mao Tse-tung.

"He stood in the witness box for almost ten hours, wearing a three-piece brown suit, a bluish shirt and a reddish tie.

"In the initial stages his left hand was often in his pocket as he spoke into the microphone system, expanding on what he understood to be the Communist theory and practice."

"Communism, he said, was a doctrine which criticised the Western capitalist system and aimed at an eventual classless society. The Communists believe that the capitalist system would only be changed by violent revolution.

"According to the witness, the United States, Western European countries and India were described as warmongering States.

"It was part of the Communist tactics to say something other than what was meant. This was called 'Aesopism' and was developed by Lenin while in hiding in Germany, away from Russia.

"Professor Murray said that he had seen some of the documents which formed part of the record in the treason hearing and he had applied four tests to determine whether a particular document was Communistic.

"These four tests were (1) whether it preached direct Communism through quotations from the 'masters'; (2) whether it paraphrased Communist statements; (3) whether it was 'non-deviationist' in supporting Soviet policy internationally; and (4) whether it was intended to convey something different from the face-meaning ('Aesopism').

"Reading from the documents handed to him by the Crown, Professor Murray pointed to words such as 'oppression,' 'democracy,' 'militant' and 'fascism' as being Communistic.

"One of the documents he dealt with was the Constitution of the ANC and he said that there were 'Communist tendencies running right through it.'"

Advocate Vernon Berrange displayed the art of cross-examination at its best.

In quick succession Professor Murray classified the defence-submitted quotations as "out and out Communistic" and others as "straight-from-the-shoe under Communism." In a master stroke, Advocate Berrange included a quotation taken from Professor Murray's own book. The Professor ruled it to be Communistic.

When he said he did not know who the author of that quotation was, Advocate Berrange produced Professor Murray's own book.

As far as I remember that was the end of Professor Murray's evidence.

TRIAL DRAGS ON

The Leader of August 20, 1957, summed up the Drill Hall position in its bold headlines reading: "Torn from Homes, Treason Accused Restless as Crown Case Drags." It said:

> "When will the Crown case end? The 156 accused appearing at the marathon Treason inquiry in Johannesburg are anxiously asking this question.
>
> "Sitting in the Drill Hall, torn away from their homes and families, the accused, drawn from every walk of life, and from all racial groups in the country, are becoming restless with no certainty as to when the preparatory examination will come to an end.
>
> "At the commencement of the inquiry in January this year the Crown had intimated that its case would take approximately six weeks. But when February ended there was still no sign of the Crown's case.
>
> "It was later announced that by mid-July the Crown would have completed its evidence against the accused but that too proved to be incorrect."

But *The Leader* correspondent from the dock continued:

> "A visit to the Drill Hall brings out sharply that the morale of the accused is very high.
>
> "All the accused have gone through much hardship but the Treason Trial Defence Fund, under the able guidance of Bishop Ambrose Reeves, has done everything possible to assist the accused who asked for assistance.
>
> "The officials of the Fund say that the demands of the accused have been very modest. The biggest bill the Fund has had to face is counsels' fees and there too the advocates have charged only a nominal fee."

On June 26, 1957, the TIC held a torch-light procession which was baton charged by the police.

Instead of the authorities appointing a judicial commission to deal with the baton charge against the peaceful torch-light procession of June 26 at Fordsburg, we learnt that Dr Zainab Asvat, Mrs Amina Cachalia, Miss Hajra Saloojee and Barney Desai were to appear in Court on September 4, 1957, charged with the crime of contravening a municipal by-law requiring permission to hold a procession.

The preparatory examination which had commenced on December 19, 1956, went on until September 11, 1957, when it was adjourned to January 13, 1958.

At the end of the preparatory examination counsel for the Crown argued that all the accused, under the camouflage of innocent and idealistic activities, were engaged in a conspiracy with the aim of replacing the existing form of government by a "people's republic or people's democracy - in other words a Soviet State."

During the adjournment - that is on December 17, 1957 - the State announced that the charges against 61 of the accused had been withdrawn.

On January 22, 1958, the formal charge was put to the 96 accused. All the accused pleaded not guilty and reserved their defence. The Magistrate then committed them for trial.

Before the trial began, the Attorney General announced that he had declined to prosecute a further four of the accused - among whom were Kaisaval Moonsamy of the NIC and myself. And hence from 1956 the number was reduced to 92.

The trial actually commenced in Pretoria on August 1, 1958, that is, after more than seven months from the end of the preparatory examination.

Indeed, the accused had had long and difficult periods of waiting.

TREASON TRIAL DEFENCE FUND

In March 1957 South Africa and the world heard of the death of Dr Geoffrey Clayton, the Anglican Archbishop of Cape Town, who had headed the Treason Trial Defence Fund.

Some of us had looked at Clayton with mixed feelings. Had he not dealt with Michael Scott and Father Huddleston most harshly for their support for our struggle against racism?

The 156 accused at the Drill Hall had no direct dealings with Archbishop Clayton. They had come to know the Bishop of Johannesburg, Ambrose Reeves, rather intimately and it was Reeves who had secured the services of Mary Benson as the Fund's secretary.

Notwithstanding the reservations that many of the accused had about those in the leadership of the Anglican Church in the forties and the fifties, they paid a glowing tribute to Archbishop Clayton from the Drill Hall. In their message to Bishop Reeves the accused said that Dr Clayton "had won the esteem of the people of South Africa" and that in these critical times the country could ill afford the loss of men of such idealism and vision.

For a conservative like Clayton it was indeed a bold step to identify himself with the Treason Trial Defence Fund.

I remember the storm which broke over the remarks made by Bishop Ambrose Reeves in London on his way back from the meeting of the World Council of Churches held in 1957 in the United States of America. He was reported as saying at an informal gathering in London that he did not think that Communism was the chief danger in South Africa. "Black nationalism and the spread of Islam," he said, were the two great dangers facing Christianity in South Africa.

The Leader added that Bishop Reeves had said in London that in the past eighteen months he had seen a perceptible change in African and Indian leadership. "There are some signs now, as yet a very small cloud - that the outcry is not being directed against the Nationalist government but against the white people as a whole."

We were deeply shocked at what we read in the press about the views of Bishop Reeves. And we heard with much approval that one of our Natal accused confronted Bishop Ambrose Reeves in private and asked why he found Islam a danger to South Africa when Islam was totally against all kinds of racism. The Bishop found himself in great difficulty in answering the criticism.

It was a difficult educational task to teach Ambrose Reeves that Islam and black nationalism were both dedicated to a non-racial South Africa and that the accused in the treason hearing were drawn from Islamic and black nationalist backgrounds which had much in common with the teaching of Jesus.

Notwithstanding the London interview, we were thankful for the Bishop's role in the Treason Trial Defence Fund. The Fund indeed played a vital role by providing for the defence of the accused. If I remember clearly it gave a monthly

grant of eleven pounds or twenty-two rands to each needy accused. Almost all the NIC and TIC members refused to take any money for themselves.

In Durban our women formed a committee headed by Mrs Marie Naicker, Fatima Meer and others to raise funds and Alan Paton was making rounds among white advocates in the city for donations. Our women's group in Pietermaritzburg - consisting of Mrs D Bundhoo, Mrs Choti Motala and Mrs SRR Naidoo among others - did magnificent work to raise funds.

The Honourable Justice Feetham received the donation of the first five hundred pounds from Mrs Bundhoo on behalf of the Defence Fund. The Durban Women's Group also donated five hundred pounds.

Whilst our people were taking a keen interest in the welfare of the accused and their families, the work done overseas was equally impressive.

From London came the news that Canon Collins alone had raised the magnificent amount of thirteen thousand pounds and in the United States of America, Mrs Eleanor Roosevelt had agreed to act as one of the sponsors.

South Africa and the rest of the world were becoming familiar with our leaders.

Our topmost leaders were immobilised to an extent at the Drill Hall, but the work went on in a creative way in Johannesburg by the accused themselves.

Accused No. 84, Ike Horwich, found time to make the bust of our Monty Naicker. It was produced in bronze after a sitting of almost sixteen hours in all.

Horwich came from Cape Town where he was an architect. During the treason inquiry at the Drill Hall, he produced many interesting court sketches which appeared in numerous journals in South Africa.

BOLD SPEECH BY MBEKI AT OPENING OF 1957 NIC CONFERENCE

The tenth annual provincial conference of the NIC, held at Bharat Hall in Durban in November 1957, was proof of the failure of intimidation. The conference was opened by Govan Mbeki, a prominent ANC leader from the Eastern Cape.

The Leader provided the following biographical information on Mr Mbeki:

> "Mr Mbeki is a double graduate, having qualified in Arts and Economics.

> "For some years he studied at Fort Hare and externally at the University of South Africa, which conferred the degrees on him.
>
> "He was a teacher for five years and was dismissed for his outspoken participation in political activities.
>
> "After graduating he took to writing and has made several contributions on economic and political topics.
>
> "Among his two well-known publications are *The Transkei in the Making* and *Let's Do It Together*. For a number of years he has edited the African weekly, *Inkundla ya Bantu*."

This information was useful to make Govan Mbeki better known to those who did not know him when he taught at Taylor Street School in Durban and thereafter near Ladysmith.

He was later better known as the Eastern Cape representative of *New Age*.

Govan Mbeki was a brilliant choice in that year of maximum intimidation. In his opening address to the NIC Conference he referred to the joint efforts of the SAIC and the ANC as a "great alliance." He said:

> "Events in South Africa have fully justified the realistic appraisal, by the two Congresses, of the political situation in this country.
>
> "Today the freedom loving people of this country confidently look upon this grand alliance as having laid the broad and durable foundations upon which the ever growing forces of the Congress Movement are striving to build the new South Africa.
>
> "Even the enemies of this alliance cannot fail to take note of this great reality with its tremendous possibilities for leading the vast masses of the people of this land forward to freedom."

Govan Mbeki set the tone of the Conference, which had drawn together a large number of delegates and observers. In the absence of Monty Naicker, V Lawrence made a moving plea for the continuance of a non-violent struggle for freedom for all in South Africa.

The Conference then got down to dealing with the day-to-day issues in which the NIC branches had all been deeply involved at grassroots level, the problems of the dispossessed in education, housing, health services, job opportunities and so on.

PROTESTS AGAINST SEGREGATION IN THEATRES AND TEA ROOMS

Even whilst the 156 leaders of the Congresses were facing charges of treason, the Congresses continued to function with vigour.

In the Transvaal a powerful TIC team had emerged consisting of Moulvi Cachalia, Yusuf Cachalia, T Narainsamy, Mervin Thandray, Mrs Amina Pahad, Kathy Kathrada with his youth movement, and a powerful women's body led by Zainab Asvat and Chotibai Bhayat together with the Narainsamy family.

In Natal in 1957 George Singh was in the lead on the question of non-racial sports; Fatima Meer was vigorously opposing segregation in cultural events such as musicals held in the City Hall of Durban; MJ Naidoo was leading opposition to segregation in tertiary education; Billy Nair had joined SACTU with great commitment; Ismail Meer and JN Singh were speaking out on the need to end discrimination in education. The presidents of the TIC and the NIC were almost daily condemning the implementation of segregation and apartheid.

In 1957 Cecil Williams brought his theatre production "The Strong Are Lonely" to Durban. At the Bolton Hall, in those days of rigid apartheid, this play drew a mixed audience in defiance of Nationalist policies.

Even Cecil Williams later came in for attack when he played at the Alhambra which was for whites only, before playing to a mixed audience in Durban. I think it was his production of the "Kimberley Train."

When Ian Bernhardt brought "King Kong," the musical, to Durban, he left the booking to the City Hall administration which seated blacks and whites separately and against this, too, our people protested.

Ian Bernhardt and Cecil Williams faced opposition from our people led by the then very young Fatima Meer and her group.

The pioneering campaign against race discrimination extended to cinema and to restaurants in the Grey Street complex.

Even in black-owned cinemas, Indians, Coloureds and Africans were not completely mixed.

A systematic survey carried out in Durban showed that in almost all the cinemas, Africans were sold tickets which confined them to a segregated section. And this segregation was fully exposed.

And when it came to our restaurants and tea-rooms in the "casbah area" of Durban, the City Council had each licence endorsed, reserving the facilities to "Indians only."

When a restaurant was opened at the corner of Grey Street and Prince Edward Street - I think it was in a Methodist Church building - the licence restricted its use to "Africans only." Cassim Amra, Ismail Meer and their friends were refused service at this segregated tea room, just as Africans were either refused or surreptitiously served in some of the Indian tea rooms.

It was left to activists associated with the NIC and the women of the Durban and District Women's Organisation to expose and fight the colour-bar in such fields, in direct defiance of the Nationalist government which regarded such defiance as an act of High Treason.

I think I am correct in stating that it was the protest on cultural colour-bar led by the Fatima Meer group that led Ian Bernhardt to approach her several years later to organise the non-racial showing of Tagore's "King of the Dark Chamber," produced by Krishna Shah.

Krishna Shah's presence and the formation of the Shah Academy of Theatre Arts by Fatima Meer, Ronnie Govender, Ismail Meer and others had an important bearing on the future development of non-racial theatre in South Africa, in which Peter Hey took a lead in the early days.

In November 1957, Alan Paton spoke out against the International Arts League of Youth which was organising segregated arts functions. *The Leader* of November 29, 1957, reported:

> "Strong support for Mr Alan Paton's condemnation of the International Arts League - a South African organisation - as being in fact an apartheid organisation has come from Mr Paton's own political group, the Liberal Party, as well as from the Natal Indian Congress, the South African Indian Congress, the Natal Indian Youth Congress and the African National Congress."

In a letter addressed to Mr Paton, Chief AJ Luthuli, president of the ANC, and Dr GM Naicker, president of the SAIC, said:

> "On behalf of our people, we take this opportunity of showing our gratitude and appreciation for the stand you have taken in respect of the so-called International Arts League of Youth in Durban.
>
> "Your gesture in refusing to be a patron of this organisation which practises colour bar, is in keeping with your declared attitude on the colour question in South Africa...

> "In the field of art and culture there can be no room at all for colour discrimination and those misguided white South Africans who feel otherwise on this issue will have to learn this basic truth and it is for men and women of courage and goodwill like yourself, who will have to be in the forefront to educate our misguided upholders of the colour bar."

Following on Fatima Meer's disclosures, the Natal Indian Youth Congress was taking up the issue of colour bar at all levels, including the colour bar between black and black.

In *The Leader* of December 20, 1957, the public learnt that there now existed the Natal Youth Action Committee of the ANC Youth League and the Natal Indian Youth Congress, and it was this body that was jointly taking up the question of the colour bar within our own communities. This Committee condemned colour discrimination in cinemas and tea rooms, and called for opposition to the licence endorsements by the Durban City Council on racial basis.

The Committee, in a public statement, said that the "policy of divide and rule has been successfully practised for generations by oppressors all over the world. By dividing the people the oppressors have been able to subjugate and enslave vast masses of the people." It called for the ending of all discrimination in bioscopes and tea rooms even where the City Council imposed restrictions.

WOMEN'S STERLING ROLE IN MANY FACETS OF STRUGGLE

The NIC and the TIC had their youth bodies and they worked very closely with the African and Coloured youth but there was no separate Indian women's body formed with the sanction of the NIC and the TIC, similar to the ANC Women's League.

In Natal in the late thirties Dr K Goonam came on the scene like a volcano. She became a top leader after the 1945 takeover of the NIC by the progressives and continued to play a militant role in the life of the community, serving many terms of prison.

The Durban and District Women's League, led by Bertha Mkhize and Fatima Meer, became an important home for women of the ANC and the NIC, in particular, to come together with white and Coloured women. I remember the part played by this body in initiating self-help schemes.

It was for its time a powerful non-racial women's group doing a tremendous amount of work and no wonder its leading members came to be honoured with

banning orders by the Minister of Justice. Fatima Seedat, Ruth Shabane, Edith Khuzwayo are some of the names that appear in the 1957 records of the Durban and District Women's League which no more exists but whose ideas continue to remain fresh.

From many of our platforms came the clear message that black women in South Africa were doubly oppressed in our racist male-dominated society.

Because of their position in our racist and sexist society there was a need for women to organise themselves, but within the NIC and the TIC it was stressed that women must play their full role within the Congresses, particularly when the Monty Naicker-Yusuf Dadoo leadership claimed to be totally opposed to a sexist society. It was for that reason that no NIC-TIC Women's Leagues were ever formed.

In the absence of any non-racial women's organisation, our women were indeed playing a vital role in such bodies as the Child Welfare Society in which Gadija Christopher took an active part.

The name of Mrs SL Singh was most prominent among the old guard which included people such as Sylvia Lawrence and others who had, since the days of *Kunwarani* Maharaj Singh, played important roles in organising our women in social activities. In Pietermaritzburg, Mrs Bandhoo and Mrs Bramdaw appeared very much in the news in the year 1957.

The days of persuading parents to send their daughters to schools were over. The time had arrived when our girls required more and more schools. When the community had its first co-educational high school in the fifties there was tremendous support for it.

The end of the Second World War found many of our young women entering occupations and professions in which there were none previously. Indian girls, with better training and education, were no more reluctant to enter the nursing profession and they were being employed less and less as domestic workers. And with new avenues being opened up to them in a racist society they became more and more aware of the double oppression they were subjected to.

In meeting the challenges facing them, black women did require their own organisation to speed up their liberation whilst playing their proper role within the national liberation organisations.

The Federation of South African Women (FEDSAW) was inaugurated in Johannesburg in 1954 and to that historic meeting Bertha Mkhize and Fatima Meer took a powerful delegation from the Durban and District Women's League, including NIC activists Fatima Seedat and Ms. Jay Singh.

Our women were most decidedly in the forefront in opposing the Group Areas Act and in 1957 the great women's march in Fordsburg brought into light their continuing roles. Suriyakala Patel, Manibehn Sita and later Shanti Naidoo became as well-known as any of our top leaders in the Transvaal.

By 1957 many of our leading women had been banned, and more were banned in later years.

After the Treason Trial, Helen Joseph and Amina Cachalia became the special targets of the Security Police when they were going around the country to attend to the needs of the banished Africans. Helen Joseph was banned and house arrested in 1962.

INDIAN WOMEN'S ORGANISATIONS

The Durban and District Women's League had been in the forefront of women's rights in Natal in the fifties and then came the Federation of South African Women whose first president was the well-known trade unionist, Ray Alexander.

These were our non-racial women's bodies but within the Indian community in Durban there were other women's organisations which must be taken into account.

Kunwarani, wife of India's Agent *Kunwar* Sir Maharaj Singh, had taken the lead in founding the Durban Indian Women's Association in 1933.

The silver jubilee of this association in 1958 was a great community event. Mrs Hajra K Seedat was then its president and Miss Sylvia M Lawrence was the secretary.

Under the heading "25 Years of Good Work," *The Leader* said that during the first year of its existence in 1933 the association had sponsored the first Indian Red Cross detachment, and added that this was the beginning of Red Cross work among the non-Europeans of South Africa.

In 1936 the association took the first step in supplying the first free meals to schools. And after the association's Special Nutritional Conference "public opinion influenced the provision of free meals to all children."

Among the association's other activities were the formation of a Reading and Educational Circle at which plays and poems were read and the holding of talks.

The association had also raised funds for such worthy objects as the Blind Society, FOSA, the Aryan Benevolent Home and the African Child Feeding

Scheme. It gave uniforms and allowances to the schoolchildren at Dartnell Crescent, Clairwood Girls, St. Anthony's and the Clairwood High School. Bursaries and transport allowances were given to the girls at Stanger High, Merebank and Clairwood schools.

Minnie Ramawthar, as Mrs A Govindu, was working in 1958 as the Field Organiser of the energetic Indian Women's Literacy Association. She said, in her annual report, that "teachers have carried out their work with a great deal of sincerity and devotion to duty." She paid a glowing tribute to Miss Dorey, principal of the Girls' High School, who was the chairperson of the association.

MASS OPPOSITION TO "GROUP AREAS"

Our numerous ratepayers' organisations in Durban played an important part in opposing the Group Areas measures.

Top NIC officials were active in these organisations. The Unity Movement's Zuleikha Christopher and Enver Hassim were in 1957 active in the Greenwood Park Indian Ratepayers' Association.

The Durban and District Ratepayers' Association, headed by Dr Alam Baboolal and Harry Deoduth, was formed in later years. It organised a conference at which Dr Jack Simons, that brilliant thinker, opened the proceedings and I delivered the keynote address on the franchise at municipal, provincial and parliamentary levels.

One of the most active ratepayers' associations in 1957 was the Mayville Indian Ratepayers' Association led by B Barnabas and Harry Deoduth of the NIC.

At the end of September 1957 a mass meeting held at Mayville heard at length from Mr Barnabas what the Nationalist government then had in store for our people. The NIC's "research team" had done its homework and placed it at the disposal of the Mayville Ratepayers' Association and its president, Mr Barnabas.

Mr Barnabas said that forty thousand people, with an estimated ten thousand dwellings, "will be uprooted if the zoning proposals under the Group Areas Act for Mayville, Cato Manor, Candella, Stella Hill and Manor Gardens are carried out by the racist City Council of Durban." He pointed out that the value of the Indian buildings affected amounted to over twenty million pounds sterling - a fantastically large amount for that period - and removals would totally ruin the Indians of these areas economically. One hundred and fifteen business houses belonging to Indians were facing threats of confiscation and 16 temples, mosques and churches built by the sweat and money of our people were being taken away from the community.

Dealing with education, social welfare and health services, Mr Barnabas said that if the zoning came into force 12 community-built Indian schools and 120 clinics, social clubs and sporting bodies would be lost to a people whose only crime in the eyes of the government was that they did not have a white skin or rather that they had not been classified as "white" in racist South Africa.

Mr Barnabas was a conservative person and he spoke in very moderate language but his facts and figures spoke louder than any swearing at those in power.

> "When the first pioneers ventured to make their homes in the small clearings in this animal-infested jungle area, no stretch of imagination could have brought to them the faintest idea of the densely populated suburb that it is today, so dense in fact, that one-third of the total Indian population of Durban is concentrated here...
>
> "We have assembled here not so much in a spirit of belligerence and antagonism at what, if it were put into effect, would be an act of gross injustice, but... to plead that what has been our place of birth and residence for over 80 years should so remain and that we be allowed permanently to be the peaceful, law-abiding residents of Mayville and Cato Manor, as has been our pride and privilege for so many years."

But notwithstanding all our protests, more than 40,000 of our people were uprooted by the government under the immoral law.

SCHOOL FEEDING DISCONTINUED BY THE GOVERNMENT

The year 1958 commenced with bad news for many of our students who had written the 1957 matriculation examination.

Of the 458 Indian students only 198 had passed, recording 42.2 percent success, compared to 69 percent pass by Coloured students. Only three schools had a pass of over 50 percent and they were: St. Oswald 67.8 percent, Durban Girls' High 64.4 percent and Sastri College 54.2 percent.

There were many economic pressures against Indians from the implementation of the Group Areas Act and boycott of Indian shops by whites to the abolition of the school feeding scheme which had been introduced by JH Hofmeyr of the United Party.

The first step towards the abolition of the school feeding scheme was taken in January 1958. The province and the central government were acting in collusion.

The Director of Education sent out a circular to the principals of all Indian schools stating that all Indian parents "earning a minimum of one pound sterling per week per member of the family are asked to contribute two pennies a day towards the cost of nutritious school meals."

Children of parents earning less than two rands per week would be given free meals. The other parents had to pay the levies in advance.

Condemnation from many different quarters at this heartless decision did not move the authorities. Eventually, as we know, the government took over Indian education from the Province and all school feedings, even for those parents earning less than two rands per day, came to an end.

But the community was determined to feed its under-privileged children and its battle continued in 1958. Our teachers in fact took a lead in improving the school-feeding schemes in operation.

A "modern soup kitchen" built at a cost of seven hundred pounds at the Stella Hill School, a community-built Indian school in Riverview, received headlines in *The Leader* of March 14, 1958. This was a magnificent community effort - led by VR Thomas, the principal of the school - towards which the teachers and pupils had made financial contributions. "In addition," said *The Leader*, "the children cut down the cost of building by themselves becoming handymen, mixing cement, carrying bricks and doing other jobs connected with helping the builder."

MOULANA AZAD PASSED AWAY IN 1957

In February 1957 we learnt that India's great Minister of Education, Moulana Abul Kalam Azad, had suffered a stroke and this brought much gloom to all those who had come to love and respect this great scholar and fighter for freedom.

On February 22, 1957, Moulana Azad was no more. His demise came as a deep shock to India, to us in South Africa and to the world at large.

His had been one of the clearest voices that spoke out in favour of unity against imperialism and fascism.

Azad had already made his name as an outstanding poet and a serious writer of Urdu prose before he joined the Indian National Congress, becoming its president at the age of 35.

His great *Tarjuman al-Quran* remains one of the most valuable religious works and this was produced whilst in prison. It had to be rewritten after the British had confiscated it.

As early as 1913, when Gandhiji was still in South Africa, Moulana Azad had written in his journal *Al-Hilal* that "Islam does not commend narrow-mindedness and racial and religious prejudice... It teaches us to respect every man who is good, whatever be his religion, to let ourselves be drawn towards merits and virtues, whatever the religion of the person who possesses them..."

The Moulana fully justified Muslim participation in the freedom struggle of the Congress and on this issue he had the support of the Jam'iyat-i-Ulama-i-Hind.

Moulana Azad's statement before the British court in India which sentenced him to one year's imprisonment is a classical document and was hailed by Gandhiji as "an oration deserving penal servitude for life."

Here is a small sample from its 30 closely typed foolscap pages:

> "The iniquities of courts of law constitute an endless list and history has not yet finished singing the elegy of such miscarriages of justice.
>
> "In that list we observe a holy personage like Jesus, who had to stand in his time before a foreign court and be convicted even as the worst of criminals.
>
> "We also see in the same list Socrates, who was sentenced to be poisoned for no other crime than that of being the most truthful person of his age...
>
> "When I ponder on the great and significant history of the convict's dock and find that the honour of standing in that place belongs to me today, my soul becomes steeped in thankfulness and praise of God."

MRS MABEL PALMER, A FRIEND OF THE INDIAN COMMUNITY

In respect of tertiary education Fort Hare and the non-European section of the University of Natal at Sastri were two important centres, both segregated but they brought Africans, Coloureds and Indians together.

Christian missionaries had provided us with Fort Hare.

But credit for the tertiary education for blacks in Durban went to Mrs Mabel Palmer (born Mabel Atkinson), a Fabian Socialist who had come to South Africa at the instance of the Workers' Educational Circle.

She had obtained her Master's Degree in Britain and remembered the early days when women were not allowed to attend universities in England. She had worked

with George Bernard Shaw and other socialists and on the mantle-piece in her Manor Gardens home was a small framed photograph of Lenin.

The community had come to respect Mabel Palmer who, with the assistance of Mrs Florence McDonald and Miss Elizabeth Sneddon, allowed our students to perform miracles in tertiary education.

The death of Mabel Palmer in 1958 came as a deep shock to the community as a whole. "South Africa," said *The Leader* in a front-page editorial, "has lost a great citizen in Dr Mabel Palmer, and the Indian community in Durban, and indeed far afield, mourns the passing of a friend and a benefactor.

> "She was a person who proved in her whole life that racial barriers can be transcended by those who have goodwill and great hearts."

It was indeed very rare for the NIC in the mid-forties and fifties to issue an official statement on the death of one of our local citizens but on the death of Dr Palmer the NIC went on record with a glowing tribute.

Many in the leadership of the NIC - such as Ashwin Choudree, IC Meer and MJ Naidoo - had been students of Dr Palmer.

The NIC said:

> "She was a pillar of strength to those striving for higher education... almost to her dying day she worked ceaselessly for the advancement of university education for non-white students in Natal... Were it not for her immense energies and unlimited sympathy for the cause of higher education for non-European in Natal, hundreds of professionals, teachers and students would have been without university training."

And bearing in mind her *History of Indian South Africans*, then only recently published, the NIC statement continued:

> "The Natal Indian Congress publicly records its appreciation for Dr Palmer's written endeavours to enlighten the people of South Africa and abroad in regard to the facts of the coming of the Indians to South Africa and their early history and economic contributions..."

Mabel Palmer, as Mabel Atkinson, had been in the forefront of the struggle for women's rights in Britain at a time when women had to chain themselves to the gallery of the House of Commons to make known their demand for political equality.

She actively preached socialism to her students and openly declared herself to be an agnostic. Her contribution is greater than that of many who believed in God but failed to serve human beings who were victims of segregation and apartheid.

CONGRESS ALLIANCE LAUNCHES "POUND A DAY" CAMPAIGN

The year 1958 was a vital year for trade unionism and the emergence of the South African Congress of Trade Unions (SACTU) as a powerful factor in the lives of black workers. The work started by HA Naidoo and George Ponnen was bearing fruit.

It was a year in which Billy Nair, one of our treason accused from Natal, came to be better known for his dedicated commitment to the rights of workers. He was fully involved in 1958 in organising the National Workers' Conference in Johannesburg with its demand that workers should be paid "One pound per day," when most workers were receiving less than half that amount.

The Conference was a joint undertaking of the South African Congress of Trade Unions; the South African Indian Congress; the African National Congress; the South African Coloured People's Organisation; and the South African Congress of Democrats.

Chief Albert John Luthuli, the President-General of the ANC, made a moving appeal to all South Africans to join hands to defeat the Nationalists through mass action. He said:

> "We believe in mass action and mass agitation by the people in support of their demand for a living wage."

The Conference received messages of support from the World Federation of Trade Unions, the International League for the Rights of Man in New York, Canon Collins and Fenner Brockway in London, as well as organisations and individuals from China, India and other countries.

JUSTICE ABOU HELF OF EGYPT DENOUNCES APARTHEID IN SPORT

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Justice Abou Helf of Egypt arrived in South Africa in July 1958 and attended the opening of the treason trial in the Supreme Court in August. He was the vice-president of the International Table Tennis Federation to which our local non-

racial Table Tennis Association led by CM Bassa had been affiliated, thus excluding the all-white Table Tennis Association of South Africa.

When he was in Durban during July, Justice Abou Helf met many leading South Africans, including Chief AJ Luthuli, President-General of the ANC, and Suleman M. Mayet, vice-president of the NIC. At a function held at the Pine Street Madressa, he praised the efforts of President Nasser to unite the Arabs and made an earnest plea to all the oppressed in South Africa to unite and oppose race discrimination.

Table tennis had been in the lead in isolating racist South African sports bodies.

Within the NIC, George Singh had taken the lead in attacking racism in sports. He was a leading figure in soccer, together with Charles M Pillay and others.

The non-racial South African Soccer Federation took advantage of the visit of Justice Helf to take steps to forge unity between different national sporting organisations in South Africa and for this purpose it held a dinner at the Himalaya Hotel in Durban.

Speaking at the function, Judge Helf called upon all sportsmen to bring international pressure against racial sporting activities in South Africa. He said:

> "Your case is just, and I have no doubt that if you intensify your propaganda and make good contacts throughout the world, you will succeed."

Turning to his own special field in sports, Justice Abou Helf declared:

> "When the International Table Tennis Federation considered the situation in South Africa, it was faced with the position that the all-white South African Table Tennis Union (SATTU) desired membership of the Federation but refused to open its doors to all races.

"As we know, I refused to accept this and have worked hard for the recognition of the SATTB which is open to all races.

"Anything less would not be sufficient.

"The removal of racial discrimination in sports is the ideal we must strive for incessantly.

"... I pledge to do all in my power to see that you earn your rightful place in the world of soccer too."

TREASON TRIAL BEGINS BEFORE SUPREME COURT

The Nationalist government was deadly serious about the treason hearing in progress at the Drill Hall. In June 1957 it announced that Oswald Pirow Q.C., former Defence Minister known for his strong pro-Nazi sympathies, would come out of retirement to lead a five-person prosecution team when the treason hearing reached the Supreme Court.

From the Drill Hall we heard of some complaints from the prosecution team, particularly as it was rumoured that Pirow was to get a fee of thirty thousand pounds - indeed a very substantial fee in the year 1957.

On August 1, 1958, the Treason Trial commenced before the Special Court in Pretoria with 92 accused.

The Leader noted that the 92 accused consisted of 62 Africans, 16 Europeans and 14 Indians. The fact that the numerically small Indian community accounted for 14 of the accused was indeed creditable to the part played by the NIC and the TIC. *The Leader* said that of the 14 Indian accused seven came from Natal and seven from the Transvaal. When the preparatory examination commenced there had been 21 Indian accused. *The Leader* continued:

> "Since then seven accused have been discharged - Miss Ayesha Dawood from the Cape, S Essackjee and Mahomed Asmal from the Transvaal and Manie Pillay, Keswal Moonsamy, Debi Singh and IC Meer from Natal.
>
> "Among those appearing from Natal in Pretoria will be Dr GM Naicker and Gopallal Hurbans, president and secretary of the South African Indian Congress, respectively; Dr MM (Chota) Motala, president of the Pietermaritzburg branch of the NIC and Messrs DA Seedat, Billy Nair and MP Naicker."

The Leader on its front page of August 8, 1958, recorded for posterity the first day of the treason trial under the banner headlines "One of South Africa's greatest legal dramas - Eyes of the World on Pretoria trial."

Promptly at 9.45 a.m. the three judges took their seats and without much ado came the dramatic application from the leader of the defence team, AL Maisels, who was heard with rapt attention for almost two hours.

He was towering above the defence team of ten and just behind the defence benches were the overseas legal observers from the United States, Great Britain and Norway, and Justice Abou Helf from Egypt.

By mid-day the Court adjourned to consider the application made by the defence and the accused wound their way to the Anglican rectory nearby where the Reverend Nys had provided his beautiful gardens for the use of the accused. The accused were served lunch on the green lawns in a picnic atmosphere with Indian and white women teaming together to serve this first meal of the trial.

For the accused, now relaxing on the lawns, the morning had commenced very early before the break of dawn. Most of them - and all of the 14 Indian accused - had assembled early that day in Johannesburg in Leyd Street, not far from the old, and now familiar, Drill Hall, to take the special bus provided for them by the authorities. By 2 p.m. the same bus was travelling back to Johannesburg and again the air was filled with the familiar songs

The trial dragged on and on. And on March 29, 1961, the case collapsed and all the remaining accused were acquitted. The judge said: "On all the evidence presented to this court, and on our finding of facts, it is impossible for this court to come to the conclusion that the African National Congress had acquired or adopted a policy to overthrow the state by violence, that is, in the sense that the masses had to be prepared or conditioned to commit direct acts of violence against the state."

MONTY NAICKER, CENTRAL FIGURE IN INDIAN POLITICS

Shortly before the treason trial began in Pretoria, *The Leader* carried a short biography of Monty Naicker, "the Edinburgh-educated medico, who, moved by the poverty of his people, has become the central figure in Indian politics for almost two decades now." It said:

> "Dr Naicker, a great believer in the Gandhian concepts of non-violence, has led the Natal and the South African Indian Congresses since the present leadership took office.
>
> "In 1946 he served two terms of imprisonment in the Passive Resistance campaign. Again in 1952 he was imprisoned during the Defiance Campaign.
>
> "Dr Naicker, when he takes his seat at the Jewish Synagogue next week, will be facing not only one of the most serious charges known to law, but will at the same time be one of the first victims of the recent proclamation under the Group Areas Act.
>
> "His home in Percy Osborne Road in Durban has been declared to be in an area for European ownership and European occupation by June 1959. Within a year the Group Areas Act requires Dr Naicker to quit his home."

In 1958 this brave leader was to be convicted for the "crime" of having Alan Paton at his home to discuss the education of his son - this was held to be a violation of his banning order.

And later Monty was also imprisoned for not vacating his own home under the callous provisions of the inhuman Group Areas Act.

The people admired Monty's dedication and determination and indeed he was "the central figure" in all matters calling for sacrifices by our leaders.

FREEDOM MONTH: WHAT THE MONTH OF JUNE HAS MEANT TO THE MEERS

On Sunday when I tore off the page for May from my calendar, the 30 days of June faced me with so many memories connected with at least three dates - 13, 26 and 16.

In this exercise in Oral History, it is inevitable that it becomes biographical and that in dealing with the past one deals from the experience of the recaller. Hence to some extent it becomes the Meer family saga.

Until the historic Falkirk strike had taken place, Africans and Indians had not been organised together and MI Meer was able to understand the true significance of the achievements of HA Naidoo and PM Harry, both of whom continued to operate, together with George Ponnen, inside and outside the trade union movement to achieve non-European unity and the unity of all democrats.

June 13, 1946, is the most historic date for the uniting of the Indian South Africans under the leadership of Yusuf Dadoo and Monty Naicker in the passive resistance campaign against the Asiatic Land Tenure and Indian Representation Act of 1946, a resistance in which over two thousand women, men and young persons courted imprisonment.

The 1946 campaign was run by leaders who were conscious of the need for a close link with the African people, and those who went to prison as resisters included some African, Coloured and white democrats.

From the Meer home our young Zohra followed the example of Zainab Asvat whilst AI Meer served at the Bergville prison and I served a month at Stanger.

I remember June 26, 1952, when Nana Sita and Walter Sisulu defied the unjust laws in Johannesburg and when Dadoo and Naicker of the 1946 campaign were working with Chief Luthuli and his band of African leaders.

My brother AC Meer and I were privileged to oppose the unjust laws. AC was imprisoned in Durban Central Prison with Monty Naicker and others.

Two years later Fatima, AI Meer and I were among the first recipients of banning which immobilised us without trial.

We could not attend the Congress of the People at Kliptown in June 1955 where the Freedom Charter was adopted. But I was charged in the Treason Trial, arising from the Freedom Charter. Nelson Mandela, Kathy Kathrada and I, who had shared 13 Kholvad House at 27, Market Street, in Johannesburg, were now sharing common quarters at the Fort in Johannesburg.

On June 16, 1976, the children of Soweto made history when they converged - 15,000 in number - on Orlando West Junior Secondary school. We remember the bannings and the detentions that followed.

Fatima and Winnie Mandela were now occupying the Fort in Johannesburg. And in Benoni were Rashid and Bobby. Three members of the Meer family were held without trial for a period longer than that for which I was kept similarly detained during the State of Emergency in 1960.

On the release of the 1976 detainees, bannings again followed with Fatima, Rashid and Bobby confined to their residential areas.

We have never understood why so many Meers were detained, including Farook on two separate occasions, without a single one of them being charged.