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Marx, the Mahatma, and Multiracialism: South African Indian Political Resistance, 1939-1955

by

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Introduction

On 12 March 1993, approximately one year before South Africa's first nonracial election, Nelson Mandela asked the South African Indian community to support the African National Congress. South African Indians account for only three percent of the country's population and for the most part reside in the coastal province of Natal and the northeast Transvaal province. Yet as Mandela noted in his speech, the community has long been politically active in South Africa. Mandela claimed that Indians had established "the struggle for democratic changes in this country" and, in consequence, the African political leadership saw the Indians' support as "very crucial."[1]

Though Indians are an important part of South Africa's complex racial society, South African historical accounts have generally marginalized the Indian story. Compared to Afrikaner, European, and African histories, relatively few works exist on Indians. Even comprehensive scholarly accounts on the country, such as Leonard Thompson's *A History of South Africa* and T.R.H. Davenport's *South Africa: A Modern History*, spend a few pages on the Indian story. Historians have only extensively examined Mohandas K. Gandhi's work in South Africa between 1893 and 1914.

South African Indian political history in the 1940s is crucial to understanding non-European resistance politics in South Africa, but remains an underdeveloped area of historical research. The decade witnessed Indians re-asserting demands for political and social equality, launching their first nonviolent resistance campaign

[1] Nelson Mandela, "Speech to Members of the Indian Community," in *Nelson Mandela: Forging a Democratic, Nonracial South Africa* ed. Steve Clark (United States of America, 1993), 224.

since 1913, and holding the South African government accountable before the newly-founded United Nations. The Indians' demonstrations helped internationalize the South African government's discriminatory practices towards Africans and Indians in a new way and laid the foundations for the better-documented African opposition to the post-1948 apartheid government. For example, Indians political accomplishments inspired the 1952 joint African-Indian Defiance Campaign, the largest nonviolent movement in South Africa's history.

This thesis examines South African Indian political history between 1939 and 1955 and explains how the Indian struggle transformed into an international and human rights issue. Beginning with the South African Indians' pre-war politics, this study focuses on the nonviolent resistance campaign between 1946 and 1948, the 1946 UN General Assembly's discussion on the treatment of South African Indians, the 1952 Defiance Campaign, and the 1955 "Freedom Charter." Two previous works also view this subject from a transnational perspective. Bridglal Pachai's 1971 *The International Aspects of the South African Indian Question 1860-1971* investigates how South African Indians internationalized their struggle. Pachai shows how inter-state discussions between South Africa, Britain, India, and Pakistan along with debates at the League of Nations and the UN influenced the community's demands for equality. Parvathi Raman's 2002 PhD dissertation entitled "Being an Indian Communist the South African Way: The Influence of Indians in the South African Communist Party, 1934-1952," views the South African Indians as a diaspora community whose interactions with the Indian motherland created a complex political and social identity for South African Indians inspired by both Gandhian and Marxist

philosophies. Raman focuses on how Yusuf Dadoo, a leading Indian member of the South African Communist Party and president of the Transvaal Indian Congress (one of the largest Indian political organizations), tried to create a coherent resistance message that embraced the contradictory philosophies of Marxism and Gandhian nationalism.[2] While Gandhi's philosophy rejected Marxist historical determinism and insisted that an individual's will could transform society by using nonviolent resistance, Raman demonstrates how South African Indian leaders constructed a message which embraced both workers' unity and nonviolent resistance and overcame the tensions between these philosophies.[3]

Like Raman, I observe how South African Indian leaders constructed a political and social identity by appropriating and translating contradictory political philosophies. However, I am interested in the way Indian leaders used the post-World War II discourse on human rights to spotlight the South African government's treatment of Indians through their passive resistance campaign and at the United Nations. Pachai and Raman barely mention the issue of human rights, but the Indians used this new discourse extensively in their struggle. Also in contrast to Raman, I do not limit my analysis to Indian Communists, such as Yusuf Dadoo, but also look at Gandhians, most notably G.M. "Monty" Naicker, president of the Natal Indian Congress in the mid-1940s.

The Indians' invocation of human rights, a term foreign to South African society prior to the 1940s, was surprising because it stood in tension with both the

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[2] Raman continues this investigation in her 2004 essay "Yusuf Dadoo: A Son of South Africa" which appears in *South Africa's 1940s: Worlds of Possibilities*.
[3] Joan V. Bondurant, *Conquest of Violence: The Gandhian Philosophy of Conflict* (Princeton, New Jersey: Princeton University Press, 1958), 31.

communist and Gandhian backgrounds to South African Indian political thought. Dadoo had read "On the Jewish Question," in which Marx critiques human rights for failing to emancipate people fully, because they stop men and women from becoming conscious social beings. While citizens in the liberal state are equal in the public sphere, in private civil society, each person "acts simply as a private individual, treats other men as means, degrades himself to the role of a mere means, and becomes the plaything of alien powers."[4] By preserving the private sphere, the liberal state also allows the bourgeoisie to maintain economic and social inequality. Thus, Marx concluded that granting more rights to individuals would not fully free them. Each person needed to divorce himself from the egoistic nature of civil society and recognize and organize his own powers "as social powers so that he no longer separates this social power from himself as political power."[5] While "On the Jewish Question" does not explain how this utopia could emerge, one must assume that only a communist society could ensure that people viewed themselves as social beings.

This new human rights discourse also conflicted with Hindu and Gandhian philosophy. In 1947, S.V. Puntambekar wrote "The Hindu Concept of Human Rights" for the United Nations Educational, Scientific and Cultural Organization (UNESCO) to show the compatibility between human rights and Hinduism. He cited the five social freedoms and five individual virtues in Hindu philosophy to show how this new discourse fit old Hindu ideals. But Puntambekar conceded that the caste system was incompatible with a conception of human rights that claimed all individuals deserved equal rights. Consequently, many Indians "devoted to and

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[4] Karl Marx, "On the Jewish Question," *The Marx-Engels Reader* (New York: W.W. Norton and Company, 1978), 34.
[5] Ibid., 46.

dominated by rigid ideas of cultures and religions" had rejected the idea that everyone necessarily deserved human rights.[6] Gandhi had tried to eradicate the caste system and dissolve Hindu-Muslim religious tensions in India. However, his adherence to *swadeshi*, translated as "of one's own country," led him to argue that "the country of one's birth demands personal homage in preference to that of others" and made him reject the notion that a common bond existed between individuals of different nationalities.[7] Historians generally discuss *swadeshi* to explain why Gandhi encouraged the Indian masses to boycott British goods during the Independence Movement. But, the term also refers to Gandhi's exhortation that individuals should serve their individual community "to the exclusion of the more remote."[8] Gandhi's view on nationalism as understood through the context of *swadeshi* led him to advise South African Indians, who he viewed as still belonging to the Indian nation, to fight for their own community and avoid cross-racial alliances with the Africans.

By emphasizing human rights, the South African Indians created a political identity that continued to include new but contradictory theories. Here, it is important here to note that South African Indian politicians, as part of an increasingly globalized world, could freely create their political identity. These leaders formed their identities by "rummaging through many ethnic attics" and integrating emerging theories from around the world.[9] One aspect of open-ended identity construction, as Stuart Hall notes, is that "we have the notion of identity as contradictory, as

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[6] S.V. Puntambekar, "The Hindu Concept of Human Rights," *Human Rights: Comments and Interpretations*, ed. Jacques Maritain (New York, Columbia University Press, 1949), 197-9.
[7] C.F. Andrews, *Mahatma Gandhi's Ideas* (New York: The Macmillan Company, 1930), 118.
[8] Bondurant, 106.
[9] Gregory Jusdanis, "Beyond National Culture," *Boundary 2*, Vol. 22 No. 1 (Spring, 1995), 54.

composed of more than one discourse."[10] Heterogeneous communities, whose individuals promote contradictory beliefs, often "essentialize" one common identity for political interests during a resistance struggle. Gayatri Spivak argues that various historical, economic, and social strands compose the operating subject, but during insurgent movements, individuals must form a homogenous consciousness to further the campaign. Spivak notes that Marxist "class" consciousness for example, is not an inalienable component of human reality, but "is itself a strategic and artificial rallying awareness."[11] If subjects, composed of difference influences, never used strategic essentialism, they could never formulate an effective resistance movement.

The 1950s black movement in Britain, as discussed by Stuart Hall, elucidates how groups employ this strategy in resistance struggles. Hall discusses how once whites denied blacks roots in Britain, they had to re-imagine," "re-identify," and "re-territorialize" themselves. Individuals, who had historically never referred to themselves as black and had resisted the use of the term, now identified themselves as black in protest. Hall argues that this new process of identification marked "a change of consciousness, a change of self-recognition…the emergence into the visibility of a new subject."[12] Individuals, who had come from different parts of the Caribbean and South Asia, de-emphasized their unique national or religious identities in favor of a common racial bond. Rather than search for their "true" identity, blacks in Britain recognized that they had to form an identity for themselves in light of a new political situation.

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[10] Stuart Hall, "Old and New Identities, Old and New Ethnicities," in *Culture, Globalization, and the World-System*, ed. Anthony King (New York: State University of New York at Binghamton, 1991), 49.
[11] Gayatri Spivak, "Subaltern Studies: Deconstructing Historiography," in *The Spivak Reader*, eds. Donna Landry and Gerald Maclean (New York: Routledge, 1996), 213-4.
[12] Hall, 54.

Like British blacks, when South African Indians were denied roots in South Africa in the mid-1930s, they were forced to construct a new political identity. These Indians formed their identity through their relationship with white authorities and particularly with Jan Smuts, chief architect of South Africa's Indian policy. Smuts, who was prime minister between 1939 and 1948, had led South Africa into World War II and hoped to increase his nation's international prestige following the conflict. In the post-war period, he became an international statesman who endorsed racial discrimination domestically, but authored the nondiscrimination clause in the UN Charter's preamble, which promised to protect "the equal rights of men and women and of nations large and small." Both Pachai's and Raman's works fail to examine Smuts's contradictory domestic and foreign policies, but the Indians formed their identity as a response to his contradictory stances on racial equality at home and abroad.[13] Most notably, the Indians consciously portrayed themselves as subjects to the UN Charter's statements on human rights precisely because Smuts helped to draft these principles.

When Smuts wrote the Charter's preamble, he did not think that the Indians would use it against him. British, American, and Soviet leaders agreed with Smuts that the UN could not interfere with South Africa's treatment of minorities unless its policies threatened international peace. But with help from the Indian government, the Indians re-interpreted the principles behind the charter to justify UN intervention into South Africa's racial discriminatory policies.

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[13] W.K. Hancock's biography of Smuts, *Smuts: The Field of Force 1919-1950* (London: Cambridge University Press, 1962), may be the exception, but the work does not focus on the Indians.

My central claim, however, is that while the invocation of human rights language captured a sympathetic international audience, the Indians weakened their resistance campaign by using a human rights discourse and creating a political identity that ignored the urban Indian worker's plight. Gandhi always championed using nonviolent resistance because this strategy allowed resisters to always remain in control of the movement. The 1946-1948 passive resistance campaign failed to embody this principle and instead placed the movement's fate in the hands of the UN. At the same time, Dadoo's and Naicker's use of human rights language naturally led them to champion cross-racial alliances with the Africans. While promoting multiracialism seemed pragmatically prudent, these collaborations ignored existing tensions between African and Indian workers. As the war ended and whites returned to South Africa, Africans and Indians increasingly fought for jobs and urban space. The Indians had a monopoly in skilled labor, and felt that Africans should remain in unskilled professions, a sentiment that African workers resented. Racial tensions erupted in the 1949 African-Indian Durban Riots, which lasted two days and resulted in the seventy-eight African and fifty Indian deaths. Indian and African political leaders tried to claim that the repressive apartheid government had incited violence between the two groups, but Africans and Indians had competed with each other for jobs and urban space since the early 1940s. The riots demonstrated that the African and Indian leaders' calls for a multiracial struggle could not convince the masses to overcome their existing differences and rally together.

Non-European leaders continued to promote multiracial unity leading up to the 1952 Defiance Campaign, the first multiracial struggle against white oppression in

South Africa's history. These leaders also tried to formally align their communities in the 1955 "Freedom Charter," which tried to articulate all racial groups' common grievances against the Union government. But in both cases, the masses and some non-European political leaders opposed cross-racial collaboration. African and Indian workers had not forgotten the Durban Riots and remained reluctant to participate in a joint struggle while many ANC leaders, who wanted to emphasize a stronger form of African nationalism, worried about working with Indians.

There are six chapters to this thesis, which covers the years 1860-1955, with a focus on 1939-1955. The first chapter begins with the first Indians arriving in South Africa, chronicles Gandhi's work, and ends with the 1927 Cape Town Agreement between the Indian and South African governments that recognized Indians as permanent South African residents. It emphasizes the metamorphosis of the South African Indian's identity from temporary foreign residents to "colonial-born" South Africans.

The next chapter examines how South African Indians initially radicalized and their reactions to the Second World War. Once the South African government broke the Cape Town Agreement and refused to recognize Indians as permanent residents, Indians created a new political message for themselves drawing on communist theory. As for the war itself, Indians, citing Leninist doctrine, initially opposed participation in the conflict. But following the German invasion of the Soviet Union, the Indian radicals supported the Allied cause and represented their own struggle as anti-fascist. Thus, they altered their political message to fit their own story into larger global issues.

Next, I cover the period between 1941 and 1945, when the Indian political leadership radicalized. In the early 1940s, Indian politicians adopted more moderate strategies, because they hoped Smuts would espouse the principles of the 1941 Atlantic Charter at home. When Smuts chose to pass anti-Indian legislation in 1945, the Indian leadership adopted a more radical stance recognizing that the white government would not reform on its own.

This thesis then steps away from South Africa and looks at the 1945 drafting of the UN Charter in San Francisco and how smaller nations convinced larger states to include more human rights language in the document. Pachai and Raman ignore the San Francisco conference, but to understand the way that South African Indians uniquely appropriated human rights, one must begin with the original debates in San Francisco. This thesis then returns to South Africa and looks at the 1946 passive resistance campaign and examines how, unlike Gandhi's campaigns, the movement hoped to convince the UN to make the South African government to abolish its discriminatory policies. In analyzing this nonviolent struggle, I refute the argument made by historians such as Leo Kuper that Indians, unlike Africans, saw non-violence not as a mere political tactic, but as an integral part of their spiritual world view.[14] The Indians, who were mostly communist, hoped the UN would force South Africa to reform and stripped non-violence of its religious principles to use it as a political weapon and consequently made their struggle less effective.

The fifth chapter discusses the Indians' first victory at the international level in 1946 and how their movement fell apart three years later. It begins with the 1946

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[14] Leo Kuper, *Passive Resistance in South Africa* (New Haven: Yale University Press, 1957).

UN meeting and how the General Assembly condemned Smuts's policies. The UN's decision shows how the Indians had used the organization in a manner that some of its founders never imagined. But the South African government refused to accept the UN's decision, which suggests the Indians should not have relied so much on this foreign institution nor expected South Africa to abide by the UN ruling. When Smuts refused to bend to international pressures, Dadoo and Naicker tried to strengthen their campaign by promoting a multiracial message. In 1947, they signed a pact with the A.B. Xuma, president-general of the African National Congress, which promised a joint Indian-African effort. However, the 1949 Durban riots prevented the leaders' multiracial message from ever obtaining mass support.

I examine the 1952 Defiance Campaign and the 1955 "Freedom Charter," events barely mentioned in the Indian histories of this period, in the final chapter. While the Durban Riots had exposed African-Indian tensions, leaders continued to advocate integrating the two movements during the 1952 Defiance Campaign. This multiracial message ultimately failed as the campaign in Natal, where most Indians lived, remained small and did not pose a threat to white authorities. The campaign also failed to cause any legislative reforms because resisters did not adhere to *Satyagraha's*, Gandhi's term for nonviolent resistance, basic principles. The Eastern Cape was the lone exception where few Indian resided and the Africans abided by nonviolent resistance's religious principles as translated into a Christian idiom. Though unsuccessful, the campaign signified the transition from an Indian-led to an African-led struggle against the South African government. During the campaign, ANC membership grew from 7,000 to 100,000, while support for Indian political

organizations continued to decline throughout the 1950s. The 1955 "Freedom Charter," which articulated the non-Europeans' demands for a multiracial democracy in South Africa, marked the final attempt at integrating the African and Indian movements during this period. While political leaders were confident that the charter would convince the two racial groups to form a joint alliance, the African and Indian masses rejected the charter's principles and by 1959 African and Indian political organizations had drifted away from each other.

Together, these six chapters will show that Indian attempts to alter their political identity to attract a global audience undermined the effectiveness of their resistance movement in South Africa. The Indians were convinced starting in the early 1930s that the South African government would not grant them equality on its own accord and only international pressures could force authorities to reform. Consequently, Indians willingly adopted new philosophies, even when these theories contradicted former ones, in the hope that some outside force would save them from South Africa's oppressive regime. However, the Indians' decisions to change their message constantly and to integrate anti-fascist and human rights rhetoric weakened their fight. Indians would have been more successful if they modeled their own struggle around Gandhi's teaching and sought to liberate only their own community. The successful Eastern Cape movement during the 1952 Defiance Campaign, which was almost exclusively organized and executed by Africans, demonstrated that nonviolent resistance was more effective when practiced by a single ethnic community. If the Indian leadership had only fought for Indians rights, they would

have drawn in more grassroots support from their community, while still giving the Africans the necessary tools to launch their own nonviolent campaign.

Chapter 1: From Imperial Brothers to South Africans: Early South African Indian Identity

"A Call for Labor": The First Indians Come to South Africa

A Wesleyan missionary named Reverend Archbell predicted in 1841 that one day the independent Afrikaner Boer Republic of Natal's sugar crop would "become an article of valuable export."[1] But when the British annexed Natal in 1843, the colony lacked the labor supply to expand its sugar industry. Native Zulus refused to sign regular labor contracts and white laborers had not acclimatized to the warmer climate. During a visit to Natal in 1855, the British high commissioner, Sir George Grey, recommended that Natal authorities recruit Indians, who were accustomed to warmer climates, to come work on the sugar estates and had his colonial secretary relay these employment opportunities to the Indian government.[2] The Indian government originally rejected the proposal because Natal's government did not offer high enough wages. But when the British government took control of India from the English East India Company in 1858, and Queen Victoria promised to "hold ourselves bound to the natives of our Indian territories by the same obligations of duty which binds us to our other subjects," Indian authorities agreed to send indentured laborers to South Africa provided enough legislation existed to protect them.[3]

The first South African Indian laborers, referred to by white South Africans as "coolies," immigrated to Natal on five-year contracts in 1860. After their service,

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[1] Quoted in G.H. Calpin, *Indians in South Africa* (Pietermaritzburg: Shuter and Shooter, 1949), 1.
[2] Bridglal Pachai, *The International Aspects of the South African Indian Question 1860-1971* (Cape Town: C. Struik, 1971), 4.
[3] Quoted in Pachai, 5.

they could either repatriate or become free workers in South Africa. These Indians' transition into self-identified South Africans by the mid-1920s occurred as community leaders, including M.K. Gandhi, demanded rights for South African Indians as British subjects.

Breaking Cords: Anti-Indian Legislation

Wealthy Bombay Muslim traders followed the Indian laborers as free "passengers" to sell them Indian products. The white Natalians referred to these traders as "Arabs," to separate them from the lower-caste Hindu "coolies."[4] These traders, along with non-repatriating indentured servants, increased the Natal Indian population from 6,000 to 30,000 between 1870 and 1885. Whites recognized that sugar plantations required Indian indentured servants to remain profitable, but resented the presence of free Indians. They complained that "the increasing number of Indian traders and hawkers in the district…render it impossible for small European store-keepers to make a living."[5] Natal authorities responded to these grievances by passing anti-Indian legislation in the mid-1880s which reduced Indian-run businesses' profitability.

In 1886, the Natal government passed the Immigration Act, which forced all indentured servants to sign ten-year contracts. After their contracts expired, the servants either had to renew their indenture, or to register with the colony and pay a three-pound tax.[6] A group of Muslim merchants protested that the act would turn Indians into South Africans because "all the old cords and ties will have been broken

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[4] Parvathi Raman, "Being an Indian Communist the South African Way: The Influence of Indians in the South African Communist Party, 1934-1952," (Ph.D. diss., University of London, 2002), 49.
[5] Mabel Palmer, *The History of The Indians in Natal* (Westport: Greenwood Press, 1957), 41-6.
[6] Quoted from Calpin, 14.

up. Such an Indian will be comparatively a stranger in his mother land [India].”[7] In the end, these measures would lead Indians to identify South Africa as their motherland.

Since Indians lacked a recognized political organization, the Natal government ignored their protests and placed further restrictions on them. In 1896, the government denied the franchise to “descendants in the male line of Natives of countries which have not hitherto possessed elective representative institutions founded on the parliamentary franchise.”[8] The 1896 law did not directly refer to Indians, but intended to take the franchise away from Indian male property owners, some of whom were formerly indentured servants and now owned costal lands. The act primarily addressed the white fear that a growing “Asiatic” population could eventually become the dominant voting majority.

Anti-Indian measures had also extended beyond Natal’s borders. Indentured servants and traders started to immigrate to the Boer republic of the Transvaal in the early 1880s, and by 1883 whites feared that if “Arabs and Coolies were permitted to live in the midst of a white population it would encourage the development and spread of epidemic diseases.”[9] Consequently, the Transvaal government had passed the “Law of 1885,” which restricted Indians from owning immoveable property, segregated them to certain residential areas, and imposed a £3 residential tax. This legislation tried to convince formerly indentured servants, many of whom had moved

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[7] “An Unjust and Uncalled-for Immigration Bill,” in *A Documentary History of Indian South Africans* eds. Surendra Bhana and Bridglal Pachai (Stanford: Hoover Institute Press, 1984), 54.
[8] “Do not Make our Sons Pariahs,”in *A Documentary History*, 78.
[9] Quoted in Bala Pillay, *British Indians in the Transvaal: Trade Politics and Imperial Relations 1885-1906* (London: Longman Group, 1976), 5.

to non-agricultural sectors, to either re-indenture or repatriate.[10] Few Indians ever moved to the Orange Free State, but it had even more restrictive anti-Indian legislation. In 1885, the government prohibited Indians from becoming permanent residents and in 1890 it took away their right to trade.[11] In the face of these anti-Indian acts, the Transvaal and Natal Indians moved to create formal political organizations.

***"The Conquest of Adversary through Suffering": 1907* Satyagraha Campaign**

While anti-Indian legislation was mounting, Mohandas K. Gandhi had arrived in Durban in 1893. A young barrister hired to represent a merchant company in an upcoming lawsuit, Gandhi never intended to become a politician, but was thrust into public life after being thrown out of a train in 1893 for refusing to move out of his first-class seat. He later called this event the most "creative experience" of his life. [12] That night Gandhi promised "to root out the disease [of racism] and suffer hardships in the process." In 1894, he founded the Natal Indian Congress (NIC), modeled after the Indian National Congress, the leading group in India's independence movement, and in 1903 he started the British Indian Association in the Transvaal.[13] The organizations' members came from the trading class and hoped to pressure their respective local governments to improve their material interests.[14]

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[10] Maureen Swan, "The 1913 Natal Indian Strike," *Journal of South African Studies* 10, no. 2 (April, 1994) 240.
[11] Robert A. Huttenback, *Gandhi in South Africa: British Imperialism and the Indian Question 1860-1914* (Ithaca: Cornell University Press, 1971), 100-1.
[12] Mahatma Gandhi, *The Essential Gandhi: An Anthology of His Writings on His Life, Work, and Ideas* ed. Louis Fischer (New York: Vintage Books, 1962), 32.
[13] Maureen Swan in *Gandhi*: *The South African Experience* notes that while Gandhi may have officially founded that NIC, it was primarily a response by the greater Indian community to the British granting Natal responsible government. Maureen Swan, *Gandhi: The South African Experience* (Johannesburg: Ravan Press, 1985), 49-50.
[14] Raman, 67-9.

Both groups initially used a legal-constitutional approach to petition that Indians, as British subjects, deserved the same legal privileges as whites. Through articles in his paper, *The Indian Opinion*, Gandhi argued that The Queen's Proclamation of 1858, which had given the British Empire rule over India and had granted "freedom from discrimination on the grounds of religion, race, or color" to citizens of the Empire, justified South African Indian demands for equality.[15] Before his 1907 nonviolent campaign, Gandhi portrayed Indians as loyal British subjects and emphasized the commonalities between Indian and British cultures. He organized an Indian ambulance corps for the British during both the Anglo-Boer War (1899-1902) and the 1906 Zulu Bambatha rebellion.[16] Gandhi's decision to identify Indians as British subjects, willing to fight the Zulus, demonstrated his desire to distance the Indians from the Africans.

In 1906, the Transvaal authorities introduced a bill that would require all Transvaal Indians to register with the government and get fingerprinted.[17] During debates on this legislation, Gandhi traveled to England to try to convince Winston Churchill, the undersecretary of the state for the colonies, to condemn the bill. Following their discussion, Churchill cabled Gandhi with a promise that he would defend the Indians in parliament; nonetheless, on 1 January 1907, the Transvaal received responsible government or "autonomous rule" giving it the freedom to impose new racial laws without British interference. On 21 March, Transvaal

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[15] Quoted in Raman, 68.
[16] Surendra Bhana, *Gandhi's Legacy: The Natal Indian Congress* (Pietermaritzburg: University of Natal Press, 1997), 19.
[17] The Muslim community took special offense to getting fingerprinted.

authorities passed the "Black Act," which forced all Indians to be fingerprinted.[18] Gandhi decided petitions would not further the Indians' cause and so he opted to implement a new nonviolent strategy that he called *Satyagraha* or "truth force."

By 1907, Gandhi had not fully articulated the idea behind *Satyagraha*, which was influenced by Tolstoy's vision of non-cooperation with the state.[19] However, Gandhi now saw individuals as passive acceptors of both material and moral degradation and argued civil disobedience might transform individuals from passive objects of repression into independent moral agents and resisters.[20] Though he remained skeptical about *Satyagraha's* powers, he hoped enough individuals would accept its emphasis on moral autonomy to execute a successful campaign.

Maureen Swan argues that the 1907 *Satyagraha* campaign marked the first time Gandhi argued for human rather than Indian rights. In 1907, he forged an alliance with the Chinese, which Swan suggests marked a trend towards fighting for "the preservation of certain rights which are fundamental to man *qua* man."[21] But Gandhi refused to integrate the Chinese fully into the Indian movement and chose not to ally with the Africans, a sign that Gandhi did not want his community to defend everyone's rights.

Gandhi launched his first campaign in April 1907 against the new Black Act. He declared in *The Indian Opinion* that anyone submitting to the new law "will have forsaken his god" and his "honour will be lost." The government extended the registration deadline from 31 July to 30 November, but only 545 out of 7,000 Indians

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[18] Arthur Herman, *Gandhi and Churchill: The Epic Rivalry that Destroyed an Empire and Forged our Age* (New York: Bantam Books, 2008), 151.
[19] Raman, 89.
[20] Swan, *Gandhi: The South African Experience*, 115.
[21] Ibid., 137.

registered.[22] The authorities worried about the effect *Satyagraha* might have on the African population. High Commissioner Lord Selborne wrote to the Transvaal Colonial Secretary Jan Smuts, "the Coloured people and the educated Natives are watching this struggle closely…for the first time they recognize that they have an instrument in their hands."[23] Because of these growing concerns, the government arrested the entire British Indian Association and sentenced Gandhi to three months in prison. During his incarceration, the campaign started to crumble because it lacked organization, funds, and a commitment to its goals. The campaign had a limited effect because it sought mass appeal, but was a movement "started by the merchants for the merchants."[24] Also, because Gandhi's method was still unproven, his followers often doubted him.

With the campaign losing momentum, Gandhi opted to meet secretly with Smuts. The two agreed on 28 January 1908 that Smuts would repeal the Black Act if all Indians voluntarily registered by 9 May. While some criticized Gandhi for compromising with Smuts, ninety-seven percent of Indians registered, apart from Indians who were not in the Transvaal at the time. Gandhi claimed that because only Indians had to register voluntarily, Smuts should repeal the act even though some Indians had not abided by the agreement. Smuts chose not to and claimed that he had expected all Indians to comply.

In response, Gandhi led a mass certificate burning outside the Hamidia Mosque near Johannesburg in August 1908. Following the demonstration, Indian

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[22] Ibid., 142.
[23] Selborne to Smuts 30 November 1907, *Selection from the Smuts Papers Vol. 2* ed. Jean Van Der Poel (London: Cambridge University Press, 1973), 361.
[24] Swan, *Gandhi: The South African Experience*, 144.

organizations, including the South African Indian Association, the NIC, and the Cape Indian League, hoped to resume the campaign and organized mass meetings to support the struggle. Gandhi spoke at a 900 person NIC gathering in Durban, the capital of Natal, on 26 September.[25] Soon after, authorities arrested him along with many other Indian political organizers. By the end of the year, authorities had incarcerated more than fifteen-hundred Indians and the remaining traders, who feared losing their licenses, defected from the protest.[26]

The end of the 1908 campaign allowed Gandhi to spend his prison sentence refining his vision for *Satyagraha*. He re-read Tolstoy, the Bhagavad Gita, the Koran, Plato's *Dialogues,* and the Bible, and his new version of nonviolent resistance included both Hindu and Christian philosophy. He came to define truth as the "universal God" and declared the goal behind *Satyagraha* as the "vindication of truth and freedom against all tyranny."[27] Gandhi claimed that Indians could only obtain truth by practicing *ahimsa*, or "non-violence" because truth and non-violence "are so intertwined that it is practically impossible to disentangle and separate them."[28] *Satyagraha* would work because through suffering, the *satyagrahi*, Gandhi's term for a nonviolent resister, would come closer to her or his ultimate goal of finding truth. He warned individuals against using non-violence instrumentally to promote solely political ends. Gandhi also argued that *Satyagraha* differed from passive resistance:

> In passive resistance there is always present an idea of harassing the other party and there is a simultaneous

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[25] Surendra Bhana and Goolam Vahed, *The Making of a Political Reformer: Gandhi in South Africa 1893-1914* (New Delhi: Manohar Publishers, 2005, 99.
[26] Herman, 168.
[27] Swan, *Gandhi: The South African Experience*, 168.
[28] M.K. Gandhi, *Nonviolent Resistance (Satyagraha)* ed. Bharatan Kumarappa, (New York: Schocken Books, 1961), 42.

> readiness to undergo any hardships entailed upon us by such activity; while in Satyagraha there is not the remotest idea of injuring the opponent. Satyagraha postulates the conquest of the adversary by suffering in one's own person.[29]

Thus, Gandhi saw nonviolent resistance as a way to achieve higher moral and religious ends rather than mere political ones.

"Feelings of Sympathy": The 1913 Campaign

In February 1909, delegates from the Cape, Transvaal, Natal, and Orange Free State signed an agreement that, in the form of a British statute, would be the constitution of a unified South Africa. When the South Africa Act became official on 31 May 1910, Louis Botha, the former Afrikaner leader of the Transvaal, became South Africa's first prime minister. In 1911, the new South African government, also known as the Union government, passed a series of laws halting almost all immigration from India to South Africa.[30] The next year, Krishna Gopal Gokhale, a senior Indian National Congress leader, visited South Africa and inspired the Indian community to resist the new laws. He argued that the Indian community's roots lay in South Africa, therefore, Indians should not have to repatriate and deserved equal rights as subjects of the Empire. He also spent much of his visit meeting with workers, who complained primarily about the £3 residence tax. During a meeting with Smuts, now minister of the interior, Gokhale asked Smuts to repeal the tax and left South Africa assured "that the earliest opportunity would be taken of abolishing it."[31] In his biography of Smuts, W.K. Hancock claims that Smuts never promised

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[29] M.K. Gandhi, *Satyagraha in South Africa* (Ahmedabad: Naivjan Press, 1928), 106.
[30] Raman, 105.
[31] Huttenback, 301-2.

this to Gokhale, but the ensuing controversy agitated the Indian community, including Gandhi.

After Gokhale's visit, the Union government continued to pass anti-Indian legislation, including the 1913 Immigrants' Regulations Act, which denied Indians the right to move freely across the four provinces. Then in March 1913, Judge Malcolm Searle from the Cape division of the South African Supreme Court ruled that the government would stop recognizing non-Christian marriages. This decision intended to stop males, who were legal South African residents, from having their wives come to South Africa from India.[32] These new laws, along with Gokhale's exhortation to fight the South African government's anti-Indian legislation, led Gandhi to organize his final South African *Satyagraha*.

The 1913 campaign differed from previous ones by focusing on the workers, who had been politicized by the £3 tax and Gokahle's visit. On 15 October, Gandhi called for Natal Indian mineworkers to strike until the government repealed the tax.[33] He received support from abroad, when Indian Viceroy Lord Hardinge declared that the resisters "have the sympathy of Indians…and not only of India, but of all those who like myself, without being Indians themselves, have feelings of sympathy for the people of this country."[34] Gandhi and his followers marched illegally into the Transvaal on 6 November, and three days later, he was arrested and sentenced to three months of hard labor. Unlike during the first campaign, the movement

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[32] Ibid., 106.
[33] While most historians credit Gandhi for initiating the strike, Maureen Swan argues that the strike was the result of an emerging working class consciousness amongst the mineworkers.
[34] Quoted from Palmer, 72.

continued despite his incarceration; 50,000 Indians were on strike and 7,000 in jail by the end of November.[35]

Maureen Swan argues that the campaign succeeded because it spontaneously spread to southern sugar plantations where workers went on strike without political leadership or unified purpose. Sugar workers appear to have developed a stronger class consciousness than workers in other sectors. Consequently, they struck more aggressively, starting cane fires and rioting.[36] Because the workers had not yet cut the year's sugar crop, officials in the region acted harshly against the Indians and police killed some resisters. [37] Smuts, now realizing that the campaign could continue without Gandhi's leadership, released him from jail on 13 December 1913 to negotiate a compromise. Additionally, Smuts appointed the three-man Solomon Commission to investigate the causes of the workers' strike, but Gandhi protested that the commission did not include any Indians. In seeking to end the campaign, Smuts agreed to meet privately with Gandhi. After brief deliberations, they signed the 1914 Gandhi-Smuts Agreement, in which the Union government agreed to repeal the tax and officially recognize Hindu and Muslim marriages. Gandhi saw the agreement as the start of a larger Indian struggle for "legal racial equality," while Smuts hoped that it would end discussion on the "Indian Question."[38] When Gandhi returned to Indian soon after, Smuts commented, "the saint has left our shores, I sincerely hope

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[35] Herman, 192-5.
[36] Swan, "1913 Natal Strike," 243.
[37] Swan, *Gandhi: The South African Experience*, 253.
[38] *Indian Opinion*, 1913.

forever."[39] Though Gandhi never returned to South Africa, he would continue to influence and advise Indian political leaders through the 1940s.

While Gandhi did produce substantial reforms, his achievements applied only to the Indian community. He held ethnocentric views at least until the 1913 *Satyagraha* campaign; in 1909, for example, he complained about being incarcerated in the same prison as Africans. Furthermore, Gandhi's use of British terminology to distinguish between "Kaffirs" and "British Indians" hurt the African struggle for equality.[40] He demanded equality only for Indians, who could claim a cultural and political connection to the whites.[41]

However, it is important not to exaggerate Gandhi's ethnocentricity. To be effective, Gandhi knew he had to appeal to the Crown. The British saw India as the Empire's "jewel" and were more likely to protect Indian than African subjects. But he also stressed that the Africans would eventually rise up against the whites and encouraged them to use *Satyagraha*. In 1909, he claimed that if "the Natives accept the doctrines which are now so prevalent amongst the Indian community….Their future will be much brighter than their past."[42] Gandhi endorsed African protests because he saw blacks as the rightful possessors of the land, but thought their struggle necessarily had to be separate from the Indians'. As George M. Fredrikson observes, though *Satyagraha* has a universal character, "its function was the liberation of a

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[39] Quoted in Hancock, 345.
[40] Jim Stone, "M.K. Gandhi: Some Experiments with the Truth," *Journal of South African Studies* 16, no. 4 (1990) 723.
[41] Ibid., 727.
[42] Quoted in E.S. Reddy, "Dadoo, Gandhi, and South African Struggle," *Mainstream* (1989), 25.

particular community through its own efforts."[43] Thus for Gandhi, Africans and Indians needed to concentrate on their own movements.

An Alien Element in the Population: Malan's Attack on the Indians

Following Gandhi's return to India, the South African Indian political struggle returned to the Imperial level. In 1917, the British Government invited Jawaharlal Nehru to be the first Indian representative to the biannual Imperial Conferences, which included prime ministers from Britain and the dominions, including South Africa, Canada, and Australia. The Conference rarely discussed the "South African Indian Question," but in 1921 resolved that in principle, the dominions could not lawfully deny domiciled Indians citizenship. The resolution was non-binding and at the 1923 Conference, Smuts, now South Africa's prime minister, claimed that multiracial South Africa had decided not to implement it. In response, the Indian government demanded that an Indian representative to the Union be established, but Smuts rejected the proposal. [44]

The next year Smuts lost the general election to J.B.M. Hertzog whose Afrikaner National Party had an electoral pact with the Labour Party.[45] Since 1919, Hertzog had desired South African sovereignty from the British Empire and at the 1926 Imperial Conference he helped push Britain to recognize the dominions as "autonomous communities within the British Empire, equal in status, in no way subordinate one to another."[46] This resolution gave the South African government

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[43] George Fredrikson, *Black Liberation: A Comparative History of Black Ideologies in the United States and South Africa* (New York: Oxford University Press, 1995), 227.
[44] Arthur Keith, *The Dominions as Sovereign States: Their Constitutions and Governments* (London: Macmillan Press, 1938), 713-4.
[45] Thompson, 160.
[46] Keith, 60-3. The resolution was the forerunner to the 1931 Statue of Westminster which granted full domestic sovereignty to members of the Commonwealth whenever they sought it. In 1933 South

enough independence from Britain to continue passing its racial legislation without interference.

In 1925, the minister of the interior, D.F. Malan, introduced the Areas Reservation Bill, which would allow municipalities to segregate Indians in certain areas with Malan's permission. Malan opened debate on the bill by stating that the Indians were an alien race in South Africa and that "no solution of this question will be acceptable unless it results in a very considerable reduction of the Indian population in this country."[47] He hoped the bill would convince Indians to repatriate, which would improve economic opportunities for whites.

The newly formed South African Indian Congress (SAIC), which included members from the Natal and Transvaal Congresses, wrote to Malan in 1925 that his bill violated the Smuts-Gandhi Agreement. It asked the South African government to hold a round-table conference with the Indian government and the SAIC regarding the matter.[48] From India, Gandhi warned that the bill was "an indication of the determination of the Union government to starve the Indians out of South Africa."[49] The Indian government then telegrammed the South African governor-general, the official South African representative of the Crown, on 8 April 1925 requesting such a conference. On 24 September, the South African government stated that it would agree only to a conference focused on making a repatriation policy, an offer which the Indian government refused.[50] By now, most South African Indians were

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Africa obtained its full sovereignty from Britain with the Governor-General becoming the only local representative to the Crown.

[47] Quoted in Palmer, 97.

[48] SAIC, "First Annual Report," *A Documentary History*, 152.

[49] "The Areas Reservation Bill," 3 September 1925, *E.S. Reddy Collection*, UDW.

[50] Pachai, 110-1.

"colonial-born" and saw themselves as South Africans unwilling to leave their country. The South African government did, however, allow the Indians to send a fact-finding delegation, known as the Paddison Deputation, to investigate the community's living conditions and to appear before a parliamentary select committee in South Africa. Following its investigation, the deputation concluded that segregation would also hurt Europeans, because if the Indians could not buy land, they would start competing with Europeans in the skilled trades.[51] It then convinced the select committee that only a round-table conference could ease current Indian-South African tensions. The deputation and the committee agreed that the conference should create a repatriation program as well as a scheme for uplifting South African Indians to a Western standard of living.

The conference began on 17 December 1926 in Cape Town and its delegates included Hertzog, Malan, and Srinivasa Sastri, an Indian national who had previously represented India at various Imperial Conferences. Hertzog opened the conference by noting that South African whites feared the growing Indian population would take away "white jobs," and along with the African population, threaten their long-term existence.[52] The delegates focused on three main issues: creating an effective repatriation scheme, limiting further Indian immigration, and improving educational and sanitary conditions for those not opting to repatriate. Both sides maintained friendly relations throughout the negotiations, with Malan noting on the last day that

[51] Quoted in Ibid., 115.
[52] Ibid., 118.

"the reason why we have come to such a satisfactory solution is…because at the very outset we determined to remain good friends throughout."[53]

On 12 January 1927, the Union government rescinded the Areas Reservation Bill and both governments simultaneously published the Cape Town Agreement. The Union government promised to give repatriating Indians a £20 bonus and allowed them return to South Africa within three years. The government allowed males who choose not to leave South Africa to bring their wives and children from India. The Union government also vowed to stop non-repatriating Indians from "lag[ing] behind other sections of people." It agreed in principle to an "upliftment" program, but noted the difficulty in implementing a program that was "considerably in advance of public opinion." [54] For the SAIC, this section of the agreement was a step in the path towards equal treatment, but in future years it would receive the least attention.

The South African government also allowed India to appoint an agent-general to live in South Africa to ensure continuous co-operation between the two governments.[55] Srinivasa Sastri became the first agent-general. At his opening speech in Durban, Sastri emphasized how Indians, as loyal subjects to the Crown, would fight against anti-Indian legislation denying them rights as British subjects.[56] Thus, even as the South African government was pushing for more sovereignty within the Empire, Sastri continued to believe that appealing to the British government would help the Indians gain equality.

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[53] Quoted in Ibid., 119.
[54] "Cape Town Agreement," *Sastri Speaks* eds. S.R. Naidoo and Dhanee Bramdaw (Pietermaritzburg: Natal Press, 1931), 203.
[55] Keith, 715.
[56] Srinivasa Sastri, "South Africa, India, and the British Empire," 72-3.

South African Indians saw themselves as permanent members of South African society following the signing of the Cape Town Agreement. The SAIC hoped that the agreement would legitimate further demands for equality and indicated that "though we are Indians by birth, we are for all practical purposes South Africans. We are prepared to shoulder its [citizenship's] burdens and we claim its privileges."[57]

The Cape Town Agreement also highlighted the long-standing division between the wealthy Muslim traders and poorer Hindu laborers. Moonsamy Naidoo, a Natal Hindu farmer, wrote in the *Natal Mercury* that the "Muslim" SAIC had sold the rights of the Indian community "for their [sic] sole benefit." Naidoo criticized the SAIC for supporting any type of repatriation scheme, noting that the farmers had lost their Indian ties and that "we live here and hope to die here…The bones of my forefathers rest in this country, and it is a sacrilege for me to leave it."[58] Even though some Indians protested the agreement, the Indian and South African governments hailed it for securing peace between the white and Indian communities. Gandhi thought the Cape Town Agreement represented an "almost sudden transformation of the atmosphere in South Africa from one of remorseless hostility towards Indians to that of a generous toleration and from complete social ostracism to that of admission of Indians to social functions."[59] The agreement ultimately failed to remove all tensions because the two sides interpreted it differently. The Indians saw the agreement as a step towards equality, but Malan claimed its objective was "to get as

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[57] SAIC, "The Cape Town Agreement is Welcomed" *Documentary History of Indian South Africans*, 159.
[58] Moonsamy Naidoo, "Congress Has Sold our Rights," *Documentary History of Indian South Africans*, 161.
[59] "Honourable Compromise," 24 February 1946, *E.S. Reddy Collection*, UDW .

many Indians repatriated as possible."[60] These differing interpretations ensured that the "Indian Question" would be revived later in the 1930s and forced Indians to find new ways to justify their demands for equality with whites.

[60] Quoted in Pachai, 120.

Chapter 2: A Call to Fight: The Rise of Yusuf Dadoo and the Start of the Second World War

"Leading to Bitterness": The Transvaal Asiatics Act

For a short time after 1927, the Cape Town Agreement appeared to have resolved the South African Indian question by recognizing non-repatriating Indians as permanent residents who deserved "upliftment." There was relatively little agitation in the following years as moderates rose to power in the Transvaal, Natal, and South African Indian Congresses. This period of tranquility ended abruptly in 1939 when the South African government formally broke the Cape Town Agreement, radicals rose to power in the Transvaal, and the Transvaal Indian Congress prepared the first South African Indian nonviolent resistance movement since 1914. These events shaped Indian agitation against the white government throughout the next decade.

In 1931 D.F. Malan, now minister of the interior, attempted to pass the first bill since the Cape Town Agreement that restricted South African Indians' economic and residential rights. The Transvaal Asiatic Land Tenure Bill, commonly referred to as the Asiatic Rights Bill, sought to force three-quarters of the Indian traders from the Transvaal gold-lands by 1935. To do so, the bill made Indian traders sell their businesses and properties to Europeans at below-market prices.[1] Whites initially viewed the bill as advantageous, but soon realized they relied on Indian traders for their daily goods. The white press attacked the bill as "a virtual revival of the [1925] Class Areas Bill, which South Africa is pledged not to proceed with while the Cape

[1] G.H. Calpin, I*ndians in South Africa* (Pietermaritzburg: Shuter and Shooter, 1949), 84.

Town Agreement remains in force." The newspapers also criticized Malan for not notifying the Indian government about his newly proposed anti-Indian policy.[2]

Hoping to maintain good relations with India, Prime Minister J.B.M. Hertzog invited delegates from India and the South African Indian Congress, the largest South African Indian organization, to examine the bill at a Cape Town round-table conference in January 1932. At the meeting, Malan criticized the Indian government for not encouraging repatriation and claimed, "the Cape Town Agreement has consequently failed as a settlement in any true sense of the word".[3] The Indian delegates suggested that the South African government investigate other places where South African Indians could freely emigrate in order to reduce racial tensions and improve the welfare of Indians who stayed.[4] With Malan's support, the two nations agreed to co-operate "in exploring the possibilities of a colonization scheme for settling Indians both from India and from South Africa, in other countries."[5] The South African government then set up the Colonization Committee to investigate new sites for Indian emigration.

After the conference, the Union government passed the Transvaal Land Tenure Act, but removed the legislation's harsher language, including a clause that permitted the government to punish Indians illegally possessing land and segregate them to special areas. Transvaal authorities then created the Transvaal Asiatic Land Tenure Commission, also known as the Feetham Commission, to document all the cases where Indians had violated the act. South African Indian political leadership

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[2] Ibid, 84-5.
[3] Bridglal Pachai, *The International Aspects of the South African Indian Question 1860-1971* (Cape Town: C. Struik, 1971), 134.
[4] Ibid., 135.
[5] Ibid., 136.

protested the commission's appointment and refused to testify before its members. Agent-General Kunwar Sir Maharaj Singh, the Indian government's official representative to South Africa, emphasized to the commission residential segregation's economic ramifications. He observed that an Indian could not "erect his shop in a vacant area and expect houses and potential customers to grow around him."[6] In 1936, the commission concluded that even though few Indians had "penetrated"[7] into European areas, the government should not abolish segregation, but instead reserve 202 acres of land on the Rand, an area near the gold fields, for Indian occupation.[8]

Many whites protested that the commission's recommendation postponed governmental action against law-breaking Indians, while South African Indians argued that the plan unfairly restricted their residency options. Responding to the Transvaal and Natal Indian protests, the Legislative Assembly in India unsuccessfully tried to pass legislation which would have restricted where European nationals from South Africa could buy land in India.[9] To appease the Indian government, the Union government passed the Transvaal Asiatic Land Tenure Amendment Act in 1937 that permitted the minister of the interior to exempt more land for Indian occupation. The Indian government and the South African Indian Congress supported the act because it gave more land to the Indians. The *Hindustan Times*, voicing the majority Indian

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[6] Ibid., 139.
[7] This was the South African government's official term for Indians moving into white areas.
[8] Pachai, 139.
[9] Ibid., 140.

opinion, reprimanded the Indian government for going "into ecstasies over what are trifling gains" and advertising "the results as a big event."[10]

Responding to stronger anti-Asiatic sentiments, the South African government appointed the Transvaal Land Commission in 1938 to investigate illegal Indian landownership hoping finally to justify its segregation policies. This time, the Transvaal Indian Congress asked the commission to repeal all restrictive property legislation because few Indians had broken the 1937 law. Raza Ali, the new agent-general, sent the commission a separate memorandum supporting the TIC's arguments and pleaded with the Transvaal government to repeal all anti-Indian land laws.[11] The commission documented only a few unintentional Indian transgressions but did not encourage authorities to repeal any legislation. Transvaal authorities also appointed the Mixed Marriages Commission to report all interracial marriages involving Indians. An Indian government report demonstrated that South African Indians rarely entered such marriages, yet the commission's final report recommended the government ban mixed marriages and make miscegenation a punishable offense.[12] Authorities never acted on the Mixed Marriage Commission's recommendations because World War II broke out before they could initiate a bill in parliament. The Feetham and Mixed Marriage's recommendations, nevertheless, represented growing anti-Asiatic sentiments in the late 1930s. These feelings had economic origins as Transvaal business owners began to feel increased competition from their Indian counterparts who often cut costs by living in the back of their stores.

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[10] Quoted in Ibid., 140.
[11] Ibid., 143-44.
[12] Ibid., 144.

By responding to the anti-Asiatic movement, the Union government chose to break the Cape Town Agreement and refused to placate the Indian government's demands. In 1939, Richard Stuttaford, the new minister of the interior, proposed creating separate residential communities for Europeans and Coloreds (including Indians) if seventy-percent of the municipality's white residents desired it.[13] The Natal Indian Congress and the Colonial Born Settlement Association, the more militant Natal Indian political organization, held protest meetings and passed similar resolutions condemning Stuttaford's proposal and called on the Indian government to intervene. [14] The South African Indian Congress also warned Stuttaford in a memorandum that his bill would "definitely accentuate [racial tension] and lead to bitterness between the two sections of the South African people."[15] The Indian government demanded a round-table conference to discuss the proposed legislation, but Stuttaford abandoned his proposal to avoid another meeting.

Instead, the Union government passed the Transvaal Asiatic (Transvaal Land and Trading) Act, commonly called the Transvaal Land Act or Transvaal "Pegging" Act, which extended the 1937 Transvaal Land Act and gave Indians protection in exempted areas for two additional years. The act also denied Indians the right to obtain trading licenses without the minister of the interior's permission or to occupy residential land that they had not owned before 30 April 1939.[16] The bill passed in May 1939, but some parliamentarians feared the legislation would incite tensions with India. When Gandhi and Jinnah, the leader of the Indian Muslim League,

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[13] Dadoo to Gandhi, 15 March 1939, *E.S. Reddy Collection*, UDW .
[14] Essop Pahad, "The Development of Political Movements in South Africa 1924-1946" (University of Sussex, 1972), 154.
[15] SAIC to the Minister of the Interior (Cape Town: 1939), *1939 SAIC Agenda Book*, UDW.
[16] Pachai, 144-5.

protested the act from India, Senator Leslie Blackwell noted during parliament debates that the South African government was "choosing to antagonize the people of India and to stir up all trouble that this bill will bring in its train"[17] In a memorandum sent to Stuttaford on 20 February 1939, the South African Indian Congress recalled that when popular white opinion had supported the segregationist 1925 Areas Reservation Bill, the government had made an unpopular decision and did not pass it because it violated the Smuts-Gandhi Agreement. The petition also argued that the current bill would incite similar racial tensions.[18] Despite these appeals, passing the bill demonstrated the government's intention to stop Indians from becoming a long-term economic threat to whites.

The act marked the first time parliament opted to disregard the 1927 Cape Town Agreement. G. Heaton Nicholls, the chairman of the nearly defunct Colonization Committee, argued in the House of Assembly that the government should terminate the agreement because the Indian government had not encouraged repatriation and the agent-general had failed "to secure continuous and effective co-operation between the two governments."[19] But by ignoring the Cape Town Agreement, the Union government showed it no longer intended to look out for the Indians' welfare, placing the onus on the South African Indian Congresses and the Indian government.

The Transvaal Land Act did not mark a sudden divergence from traditional South African policies regarding Indians, but demonstrated their decision to disregard the Cape Town Agreement's principles. Starting with Malan's Asiatic Land Tenure

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[17] Ibid., 145.
[18] SAIC to the Minister of the Interior (Cape Town: 1939).
[19] Ibid., 92.

Bill in 1935, the South African government, with Hertzog as prime minister and Smuts as deputy prime minister, had attempted to impose restrictions on Indians' economic freedoms. Though several land commissions had reported that few Indians had "penetrated" white communities, the Union government still sought to restrict Indians' rights in response to growing anti-Indian sentiments. The moderate Transvaal Indian politicians' inability to recognize the government's harsher anti-Asiatic policies, and their reluctance to use more aggressive resistance methods led to their demise and the emergence of a new leader: Yusuf Dadoo.

"Let God Alone Be Your Guide": Indian Protests against the Transvaal Land Act

The TIC's moderate and radical blocs disagreed over how to fight the Transvaal Land Act. The former wanted to use petitions and the latter advocated more aggressive means such as *Satyagraha*. The Transvaal Indian Congress radicals held a rally meeting at which Yusuf Dadoo declared the "urgent necessity of cooperating with all other sections of the non-European communities." The radicals promised to carry out "an intensive propaganda campaign to explain the discriminatory policies of the Government."[20] Dadoo, along with other radical political leaders, then decided to use nonviolent resistance to protest the act.[21]

An activist from the start, Yusuf Dadoo was born in 1909 on the West Rand in the Transvaal. As a student, Dadoo had attended meetings led by former colleagues of Gandhi and along with a few peers had helped to mobilize a campaign to support the Indian National Congress. Dadoo had read Marx and Engels in 1929 while a student

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[20] Ibid.

[21] At this initial stage A.I. Kajee, the moderate leader of the Natal Indian Congress, asked Gandhi to personally request Hertzog and Smuts to postpone the bill, but Gandhi refused (Gandhi to Kajee, 16 April 1939, *E.S. Reddy Collection*.)

in Edinburgh and after studying the "Communist Manifesto" had concluded that only a revolutionary working class movement could free non-white South Africans from imperialism.[22] Unlike South African Indian political leaders since Gandhi, who had focused on formally petitioning government officials, Dadoo wanted to reinvigorate the masses through large-scale protests.

After returning to South Africa from Scotland in 1936, Dadoo sought to strengthen cross-racial alliances and urged the SAIC to collaborate with national African and Colored[23] groups. He joined the South African Communist Party and helped found the Non-European United Front in 1938.[24] Though Gandhi continued to support Dadoo, the radicals' desire to work with Africans remained a source of tension with both moderate South African Indian political leaders and with Gandhi, who insisted that Indians pursue distinct rights from the Africans.

Once the government's bill passed, Dadoo proposed initiating a nonviolent resistance campaign, a tactic that Indians had not used since Gandhi's 1913 campaign. After Gandhi's departure, wealthy Indians had taken over political leadership, and were less willing to take the economic and legal risks associated with civil disobedience. When Dadoo asked Gandhi if he should initiate a *Satyagraha* campaign, Gandhi replied in a telegram from India that: "You have to suffer not I. Therefore let God alone be your guide."[25]

Gandhi traditionally did not think communists, such as Dadoo, could lead a *Satyagraha* campaign. He claimed in a June 1939 speech in Bihar that communists

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[22] Essop Pahad, "Yusuf Dadoo," *The African Communist* 78, no. 3 (1979).
[23] The term "coloreds" refers to South Africans of mixed races.
[24] Jack and Ray Simmons, *Class and Color in South Africa 1850-1950* (accessed 7 September 2008); available from http://www.anc.org/za/books/ccsa.html.
[25] Gandhi to Dadoo, 5 May 1939, *E.S. Reddy Collection*, UDW .

and socialists could not be true *satyagrahis* because "a *satyagrahi* has no other stay but God, and he who has any other stay or depends on any other help cannot offer *Satyagraha*. He may be a passive resister, non-co-operator and so on, but not a true *satyagrahi*."[26] Gandhi encouraged Dadoo to lead the 1939 campaign because at this juncture South African Indians could not resist the government's policies in any other way. He wrote in his Indian newspaper, *The Harijan*, that the Transvaal Land Act violated the Gandhi-Smuts Agreement and discriminated against Indians "to such an extent that no self-respecting Indian would care to remain in South Africa."[27] Furthermore, Dadoo was not a pure communist. For example, he called the TIC's radical section the "nationalist" bloc in reference to the Indian National Congress.[28]

While Gandhi endorsed Dadoo's movement, he opposed including Africans in the nonviolent resistance campaign. Dadoo's Marxist influences led him to view segregation as a system of economic oppression that affected African, Colored, and Indian workers. Marx claims in the *Communist Manifesto* that "the working men have no country….National differences and antagonisms between peoples are daily more and more vanishing, owing to freedom of commerce, to the world market, [and] to the uniformity in the mode of production."[29] Thus, Dadoo argued that Indians laborers should recognize themselves as part of a greater working-class movement and not claim unique rights for themselves. However, Gandhi insisted that Africans and Indians faced different struggles and warned these groups not to align.

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[26] M.K. Gandhi, *Nonviolent Resistance* (New York: Shocken Books), 352.
[27] "The Latest Menace," 23 May 1939, *E.S. Reddy Collection*, UDW .
[28] Parvathi Raman, "Yusuf Dadoo: A Son of South Africa," *South Africa's 1940s* eds. Saul Dubow and Alan Jeeves (Cape Town: Doubley Store Books, 2005), 237.
[29] Karl Marx, "Manifesto of the Communist Party," in *The Marx-Engels Reader* (New York: W.W. Norton and Company, 1978), 488.

Former Agent-General Raza Ali, along with other Indian officials, criticized Gandhi for holding ethnocentric views. Gandhi had displayed ethnocentric opinions while in South Africa and emphasized the natural connections between the Indians and British. Yet, his comments about Africans in the *Harijan* demonstrated a genuine concern for Africans' well-being and Gandhi maintained that Indians should avoid impeding the African struggle.

Though Gandhi's reasons for opposing cross-racial alliances had change since his time in Africa, he continued to argue against them. Following his return to India, Gandhi had emphasized *swadeshi*, translated as "being of one's own country," as central to his worldview. Gandhi argued that *swadeshi* restricted one to her or his own immediate geographical, cultural, and economic surroundings, and each community needed to work toward self-sufficiency.[30] Most scholars refer to *swadeshi* to explain Gandhi's boycott against British goods, but the term also explains Gandhi's aversion to cross-racial alliances. His friend C.F. Andrews observed that Gandhi's adherence to *swadeshi* meant he never looked "forward to a single World Religion and a World State, but rather to separate units working out their individual destiny, in cordial, harmonized, friendly relations."[31] For example, Gandhi had announced in 1925 that though he was willing to help South African Indians, "it is my duty to warn the Indians living in South Africa or other foreign countries that they must…rely on their own strength."[32] He noted some objectors might call *swadeshi* a "selfish doctrine," but contended that rather than "launching out to serve the whole of India when I am

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[30] Joan V. Bondurant, *Conquest of Violence: The Gandhian Philsophy of Conflict* (Princeton: Princeton University Press, 1958), 106.
[31] C.F. Andrews, *Mahatma Gandhi's Ideas* (New York: The Macmillan Company, 1930), 127.
[32] "Indians in South Africa," 5 April 1925, *E.S. Reddy Collection*, UDW .

hardly able to serve even my own family," it would be "better to concentrate my effort upon the family, and consider that through them I was serving the whole nation and, if you will, the whole of humanity."[33] Gandhi claimed different cultural and religious outlooks split Africans and the Indians, which would make integrating their struggles nearly impossible.

Gandhi also claimed that Africans and Indians were facing different injustices. In an interview Gandhi argued, "the two cases are different. The Indians are a microscopic minority. They can never be a menace to the white population. You, on the other hand, are the sons of the soil who are being robbed of your inheritance….Yours is a far bigger issue."[34] This meant that Africans would diminish their struggle's primacy by allying with the Indians, while the Indians would take on an excessive burden by fighting for larger African demands. Dadoo, because he wanted Gandhi's full support, eventually chose to launch an "Indian-only" movement.

Even after Gandhi supported Dadoo's call for resistance, the Transvaal Indian Congress opposed his plan. S.M. Nana, the TIC's moderate president, worried that nonviolent resistance would threaten the trading class's economic freedoms. Consequently, the moderate TIC leadership refused to concede that the masses supported Dadoo's 1 March resolution, and so Dadoo's radical "nationalist bloc" prepared the campaign on its own.[35] After Nana hired a gang to attack a nonviolent planned resistance meeting on 4 June 1939, which resulted in the death of a young radical named Dahyabhai Goovindji, Indian opinion swung toward the radicals. The

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[33] Ibid., 126.
[34] "Interview to the Rev. S.S. Tema," 1 January 1939, *E.S. Reddy Collection*, UDW .
[35] Pahad, "The Development of Political Movements in South Africa 1924-1946," 155.

nationalist bloc turned Goovindji's funeral into a mass meeting. Radical leaders from both Natal and the Transvaal delivered speeches that encouraged the 6,000 attendees to prepare for a nonviolent resistance campaign.[36] While A.I. Kajee, the moderate Natal Indian Congress president, and Nana continued to try to convince Dadoo not to use nonviolent resistance, Dadoo intended to launch his campaign in the near future.

Though Gandhi supported Dadoo, he always viewed *Satyagraha* as a last option and hoped to persuade Smuts to terminate the bill through personal negotiations. Gandhi wrote Smuts in July that he needed to do very little to prevent a "tragedy."[37] In response, Smuts promised to try to avoid violating their 1914 agreement. Gandhi, convinced he could use his amicable relationship with Smuts to resolve the matter privately, asked Dadoo to postpone his campaign. Dadoo complied because "the code of passive resisters [is] to seize every opportunity of avoiding resistance if it can be done honourably."[38]

With the resistance campaign on hold, Gandhi and Smuts discussed the "South African Indian Question" through a series of telegrams, but failed to resolve the issue. When Germany invaded Poland in September 1939, South Africa directed its attention away from the "Indian Question" and toward supporting the British war effort. While Indian political leaders disagreed over whether to support South Africa's war effort,[39] they agreed not to pursue a *Satyagraha* campaign during the war.

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[36] Ibid., 155.
[37] Gandhi to Smuts, 16 July 1939, *E.S. Reddy Collection*, UDW .
[38] Yusuf Dadoo, "Statement to the Indian People," 9 July 1939, KC.
[39] The debates over whether to join the war effort will be discussed in the next section.

The Indians are perhaps lucky that the war prevented them from initiating their nonviolent campaign because it most likely would have failed. *Satyagraha* requires disciplined resisters adhering to a religion as well as a sympathetic audience. The 1939 resisters, led by an emerging radical leader, lacked the discipline to undergo the suffering necessary to accomplish their vision. Unlike Gandhi who had trained his disciples on his Phoenix *ashram*, his communal farm in Natal, the campaign's leaders had not trained their followers for the suffering necessary to execute a successful movement. Furthermore, many of the radical leaders lacked a religious affiliation that justified constant suffering. The South African Indian resisters also did not have a sympathetic audience at which to direct their appeals. The 1946 South African passive resistance campaign actively appealed to a Western audience to censure Smuts for his anti-Asiatic legislation. But in 1939 the "South African Indian Question" was still a local issue, and with Britain fighting for its survival, the Indians lacked access to a Western liberal audience.

By breaking the Cape Town Agreement in 1939, the government showed that Indian welfare was not a top priority. Even Smuts, who had previously displayed sympathy for Indians, had not fought for them on this occasion. Racial attitudes to have changed drastically in the twenty-five years since Gandhi had left. White South African society had become increasingly racist during the 1930s, as fascism influenced Afrikaner ideology. The Grey Shirts, a National Socialist party formed in the mid-1930s, regularly denounced foreign influences in South Africa.[40] With South

[40] Smuts to J. Martin, 3 August 1939, Jean Van der Poel, ed., *Selection from the Smuts Papers Vol. 6*, (Great Britain: Cambridge University Press, 1973), 468.

Africa's racial lines now hardening, the *Satyagraha* campaign would not have found a sympathetic audience in South Africa.

"The Future of Our Civilization": South Africa's Decision to join the War

When Germany invaded Poland on 1 September 1939 and Britain entered the war, the South African government had to decide whether or not to join the European War. The following day at a special parliamentary session, Prime Minister Hertzog put forward a motion favoring neutrality for South Africa. Since the annexation of the Sudetenland, Hertzog had considered Hitler's action a legitimate response to the overly punitive Treaty of Versailles. Hertzog worried the war would divide the white community and pleaded parliament not to vote to join a war "which we have nothing to do with."[41] Malan, leader of the opposition from the National Party, supported Hertzog's stance and stated that South Africa could not intervene in every British war.

Though Smuts had previously agreed with Hertzog that the Treaty of Versailles justified Hitler's actions, by 1939, Smuts saw fascism as the preeminent threat to Western democracy. He urged parliament to reject Hertzog's motion because Germany's desire to take back South West Africa represented a more pressing threat to South Africa's sovereignty than Britain regaining influence in South Africa. Privately, Smuts worried more about Nazism as a menace to Western civilization than about how joining the war effort affected South Africa's sovereignty. A year later Smuts would "regret" that he had based his arguments on national sovereignty, and revealed to his friend M.C. Gillett that he supported the war because "the vital issues

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[41] Hermann Giliomee, *The Afrikaners: Biography of a People* (Charlottesville: University of Virginia Press, 2003), 440.

of our Christian civilization are at stake and for us to dissociate ourselves from Great Britain…would be cowardice and betrayal of the causes which are basic to our own existence"[42] But as a shrewd politician, Smuts knew he needed to appeal to the domestically driven parliament.

Hertzog's call for neutrality failed in parliament 80-67, with voting largely divided along English-Afrikaner lines. Hertzog then asked the governor-general, the official South African representative of the British monarch George VI, to dissolve the government and hold elections. The governor-general denied his request and asked Smuts to form the new government. [43] Smuts then marched South Africa into war and the "Indian Question" drifted into the background.

The war helped form Indian political identity as radicals consciously tried to link their struggle for equality with the Allies' fight against fascism. Radicals criticized Europeans for fighting Germany to protect "democracy," while refusing to grant rights to non-Europeans. They located their experience in a global framework, which gave their struggle immediate international relevance.

Unlike the radicals, moderates supported the Union government's efforts from the start. Proclaiming their loyalty to the empire, moderates backed South Africa's war effort. The moderate *Indian Opinion* promised that Indians would help the government more than they had during the First World War.[44] Rama-Rau, the current agent-general, worked with the renamed Natal Indian Association to increase Indian participation in the war effort and created the War Comforts Fund to collect donations for soldiers. In 1940, Rama-Rau also established the Indian Service Corps, a non-

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[42] Smuts to M.C. Gillett, 12 May 1940, *Selection from the Smuts Papers Vol. 6*, 222-3.
[43] Giliomee, 441.
[44] *Indian Opinion*, 8 December 1939.

armed group of Indian soldiers that provided transport and medical support.[45] The moderates hoped that supporting the South African government, would lead white authorities to treat the Indian population more favorably after war.

The radicals' leftist roots and Nehru's opinion on the conflict influenced their initial stance on the war. In 1937 the Natal radicals had formed the Liberal Study Group based on the Durban socialist "Left Book Club."[46] Its members included Monty Naicker, the future president of the Natal Indian Congress; H.A. Naidoo, the future secretary of the NIC; and P.S. Joshi, who wrote the first published work on the "South African Indian Question" in 1951. Following their hero Nehru's lead, the Liberal Study Group's members had read Lenin's work extensively and his book *Imperialism: The Highest Stage of Capitalism* shaped their views on the war.

Lenin argued in 1917 that imperialism represented a new form of capitalism. Under previous modes, firms had competed with one another, but under this newer form, economic competition had decreased because firms colluded to form profitable cartels and fell increasingly under the control of massive banks. These cartels then divided up the world to maximize their profits by monopolizing certain resources and consumer bases. These cartels divided up the world peacefully and led to a political division of the world where European states engaged in the territorial division of the world, including the colonization of Asia and Africa.[47]

Imperialism promoted violence because economies developed at different rates. Once capitalist nations had completely divided the world, rival states tried to

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[45] Uma Mesthrie, "From Sastri to Deshmukh: A Study of the Role of the Indian government's Representatives in South Africa 1927 to 1946," (University of Natal, 1987), 229.
[46] Goolam Vahed, "Liberal Study Group," (Unpublished), 2.
[47] V.I. Lenin, *Imperialism: The Highest Stage of Capitalism: A Popular Outline* (New York: International Publishers, 1939), 70-5.

gain territory from one another, re-dividing the world through constant conflict. Violence was an "essential feature of imperialism" because the "great powers in striving for hegemony i.e. the conquest of territory" tried to weaken each other.[48] These conflicts would result in a larger war, which would pit the great powers against one another. Leon Trotsky had written in February 1939 that since Lenin had written his work, "Imperialism has assumed an even more violent and oppressive character. Its most consistent expression is Fascism."[49] Therefore, because South African Indian communists saw the war as between different capitalist empires, they saw no reason to enter the conflict.

Beyond these theoretical reasons, the Soviet Union's neutrality may have helped convince Indian communists to oppose involvement in the war. On 23 August 1939, the USSR and Germany signed a treaty of non-aggression, which promised both "to desist from any act of violence, any aggressive action, and any attack on each other, either individually or jointly with other powers."[50] The non-aggression signing surprised the world, because Communist and Nazis had fought each other in the streets of Germany and had supported different factions in the Spanish Civil War. However, the treaty forced all communists loyal to the Comintern to silence their opposition to fascism.

Nehru's stance on the war also influenced the radicals' position. Through the mid-1930s, the Transvaal radicals had tried to link their campaign with the Indian independence struggle to gain more attention. Many Durban households had photos

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[48] Ibid., 76, 90.
[49] Leon Trotsky, "Lenin on Imperialism," http://www.marxists.org/archive/trotsky/1939/02/lenin.htm, accessed 1 April 2009.
[50] "Treaty of Non-Aggression between Germany and the Union of Soviet Socialist Republics," http://avalon.law.yale.edu/20th_century/nonagres.asp.

of Nehru and Gandhi on their walls. I.C. Meer, a member of the Liberal Study Group, noted that "Nehru's message to us South African Indians made a deep impact on me…. I was South African but India had great meaning for me, particularly because of the freedom struggle and the leaders of that struggle – Gandhi, Nehru and Sarojini Naidoo."[51] Nehru had also followed the South African Indian movement and in 1927 had called on the SAIC to collaborate with white and African workers against the Union government.[52] Thus, as Nehru articulated India's position on joining the British war effort, South African Indians listened intently.

At the October 1938 International Peace Conference in Paris, Nehru had declared that fascism had historically existed in the colonies under the title of imperialism.[53] But Nehru's stance on the war was also contingent on India's independence. India, he stated, would not enter the war until it received independence. Only a free India could decide if it should train its citizens for an upcoming war. Though divisions existed, the members of Indian National Congress officially accepted Nehru's stance on the war. The Congress promised in a 14 September 1940 statement to support the British war effort only if it received complete independence. Gandhi dissented from majority opinion as he wanted to promise the British unconditional nonviolent support, but agreed not to break with Nehru publicly.[54] On 17 October, Viceroy Lord Linlithgow rejected the Congress's ultimatum, and all Congress officials, some reluctantly, resigned from their positions.

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[51] Vahed, 3.
[52] E.S. Reddy, "Pandit Nehru and the Unity of the Oppressed People of South Africa," *Main Stream* (14 November 1987), 18.
[53] *Indian Opinion*, 7 October 1938.
[54] Arthur Herman, *Gandhi and Churchill: The Epic Rivalry that Destroyed an Empire and Forged our Age* (New York: Bantam Books, 2008), 450.

In response, Gandhi initiated a small-scale civil disobedience campaign, which ultimately failed. British authorities arrested thirteen-thousand Indians, including Nehru, by August 1941, but Indians had already begun to join the war effort. In total, 2.5 million Indians volunteered during the war.[55]

In attempting to garner support for the independence movement, Nehru in October 1939 had also looked to Indians abroad for help. He wrote in the *Indian Opinion*, "I earnestly trust that the Indian people will rise to the occasion and hold fast to their ideas, labour united for Indian freedom and world freedom."[56] Such messages from Nehru resonated with a South African audience who keenly followed the Indian Independence movement.

Dadoo aided the Non-European United Front's protests at the beginning of World War II. He was arrested in 1940 for distributing a leaflet that showed how the South African government had "rewarded" the Indians' service in World War I with the pass and poll taxes. Dadoo was found guilty of breaking the Emergency Regulations Act and sentenced to one month in prison.[57] At his sentencing hearing, Dadoo remarked that he would only support the war "when full and unfettered democratic rights are extended to the non-European peoples of this country and when the oppressed peoples of India are granted their freedom and independence." During his sentencing hearing, a thousand people waited outside the court and carried him

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[55] Michael Edwardes, *The Last Years of British* (London: Cassel and Company Ltd., 1963), 71.
[56] *Indian Opinion*, 20 October 1939.
[57] Pahad, "The Development of Political Movements in South Africa 1942-1946," 167.

home.[58] Like Nehru, Dadoo saw British imperialists and German fascists as equally unwilling to help non-Europeans.[59]

Authorities arrested Dadoo again in January 1941 following a speech designed to incite Africans to oppose the government's war policies. At his sentencing he criticized the South African and British governments' refusal to help "the hungry and starving millions of India, South Africa and other part of the vast colonial empire" while fighting for the "independence of the small nations of Europe." Dadoo argued that if "imperialists" genuinely wanted to promote democracy, they should fight to extend democratic rights to non-European people in both independent states and colonies around the world. Dadoo concluded that Africans, Coloreds, Indians, and Malays needed to join together to fight the "persecution of Non-Europeans."[60] During his four-month jail term, non-Europeans held mass meetings in Johannesburg, Durban, and Cape Town to protest his incarceration.[61] Dadoo's anti-war message had identified a key contradiction in Smuts's stance; the Union government proclaimed to fight for democracy abroad while restricting democratic rights at home.

Operation Barbarossa, the Axis invasion into the USSR in June 1941, and Japan's successes in Southeast Asia forced radicals to rethink their war stance. On 28 July 1942, eighty-eight non-European groups met in Cape Town to redefine the non-Europeans' role in the war under these new circumstances. Some delegates argued that a Japanese victory would help the non-Europeans' status while others, including

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[58] *Indian Opinion*, 23 August 1940.
[59] Michael Edwardes, *The Last Years of British*, 68-71.
[60] Yusuf Dadoo, "Statement in Court at Trial for Speech at Benoni," *Dr. Yusuf Mohamed Dadoo: His Speeches, Articles, and Correspondence with Mahatma Gandhi 1939-1983* (Durban: Madiba Publishers, 1991), 66.
[61] Pahad, "The Development of Political Movements in South Africa 1924-1946," 168.

Dadoo, wanted to join the war effort, since Nazism now represented a threat to communism. The delegates ultimately promised to put forth a vigorous war effort if the government would allow non-whites to bear arms, perform skilled labor, and join trade unions. When Smuts refused to let Africans bear arms, the Non-European United Front still continued to support the newly named "people's war."[62]

Edward Roux, a former member of the South African Communist Party, criticized this seeming contradiction in the radicals' message, and claimed the communists had ignored critical domestic issues to appease the USSR.[63] The war issue marked the first of many times that radical Indians retracted or contradicted their former opinions for political expediency. The radicals hoped their support for South Africa's war effort would convince white authorities to grant Indians greater equality after the war.

As Indians, after thirteen years of relative moderate tranquility, renewed their struggle in 1939 and 1940, they also placed their plight within a larger global framework. South African Indian leaders had previously worked through the agent-general to gain help from the Indian government, but Dadoo circumvented this process by directly contacting Gandhi to help plan his *Satyagraha* campaign. Gandhi's endorsement allowed Dadoo to oppose the moderate strategies publicly and forced Smuts to pay attention to Dadoo's demands. Even after Dadoo started to support the war, he promised to continue "a relentless struggle for the democratic rights of the Non-European people."[64] Non-Europeans increasingly called for

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[62] Ibid., 169-70.
[63] Edward Roux, *Time Longer than Rope: A History of the Black Man's Struggle for Freedom in South Africa* (London: Victor Gollancz Ltd., 1948), 318.
[64] *The Guardian,* Cape Town, 6 February 1941.

"democratic rights" as the Allies formally articulated their stated war aims in the following years. By adopting this strategy, radical leaders looked to appeal beyond South Africa's borders to demonstrate why the Union government had to grant non-European more rights following the end of World War II.

Chapter 3: The End of Liberal Dreams and the Rise of the Radicals

"Segregation has fallen on evil days": New Views on Segregation

With World War II raging abroad and Indians now aiding South Africa's war effort, the Indian political leadership optimistically thought the Union government would grant its community increased political and economic rights after the war. Even as the Union government created commissions in the 1940s to investigate Indian "penetration" into Transvaal and Natal white communities. Indian politicians hoped the government would eliminate anti-Indian legislation on its own. S.M. Nana, who became TIC president after Dadoo's incarceration in 1940, wrote Gandhi fully "confident" that these commissions would find that few Indians had "penetrated" into white areas.[1] During the first half of the 1940s, moderates tried to cultivate a friendly relationship with white authorities because they were convinced the government would eventually abolish its anti-Indian policies. However, by the mid-1940s the Indian community elected more radical leaders because the government continued to pass racially discriminatory legislation.

Previous narratives on South African Indians that focus on the early and mid-1940s, most notably Bill Freund's and Essop Pahad's, examine how Indians workers became more labor militancy between 1939 and 1945 and view this process as internal to South African Indian politics. Others, such as Bridglal Pachai, look at these years from an "international perspective" by examining how leaders in India reacted to new segregationist measures. Taking a more "global" approach to these events, I look at how 1940s intellectual discourse stemming from the war, most

[1] Nana to Gandhi, 25 November 1940, UDW .

notably Indian interpretations of the Atlantic Charter, affected the community's relations with the Union government. Doing so will demonstrate how Indians moved away from moderate strategies once South Africa's image as a member of the Allied forces and defender of "democracy" and "freedom" disintegrated.

Indian optimism stemmed from the Allies' promise to introduce a new liberal era after the war. The world watched intently as Franklin Delano Roosevelt and Winston Churchill signed the 1942 Atlantic Charter, which sought to ensure "improved labor standards, economic advancement and social security" and to restore "sovereign rights…to those who have been forcibly deprived of them."[2] After Smuts, along with leaders from twenty-six other countries, signed the Charter, the Natal Indian Congress and the African National Congress (ANC) used the document to demand greater political equality in South Africa. The 1942 Beveridge Report, which concluded that liberal states should provide their citizens with basic social insurance, also gave non-Europeans hope that the Union government would help to improve their economic well-being.

Saul Dubow notes, a "remarkable sense of flux and fluidity" marked South Africa's 1940s as the nation wavered over whether or not to grant more rights to non-Europeans.[3] Smuts, now prime minister, and his United Party appeared to champion new liberal initiatives at some moments, but resisted radical reforms at others. On 21 January 1942, Smuts declared to the South African Institute of Race Relations, "segregation has fallen on evil days." He argued that the government would now need

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[2] "Atlantic Charter," available from http://www.internet-esq.com/ussaugusta/atlantic1.htm; accessed 29 January 2009.
[3] Saul Dubow, "Introduction" *South Africa's 1940's: A World of Possibilities* eds. Saul Dubow and Alan Jeeves (Cape Town: Double Storey Books, 2005), 2.

to rethink its policies towards Africans and perhaps offer more economic and political rights to non-Europeans.[4]

Non-Europeans did experience economic gains in social security during the war. Following mass African urbanization in the early 1940s, state officials recognized that they had to increase welfare spending on African workers to maintain racial stability in cities. Parliament passed the 1944 Pensions Laws Amendment Act, which gave contributory pensions to those who could afford them (primarily to coloreds and Indians, but also some Africans) and smaller non-contributory pensions to those who could not (mostly to Africans).[5] The government also gave a modest boost to the African education budget. Some liberal and radical reformers had hoped for stronger measures, but as one parliamentarian noted, these welfare expenditures had a "greater value than mere money, in that they are a recognition of the citizenship of the African."[6] While Smuts's reforms seemed to help Africans, Deborah Posel notes that these economic programs were fully compatible with a system of white supremacy.[7] Posel argues that parliament spent just enough money on Africans to regulate them and ensure they did not become "delinquent" and disrupt the urban environment. Thus the government sought not to help liberate the African workers, but rather to ensure that Africans could be integrated into the urban economy.

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[4] *Selection from the Smuts Papers*, eds. Jan Van Der Poel, Vol. 6 (New York: Cambridge University Press, 1973), 336-9.
[5] Jeremy Seekings, "Vision, Hopes and Views about the Future: The Radical Movement of South African Welfare Reform," *A World of Possibilities* eds. Saul Dubow and Alan Jeeves (Cape Town: Double Storey Books, 2005), 48-58.
[6] Deborah Posel, "The Case for a Welfare State: Poverty & the Politics of the Urban African Family in the 1930s and 1940's," *South Africa's 1940's: A World of Possibilities* ed. Saul Dubow and Alan Jeeves (Cape Town: Double Storey Books, 2005), 80.
[7] Ibid., 66.

But even if state officials intended to benefit whites with these reforms, many whites opposed these measures. Economic tensions were rising as white workers returning from war faced increased competition from the new urban African and Indian laborers. Albert Grundlingh suggests that for Afrikaners, 1940s urbanization marked a particularly "stressful social transition" as poverty forced them to move to cities dominated by English-speakers, and often, Indians.[8] In 1938 at the centenary celebration of the Vortrekkers, the National Party had tried to renew Afrikaner nationalism. D.F. Malan, now head of the National Party (NP), had declared at one rally that "non-whites" still represented a threat to Afrikaners as they had a century earlier, but the battlefield had moved to the urban labor market.[9] Consequently, the NP fought against increasing expenditures on non-whites including social security measures.

White liberals also remained pessimistic that South African society would ever willingly accept radical political reforms for non-Europeans. Alfred Hoernlé, liberal philosopher and president of the Institute of Race Relations, had argued in his 1939 Phelps-Stokes Lectures that South Africa's racial structure would prevent it from ever becoming a liberal society. Even after signing the Atlantic Charter, Smuts seemed unwilling to implement the promises of his 1942 message, most likely because he realized that the electorate was not ready for radical reforms. When Smuts opted to accommodate his white constituency's demands and imposed greater economic restrictions on Indians, the community radicalized.

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[8]Albert Grundlingh, "The Politics of the Past and of Popular Pursuits in the Construction of Everyday Afrikaner Nationalism, 1938-1948," *South Africa's 1940's: A World of Possibilities* ed. Saul Dubow and Alan Jeeves (Cape Town: Double Storey Books, 2005), 197.
[9] Ibid., 196.

"Community of Interests": The Rise of the Moderates

Moderates took control of the Natal and Transvaal Indian Congresses in 1940 because the Indian community expected the government to reform on its own. The merger of the Colonial Born Settlement Association and the Natal Indian Congress into the Natal Indian Association on 8 October 1939 also led to a moderate leadership in Natal. In the Transvaal, Dadoo's incarceration for protesting the war, and his subsequent work with the non-European United Front left moderate S.M. Nana in control. Under Nana, the TIC wrote monthly letters to the Minster of the Interior H.G. Lawrence to fight the Transvaal "Pegging" Act. This strategy failed to acquit any accused law-breakers, but convinced that by cultivating friendly relations with the Union government they would receive equal rights, Indian masses continued to support the moderates' methods.

Though moderate Indians hoped white politicians would advocate reforms on their own, in both the Transvaal and Natal, a growing number of Indian traders had migrated to urban trading centers and now represented an economic threat to white businessmen. Whites complained about Indian urban migration at the local level where strong alliances existed between the white working class and the Durban City Council (DCC). Beginning in the 1930s, the DCC used public health concerns to justify demands for greater residential segregation.[10] In light of such demands, Smuts wrote to Lord Linlithgow, Viceroy of India, that Indians would have to wait patiently for reforms.[11] These protests led the Union government to set up the 1940 Lawrence

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[10] Brij Maharaj, "Segregation Desegregation, and De-Racialization," *Durban Vortex: South African City in Transition*, eds. Bill Freund and Vishnu Padaychee (Pietermartizburg: University of Natal Press, 2002), 173.
[11] *Selection from the Smuts Papers Vol. 6*, 303.

Committee, which included six representatives from the NIA, to investigate and freeze Indian residential holdings in Natal's white areas. Natal authorities did not give the committee the power to make recommendations on how to resolve racial tensions, but Transvaal and Natal Indian political leaders worried about how the committee's findings would affect their status. Even Nana, who trusted that these committees would absolve Indians of any wrong doing, wrote Gandhi that "the next two or three years…will be pregnant with danger and anxiety for Indians both in South Africa and India."[12]

Radical Indians broke with moderates after the NIA chose to participate on the Lawrence committee, because radicals thought the NIA's work with the commission made it complicit in the government's desire to justify segregation. Subsequently, the radicals re-established the NIC in February 1940. NIC secretary, Swami Bhawani Dayal, stated that the NIA lacked "the right or mandate to speak on behalf of the Natal Indian community" at committee hearings.[13] He promised Indians would fight as vigorously against these attempts at segregation as they had against Malan's 1925 Asiatic Areas Reservation Bill. The NIC, however, lacked the NIA's legitimacy amongst whites and moderate Indians because it refused to work with the national and local governments to solve the "Indian Question."

Since the NIC opted to boycott the committee, A.I. Kajee, the leader of the NIA, quickly emerged as the Indians' main representative. Europeans trusted Kajee,

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[12] Nana to Gandhi, 12 February 1940, *E.S. Reddy Collection*.
[13] Swami Bhawani Dayal, "Penetration, Assurance, and Segregation" (Durban: Natal Indian Congress, 1940), 1-5.

who had risen to power in 1936,[14] more than any other Indian because he believed "a community of interest [existed] between Europeans and Indians."[15] Kajee assured minister of the interior H.G. Lawrence that he could stop Indians from buying European property.[16] The Indian periodical *Indian Views* attacked Kajee's "assurance" as a "plea of guilt without trial."[17] However, Kajee remained in power because the Indians masses wanted leaders who could maintain friendly relations with the South African government.

Kajee argued in front of a later governmental committee that because most Indians wanted to live in their own communities, few sought property in European residential areas. At the same time, Kajee vigorously opposed *de jure* segregation, because he thought it promoted a sense of racial inferiority amongst the Indian population.[18] But Indian radicals, such as Yusuf Dadoo, insisted that even *de facto* segregation perpetuated a system of white superiority.

Following its investigation and interviews with the NIA, the Lawrence Committee published its report on 9 December 1940. It concluded the government should give the committee the right to approve or disapprove any property transactions between Indians and whites.[19] The committee's Indian representatives protested the recommendation and noted that authorities had given the body the right to document cases of Indian residential acquisitions, but not to give policy

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[14] Agent General Raza-Ali had married a Hindu woman in 1936 and in protest, all the members of the NIA, except for Kajee had resigned.
[15] Bhana, 48.
[16] Bridglal Pachai, *The International Aspects of the South African Indian Question 1860-1971* (Cape Town: C. Struik, 1971), 153.
[17] *Indian Views* 26 April 1940.
[18] South African Indian Penetration Committee, "Report on Indian Penetration," (Durban: 1941, Yale), 73.
[19] Pachai, 158.

recommendations. Indians also argued that the Durban City Council (DCC) had failed to keep its promise to provide adequate residential areas for Indians. In response, the DCC offered the Riverside area of Natal as a new spot for Indian residence, but the Indian High Commissioner (the new title for the Indian Agent-General), Sir Shafa'at Ahmad Khan, rejected the offer on behalf of the Indians because the location did not offer acceptable living conditions. The government eventually dissolved the committee because the DCC failed to find a site that the High Commissioner deemed adequate.[20]

While the Lawrence Committee failed to freeze Indian holdings, it represented an important shift in South African-Indian relations. Indians expected the state would not place harsher restrictions on them because they were aiding South Africa's war effort. The committee's appointment demonstrated that authorities viewed Indian "penetration" as an important enough issue to address during the war. The committee's actions also marked the first time since the 1927 Cape Town Agreement that Indian leaders worked with a governmental organization promoting segregation. A general Indian desire to avoid domestic conflict during the war may partially explain Indian moderation, but leaders five year earlier would have found this new approach unthinkable.

"A Few Isolated Acquisitions": The Broome Commission's Report

Following the Lawrence Committee, the Union government created the Indian Penetration Commission, also known as the Broome Commission, to investigate and make policy recommendations on how to resolve continued Indian "penetration." The commission defined "penetration" as Indian purchases of European owned land after

[20] Ibid., 159.

1927. The commission distinguished between cases where Indians bought European houses as investments and where Indians bought homes to live in white communities.[21] While the TIC's Nationalist Bloc and the militant NIC members encouraged Indians to boycott the commission, Transvaal and Natal moderates worked with it, a decision that benefitted the community.

On 10 October 1941, the Broome Commission reported 339 cases of penetration in the Transvaal. It attributed two-thirds to motivations of trade and the remainder to residential reasons. Given that 25,693 Indians lived in the Transvaal in 1936, the commission found the number of cases "neither alarming nor surprising."[22] The commission cited Muslim traders buying urban property near Transvaal trading zones as the primary reason for "penetration." It noted a few cases where Indians had moved into white neighborhoods, but found they had done so "to improve their material position" and not for "any desire to live among Europeans."[23] This conclusion tried to allay white fears of miscegenation.

In Natal, where most Indians lived, the commission found only 512 instances of penetration.[24] The report rejected the popular claim that the Indian bought European properties to live near whites.[25] Instead, the commission concluded that Indians had bought white property as an investment because in 362 cases, the owners did not live on the land. Many wealthy Indians were Muslims unable to practice usury and consequently acquired immoveable property as an income-generating activity.

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[21] "Report on Indian Penetration," 23.
[22] Ibid., 40-1.
[23] Ibid., 42.
[24] Ibid, 46.
[25] Ibid., 68-73.

The commission also reasoned that some Indians had migrated to these white communities because they wanted a "Western standard of living." The Durban Indian areas were "deplorably low," and lacked "the ordinary civic amenities of good roads, drainage, [and] light."[26] After the Union government promised to help Indians "westernize" following the Cape Town Agreement, many Indians attempted to change their living habits. Before 1927 an extended family often lived together in one house. By the 1940s, married sons increasingly bought their own homes so that while the Indian population of Natal was not increasing, Indians were buying more homes.[27] The Broome Commission's general acquittal of the Indian community contributed to the moderates' prestige among Indians because it demonstrated that governmental commissions could objectively study the Indian population.

Following the Broome Commission's report, the TIC and the NIC held elections, which moderate incumbents won in both provinces. Dadoo claimed that the moderates had won because Muslim leaders, namely Kajee and P.R. Pather, had coerced over five hundred Muslim women to vote for them.[28] However, the masses supported the moderates because the voters believed that friendly African-Indian relations would eventually lead to liberal reforms. The moderates argued that if the Indian Congresses had followed the radicals' advice and boycotted the Broome Commission, the report might not have favorably portrayed Indians. Thus, in a period when Indians had some leverage with the Union government, most Indians did not

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[26] Ibid, 69-75.
[27] Ibid., 75.
[28] Essop Pahad, "The Development of Political Movements in South Africa 1924-1946" (University of Sussex, 1972), 177.

want to elect leaders such as Dadoo fearing he would protest and antagonize the government.

Though the report accepted a small level of penetration as natural and perhaps even justified, it did not endorse further Indian penetration. When the Durban City Council announced that after the commission's report Indians were buying European property at an increasing rate, minister of the interior, H.G. Lawrence, appointed the second Broome Commission. Lawrence announced in the Senate that if the DCC's allegations were true, he would introduce legislation to restrict Natal Indians' residential rights.[29] The commission, whose sole member was Justice Broome, reported 326 cases of penetration between 1940 and February 1943 in the Transvaal and Natal. The government had not authorized Broome to investigate why these new cases had occurred, but his report hypothesized that they may stem from the Indians' desire "to pass through the door while it is still ajar."[30]

Minister Lawrence now introduced the "Pegging Bill" for Parliamentary debate on 7 April 1943. The bill would prohibit the sale of fixed property between Europeans and Indians, and confine Indians to segregated areas of Natal.[31] While the bill easily passed through parliament and the senate later that month, some white liberals protested it. Jan Hofmeyr, minister of finance, had tendered his resignation, because he felt that the act could not "be justified by the available evidence."[32] Smuts eventually convinced Hofmeyr on 8 April not to resign in light of the "grave national emergency." Even though Hofmeyr denounced the act publicly Smuts defended it,

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[29] Pachai, 164.
[30] Ibid., 164-5.
[31] Ibid., 166.
[32] *Selection from the Smuts Papers Vol. 6*, 422.

stating that Natal was a European city and criticized the Indian merchant class for buying land rather than war bonds. At the same time, he recognized the dangers of the act and stressed its temporary nature. He also promised to appoint a commission to study Natal Indian living conditions.[33]

"The Inherent Rights of All Civilized Men": Reactions to the Pegging Act

Indian political leaders reacted to the Pegging Act by petitioning Natal officials to revoke the legislation and asking the Indian government for help. Though the bill targeted wealthy merchants who had the money to buy more European property, Indians workers also attacked the legislation because they saw it as an affront to the Indian community. The workers' agitation demonstrated that Natal Indians had formed a stronger ethnic rather than class consciousness. Both moderates, and eventually radicals, used Indian indignation over the act as a platform to discuss the future status of Indians in South Africa.[34]

When Indian government learned about the act, it immediately warned the Union government that such legislation would hurt the two country's wartime relationship.[35] In South Africa by Gandhi's request, the NIA rejoined the NIC on 28 August 1943 to fight the act as a unified body. The NIC sent the DCC a memorandum, which concluded that the new legislation curtailed "the liberty of action and freedom which is the inherent right of a free citizen in a free democracy."[36] This phrase suggests that the Atlantic Charter influenced Indian protests. Like the African National Congress, the NIC cited the 1941 Atlantic Charter, which had

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[33] W.K. Hancock, *Smuts: The Field of Force* (London: Cambridge University, 1962), 459-62.
[34] G.H. Calpin, I*ndians in South Africa* (Pietermaritzburg: Shuter and Shooter, 1949), 184.
[35] Pachai, 166.
[36] Ibid., 167

promised to ensure international peace and grant self-determination to all peoples, to justify Indian demands for equal protection under the law.

In December 1943 the African National Congress approved President-General A.B. Xuma's statement, "The Atlantic Charter from the African's Point of View," which Nelson Mandela would later call "one of the best contributions to the universal human rights culture emanating from our country."[37] Though the document acknowledged the government would not give Africans equal citizenship in the near future, it sought to publicize "the full aspirations of the African peoples so that their point of view will also be presented at the Peace Conference."[38] Xuma opened the document by stating that African participation in the war authorized him to interpret the Charter. He then proceeded to list and offer the "African perspective" on the Charter's eight points. Xuma focused on the right to self-determination in demanding full political rights for Africans. He declared that in

> Africa where…a politically entrenched European minority [rules] a majority African population the demands of the Africans for full citizenship rights and direct participation in all the councils of the state should be recognized. This is most urgent in the Union of South Africa.[39]

While European leaders, including Churchill, rejected this interpretation of the Atlantic Charter,[40] Xuma's work demonstrated that ANC leaders believed the

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[3737] Nelson Mandela, "Building a Political Culture that Entrenches Political Tolerance," in *Nelson Mandela Speaks: Forging a Democratic Nonracial South Africa* (New York: Pathfinder Press, 1993), 78.

[38] A.B. Xuma, "The Atlantic Charter from the African's Point of View," in *From Protest to Challenge: A Documentary History of African Politics in South African Politics in South Africa 1882-1964*, Vol. 2, eds. Thomas Karis and Gwendolen M. Carter (Stanford California: Stanford University Press, 1973), 209.

[39] Ibid., 215.

[40] Churchill had made it clear that clause promising the right of all people to self-government only applied to Europeans, and that India was "quite a separate problem." Michael Edwards, *The Last Years of British Rule in India* (London: Cassel and Company Ltd., 1963), 73-4.

government might, in aligning its policies with the Atlantic Charter's, implement reforms in the near future. Xuma closed the document by demanding that the Union government repeal racially discriminatory laws because "the policy of segregation…is designed to keep the African in a state of perpetual tutelage and militates against his normal development." [41] These final words rejected the philosophy of white "trusteeship" which maintained that only whites could help "backward" Africans. Rejecting this philosophy, the ANC demanded Smuts implement liberal reforms to maintain consistent policies abroad and at home.

Parallel to the ANC's declaration, the NIC submitted a memorandum to the Natal Indian Judicial Commission on 6 October 1944 as a response to the Pegging Act. Though the Allies' had used the Atlantic Charter partially for propaganda, the NIC argued that it accurately described some of the Allies' war aims. "Recognition of the rights of all nations and all communities to share in a measure of freedom and liberty and in the fruits of the earth" was, the NIC maintained, the Charter's most important principle. The South African government had violated this principle by denying Indians suffrage and "the inherent rights of all civilized men to partake of and enjoy the ideals of freedom and liberty." [42] The authors also argued the government's refusal to let Indians participate fully in public life had discouraged their "civic pride, responsibility, and duty," and had created a "general atmosphere of non-cooperation."[43] If the government expected the Indians to be loyal, it would have

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[41] Xuma, 218-21.
[42] Natal Indian Congress, "Memorandum on Civic Status Submitted to the Natal Indian Judicial Commission," 1944, UDW.
[43] Ibid.

to abide by the Cape Town Agreement, which recognized Indians as permanent South African residents deserving equal rights.

However, even white liberals found ANC and NIC's calls for political assimilation too radical. In 1939, philosopher and president of the Institute of Race Relations Alfred Hoernlé had observed that racial tensions in South Africa would stop a liberal society from ever forming in the country. Hoernlé suggested that while white liberals could help non-Europeans in the short term, long-term assimilation in South Africa could not happen, "certainly not in the present temper of dominant White public opinion" which was "hardening under the influence of doctrines of race and *volk*." Hoernlé warned that a liberal who fought for assimilation was condemning "himself to utter impotence in the face of existing race feelings."[44] Because racial assimilation was not possible, Hoernlé claimed that perhaps each group could only obtain the necessary liberty for individuals to pursue the "good life" if the government completely separated all racial groups.[45] Yet, he doubted if whites would ever make the sacrifices required to make racial segregation a just solution. Liberals criticized Hoernlé for doubting that South Africa could ever adopt a liberal program, but his view demonstrated a keen awareness of South Africa's existing racial tensions.

Smuts's 1943 speech to the Empire Parliamentary Association in London demonstrated his refusal to uphold the principles of the Atlantic Charter in South Africa. He recognized that "the old world that we knew has gone and it will not

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[44] R.F. Hoernlé, *South African Native Policy and the Liberal Spirit* (Cape Town: Phelps-Stokes Fund, 1939), 179-82.
[45] Ibid., 171-3.

return," and that governments would have to alter their racial policies.[46] However, Smuts emphatically noted racial issues would continue to become increasingly complex after the war. While he found the Allies' calls to fight for "democracy" and "freedom" appealing, he referred to these terms as "catchwords and slogans," inadequate to deal with difficult issues such as race. Rather than appeal to democratic values, Smuts maintained that governments would have to experiment with different racial policies and avoid "general preconceived standardized solutions."[47] These statements suggest that as the war proceeded, Smuts knew he could not implement the liberal policies he championed abroad at home.

On 29 March, the Union government appointed the third Broome Commission to discuss with Indians how to deter future cases of illegal penetration. The commission and Kajee signed the Pretoria Agreement on 19 April 1944, creating a board of two Indians, two Europeans, and a European chairman to license property transactions between individuals of different racial groups. By signing the agreement, moderates appeared implicitly to accept *de facto* segregation and agreed "to a voluntary arrangement whereby machinery can be set up to control and regulate future juxtaposition residential occupation of Europeans and Indians."[48] Nonetheless, both Indian and Afrikaner politicians attacked the agreement, the former refused to accept *de facto segregation* and the latter blamed Smuts for signing the agreement without its consultation. In response to these complaints, Smuts quickly terminated the agreement.

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[46] *Selections from the Smuts Papers*, *Vol. 6*, 464.
[47] Ibid., 458.
[48] Third Indian Penetration Commission, "Pretoria Agreement," 1944, UDW.

The radical bloc of the NIC, who had formed the Anti-Segregationist Council (ASC), used the Pretoria Agreement to challenge Kajee's mandate to represent the Indian community in the spring of 1944. Led by G.M. "Monty" Naicker, the ASC campaigned for Indian franchise, the repeal of the Pegging Act, and the formation of cross-racial alliances. Unlike its moderate opponents, the ASC vowed to use more vigorous methods such as nonviolent resistance. The ASC slightly differed from the radical Nationalist Bloc of the TIC because the Natal did not maintain one uniform ideology. While Naicker had gone to school with Dadoo in Edinburgh, he was a devout Hindu committed to Gandhi's principles and not a Marxist. Also unlike Dadoo, Naicker was not a noted orator. The ASC chose Naicker as its leader because he was open to different viewpoints and could bring together Gandhian and Marxist activists. Kay Moonsamy, a member of the ASC, recalled that while other individuals had more dynamic personalities than Naicker, some ASC members feared that more radical politicians would try to impose their views on the entire community.[49] Thus Naicker's role in the NIC differed from Dadoo's in the Transvaal, in that he did not utilize a particular political message or exercise powerful leadership.

The ASC held thirty-one meetings throughout Natal during the first half of 1945, and increased the NIC's membership from 3,000 to 22,000.[50] Unions in particular supported the ASC because they felt that current wealthy leaders, such as P.R. Pather and A.I. Kajee, did not represent their views. The Durban Indian Municipal Employees' Union called the ASC "the official national organ of the Indian people" and urged its members to attend ASC rallies because "Indian workers

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[49] Goolam Vahed, "Showtime at Curries Fountain," (Unpublished), 6.
[50] Pahad, 202.

throughout Durban can play an important role in their national organization."[51] By August 1945, momentum had swung in the ASC's favor and it demanded the moderate leadership hold its annual election meeting. The moderates argued in front of the Natal Supreme Court that they first needed to meet to adopt a new constitution that would reorganize the NIC to accommodate its larger membership. They predicted a mass election meeting would likely create "excitement, chaos, violence, and even bloodshed." The Court ruled that such concerns did not warrant a delay and ordered that the election take place before 22 October 1945.[52] Kajee and Pather boycotted the election to protest the court's decision and because they knew the NIC's new members would have voted them out office. Kajee and Pather's boycott marked the end of moderate South Africa Indian politics. Indians now recognized they needed to resurrect nonviolent resistance to convince the government to end segregation.

"To Serve the Community": Reasons for Indian Radicalization

On 21 October 1945 with over 7,000 members present, the NIC elected all the ASC's nominees and chose Naicker as its president. Dr. Gonnam of the ASC remembered the election as a day-long celebration with a "procession of supporters, three abreast, singing, chanting, carrying huge banners, representing a multiplicity of unions."[53] In his victory speech, Naicker promised the ASC would fight for the unconditional repeal of the Pegging Act, the end of segregation, and universal adult suffrage without ever compromising or going "down on bended knees for

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[51] Quoted in Goolam Vahed, "Race or Class? Community and Conflict amongst Indian Municipal Employees in Durban, 1914-1949," *Journal of Southern African Studies* Vol. 27 (Mar., 2001): 120.
[52] Vahed, "Showtime at Curries Fountain," 8.
[53] Ibid., 9.

crumbles."[54] Naicker also promised to use more direct methods of action such as nonviolent resistance to achieve these goals.

In an attempt at diplomacy, Naicker declared that the ASC "ambition for power" had not driven the ASC to challenge the Kajee-Pather leadership, but because "we felt that your voice was not being heard. We repudiate the charge that we want to pit the poor against the rich."[55] He recognized that the community needed to unify and form a common identity to combat South Africa's racial policies. If the Indian community represented itself as having disparate interests, the government would never take its protests seriously. But the NIC's promise to use more aggressive protests methods, such as non-violence, which relied on the masses' support, showed that the ASC championed the workers' cause over the upper class's concerns.

Following the death of S.M. Nana in May 1944, Transvaal moderates could not articulate a central vision, and on 2 December agreed to put eighteen radicals on the TIC working committee.[56] Dadoo became the TIC's president in 1945 on a platform similar to the ASC's, and soon after he passed a resolution promising to use non-cooperation to fight the government's segregationist policies.[57] The simultaneous radical victories in both the Transvaal and Natal suggest the Indian community's character had dramatically changed during the war.

South African historians, including Bill Freund and Essop Pahad, have emphasized how Indian urbanization during the 1940s caused radicalization. Pahad notes that urban migration led to workers' "proletarianization" and support for more

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[54] *Leader*, 27 October 1945.
[55] *Leader*, 25 October 1945.
[56] Pahad, 201.
[57] Ibid., 201.

radical leaders.[58] Following the gold boom and currency depreciation between 1933 and 1939, the South African manufacturing sector had surged, increasing its non-white employment rate by eighty-eight percent. Indian laborers moved to Johannesburg and Durban to fulfill this new demand for labor. Even with increased employment opportunities, the workers, who were primarily unskilled, could not command high wages. By 1944 seventy percent of Indians still lived below the poverty line.[59] Labor historians argue that while local governments justified segregation by referencing public health concerns, authorities used this racial policy to control the influx of poor Indians into cities and prevent non-whites from taking "white" jobs.[60]

These historians claim that Indians also radicalized during the 1940s because more workers joined unions and lived together in close quarters. Indian unions were more militant than African ones, but they, unlike African groups, could legally go on strike.[61] Maureen Swan notes that the disintegration of the Indian urban-rural relationship also aided Indian radicalization. Through the early 1940s, the Hindu joint family living system meant Indian workers lived with their extended families outside the city. These workers, who were constantly confronted with traditional Hindu values reinforcing inequality amongst different castes, remained less militant. But during and after the war, employers began to offer married male workers

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[58] Ibid., 150.
[59] Bill Freund, *Insiders and Outsiders: The Indian Working Class of Durban 1910-1990* (Portsmouth: Heinemann, 1995), 40.
[60] Maharaj, 174.
[61] Freund, 52.

accommodations so that they remained in the cities in close proximity to other workers.[62]

Though these factors helped to develop a class consciousness amongst Indians, the ability of ASC politicians to articulate a clear message also aided in the workers' politicization. Unlike Pather and Kajee, who spent most of their time working on their businesses, the radicals put a great amount of effort into becoming skilled politicians.[63] At meetings of their book club which they called the "Liberal Study Group," Naicker and his allies had debated and refined their message before they presented it to the Indian masses. Naicker maintained that the Indian working class also trusted the ASC more than union organizers for three reasons: ASC politicians were more articulate and could better express the feelings of the people, they enjoyed good social standing among the population, and the masses appreciated their sacrifice to help the poor.[64] The ASC represented the ultimate mix of individuals with strong educational and political backgrounds, as well as sympathy for the working class. The Indian political bodies could not have radicalized without this young political group.

The political scientist Samuel Huntington argues that members of the middle-class intelligentsia are essential for mass radicalization in modernizing societies because of their education and desire to advance their countries. Huntington asserts that their exposure to Western education introduces these individuals to more radical ideologies and makes them want to bring their country to the world's forefront. These

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[62] Maureen Swan, "Ideology in Organized Indian Politics 1891-1948," *The Politics of Race, Class, and Nationalism in Twentieth Century South Africa* eds. Shula Marks and Stanley Trapido (Essex: Longman Group: 1987), 189.
[63] For example Naicker, who had an MD, ran only a small clinic.
[64] Pahad, 246.

middle-class individuals are less willing than workers to accept reform in lieu of more radical measures. They oppose the *status quo* not because of "material insufficiency," but for a desire to participate in the "overall reconstruction of society."[65] The middle-class intelligentsia is free from want, and more willing to take risks and use more aggressive measures than the poor to fight the government. For Huntington, workers may exhibit greater passivity because they worry about losing their already meager salaries.

Huntington's analysis explains how Dadoo, Naicker, and the rest of the ASC helped to radicalize the Indian masses. Dadoo and Naicker had read Marx while in school in Scotland. Furthermore, as physicians Dadoo and Naicker could both afford to face greater economic hardships than the workers. Without stronger leaders, the workers, who were already living at near-subsistence levels, may not have articulated their demands because they feared being fired. Thus, increased government repression did not solely militarize the workers, the rise of this middle-class leadership also facilitated this transformation.

In addition, radicalization occurred once Indians realized that whites did not intend to give non-Europeans political equality. Government bodies, such as the first Broome Commission, had given Indians hope that the Union government would reform on its own. However, because the government continued to implement repressive measures, the Indians began to distrust Smuts's rhetoric and chose leaders who promoted a more direct course of action.

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[65] Samuel Huntington, *Political Order in Changing Societies* (New Haven: Yale University Press, 1968), 371-2.

While the passage of the Pegging Act might have ushered in a period of pessimism and fear in the Indian community, the effect was the opposite: the masses placed a great deal of faith in Dadoo, Naicker, and the rest of the ASC. These radicals represented a new generation of politicians that moderate NIC member J.W. Godfrey described as "drunk with its own prosperity."[66] Dadoo's oratorical skills and Naicker's leadership abilities impressed the Indian masses who were swept up into South African politics in a way that had not occurred since Gandhi. Their optimism, in what seemed like dark times, would continue when Smuts helped establish the UN Charter in San Francisco. Yet Smuts's unwillingness to champion liberal principles at home continued to frustrate Indians

[66] Vahed, 11.

Chapter 4: Engaging the Human Rights Discourse: South African Indian Interpretations of the UN Charter

"The Realization of Human Rights and Fundamental Freedoms": The UN Charter

As Natal and Transvaal radicals took over the Indian congresses, world leaders, including Prime Minister Smuts, prepared for the postwar era. Soviet, British, and American leaders were working to establish the United Nations, hoping to ensure international peace and protect individual rights. Along with China, the three nations had met on 21 August 1944 in Dumbarton Oaks to draft the new organization's charter. While Churchill and Roosevelt had already backed the principle of human rights as embodied in the 1942 Atlantic Charter, they thought the UN should focus on international security issues, particularly preventing future international war. The Chinese representative at Dumbarton Oaks, Wellington Koo, suggested the charter protect "the principle of equality of all states and all races."[1] However, the three other nations quickly rejected the proposal, fearing the new international body would investigate their own policies towards minorities and colonized peoples. Ultimately, the Dumbarton Oaks draft included only one brief reference to human rights.

Following Dumbarton Oaks, the Allied Forces began liberating German concentration camps and the world first learned about the atrocities of the Holocaust. Reports on the concentration camps forced international leaders to consider how the world should address future state-authorized violations of human dignity. Unsatisfied with the Dumbarton Oaks draft, Latin American leaders gathered at the February 1945 Chapultepec Conference in Mexico City to prepare for the upcoming San

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[1] Paul Gordon Lauren, "First Principles of Racial Equality: History and the Politics and Diplomacy of Human Rights Provisions in the United Nations Charter," *Human Rights Quarterly* 5, no. 1 (1983): 10.

Francisco conference, where the charter's final draft would be produced. The delegates at the Mexico City conference contended that since the allies had fought to protect "democratic principles," the UN should grant human rights to all individuals. The conference published the "Final Act of the Inter-American Conference on Problems of War and Peace," recommending the UN make "every effort to prevent racial or religious discrimination."[2] The Australian and New Zealand governments criticized the Dumbarton Oaks draft for not including enough human rights provisions. When the San Francisco conference opened on 25 April 1945, many small nations asserted that the charter needed to include stronger protections of individual freedoms.

Although, previous historical accounts on South African Indians do not discuss the San Francisco conference, the newly invigorated South African Indian struggle focused on interpreting the principles created in San Francisco to further its resistance campaign. The charter's references to human rights gave Indians their first internationally recognized justification for equality. The charter allowed Indians to hold Smuts, one of its creators, accountable to its principles. This chapter will begin by discussing the San Francisco conference and how the delegates created the charter's statements on human rights. It will then return to South Africa and discuss how South African Indians referenced the charter in their attacks against new anti-Indian legislation. The radicals' allusions to the charter showed their willingness to integrate emerging philosophies into their movement. This examination of the San Francisco conference will also demonstrate that the West did not impose human

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[2] _____, *The Evolution of International Human Rights*, ed. Bert Lockwood (Philadelphia: University of Pennsylvania Press 2003), 170.

rights on the rest of the world, but that many smaller non-western countries helped articulate these values.

When the San Francisco conference began, many small countries including Australia, India, and the Philippines protested that the final Charter needed to include a stronger commitment to human rights and nondiscrimination. The Filipino delegate Carlos Romulo stated, the "peoples of the world are on the move….Those of us who have come from the murk and mire of the battlefields know that we fought for freedom, not for one country, but for all peoples and for all the world."[3] Other non-European nations reiterated Romulo's concern that soldiers from many nations had sacrificed during the war and this organization needed to protect their rights.

These nations demanded the charter include explicit nondiscrimination provisions. Indian delegate Vijaya Lakshmi Pandit, Nehru's sister, argued the UN should promote "fundamental human rights for all men and women, irrespective of race, color, or creed, in all nations and in international relations and associations of nations with one another."[4] Pandit's suggestion was not revolutionary as a precedent for protecting minority rights at the international level already existed. The 1919 Polish Minority Treaty, which the League of Nations had ratified, endorsed the Polish right to self-determination and gave the Polish Jewish community special protection. The treaty assured that Poland would "undertake full and complete protection of life and liberty to all inhabitants of Poland without distinction of birth, nationality,

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[3] Mary Ann Glendon, *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights* (New York: Random House, 2001), 12.
[4] Lauren, *The Evolution of International Human Rights*, 183.

language, race, or religion."[5] However, the document had lost its authority when the League failed to enforce it in the 1930s.

The Indians drafted a nondiscrimination clause, which promised the UN would guarantee fundamental liberties "for all men and women, irrespective of race, color, creed, in all nations and in all international relations."[6] Ironically, Smuts authored the version that was included in the final document. When the conference began Smuts had written to Jan Hofmeyr, acting as prime minister in Smuts's absence, concerned about the conference's discussions on human rights. He noted "a strong humanitarian tendency, finding expression in provisions for equal rights all round and other somewhat embarrassing proposals so far as we are concerned."[7] Yet as the meeting progressed, Smuts believed the existing draft of the UN Charter sounded overly legalistic and needed a more idealist tone to make it accessible to common citizens.[8] Smuts argued the charter's opening needed to "affirm fundamental human rights for all," continuing his endorsement for policies internationally that he repudiated domestically.

The final version of the Charter, which the delegates on 26 June 1945, included several references to human rights. The delegates adopted Smuts's preamble, which "reaffirmed faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small."[9] The Charter also emphasized protecting against discriminatory

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[5] "Polish Minority Treaty," in *The Human Rights Reader*, ed. Walter Laquer and Barry Rubin (New York New American Library 1979), 118.
[6] Quoted in Laure, "First Principles of Racial Equality: History and Politics and Diplomacy of Human Rights Provisions in the United Nations Charter,"13-6.
[7] *Selection from the Smuts Papers*, Jean Van Der Poel ed., vol. 7 (Cambridge University Press, 1973).
[8] W.K. Hancock, *Smuts: The Fields of Force* (London: Cambridge University Press, 1962), 432.
[9] "Charter of the United Nations," http://www.un.org/aboutun/charter/.

practices. For example, Article 13 assured the General Assembly would assist "in the realization of human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion."[10] Smuts left San Francisco happy with the delegates' work, noting the Charter was not perfect, but had made a strong effort to ensure international peace and protect individual liberties. W.K. Hancock argues Smuts's "idealistic initiative," in authoring the preamble, left him susceptible to attacks from non-Europeans in South Africa.[11]

Though it may appear that Smuts had acted imprudently by authoring the charter's opening, the USSR, Britain, and the US included language in the charter ensuring the UN could not interfere with any nation's domestic policies. Article 2(7) states that "nothing contained in the present charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state."[12] Most countries, including the United States, interpreted this article to guarantee that state sovereignty extended to issues including treatment of minorities. Leaders around the world interpreted the article as declaring the UN could only intervene if a government's treatment of its minority population could potentially threaten international peace.[13] Thus, Smuts left San Francisco confident the UN could not condemn his policies toward Africans or Indians.

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[10] Ibid.
[11] Hancock, *Smuts: The Fields of Force*, 435.
[12] "Charter of the United Nations."
[13] Ruth Russell, *A History of the United Nations Charter: The Role of the United States 1940-1945* (United States of America: The Brookings Institution, 1958), 906-9.

"Hellish and Rejected with Scorn": The Asiatic Land Tenure and Representation Bill

When Smuts returned to South Africa on 21 January 1946, he announced that when the "Pegging Act" expired on 31 March, he would introduce the Asiatic Land Tenure and Representation Bill. The bill would extend the Transvaal Land Act and the Natal "Pegging Act" by banning interracial property transactions without Natal authorities' expressed consent and prohibiting Indians to purchase land not owned by an Indian before the bill's passage.[14] The prime minister suggested creating a Land Tenure Advisory Board composed equally of whites and Indians to approve all Indian residential purchases. However, Smuts quickly rescinded this suggestion when the NIC told Indians not to participate on the board.[15]

The bill also gave male Indians over the age of twenty-one limited suffrage. The legislation would allow qualified Indians to elect two senators and three members to the House of Assembly, all of whom would be white. Natal Indians could also vote for two representatives to the Provincial Council.[16] This section of the bill mirrored the 1936 Natives Representation Act, which had removed qualified Cape Province Africans from the common roll, but given them the right to vote for three white representatives to the House of Assembly. It had also given Africans from all four provinces the ability indirectly to elect four white senators.[17] While these limited voting rights may have appeared as an improvement for the Indian community, its leaders noted that before 1896 Natal Indians had been on the common roll. Indian

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[14] *Asiatic Land Tenure and Representation Bill*.
[15] "Advisory Boards Rejected" in *Passive Resistance 1946: A Selection of Documents*, ed. E.S. Reddy and Fatima Meer (South Africa: Madiba Publishers, 1996), 118.
[16] *Asiatic Land Tenure and Representation Bill*.
[17] Leonard Thompson, *A History of South Africa* (New Haven: Yale University Press, 2001).

politicians worried that by accepting communal voting now, they would stunt future prospects for equality.

Smuts hoped to pass the bill quickly, as he was due in London for a meeting with all the Commonwealth's prime ministers and at the inaugural UN General Assembly in New York. However, various political groups criticized the bill. Many whites protested the legislation because even after the 1927 Cape Town Agreement, which recognized Indians as permanent South African residents, they saw Indians as foreigners who did not deserve representation.[18] Instead, whites felt that Smuts should extend the "Pegging Act" indefinitely.

When Smuts introduced the bill in the House of Assembly in 15 March 1946, both Afrikaners and English-speakers argued against it for different reasons.[19] Malan attacked the bill's suffrage clause and warned, "if the Indians with a total of 250,000 altogether in the country get three representatives in the Assembly, what do you imagine will be the thought that will arise naturally in the minds of the native population?"[20] The government could give proportional political representation to the small Indian population, but it could not give the same voice to the African population.

Colonel F.C. Stallard of the Dominion Party worried the UN might view the bill as violating the spirit of the UN Charter. Stallard argued that attendees of the Prime Minister's Conference and the 1946 UN meeting would attack Smuts for offering "a form of franchise which is described by those who are getting it as

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[18] G.H. Calpin, *Indians in South Africa* (Pietermaritzburg: Shuter and Shooter, 1949), 220.
[19] Traditionally the Minister of the Interior would introduce this type of bill into the House of Assembly, but Smuts took on this role hoping to ensure its passage.
[20] Quoted in Ibid., 229.

'hellish' and which has been rejected with scorn."[21] However, Stallard ultimately supported the bill, insisting the Union government should not be "too squeamish" in ensuring Indians did not continue to "penetrate" white communities.[22] Smuts tried to allay Stallard's fear when he insisted Article 2(7) gave the South African government the domestic sovereignty to pass the bill without UN intervention.

Perhaps most surprisingly, Hofmeyr, who had tried to resign from Smuts's cabinet after the "Pegging Act" passed three years earlier, supported the new bill. Hofmeyr saw communal voting rights as a first step toward political equality for Indians. Considering he had opposed the Native Representation Act in 1936 and had called communal voting for Africans "a qualified citizenship which has the marks of inferiority in clause after clause," this rationale was shocking.[23] During his 1946 parliamentary speech, Hofmeyr stated that he now stood for the "ultimate removal of the colour barrier" from the constitution.[24] He warned parliament to approve the bill only if the government sought to uplift the Indian community. If the bill allowed whites to "act under tyranny of prejudice and fear, we shall not save our white civilization in South Africa. We in fact then abandon those principles which make European civilization worthwhile."[25] Hofmeyr's hope that this bill would eventually lead to equal rights for Indians was unrealistic. Afrikaner Nationalists were already attacking his desire to remove color bar and did not intend to "uplift" the Indian

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[21] Quoted in Ibid., 223.
[22] Pachai, 189.
[23] Quoted in Alan Paton, *South African Tragedy: The Life and Times of Jan Hofmeyr* (New York: Charles Scribner's Son, 1965), 176.
[24] Ibid., 328.
[25]Quoted in Ibid., 328-9.

community. Though his statements were unpopular, Hofmeyr's support of the bill, as parliament's defender of Indians, is perhaps what sealed its passage.

During parliamentary debates numerous Indian leaders inside and outside of South Africa protested the bill. The South African Indian Congress, led by moderate A.I. Kajee, met officially with Smuts in March. Kajee asked the prime minister, as author of the UN Charter's preamble "to put into practice the principle of the charter into his own country."[26] Kajee hoped Smuts would at least meet with a delegation from India before implementing the proposed legislation. Smuts retorted that a round-table conference would not create a solution to the "Indian Question," and that if the Indians in South Africa and India opposed the legislation there would be "in the end hell for all of us."[27]

In India, Gandhi had followed debates on the bill intently and on 18 March wired Smuts that he should withdraw the bill and call a round-table conference with the Indian government.[28] As in 1939, Gandhi hoped to use his personal relationship with Smuts to resolve the issue privately without using *Satyagraha*. Smuts replied to Gandhi three days later that a round-table conference would not resolve the "Indian Question," but promised to continue keeping South African Indians' welfare in mind.[29] Disappointed by Smuts's response, Gandhi declared at his daily prayer meeting on 21 March that the bill did not offend Indians because it restricted their residential rights, but because it denied them equal rights. He suggested that if Smuts

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[26] SAIC, "Report of the Deputation to General J.C. Smuts," (1946). NIC Agenda Book, UDW
[27] Ibid.
[28] Gandhi to Smuts, 18 March 1946, *E.S. Reddy Collection*, UDW .
[29] Smuts to Gandhi, 21 March 1946, *E.S. Reddy Collection*, UDW .

adopted the bill, the South African Indians having "exhausted all constitutional means of seeking redress" should employ *Satyagraha*.[30]

While parliamentary debates continued, radicals started to protest the legislation publicly. On 8 February 1946, the NIC had held a meeting at Curries Fountain in Durban. Leaders denounced the bill as "showing a blatant disregard for 'human rights' and the 'fundamental freedoms'" as embodied in the charter.[31] NIC attempts to criticize the bill as a "human rights violation," though it primarily extended the old "Pegging Act," demonstrated the organization's intention to insert the Indian struggle in larger global debates on nondiscrimination. In the Transvaal, Dadoo, TIC president, held fifteen rally meetings in March attacking "the bill." Dadoo's tour culminated on 17 March at the Spruit Sports Ground in Johannesburg where he led a crowd of over 5,000 people in chants including "down with the Ghetto Bill…down with Smuts… down with compromise…long live resistance."[32] Both these campaigns sought to galvanize the masses in the likely case the bill passed.

Indians articulated their protests through the discourse of human rights and allusions to the UN Charter. In his essay "Facts about the Ghetto Act," Dadoo states that the bill condemned "the Indian community to economic and social ruin…. The San Francisco Charter of UNO pledges member nations not only to maintain peace, but also to uphold certain social and economic principles of a democratic character."[33] South African Indian leaders continued to emphasize how Smuts

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[30]Gandhi, "Message to South African Indian Community," May 1946, UDW .
[31] *The Leader*, 9 February 1946
[32] "Transvaal Rallies to the Struggle," in *Passive Resistance 1946: A Selection of Documents*, 111.
[33] Yusuf Dadoo, "Facts About the Ghetto Act," in *Facts About the Ghetto Act and a Historical Synopsis of the Indian Question*, ed. Barry White (Pietermaritzburg: University of Natal Press, 1993), 8-12.

promoted abolishing racial discrimination at international meetings, but reinforced a system of racial inequality in South Africa. The newly formed Cape Passive Resistance Council wrote, "it is difficult to believe that Smuts not only wrote these words [Preamble to Charter], but signed the Charter on behalf of the South African government . It is difficult to understand how any sane person can reconcile such words with the Ghetto Act."[34] Indians criticized Smuts in this way as they sought support from leaders around the globe.

As Indians prepared for resistance, they linked the Union government to the Nazi regime, to highlight South Africa's policies as human rights violations. Nazism had manifested itself in South Africa amongst the extreme right of Afrikaner nationalists. While the Afrikaner National Party rejected most of its principles, some Afrikaners had formed national socialist groups. J.F.J Hans van Rensburg had formed the paramilitary organization *Ossewabrandwag* in 1938, and Oswald Pirow, cabinet member under former Prime Minister Hertzog, who had created the *Nuwe Orde* in 1940.[35] The South African Indians began to refer to the Asiatic Land Tenure and Asiatic bill as the "ghetto bill": a direct reference to the European Jewish ghettos. The Cape Passive Resistance Council's pamphlet claimed that the legislation was as "dangerous in South Africa as the Nuremberg Laws of Hitler were in Germany."[36] By August, South African Indians tried to link Smuts, who in 1939 had personally convinced parliament to join the fight against fascism, to Hitler himself. The Indian periodical, *The Leader*, claimed that Smuts had confined Indians to the ghettos in a

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[34] Cape Passive Resistance Council, "Resist: Ghetto Act," (1946), 9. KC
[35] Herman Giliomee, *The Afrikaners: Biography of a People* (Charlottesville: University of Virginia Press, 2003), 442.
[36] Council, "Resist: Ghetto Act," 4.

manner similar to Hitler.[37] While Indians exaggerated their situation through comparisons to European Jews, their protests showed an attempt to construct a narrative relevant to current international issues.

Considering Lenin and Marx influenced Dadoo and Naicker's political views, it is surprising these leaders invoked the UN Charter's principles of human rights. Lenin and Marx both argue that human rights only protect "bourgeois rights." For example, in *The State and Revolution* Lenin wrote giving the proletariat suffrage only allowed it to choose the members of the "oppressing class" who were then able to "represent and repress them." Lenin argued that the proletariat could only begin to "speak about freedom" once the dictatorship of the proletariat destroyed the liberal state.[38] Dadoo and other communist Indian radicals' decision to support human rights showed their willingness to break from orthodox communist theory to further their movement. Furthermore, radicals' incorporation of human rights and the UN Charter into their revolutionary program showed their ability to fuse two contradictory philosophies into one coherent message. Indians were confident that their new argument would force many world leaders, who now publicly advocated a human rights doctrine, to support their fight.

"The Weapon of Satyagraha": The 1946 Passive Resistance Campaign

Once South African Indians realized parliament was going to pass the bill they began to prepare for a nonviolent resistance movement. At a 6,000 person demonstration on 31 March 1946, Naicker announced the NIC would "launch a

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[37] *The Leader*, 24 August 1946.
[38] V.I. Lenin, "The State and Revolution," in *Human Rights Reader*, ed. Walter Laqueur and Barry Rubin (New York Signet Classic 1979), 180.

concerted passive resistance struggle" against the bill.[39] Dadoo and Naicker organized passive resistance groups in their respective provinces in April 1946, and soon thereafter formed the Joint Passive Resistance Council (PRC). From the start, leaders sent delegates to Britain, India, and the United States to garner international support for their movement. When the delegates arrived in India, the Indian government immediately imposed a trade embargo on South Africa and removed its high commissioner from South Africa. While South Africans Indians were abroad, after its longest ever debate parliament passed the Asiatic Land Tenure Bill on 3 June 1946.[40] The act went into effect ten days later and Smuts remained confident, despite Stallard's concerns, the UN would not intervene.[41]

The Indian passive resistance campaign began on 13 June 1946 with a *hartal* or day of prayer. *The Leader* declared that this "day will go down in the annals of the Indian people of the country as a National Day of Mourning…Durban was dead on Thursday- the Indian quarter bore an atmosphere of quietness associated with Sundays."[42] The next day seventeen passive resisters, primarily members from the NIC's Anti-Segregation Council, pitched five tents on vacant municipal land in Durban's "European area." Over the next week, a group of whites attacked the passive resisters and killed Krishensamy Pillay, an off-duty Indian policeman. Despite these violent assaults, resisters demonstrations remained nonviolent with one Indian declaring, "hooligans or no hooligans, carry on we must, and carry on we

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[39] Bridglal Pachai, *The South African Indian Question: 1860-1971* (Capetown: C. Struik, 1971), 190.
[40] Hancock, *Smuts: The Fields of Force*, 466.
[41] Pachai, *The South African Indian Question: 1860-1971* 188.
[42] *The Leader*, 13 June 1946.

shall."[43] In India, Gandhi condemned whites' actions as "un-Christian" and urged whites, as Christians, to aid Indian efforts.[44] Natal authorities responded to Gandhi's concerns by stationing police offices to protect the resisters.

Authorities tried to end the campaign by arresting Naicker and Dadoo on 27 June for trespassing. During his trial, Naicker demonstrated his commitment to Gandhi's *Satyagraha*, arguing the campaign sought to protest the government's denial of "certain basic elementary human rights" to Indians. Naicker emphasized that he was "not challenging Durban City Council's ownership of land" or "engendering hostility to any section of the community," but protesting the government's discriminatory laws.[45] Naicker, like Gandhi, wanted to maintain an amicable relationship with Smuts and hoped that the resisters' suffering would convince Smuts to repeal the act on his own.

Dadoo was a more abrasive at his trial than Naicker. He pled guilty, but declared Indians had peacefully carried out their "struggle against this unjust, discriminatory, and inhuman act which we consider derogatory to the honor and dignity of the Indian community as a whole and to the Indian nation." He claimed the act went "against all the principles of justice, human decency, and democracy."[46] Dadoo's remarks articulated two types of Indian identity. By arguing the act was an insult to the "Indian nation," Dadoo tried to recast South African Indians as identifying with India. However, since the Cape Town Agreement most Indians viewed themselves as "colonial-born" South Africans. By claiming the act violated "the principles of

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[43] NIC, "Passive Resistance Report 1946-7," *Documentary History*, 202
[44] "White Man's Burden," 26 June 1946, *E.S. Reddy Collection*, UDW .
[45] "Statement in Court," *Monty Speaks*, 27
[46] "Statement in Court in Trial for Passive Resistance," *Dadoo Speaks*, 88

justice, human decency, and democracy," Dadoo represented Indians as subject to international human rights. Dadoo created these identities hoping to internationalize the "Indian question," and to put greater international pressure on South African authorities to reform. Though the government incarcerated Naicker and Dadoo, the resistance campaign continued without them. On 24 August the PRC began occupying a vacant site in the European residential area of Wentworth and the number of resisters volunteering for arrested continued to rise.

"A Million Non-Satyagrahis": Initial Cross-Racial Alliances

During the campaign Indian leaders started to form alliances with the African leadership. M.D. Naidoo, secretary of the NIC, announced that Indians needed to form a united front with other non-Europeans.[47] The ANC did not officially join the movement, but publicly supported it. A.B. Xuma, president-general of the ANC, declared in April 1946, "Africans do not only sympathize, but will support and assist in all possible manners the Indians in their struggle against this inhuman legislation."[48]

In April 1946, Africans launched their own movement when the African Mineworkers' Union Conference demanded higher wages for African miners "in accordance with the new world principles for an improved standard of living subscribed to by our Government at the U.N.O."[49] Like Indians, Africans wanted to put Smuts under pressure at the international level. When the mine owners did not yield, the Mineworkers' Union announced a strike on 12 August 1946. The next day

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[47] M.D. Naidoo, "Salvation Lies in a Non-European Front," *Documentary History*, 298
[48] "Dr. Xuma Supports Passive Resisters," *Passive Resistance 1946: A Selection of Documents*, 294
[49] Quoted in Edward Roux, *Time Longer Than Rope: A History of the Black Man's Struggle for Freedom in South Africa* (London: Camelot Press Ltd. , 1948), 346.

workers went on strike at thirty-two of the Transvaal's forty-five mines. In support, the NIC sent the Mineworkers' Union £100, but government intervention quickly ended the campaign. On 14 August, hundreds of policemen attacked strikers, and by next the day only two mines continued the strike. Two days later, the strike ended as 1,600 policemen patrolled the mines.[50] On 26 August, authorities found fifty organizers, including Dadoo, guilty of violating the War Measures Act, which had forbidden African strikes since World War II.[51] Though the mineworkers' strike failed, it helped to spark future African-Indian partnerships.

While Indians assumed they could strengthen their fight by obtaining African support, *Satyagraha* opposed quick expansion. When South African Indians had gone to India in 1946 and had met with Gandhi, he had warned against including Africans in the struggle. He thought Africans might not naturally be able to practice *Satyagraha*, because "theirs is not the way of non-violence. One day the black races will rise like the avenging Atilla against their white oppressors." Gandhi did, however, suggest that Indians could present the Africans with the "weapon" of *Satyagraha*, as long as they kept their struggles separate.[52]

Despite emerging global support for human rights campaigns, Gandhi's belief in *swadeshi*, or working for one's own country, led him to insist that *Satyagraha* worked best when different ethnic communities implemented it separately. Furthermore, Gandhi had always argued that the resisters' discipline not their numbers, determined a campaign's success. He had always warned against indiscriminate recruiting and noted, "it is possible to fight a nonviolent battle even with one *satyagrahi*. But

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[50] Ibid., 348-9.
[51] Ibid., 349.
[52] "Interview to South African Delegates, 1 April 1946, *E.S. Reddy Collection*, UDW .

it…cannot be fought with a million non-*satyagrahis*."[53] Gandhi thought that Africans, who had no previous exposure to non-violence, may lack the discipline to become a *satyagrahi*, his term for resister. Yet radicals, who had promised to abolish all forms of segregation including between non-Europeans, now had to include Africans in their struggle. Gandhi recognized this reality and accepted that in South Africa "their slogan today is no longer merely 'Asia for the Asiatics' or 'Africa for the Africans' but the unity of all the exploited races of the earth" and that perhaps the two groups would inevitably merge their struggles.[54]

Resisters also received support from white religious leaders, a type of alliance which Gandhi supported. Ashis Nandy notes that Gandhi had tried to obtain India's independence by liberating the British from a history and psychology of colonialism.[55] Gandhi actively sought suffering and mortification of the flesh in *Satyagraha* to convert and liberate the British. In both South Africa and India, Gandhi had relied on Anglican Priest C.F. Andrews who was devoted to "a softer version of Christianity."[56] Anglican Priest Michael Scott was the 1946 campaign's most influential white supporter.

In 1944, Scott had founded "The Campaign for Right and Justice," which attempted to convince white politicians to offer full political representation to all racial groups and to abolish all racially discriminatory laws.[57] Dadoo joined this group because he endorsed its method of fighting for non-European rights through an

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[53] M.K. Gandhi, *Nonviolent Resistance* (United States of America: Navijan Trust), 288.
[54] Ibid.
[55] Nandy, *The Intimate Enemy: Loss and Recovery of Self under Colonialism* 49-51.
[56] Ibid., 49.
[57] Paul Rich, *White Power and the Liberal Conscience: Racial Segregation and South African Liberalism 1921-1960* (Manchester: Manchester University Press, 1984), 121.

effective constitutional framework. However, in 1944 Dadoo had criticized Scott for trying to control the non-European movement.[58]

Scott declared in 1946 that segregation, which stopped people from exercising their natural freedoms, violated Christian principles. Scott stated, if the government rescinded the Ghetto Act, it would "show the world the way to a more cooperative civilization, and to a more harmonious development for the respective races now inhabiting the country."[59] Scott hoped that Smuts's desire to make South Africa a international leader would convince him to endorse emerging global values of racial equality in South Africa.[60]

"An Insult to the National Pride and Honour of India:" Preparations for the UN

South African Indians hoped their campaign would convince the UN General Assembly, at its inaugural November meeting, to condemn the Asiatic Land Tenure and Representation Act. In January 1946, when Smuts had outlined the future "Ghetto Act," the NIC had telegrammed the Indian government that the "honour of India [was] at stake…Indian government should raise the question at the General Assembly of the UNO."[61] Responding to their request, the Indian government sent the UN a formal petition in June 1946.

When the campaign began, the NIC and TIC consciously appealed to the UN to save them from South Africa's racially oppressive laws. For example, the Natal Passive Resistance Council had held a "UNO rally" on 26 June in Red Square in

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[58] Rob Skinner, "Christian Reconstruction, Secular Politics: Michael Scott and the Campaign for Right and Justice, 1943-1945," in *South Africa's 1940s: Worlds of Possibilities*, ed. Saul Dubow and Alan Jeeves (Cape Town: Doubley Storey Books 2005), 254-6.
[59] "The Reverend G. Michael Scott," in *Passive Resistance 1946: A Selection of Documents*, 162.
[60] "Passive Resistance Report," *Documentary History*, 203
[61] Quoted in Pachai, *The South African Indian Question: 1860-1971*
186.

Durban. [62] The South African Communist Party (SACP), which had a disproportionate amount of Indian members, helped internationalize the Indian cause. In a pamphlet entitled *The Indian People in South Africa: Facts about the Ghetto Act*, the SACP declared that the UN Charter promised "not only to maintain peace, but also to uphold certain social and economic principles of a democratic character.…[The Act is] an undeniable and bitter insult to the national pride and honour of India."[63] The pamphlet's language mirrored Dadoo's trial speech, representing South African Indians as both Indian nationals and subjects of the UN Charter. The pamphlet's endorsement of human rights demonstrated that even the SACP was willing to break with Marxist-Leninist doctrine to help Indians.

In India, Nehru also drew global attention to "the South African Indian Question" before the UN Conference. When India received *de facto* independence in 1946, he discussed the South African Indian political struggle during his first official broadcast. He announced that while India hoped to continue friendly Commonwealth relationships, the Union government had to end its discriminatory practices if it wanted to avoid "vast conflict" with Indians.[64] While Nehru certainly did not envision war with South Africa, he alluded to potential international conflict between the nations to argue the UN needed to intervene into this purportedly domestic issue.

"A Sacred Cause"?: Satyagraha versus Passive Resistance

Surendra Bhana and Uma Dhupelia-Mesthrie argue that in both the 1914 and 1946 South African nonviolent resistance campaigns "M.K. Gandhi's weapon of

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[62] *The Leader*, 29 June 1946
[63] South African Communist Party, "The Indian People in South Africa: Facts About the Ghetto Act," http://www.sacp.org.za/docs/history/dadoo03.html.
[64] Pachai, *The South African Indian Question: 1860-1971*
199.

Satyagraha was the same."[65] However, the 1946 political leaders decided to use non-violence for political and not moral reasons as they realized Indians lacked the training or resources to initiate a violent campaign. The radicals Indians downplayed *Satyagraha's* religious components, and to try to capture the General Assembly's attention demonstrated their campaign was not a Gandhian *Satyagraha*. Gandhi had focused primarily on unlocking the goodwill of the oppressor through suffering, rather than relying on an external authority to intervene and save the Indians. Watching from India in 1946, Gandhi thought that radicals were abiding by his principles and proclaimed that South African Indians were "suffering" for a "sacred cause."[66]

But in South Africa, the radical Indian leadership, most of whom were atheistic communists, ignored *Satyagraha's* religious principles as well as its exhortation to search for truth through suffering. Gandhi claimed *satyagrahis* need to follow a religion because *Satyagraha* relies on humility and requires individuals to "approach Him with a humble and contrite heart."[67] Moreover, many radicals did not support non-violence for moral reasons. Dadoo wrote that "after Gandhiji went back to India there arose another great revolutionary fighter, Pandit Nehru, whose broad views on politics attracted young people at the time. I believed in the policy of Nehru who also did not believe completely or implicitly in absolute non-violence."[68]

Naicker, who was not a communist, still held to *Satyagraha's* original principles. He did not want to use nonviolent resistance to humiliate Smuts and make

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[65] Surendra Bhana and Uma Dhupelia-Mesthrie, "Passive Resistance Amongst Indian South Africans," *South African Historical Journal* 16 (1984): 1.
[66] "Indians in South Africa," 18 March 1946, *E.S. Reddy Collection*, UDW .
[67] M.K. Gandhi, *Nonviolent Resistance*, 56.
[68] Quoted in E.S. Reddy, "Dadoo, Gandhi, and South African Struggle," *Mainstream* (1989): 24.

him revoke the bill, but to help Indians find truth and to convince Smuts to repeal anti-Indian legislation on his own. In his pamphlet, *Let Me Live: Letter to a European*, Naicker did not identify the white community as the enemy, but addressed the letter to a white "friend." Gandhi argued that because *Satyagraha* relies on universal love, a resister must "never insult his opponent" or "take part in many of the newly coined cries which are contrary to the spirit of *ahisma.*"[69] He emphasized to South African Indians that whites, especially Smuts, were Christians capable of sympathy and therefore "could not persecute the Indians in South Africa forever and come to an honorable settlement."[70] Like Gandhi, Naicker proclaimed suffering could make sympathetic Europeans "realize the justice of our claims." He trusted Smuts to resolve the contradictions between his international and domestic policies, and find a solution "acceptable to all of us."[71] In addition, Naicker sought to "dispel any apprehensions" amongst whites that Indian leaders, who were primarily communists, wanted to start a revolution in South Africa.[72]

However, Naicker's views represent a small minority of resisters' opinions. Most radicals did not view Smuts as a Christian friend capable of sympathy, but as the creator of a "fascist policy." Indian communists' did not firmly adhere to a religion that justified suffering and therefore were less willing to suffer constantly than resisters in India. By calling themselves passive resisters, a term Gandhi despised, South African Indians themselves most likely recognized they were not engaged in a *Satyagraha* campaign.

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[69] M.K. Gandhi, *Nonviolent Resistance*, 79.
[70] Gandhi, "Payer Meeting in Poona," 21 March 1946, UDW
[71] Naicker, "Let Me Live: Letter to a European," *Monty Speaks*, 26.
[72] Ibid., 25-6.

Perhaps the most important difference between the 1946 campaign and Gandhi's vision of *Satyagraha* was that South African Indians leaders were skeptical that a resister's individual will and devotion to suffering could end racial oppression. They thought that passive resistance worked by attracting a sympathetic audience abroad who would pressure the government to reform. Unlike Gandhi, they thought Smuts would never change his treatment of South African Indians. Thus, the campaign's organizers took the future status of South African Indians out of resisters' control and left it to a foreign body, the UN.

Chapter 5: From Victory to Violence: The UN and the Durban Riots

"An Issue Affecting all Oppressed Peoples of the World:" Preparing for the UN Conference

With the 1946 passive resistance campaign in full force, the Indian government prepared to introduce the "South African Indian Question" at the first United Nations General Assembly meeting in November 1946. India's government had sent the UN a memorandum on 22 June asking to raise the issue of South Africa's treatment of Indians at the UN's inaugural meeting. The report claimed that India had followed the Union government's segregationist policies since the 1939 Transvaal Land Act and had asked the South African government to repeal the 1946 Asiatic Land Tenure and Representation Act. The Indians also stated they were appealing to the UN General Assembly as a last resort.[1]

Considering Jawaharlal Nehru's interest in making India a UN power, it is most likely that India did not want to resolve the issue privately. Nehru saw the South African Indian struggle as a symbol for the greater fight against the West. He thought the United Nations General Assembly was the best place to publicize non-European conflict because it promised to protect democratic values and human rights.[2] Nehru publicly promised South African Indians in June 1946 to fight "in India or South Africa or in international assemblies" until he had secured "full recognition of

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[1] "Memorandum on the Position of Indians in the Union of South Africa," 22 June 1946, A/68, Yale UN Depository, 2.
[2] Dowlat Ramdas Bagwadeen, "The Question of 'Indian Penetration' in the Durban Area and Indian Politics: 1940-1946," (University of Natal, 1984), 319

Indians' rights and India's honor."[3] He also hoped to help Africans by criticizing Smuts's racially discriminatory policies at the UN. Nehru, a fervent anti-imperialist, had supported the African struggle and thought that Indians, as guests in South Africa, should always defer to the African movement. Thus, he claimed South African Indian radicals ought to fight for human rights for all racial groups.

Prior to the UN meeting, moderates, hoping to maintain friendly relations with the Union government, tried to resolve the issue domestically. The South African Indian Congress's president A.I. Kajee privately informed Jan Hofmeyr, acting prime minister while Smuts attended the Prime Ministers' Conference in London, that if Smuts held a round-table conference with the SAIC and the Indian government, he would convince Indian authorities to retract their complaint. Smuts agreed to a conference if the Indian government initiated it, eliminated its trade sanctions against South Africa, and reinstated its high commissioner.[4] When the TIC and NIC learned about the offer, they criticized the SAIC for impeding their movement. To resolve this internal dispute, Nehru stated that he would only accept Smuts's offer if the radicals endorsed it, which they refused to do.[5] Nehru then appointed an Indian delegation led by his sister, Vijaya Lakshmi Pandit, to raise the issue at the November UN conference.

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[3] "Message from Pandit Jawaharlal Nehru to South Africa," *Passive Resistance 1946: A Selection of Documents*, ed. E.S. Reddy and Fatima Meer (South Africa: Madiba Publishers, 1996), 373.
[4] The high commissioner was formerly known as the agent-general.
[5] Bagwad, 326.

"Suffering, Frustration and Violation of Human Dignity": Pandit Challenges Smuts

Before the General Assembly meeting, Passive Resistance Council leaders Ashwin Choudree, Sorabjee Rustomjee and H.A. Naidoo went to New York to spotlight the resistance movement. They published a pamphlet in November 1946 entitled *Five Months of Struggle: A Brief Account of the Passive Resistance Struggle*. Dadoo, in the introduction, declared that the UN was being tested on whether it would uphold the charter's preamble or "let the world slip into international and racial conflict."[6] The pamphlet described the 15,000 person protest at Durban's Red Square on 13 June to emphasize how Indians had rallied around the movement.[7] While the radicals claimed total Indian solidarity behind the campaign, they in fact had only recently risen to power and lacked the merchant community's support.

Though they previously had tried to stop the UN debates, moderates A.I. Kajee and P.R. Pather also went to New York. They argued in a separate memo that Smuts's act violated the UN Charter's principles because it restricted "the free economic and social development of the Indian community," and offered "a form of franchise which is inequitable, ineffective and racial in character."[8] At this point, Kajee and Pather recognized that only international pressures could convince South Africa to reform.

When the General Assembly convened in November 1946, Smuts remained confident that Article 2(7) of the charter would protect his treatment of South African

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[6] Passive Resistance Council "Fives Months in the Struggle," UDW, 2-3.
[7] Ibid., 9-10.
[8] "Memo Presented by A.I. Kajee and P.R. Pather to the UN on Discrimination Against Indians," in *Passive Resistance 1946: A Selection of Documents*, 279.

Indians. The delegates at 1945 San Francisco Conference had assumed the General Assembly would automatically ask the newly formed International Court of Justice for an advisory opinion in "borderline cases," but had failed to define what constituted such a case.[9] The General Assembly set a precedent for how it would interpret Article 2(7) while debating whether or not the UN could authorize action against the Franco regime in Spain. The General Assembly, based on a recommendation from the Security Council, had determined the Franco regime represented a "threat to the continuance of international peace" and justified an UN-approved trade embargo.[10] This case created a precedent which justified UN intervention into more domestic issues than the founders had originally stipulated.

In its own memorandum to the UN, the South African delegates tried to prevent a UN discussion by arguing the 1946 Asiatic Land Tenure and Representation Act did not discriminate against Indians. Their memorandum stated the act did "not purport to segregate them [Indians] from Europeans" and promised authorities would not administer the act "arbitrarily to prejudice the Indian community." The South African delegation also reminded the General Assembly that the government had not enforced the 1939 Transvaal Land Act rigidly.[11] Thus, the South African delegation claimed that even if the "South African Indian Question" had international ramifications, it still did not violate the UN Charter's nondiscrimination clauses.

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[9] "The 'Domestic Jurisdiction,' Limitation in the United Nations Charter," *Columbia Law Review*, Vol. 47 no. 2 (March, 1947), 272-3.
[10]Leland Goodrich, "The United Nations and Domestic Jurisdiction," *International Organization*, Vol. 3 No. 1, (February, 1949), 21.
[11] "Further Memorandum by the Government of the Union of South Africa on the Subject of Indian Legislation," 15 November 1946, A/167.ADD.1, Yale UN Depository, 10-11.

In a press conference prior to the November meeting, Lakshimi Pandit contended the matter was political rather than legal in nature and that it illustrated the greater non-European struggle. She stated that the "South African Indian Question" was not only a controversy "between two countries alone, but possibly a world issue….It will not be solved by unilateral insistence on some narrow concept of domestic jurisdiction."[12] Even with the Franco precedent, Pandit may have feared that the General Assembly could plausibly throw out the case on the legal grounds of Article 2(7). Consequently, she focused on the controversy's international political component and in the end the General Assembly asked the political and legal subcommittees to hear the case in a joint session.

In committee hearings Pandit reiterated the issue's political importance and invoked human rights language. She claimed the UN's decision was "open to the gaze not only of those who are gathered here, but to millions…[of] people in all countries, more particularly, non-European peoples."[13] The Indian delegation hoped to become the leading voice for non-European countries' at the UN and thought this decision would help dictate the future balance of power between European and non-European nations in the organization. Pandit told the joint committee, "the suffering, frustration and violation of human dignity…must be one of the prime concerns of this parliament of the world's people."[14] Pandit continued to reference the UN Charter's human rights principles because she recognized the committee would probably reject the Indians' other argument. The Indian's 22 June memorandum had also contended that the Union Government had violated Article 14 of the Charter, which justified UN

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[12] "Mrs. Pandit and General Smuts Clash," in *Passive Resistance 1946: A Selection of Documents*, 326.
[13] "Mrs. Pandit's Moving Plea," in *Passive Resistance 1946: A Selection of Documents*, 235.
[14] "Mrs. Pandit and General Smuts Clash," 320.

intervention when a government had impaired "the general welfare or friendly relations among nations" but this claim exaggerated India and South Africa's current political relationship.[15]

Smuts defended South Africa's Indian policies by arguing segregation did not constitute a human rights violation or justify UN intervention. He stated the UN could only intervene in domestic issues in two situations. First, it could intervene when a country violated an international agreement that impaired friendly relations between two countries. He argued the 1927 Cape Town Agreement was not an international accord, but an informal agreement. Second, they may intervene if a government had violated the "human rights and fundamental freedoms" of an individual or group of people. However, the charter lacked an internationally recognized formulation for these rights; therefore, it could not rule in this case.[16]

Smuts went on to assert that India's caste system made it a more egregious human rights violator than South Africa. He asked if there was "a country in the world where there is more social discrimination between communities and classes than in Indian society," observing that the social stigma attached to the "schedule classes" (so-called untouchables) was "a phenomenon unknown in South Africa and in the rest of the world."[17] Pandit retorted that the Indian government had never condoned the caste system and was working to abolish this discriminatory policy, while the South African legal system endorsed discrimination. She also maintained that even if the Cape Town Agreement did not represent a legally binding document,

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[15] "Charter of the United Nations," http://www.un.org/aboutun/charter.
[16] Bridglal Pachai, *The International Aspects of the South African Indian Question 1860-1971* (Cape Town: C. Struik, 1971), 202.
[17] "Mrs. Pandit's Moving Plea," in *Passive Resistance Documents* 322.

increased segregation had "resulted in the severance of relations between India and South Africa."[18] Pandit's defense showed her ability to attack the Union government on the grounds of human rights as well as for instigating future breaches of international peace.

Following the debates, the French and Mexican delegations suggested a resolution stating, "the treatment of Indians in the Union of South Africa 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."[19] The resolution rejected Smuts's arguments by recognizing the Cape Town Agreement as an international document and the UN Charter as delineating a human rights policy on nondiscrimination. The joint committee approved the Franco-Mexican resolution twenty-four to nineteen, with six abstentions, and passed the measure to the General Assembly. Pandit's final speech begged the assembly to punish "a proven violation of the Charter on an issue which is not confided to India or South Africa, but on an issue the decision on which must make or mar the loyalty and confidence which the common people of the world have placed in us."[20] Like Dadoo and Naicker, she had again represented the "Indian Question" as a symbol for the greater non-European struggle for an international voice.

Before the final vote, British Delegate, Sir Hartley Shawcross, asked the General Assembly to obtain the International Court of Justice's interpretation of Article 2(7). Shawcross wanted to know if the "Union of South Africa has neglected to observe any (and, if so, what) international obligation in regard to the treatment of

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[18] "Mrs. Pandit and General Smuts Clash," *in Passive Resistance Documents*, 327.
[19] "Resolution 44(I) Adopted by the United General Assembly," in *Passive Resistance 1946*, 327.
[20] Quoted in G.H. Calpin, I*ndians in South Africa* (Pietermaritzburg: Shuter and Shooter, 1949), 252.

Asiatics."[21] His proposal failed thirty-one to twenty-one with two abstentions, and the General Assembly proceeded to vote on the Franco-Mexican Resolution, with a stipulation that the two governments meet before next year's session. The Franco-Mexican resolution passed on 8 December 1946 thirty-two to fifteen with seven abstentions. Britain and the United States opposed the measure, while almost all African and Asian nations supported it.

The UN had shamed Smuts in 1946 by passing the Franco-Mexican resolution, and the General Assembly's decision to disallow South Africa's desired annexation of Southwest Africa. Smuts, however, remained confident that the Franco-Mexican resolution would not improve Indians' rights in South Africa. He told Pandit in private, "you have won a hollow victory. This vote will put me out of power in our next elections, but you will have gained nothing."[22] Smuts knew white South Africans would criticize the UN resolution and they would never condone equality for Indians.

G.H. Calpin correctly argues the 1946 Conference showed how Europeans and non-Europeans interpreted the UN Charter differently. Europeans viewed the Charter legalistically and thought the document primarily dealt with international security. For non-Europeans, the Charter guaranteed that they could appeal to the United Nations and for the first time gave them some power at the international level.[23] The 1946 session showed how South African Indians could use foreign discourses and institutions for their benefit. In additions, their case led the General Assembly to reinterpret when it could intervene into domestic situations.

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[21] "United Kingdom Delegation, "Amendment to the Resolution Proposed by the Delegation of India," 27 November 1946, A/C.1 and 6/15, Yale UN Depository.
[22] Vijaya Lakshmi Pandit, *The Scope of Happiness: A Personal Memoir* (New York: Crown Publishers, 1979), 211.
[23] Calpin, 256.

Indians in South Africa and India celebrated Pandit's victory. Gandhi proclaimed that the 1946 UN Conference had shown itself to be "decidedly against the European prejudice." Krishna Menon, one of the Indian UN delegates, remarked that "no small measure of success attained at United Nations is due to the passive resistance action in South Africa, and the sacrifice and suffering for our people."[24]

Following the Indians' human rights victory at the international level, Naicker, Dadoo, and A.B. Xuma, president of the African National Congress, signed the "Three Doctors' Pact," on 9 March 1947. The pact recognized "the urgency of cooperation between the non-European peoples and other democratic forces for the attainment of basic human rights and full citizenship for all sections of the South African people."[25] Surendra Bhana argues that Dadoo, a member of the Non-European United Front member since 1938, set up this alliance, but the Indian government also helped promote non-white unity.[26] Nehru had encouraged the Indian delegation to the UN to champion human rights for all South African groups. He had convinced H.A. Naidoo, one of the Natal Indian Congress's leaders, to pay for A.B. Xuma to attend the 1946 conference, which had given African and Indian leaders an opportunity to meet. Thus, South African Indians chose to form these alliances both in response to Nehru's pressures, to demonstrate that they supported a multiracial message in line with international bodies such as the UN, and because they thought broader alliances would strengthen their movement.

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[24] Passive Resistance Council, "1947 Natal Indian Congress Agenda Book," UDW .
[25] "The Three Doctors' Pact," in *Monty Speaks: Speeches of Dr. G.M. (Monty) Naicker, 1945-1953* (Durban: Madiba Publishers, 1991), 29.
[26] Surendra Bhana, *Gandhi's Legacy: The Natal Indian Congress* (Pietermaritzburg: University of Natal Press, 1997), 80.

The Doctors' Pact essentially extended the ASC's platform to include all racial groups. It demanded full franchise, equal economic and industrial rights, removal of all residential restrictions, free and compulsory education, and freedom of movement for all non-Europeans as well as the removal of all other racially discriminatory laws.[27] Dadoo and Naicker called the signing a "historic meeting," and from a strategic perspective thought broad alliances would strengthen their movement.[28] Gandhi warned from India that "political cooperation among all of the exploited races in South Africa can only result in mutual goodwill if it is widely directed and based on truth and non-violence."[29] However, few of the Indian communist resisters abided by the fundamental principles of *Satyagraha*, most notably its religious and ethical foundations, which suggested that they could teach the Africans the necessary discipline to be an effective *satyagrahi*.

Naicker and Dadoo also traveled to India in mid-March 1947 to publicize their cause. They met with both Hindu and Muslim leaders including Nehru, Gandhi, and Muhammad Ali Jinnah, president of the Indian Muslim league. This demonstrated that Hindu and Muslim Indian political leaders supported the South African Indian struggle even as religious tensions mounted in India. Dadoo and Naicker also claimed the radicals represented the true voice of the people and blamed the moderates for trying to impede their successful passive resistance campaign.[30] The two leaders left

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[27] "Three Doctors' Pact," 29.
[28] Ibid., 31.
[29] "Message from Mahatma Gandhi to South Africa 18 May 1947," *Passive Resistance 1946: A Selection of Documents*, 368.
[30] "Bombay Reception to Dadoo and Naicker," in *Passive Resistance 1946: A Selection of Documents*, 185.

India confident they had their motherland's support to continue fighting for Indian equality through a multiracial strategy.

"Away from the UNO and Towards Isolation": Problems in Implementation

While the radicals saw the UN conference and the "Three Doctors' Pact" as crucial steps in their struggle, the Union government's unwillingness to implement the Franco-Mexican resolution presented a new challenge to South African Indian leaders and make it harder for them to recruit new volunteers for their campaign. South African Indians had incorrectly assumed that Smuts, as a founding member of the UN, would abide by its decrees. However, United and National Party members declared they would not follow the UN resolution. In Cape Town, Smuts called the UN a "mere cockpit of emotion, passion, and ignorance." The General Assembly had usurped the ICJ's jurisdiction, in Smuts's view, and had made it a "frail" organization.[31] G. Heaton Nicholls, one of the1946 South African delegates, noted the UN lacked a mechanism to enforce its decision, so the Union government could ignore the Franco-Mexican Resolution without punishment.[32] The *Natal Witness* warned that if South Africa "walked out of the UNO in a huff" it would suffer in the long-term. Yet, as Smuts correctly noted in a letter to his friend Margaret Gillett, South African public opinion was "moving away from the UNO and towards isolation."[33] Smuts had barely convinced South Africa to aid Western civilization in its fight against fascism and now that the UN had sanctioned its government, South Africa's concern over international opinion was waning. In particular, the Afrikaner National Party was now criticizing Smuts for trying to appease the UN rather than

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[31] Bagwad, 335.
[32] Quoted in Pachai, 205.
[33] *Selections From the Smuts Papers Vol. 7*, ed. Jean Van Der Poel, 113.

fighting for South Africa's interests. D.F. Malan, leader of the opposition, warned that if South Africa abided by the UN's ruling it would "destroy South Africa's traditional society."[34]

On 31 May 1947, Smuts declared that he would only meet with Indian leaders if the Indian government reinstated the high commissioner and lifted its trade sanctions.[35] In his 1947 presidential speech, Naicker criticized Smuts for failing to initiate a meeting. He stated that Indians were not "anti-European," but stood "for a round-table conference to be held within a framework of the United Nations resolution."[36] Nehru also continued to pressure Smuts into holding a conference, but only agreed to reinstate the high commissioner after the two parties had set an agenda.

When moderates formed the Natal Indian Organization (NIO) on 4 May 1947, they undermined any chance that the South African government would implement the Franco-Mexican resolution. The NIO's president, A.I. Kajee, attacked radicals at the NIO's opening conference and proclaimed, "communist ideals are foreign to the aspirations of the Indian people of this country."[37] The NIO promised to resolve the issue domestically by sending a deputation to Smuts. The prime minister opted to recognize the new organization as the official Indian body and thereby avoided a round-table conference. Former agent-general Raza-Ali referred to the NIO as "an unholy alliance between big Indian money in the Union and General Smuts, who

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[34] Pachai, 211.
[35] "Smuts Insists for the Return of High Commissioner," in *Passive Resistance 1946*, 335.
[36] G.M. Naicker, "Presidential Address to the Conference of the Natal Indian Congress," in *Monty Speaks: Speeches of Dr. G.M. (Monty) Naicker, 1945-1953* (Durban: Madiba Publishers, 1991), 34.
[37] "Old Guard Establishes Natal Indian Organization and Bans Communism," in *Passive Resistance 1946*, 231.

knew how to extricate himself from a tight corner."[38] Naicker claimed the NIC, whose membership exceeded 35,000, represented Indians and demanded Smuts stop evading the UN's decision.[39] For now, Smuts had managed to out maneuver the radicals on the domestic level.

Dadoo and Naicker tried to revitalize the passive resistance campaign, which had witnessed a sharp decline in volunteer numbers since the campaign's first six months.[40] Indian masses had lost faith in the movement once the UN, to which the entire campaign had directed its efforts, failed to enforce its ruling. On 13 June 1947, the one-year anniversary of the campaign's launch, both leaders gave speeches in their respective provinces. Dadoo announced that resistance had succeeded in fighting against "the deadly onslaught" whose resistance "was already rapidly dwindling."[41] Naicker alluded to the two leaders' trip to India in an attempt to give the resisters hope. He reminded them that the "United Nations, India, Greater Asia, and the progressive people of the world" all supported their struggle.[42] But the leaders' enthusiasm and optimistic message failed to re-energize the campaign, as fatigue set in for the community. Though the movement had lost its momentum, Lakshmi Pandit re-raised the "South African Indian Question" at the UN's political committee on 12 November 1947. She argued that despite Nehru's pleas, Smuts intentionally avoided the UN resolution. H.G. Lawrence, head of the South African delegation, argued that because Article 2(7) protected the government's policies towards Indians, the General

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[38] "Exchanges between Raza-Ali and the NIO," in *Passive Resistance 1946* ,235.
[39] G.M. Naicker, "Presidential Address to the Conference of the Natal Indian Congress," in *Monty Speaks* 42.
[40] Goolam Vahed, "Passive Resistance," (Unpublished), 15.
[41] "Message by Y.M. Dadoo on the First Anniversary of the Passive Resistance Struggle," in *Passive Resistance 1946*, 190.
[42] Ibid., 191

Assembly should not have forced Smuts to hold a conference. Lawrence also claimed the issue was domestic and again, unsuccessfully, asked the committee to get the International Court of Justice's legal opinion.[43]

After committee debates, Pandit motioned for a resolution that would force the Union government to hold a round-table conference with the newly formed Indian and Pakistani governments.[44] The resolution passed committee vote but failed to get the necessary two-thirds majority in the General Assembly. Afterwards, Pandit optimistically stated that "ours has been a moral victory of no small importance." Echoing her words, Gandhi announced, "truth is on our side and in a way we have secured victory. The Indians in South Africa should therefore not be disheartened."[45] However since 1945, South African Indians had framed their appeals to the UN, so that once South Africa chose not to abide by the organization's decision, the Indians' movement lost much of its strength. Radical Indian leaders had assumed that only international pressures could convince the Union government to abolish segregation so that once this assumption proved to be false, the masses was skeptical that future protests would succeed.

Following the UN decision, radicals unsuccessfully attempted to restart the resistance campaign a final time. In a speech in January 1948, Dadoo argued that even though Pandit's resolution did not receive a two-thirds majority, it demonstrated global support for South Africa's non-European struggle against its government's racial policies. He also denied that cross-racial collaborations weakened the Indian movement, insisting on the contrary that they represented an Indian determination "to

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[43] Pachai, 214.
[44] Ibid., 214.
[45] "Speech at Prayer Meeting," 3 December 1947, *E.S. Reddy Collection*, UDW.

remove all forms of discrimination which threaten racial goodwill and understanding and deny fundamental human rights to non-white sections of the population."[46] Despite Dadoo's exhortations, Smuts's unwillingness to cave to international pressures left Indians doubtful that further resistance would force the government to reform.

The final stage of the passive resistance campaign began on 25 January 1948 when fifteen Indians, including Dadoo and Naicker, crossed into the Transvaal without permits. Hoping to extinguish the event's symbolic importance, the authorities wisely did not arrest the resisters, making the border crossing anticlimactic. Three weeks later the government arrested the resisters and sentenced Dadoo and Naicker to six months in prison. With the masses dropping out of the movement and its two leaders in prison, the Passive Resistance Council suspended the resistance until after the national elections scheduled for May 1948. Authorities arrested over 2,000 Indians during the campaign, but their actions along with the UN's denouncements had failed to convince Smuts to eliminate his anti-Indian policies.

"Apartheid over our Dead Bodies": The National Party's Victory

On 21 January 1948, D.F. Malan introduced a motion of no confidence against Smuts' government prompting new elections. Smuts's participation in the war, loyalty to the British Empire, and his work at the UN had alienated many Afrikaner voters. Domestically, white employment and wages had declined between

[46] "Resistance of Death," *Dadoo Speaks*, 107-9.

1945 and 1948, while black wages, though considerably lower, had risen.[47] The Afrikaner National Party appealed to white farmers by promising to keep South Africa a "white man's country." The Nationalists, however, avoided using racial epithets in deference to apartheid theorists who thought total separation encouraged by apartheid could uplift all communities.[48] On 26 May, the National Party defeated Smuts's United Party by five seats and Malan became the new Prime Minister. Although the comparatively liberal Hofmeyr was partially to blame for the United Party's loss, he retained his seat, while Smuts, whose commitment to the war contributed to the party's defeat, lost his election.

The South African Indian political leadership was now in a new position. For forty years, Smuts had personally shaped South Africa's polices on Indians. Relieved that Smuts was now out of power, the Passive Resistance Council sent Malan a congratulatory note that expressing its optimism about the NP's future treatment of Indians. Malan's government quickly dashed the radicals' hopes by passing the Asiatic Laws Amendment Act, which rescinded the voting section of the Asiatic Land Tenure and Representation Act. Malan also publicly stated he would not meet with the newly formed Pakistani and Indian governments; he called the UN overly idealistic and declared that the National Party would work to convince as many Indians as possible to repatriate. Malan's remarks represented a strong shift in the government's policies towards Indians, the National Party had declared it would not bend to UN pressures and planned to resurrect a policy in repatriation, which the Union government had stopped endorsing in the mid-1930s.

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[47] Herman Giliomee, *The Afrikaners: Biography of a People* (Charlottesville: University of Virginia Press, 2003), 480.
[48] Ibid., 480-1.

In a July 1948 speech entitled "Apartheid Over our Dead Bodies," Dadoo called on Indians to prepare to fight against Malan. Indians would not repatriate, he said, because "South Africa is our home cradle, and South Africa will be our grave." He told the Communists to prepare for a fight against the National Party.[49] The speech marked a return to an older style of Indian rhetoric as Dadoo emphasized Indians as having South Africans roots. Because the National Party demonstrated it would not bend to international pressures, Dadoo knew Indians could only demand equal rights as South African citizens.

The 1948 UN conference confirmed Dadoo's belief that the apartheid government did not plan to abide by international law. The General Assembly did not discuss the "South African Indian Question," but voted on the newly created Universal Declaration of the Human Rights. Article 2 of the declaration guaranteed that all individuals deserved rights "without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status," while Article 7 granted equal protection of the law "without any discrimination."[50] The South African representative, C.T. Te Water, protested the non-discrimination clause and tried to replace the phrase "dignity and rights" in the preamble with "fundamental rights and freedoms." The majority opposed the measure and Charles Malik, one of the UDHR's primary drafters, reminded Te Water that Smuts had authored the phrase "dignity and rights" in the UN Charter's preamble.[51] Recognizing its government could not abide by the

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[49] "Apartheid over our Dead Bodies," *Dadoo Speaks*, 129-30.
[50] "The Universal Declaration of Human Rights," http://un.org/Overview/rights.html.
[51] Mary Ann Glendon, *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights* (New York: Random House, 2001), 145-9.

declaration's nondiscrimination clauses, South Africa's delegation chose to abstain from the General Assembly's 10 December 1948 vote, which approved the UDHR. Now that Smuts's prediction that South Africa would "move away from the UNO and towards isolation" was fulfilled, the Indian political leadership had to devise a new protest method.

"They Told Us To Kill the Indians": The 1949 Durban Riots

Before the Indians could create a new strategy, the Durban riots exposed latent African-Indian tensions. The riots began on 13 January 1949 when an Indian shopkeeper beat an African boy who he believed had stolen an item from his shop. The assault took place on busy Victoria Street, next to one of Durban's largest bars, and violence rapidly spread. Authorities took two days to quell the violence, and in total 78 Africans and 50 Indians died, and 58 shops and 247 houses were destroyed. Many eyewitnesses claimed whites encouraged Africans to attack Indians. One rioter reported that "they gave us petrol and sticks. They gave us drink and told us to kill the Indians and burn their places."[52] Others blamed the absence of a police presence for causing the riots.

The Durban City Council formed the all-white Durban Riots Commission to investigate the conflict's origins. After interviewing African, Indian, and white eyewitnesses, the commission published a report that absolved the government of any responsibility. The report cited "fundamental racial differences" and Indian passivity as key reasons for why the fighting expanded to different parts of the city. The

[52] Quoted in Parvathi Raman, "Being an Indian Communist the South African Way: The Influence of Indians in the South African Communist Party, 1934-1952," (Ph.D. diss., University of London, 2002), 245.

commission also criticized Indians for not retaliating against African aggression.[53] It recommended the government extend the Immorality Act to forbid sexual relations between Indians and Africans, claiming that relationships between Indian men and African women had helped "stir up" Africans.

Unhappy with the commission's report, the NIC, ANC, and South African Communist Party publicly blamed the apartheid government for inciting the violence. Naicker and Xuma claimed the government now discouraged interracial alliances to get rid of Indians since repatriation had failed.[54] Indian radicals tried to deny latent racial tensions among non-Europeans; some reported they had rushed to the conflict zone to tend both to Indians and Africans. In a 25 January press conference from London, Dadoo declared that the whites instigated the riots to weaken non-European opposition and beseeched African and Indian organizations "to conduct an intensive organized drive…and to strengthen their organization ties with the masses and to forge maximum unity for the struggle against apartheid and racial oppression and for full democratic rights."[55] African and Indian leaders may have recognized existing racial tensions between the two groups, but knew that their organizations needed to promote a multiracial message to obtain support for their struggle. If either the ANC or the South African Indian congress promoted an ethnonationalist message, they would most likely have lost the backing of South African liberal whites as well as international organizations such as the UN. Dadoo, who had always promoted cross-racial alliances, refused to let one event destroy African-Indian political unity and

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[53] Ibid., 259.
[54] Bill Freund, *Insiders and Outsiders: The Indian Working Class of Durban 1910-1990* (Portsmouth: Heinemann, 1995), 58.
[55] "Statement at Press Conference in London January 25," *Dadoo Speaks*, 146.

begged Africans and Indians to recognize the similar ways that the government oppressed them.

An ANC working committee criticized the apartheid government for the riots, but demanded white authorities "take immediate steps to review the differential and discriminatory policy in consultation with leaders of the non-European communities." It also asked Indian leaders to stop their community from retaliating against the Africans.[56] Then in a 6 February public statement, the ANC, TIC, and NIC blamed the "differential and discriminatory treatment of the various racial groups and the preaching in high places of racial hatred and intolerance" by white authorities as causing the conflict. The committee advised non-European leaders to dissolve tensions in their local communities.[57]

Older narratives, such as P.S. Joshi's 1951 *Struggle for Equality*, also blame the apartheid government for starting the Durban riots. However, African-Indian tensions over employment and space had existed prior to the 1948 elections. Indian communists may have hoped that all non-European workers would form a singular class identity, but other social structures continued to divide them. Even after years of fighting with the merchant class, Indian workers preferred to identify along ethnic rather than class lines. For example, Indian workers had participated in the 1946-1948 fight against the Asiatic Land Tenure Representation Act even though the legislation only targeted the Indian merchant class who had the money to buy white property. As

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[56] "Statement on the Durban Riots, by the Working Committee of the ANC," *From Protest to Challenge: A Documentary History of African Politics in South African Politics in South Africa 1882-1964*, Vol. 2, eds. Thomas Karis and Gwendolen M. Carter (Stanford California: Stanford University Press, 1973), 286-7.
[57] "Statement Issued by Joint Meeting of African and Indian Leaders," *From Protest to Challenge*, 287.

one worker explained, "the Act applies to me as much as any other member of the Indian community. It is an act which gives my people an inferior status. The rich and the poor are affected."[58]

African workers also remained wary of Indian workers who they saw as outsiders. The Africans also resented the Indians' belief that Africans should only hold unskilled positions. Natal's African Newspaper *Illanga Lase Natal* wrote that "black marketeering by Indians, Indian opposition to the expansion of the African, 'shacketeering' by Indian landlords, social and racial humiliation of the Africans by Indians....[gave Indians] a sense of... superiority over the Africans."[59] Pavarthi Raman argues Indians had tried to apply their caste mentality on Africans.[60] This seems unlikely, as most South African Hindus had disregarded the caste system. Occupation had replaced caste as the basis for prestige, and Indians did not enforce religious prohibitions against sexual intercourse between different castes.[61] But with skilled white workers returning from war, Indians had economic incentive to dissuade Africans from taking "Indian" jobs.

Competition for urban space also incited violence. Africans had chosen to live in the Cato Manor area because the neighborhood was closer to their work sites. When the 1946 Asiatic Land Tenure Act zoned Cato Manor as an Indian area, Africans felt displaced. In response, the union leader Zulu Phungula and A.W. Champion, Natal president of the ANC, tried to promote a Zulu identity amongst the

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[58] Quoted in Goolam Vahed, "Race or Class? Community and Conflict amongst Indian Municipal Employees in Durban, 1914-1949," *Journal of Southern African Studies* Vol. 27 (Mar., 2001): 121.
[59] Hamilton Southworth III, "South Africa's Cities: Resistance to the Groups Areas Act in Durban during the 1950s," *The International Journal of African Historical Studies* 24 (1991): 5.
[60] Raman, 249.
[61] Leo Kuper, *Passive Resistance in South Africa* (New Haven, Yale University Press, 1957), 211.

Africans, which had divided lower-class Africans and Indians.[62] Phungula had told the Durban Riots Commission the government should force Indians to repatriate.[63] Dadoo and Naicker, by consciously forming a strategy to defeat Smuts had failed to alleviate local African-Indian tensions before launching their multiracial movement. However, Dadoo and Naicker could not now defend the interests of the working-class, because this would have forced these leaders to stop Africans from taking "Indian" jobs and thereby damaged their multiracial message. Thus, radical leaders had successfully overcome the contradictions between Gandhian, Communist, and liberal philosophies, but had forgotten to address workers' concerns.

"Gandhi Re-assessed": Failures in the Radicals' Message

Since the Union government refused to implement the UN's rulings, Bridglal Pachai argues that "a singular monotony pervad[es]" in studying the UN debates which leads one "to ask whether the question justified any detailed study."[64] But the events between 1946 and 1948 help in understanding why the radicals' message fell apart. Radicals would have been more successful if they had not directed their passive resistance struggle towards the UN. After Smuts refused to implement the Franco-Mexican resolution, enthusiasm for the Indian campaign faded. Smuts's decision not to abide by the UN ruling showed that Indian leaders had incorrectly place too much faith in this international body to save them South Africa's oppressive regime. In addition, Indians should not have framed their fight as a human rights struggle on

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[62] Ibid., 251.
[63] Quoted in David Hemson, "Dockworkers, Labour Circulation, and Class Struggles in Durban, 1940-1959," *Journal of Southern African Studies* 4 (1977): 112.
[64] Pachai, 197.

behalf of all non-whites because the strategy ignored long-standing African-Indian competition over jobs and space.

Even if the radicals had acknowledged these growing conflicts, they still might have had to structure their movement around human rights and non-European alliances. Throughout the 1940s, Indian radicals had altered their political message for expediency, staging protests, and delivering speeches to make Smuts look vulnerable and give their struggle symbolic importance. Indian demands for human rights seemed to be the only logical response to Smuts's attendance at the 1945 San Francisco Conference. If the United Party had won the 1948 election, the Indians could have continued fighting at the transnational level, but the National Party's unwillingness to sign the Universal Declaration of Human Rights rendered the radicals' strategy useless.

In a draft of his forthcoming book, Goolam Vahed applauds Naicker for moving "beyond Gandhi and other local Gandhians when he steered Indians into an alliance with Africans."[65] However, Indians could have increased their chances for a successful campaign if they had followed Gandhi's advice and demanded rights only for their community. Indian leaders' calls for non-European alliances had ignored that because Africans and Indians did not bond socially, they could not execute a successful nonviolent resistance campaign. Dr. Goonam, Executive Member of the NIC during the 1940s, remembers how the Anti-Segregation Council held various fundraisers to raise money: "we organized fun fairs, dances, and beauty contests." In Goonam's view, the activities had allowed the Indian community to bond. The 1946 campaign had also brought the merchants and laborers together and, as Goonam

[65] Vahed, "Passive Resistance," 22.

noted, "the mainstay of our donations was the moneys we collected from the storekeepers and professionals, that part of the community that had money to spare."[66] By keeping resistance within the community, leaders had bridged tensions between the merchants and workers through social activities. Though Africans and Indians lived in the same neighborhoods prior to the 1950 Groups Areas Act, they had not meshed socially suggesting they could not integrate their political movements. Thus, future African-Indian resistance campaigns were doomed to fail, as tensions persisted between the two communities into the 1950s.

[66] Ibid., 19.

Chapter 6: A Return to Older Principles: The 1952 Defiance Campaign

"The Tyranny of the Gestapo": Early Resistance to Apartheid Laws

The 1949 Durban Riots had exposed longstanding tensions between African and Indian urban workers and had demonstrated that non-Europeans could not fully integrate their struggles. Nonetheless, African and Indian leaders chose to execute the 1952 Defiance Campaign, which would be South Africa's largest ever nonviolent movement, as a joint protest. The campaign failed to force any governmental reforms, but marked the first time Indians participated in an African-led movement. Leo Kuper and Thomas Lodge argue the campaign failed because Africans chose nonviolent resistance primarily for political expediency, and failed to internalize the Gandhian principles behind *Satyagraha*. The Eastern Cape, where 71% of all arrests took place, represented the lone exception to this trend. There, the resisters, who were nearly all African, abided more closely to *Satyagraha's* emphasis on suffering and incorporated a Christian fervor in the movement.

The Defiance Campaign originated from the formation of the ANC Youth League in 1944. The League, led by Anton Muziwakhe Lembede and composed mainly of young professionals, sought to challenge the older ANC leadership who younger leaders saw as weakly organized and only attuned to elite interests.[1] These politicians wanted to channel the African working-class's energy and to promote stronger African nationalism through large-scale strikes, boycotts, and non-cooperation movements.

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[1] Tom Lodge, *Black Politics in South Africa since 1945* (New York: Longman Group, 1983), 22-3.

Unlike Xuma, the ANC president-general, the Youth League originally opposed alliances with Indians. One of its members, Jordan Ngubane, wrote in 1944, "as long as the African people are not welded into a compact organized group they will never realize their national aspirations. When they meet other non-European groups, they will be an unwieldy encumbrance serving the purpose of being stepping-stones for better organized groups."[2] In 1947 Lembede stated, "Africa is a blackman's country. Africans are natives of Africa and they have inhabited Africa, their Motherland, from times immemorial; Africa belongs to them." Lembede believed non-European unity could only happen occasionally, and only "between Africans as a single unit and other Non-European groups as separate units. Non-European unity is a fantastic dream which has no foundation in reality."[3] However, the Indian 1946-1948 passive resistance campaign impressed the Youth League, which started to publicly endorse multiracial alliances. Lembede and others also recognized that an alliance was beneficial, because Indian merchants would help the African movement financially, and the Indian government would promote its struggle at the UN.

Upcoming national elections may also have led Africans to promote multiracial collaboration. At the 1963 Rivonia Trial, Nelson Mandela stated that Africans would have deemed the Defiance Campaign a success if either the National Party had rescinded its racial legislation or if white voters had said, "we think that this government should make way for a government which is more sensible, more

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[2] Quoted in Gail M. Gerhart, *Black Power in South Africa: The Evolution of an Ideology* (Los Angeles: University of California, 1978), 75.
[3] A.M. Lembede, "Policy of the Congress Youth League," in *From Protest to Challenge: A Documentary History of African Politics in South African Politics in South Africa 1882-1964*, Vol. 2, eds. Thomas Karis and Gwendolen M. Carter (Stanford California: Stanford University Press, 1973), 317-8.

responsible."[4] If the ANC hoped to garner white voters' support for racial equality, it had to embrace a stable multiracial society, rather than dominant African majority rule.

In December 1949, the ANC adopted the Youth League's "Programme of Action" that rejected segregation policies and promised to fight for African self-determination. The document asked the ANC to abandon moderate strategies such as petitions and deputations and engage in more direct action like nonviolent resistance. The document also demanded the ANC appoint a council of action to work for "the abolition of all differential political institutions" by using "immediate and active boycott, strike, civil disobedience, non-co-operation, and such other means as may bring about the accomplishment and realisation of our aspirations."[5] The Youth League chose to use non-violence not for moral reasons, but for political expediency. Because it lacked the weapons and the organization, its members recognized that Africans could not currently launch a violent rebellion. In addition at the 1947 conference, the Youth League helped elect Dr. James Moroka as president-general to replace the less militant Dr. A.B. Xuma.

Growing ANC militancy did not deter parliament from passing a series of stringent racial laws in 1950. On 27 April it passed the Group Areas Act, which zoned urban space into different racial areas. The government gave whites property formerly owned by non-whites (mostly Indians and coloreds) and forced non-whites to move to uniracial communities. The act hurt Natal and Transvaal Indians more than Africans. The Land Act of 1913 and the Urban Areas Act of 1923 had already

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[4] Quoted in Gerhart, 96-7.
[5] "Programme of Action," in *From Protest to Challenge*, 338.

restricted African landholdings, but the government had not inhibited Indians property rights until the 1939 Transvaal Land Act and the 1943 Natal "Pegging Act." Thus in 1950, Indians held significantly more land than the other non-white groups. Naicker argued in his 1950 Natal Indian Congress presidential address that the act relegated Indians "to their own exclusive ghettos in slums and in poverty….The Group Areas Act strikes at the very basis of our existence in this country."[6] Over the next few years, the Group Areas Act forced approximately 75,000 of 150,000 Durban Indians to relocate.

Although the relocation numbers are staggering, some Indians supported the legislation. Bill Freund observes that many Indians preferred living separately from Africans. One Muslim trader reported, "I like Group Areas. For the first time we have a home of our own." Some Indians did lose high-value property, but the legislation gave the middle-class the opportunity to buy moderately priced houses in "Indian" areas.[7] The political leadership's opposition to the Group Areas Act represented a division between many of the Indians and their representatives; though sections of the community were experiencing material gains from the legislation, radicals viewed the act as opposing their struggle for equality.

The Union government also passed the 1950 Suppression of Communism Act, which banned the South African Communist Party and left-wing organizations such as multiracial trade unions. While parliament was debating the bill, the African National Congress, South African Indian Congress, African People's Organization

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[6] Dr. G.M. Naicker, "Presidential Address to the Fourth Annual Conference of the Natal Indian Congress," in *Monty Speaks: Speeches of Dr. G.M. Naicker*, ed. E.S. Reddy (Durban: Madiba Publishers, 1991), 62.

[7] Bill Freund, *Insiders and Outsiders: The Indian Working Class of Durban, 1910-1990* (Pietermaritzburg: University of Natal Press, 1995), 72-3.

(the political body for the mixed-race coloreds), South African Communist Party, Youth League, and Transvaal Council of Non-European Trade Unions together passed a resolution claiming it was "the bounden duty of every South African who believes in basic human rights to express his strongest condemnation of this Bill."[8] In an attempt to liken the apartheid government to the Nazi regime, African and Indian leaders called the bill the "Gestapo Bill," once again demonstrating Indians' desire to represent their struggle as anti-fascist.

Protests against the two acts took place at both domestic and international levels. Before the Suppression of Communism Act passed, the Natal Indian Congress, Africa People's Organization, and South African Communist Party organized a 1950 May Day strike. Protestors held demonstrations in Alexandra, Sophiatown, Orlando, and Benoni. While 2,000 policemen monitored the protests, violence broke out resulting in eighteen African deaths.[9] While the strike did not stop parliament from passing the act, it marked the first time African and Indian groups ever officially protested together. The South African Communist Party dissolved on 20 June and many of its African members joined the ANC. Six days later, the ANC held a "Day of Protest" modeled after an Indian *hartal* or "day or prayer," in which Africans stayed at home to protest the Group Areas Act.

The next year the South African government passed a bill taking the Cape Coloreds off the common voting roll. Dadoo claimed the act marked "an end to the era of liberalism in the Cape… an end to democracy as we know it in South Africa."

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[8] "Resolution Adopted at the Conference of Representatives of the Executive Committees of the ANC, South African Indian Congress, African People's Organization, ANC Youth League, South African Communist Party, and Transvaal Council of Non-European Trade Unions," in *From Protest to Challenge*, 443.
[9] Lodge, 33-4.

Dadoo urged all non-European groups to collaborate in fighting for "the basic human rights of all social groups of people in consonance with the principles and purpose of the United Nations Charter and the Declaration of Human Rights."[10] The Coloreds and Africans held a second "Day of Protest" to oppose the disenfranchisement legislation, but this protest failed to force any reforms.

On 12 January 1952, the UN General Assembly adopted a resolution that demanded the Union government not enforce the Group Areas Act. The National Party declared it would not yield to external pressures rendering the resolution ineffective. Dadoo lambasted UN member-states "for having significantly failed in their duty to take effective action against South Africa for its blatant violation of the United Nations Charter and the Universal Declaration of Human Rights."[11] He recognized that the international community's protest against apartheid would not force the government to reform and that the non-European community needed to fight its struggle domestically. Though the Indian and Pakistani governments continued to attack apartheid in the General Assembly, the African and Indian political leadership realized they would have to battle the apartheid government domestically.

"We Shall March Forward with this Weapon": The 1952 Defiance Campaign

To challenge these new laws the ANC created a five-man planning council on 28 June 1951 that included ANC leaders James Moroka, Walter Sisulu, J.B. Marks and SAIC leaders Yusuf Dadoo and Yusuf Cachalia. The council's mission was to

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[10] "Fight for Peace, Democracy, and an End to Exploitation," in *Dadoo Speaks: Dr. Yusuf Dadoo: His Speeches Articles, and Correspondence with Mahatma Gandhi* ed. E.S. Reddy, 158-9.
[11] "Presidential Address to the Twentieth Session of the South African Indian Congress Conference," in *Dadoo Speaks, 176.*

devise a strategy to fight against the new apartheid legislation.[12] The commission published a report on 8 November 1951 stating that if the government did not repeal its racial legislation by 29 February, the Indians and Africans would initiate mass action on either 6 April, the tercentary of Jan van Riebeeck's founding of a white colony at the Cape, or 26 June, the anniversary of the 1950 "Day of Protest." Mass action would unfold in three stages beginning with a corps of trained nonviolent resisters courting arrest in the major urban areas, including Durban, Johannesburg, and Cape Town. Other resisters would then join the original group, and finally the movement would extend to rural areas. The council had opted to use non-violence because it was the "form of struggle best suited to our conditions" in terms of "the political and economic set-up-of our country"[13] Thus, like the Indian radicals in 1946, the council adopted non-violence not for moral reasons, but for political expediency.

Leo Kuper in *Passive Resistance in South Africa* examines the speeches of veteran Indian resister Nana Sita and an anonymous ANC leader to argue that the Africans, unlike the Indians, did not adhere to Gandhi's principles of *Satyagraha*. Sita publicly claimed, "the weapon we are to use will be stronger than the atomic bomb….By suffering we shall march forward with this weapon" thereby holding fast to the Gandhian code. But Sita and Naicker, by following Gandhi's principles, were in the minority of Indian leaders. Unlike Sita, the African leader declared, "if violence must come, the African will choose the time and the battlefield. But I repeat, violence

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[12] The laws included the Pass Laws, the Group Areas Act, the Voters' Representation Act, the Suppression of Communism Act, and the Bantu Authorities Act.
[13] "Report on the Joint Planning Council of the ANC and the South African Indian Congress," *From Protest to Challenge*, 460.

is not contemplated. We say this campaign is going to be peaceful."[14] He argued that Africans wanted to fight the government, but currently lacked the resources to initiate a violent insurrection. These words demonstrated the views of many African leaders who endorsed non-violence on political rather than moral grounds. However before the campaign some ANC leaders invoked a more Gandhian message. In his 1952 ANC Presidential Address, Dr. Moroka claimed, "we ask nothing that is revolutionary. If what we ask for is communistic, then communism is humane and Christian…we ask for those things, which I believe, will facilitate co-operation between the Europeans and non-Europeans."[15] Moroka, like Gandhi, did not seek to use non-violence in a revolutionary or Marxist manner and thought Africans could have amicable relationships with whites. As the campaign continued, Africans, especially in the Eastern Cape, began to internalize Gandhi's message and focus on *Satyagraha's* religious aspects.

The ANC wrote Malan a letter on 21 January 1952 in a final attempt to avoid launching its campaign. The letter argued that both segregation and apartheid governments had stripped Africans of the "fundamental human rights enjoyed in all democratic countries." It warned Malan that if he failed to revoke all racially discriminatory laws by 29 February, the Africans would hold protest meetings on 6 April as a prelude to the larger Defiance Campaign.[16] The prime minister's office responded on 29 January 1952, declaring the Union government would never grant Africans administrative or executive legislative authority over whites. The

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[14] Quoted in Leo Kuper, *Passive Resistance in South Africa* (New Haven, Yale University Press, 1957), 120.
[15] "Presidential Address," in *From Protest to Challenge*, 472.
[16] "Letter Calling for Repeal of Repressive Legislation and Threatening a Defiance Campaign," in *From Protest to Challenge*, 476.

government's letter declared that the National Party recognized Africans as separate but equal, and encouraged "Bantu initiative, Bantu services, and Bantu administration within the Bantu community, and there to allow the Bantu people full scope for all his potentialities." The government's response warned that if the ANC began a campaign, authorities would "make full use of the machinery at its disposal to quell any disturbances, and thereafter, deal adequately with those responsible for initiating subversive activities of any nature whatsoever."[17] The ANC replied that as "defenceless and voteless people," non-whites could only use non-violence to protest the government's unjust laws.

Leading up to the campaign, Dadoo adopted a more Gandhian tone. He wrote Malan a letter, on behalf of the SAIC, claiming that Indians did not bear any malice towards whites. But to fight these oppressive laws they would adopt the "precepts and example of Mahatma Gandhi, devotion to the cause of righteousness and truth, courage and determination in the prosecution of peaceful struggles against injustice and oppression."[18] These statements differed from Dadoo's remarks in the mid-1940s when he had repeatedly called Smuts a "fascist" and had declared he was fighting for "human and democratic rights" instead of seeking "righteousness and truth." Malan and the National Party's unwillingness to succumb to international pressures had forced Dadoo to adopt a new rhetorical style. He could no longer rely on demonizing South African leadership to attract international attention, but now had to hope that a *Satyagraha* campaign would persuade the apartheid regime to reform its polices. The

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[17] "M.W.W. Aucamp to Dr. J.S. Moroka and W.M. Sisulu, 29 January 1952," in *Passive Resistance in South Africa*, 238.
[18] "Letter to Prime Minister Malan, 20 February 1952," in *Dadoo Speaks*, 185.

Communist Party's dissolution may also have forced Dadoo to realize that non-Europeans now could not use strong revolutionary protest methods.

On 26 June, the Defiance Campaign officially began in the Cape when Nana Sita led fifty resisters through an African neighborhood without necessary permits. The same night Nelson Mandela and Yusuf Cachalia, along with fifty other men, broke Johannesburg's curfew laws, and in New Brighton, thirty Africans walked through the "Europeans only" entrance to the train station. In all three cases, authorities arrested the resisters. In the campaign's early stages, most arrested protesters remained disciplined and chose months-long prison sentences over paying fines. At their hearings, some resisters, including Mr. S. Mokoena, gave speeches drawing on Gandhian principles. Mokoena announced in court that "we [the resisters] wish to state that punishment, no matter how severe, can be no deterrent to us. We have undertaken this campaign fully expecting such punishment. We have steeled and braced ourselves up to bear whatever punishment may come our way."[19] Mokoena recognized that suffering and punishment were integral parts of a nonviolent campaign, because only through suffering could resisters unlock the oppressor's goodwill. By August the campaign had spread from its original urban areas, and reached its peak in September when authorities arrested 2,500 individuals.[20]

In October, the campaign's success led India, Pakistan and eleven other UN members to ask the General Assembly to investigate "[t]he question of race conflict

[19] Quoted in Kuper, 130.
[20] Lodge, 44-5.

in South Africa resulting from the policies of apartheid in South Africa."[21] The 1952 session marked the first time either India or Pakistan had discussed the Africans' plight at the United Nations. At the same meeting the General Assembly adopted two resolutions; the first established a commission to study apartheid legislation, and the second denounced apartheid for violating the UN Charter's polices on human rights.[22] But by now, Malan's government had clearly indicated it would not follow UN rulings. Malan responded to Indian and Pakistani attacks in a memorandum he sent to the UN, which argued that India should stop "interfering" in the National Party's domestic policies. Malan declared that his government would "not tolerate any interference in its domestic affairs, and it will disregard and ignore any resolution taken in violation of Article II of the Charter."[23] Though all other nations disagreed with its interpretation, the Union government remained adamant that Article 2(7) of the UN Charter justified its treatment of Africans and Indians.

Despite its early strength, the campaign broke down after riots in Port Elizabeth and East London in the Eastern Cape. The riots began in Port Elizabeth on 18 October when a railway policeman tried to arrest two disembarking African passengers who he believed had stolen a paint can from the train. The passengers resisted arrest, and during the subsequent struggle the policeman shot one man and wounded two others. Almost immediately, a group of Africans gathered at the police station and stoned policemen arriving on the scene. Authorities responded by firing

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[21] Lorna Lloyd, "'A Most Auspicious Beginning': The 1946 United Nations General Assembly and the Question of the Treatment of Indians in South Africa," *Review of International Studies*, Vol. 16 (April, 1990): 150.
[22] Bridglal Pachai, *The International Aspects of the South African Indian Question 1860-1971* (Cape Town: C. Struik, 1971), 242-3.
[23] D.F. Malan, "Hands off South Africa: Prime Minister's Statement on Indian Interference," 20 October 1952, UDW.

into the crowd and killing several individuals. The mass then attacked white-owned properties and killed three whites.[24] In East London, authorities had banned all public meetings following the Port Elizabeth outbreak, but local ANC officials had received permission to hold a public Sunday prayer meeting. When the police arrived at the prayer meeting, they claimed they could not distinguish the religious meeting from a political gathering and used bayonets to dispense the crowd. The ensuing violence led to eight deaths, including a white Dominican nun.[25]

In the wake of the riots, the ANC demanded that authorities form a commission to investigate who started riots, but the government instead chose to suppress the campaign. In response, the ANC and the SAIC tried to reignite resisters and blamed police for instigating the violence. A flyer issued by the two groups claimed, "the government wants to create race riots between European and non-European, Indian and African, and African and Coloured."[26] But the ANC and SAIC never effectively restarted the movement, and between November and December the number of new resisters fell to 280.[27] Resisters were perhaps reluctant to continue protesting after the government's repressive actions, because they had not internalized Gandhi's emphasis on suffering. Chief Albert Lutuli, the newly elected ANC president-general, called off the protests in April 1953. While the Defiance Campaign did not force the government to make any legislative reforms, it politicized the African masses and made the ANC the leading group in the non-white movement, which allowed for future large-scale protests against the apartheid regime.

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[24] Lodge, 59.
[25] Ibid., 59-60.
[26] "Police Shootings Must Stop!" in *From Protest to Challenge*, 485.
[27] Kuper, 145.

"The Road to Freedom is Via the Cross": Christianity and the Defiance Campaign

Parvathi Raman correctly observed that though most African resisters saw non-violence as a political weapon, some infused the movement with "predominantly Christian notions of justice and truth." However, Raman incorrectly concludes that despite this religiosity "passive resistance comes readily [only] to the Hindu mind."[28] The Eastern Cape, where 5,719 arrests took place, had the strongest movement. Here, organizers emphasized *Satyagraha's* religious components and worked to liberate their own ethnic community.

Resisters in the Eastern Cape accepted nonviolent resistance for four reasons. First, the region had lots of trade unions and many workers had participated in organized strikes prior to the 1952 campaign. Second, rapid urbanization in Cape Town during the 1940s had exacerbated the Africans' already dire economic situation. Some African workers, unable to afford better living conditions, shared nine-by-seven foot rental rooms made of packing cases with up to thirteen other individuals. Poverty plagued the rural areas of the Eastern Cape as between 1945 and 1951, a series of droughts hit Ciskei, East London's rural hinterland, which forced African workers' wages down.[29] Because they were already living under conditions of intense poverty, these Africans may have accepted *Satyagraha's* emphasis on suffering more readily.

Third, few Indians lived in the Eastern Cape, and as one April 1952 Cape ANC pamphlet claimed, the struggle was "basically Africanist."[30] Leaders could

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[28] Parvathi Raman, "Being an Indian Communist the South African Way: The Influence of Indians in the South African Communist Party, 1934-1952," (Ph.D. diss., University of London, 2002), 275.
[29] Lodge, 49, 56.
[30] "A Crucial Period," in *From Protest to Challenge*, 414.

more easily organize the campaign because they did not have to worry about racial tensions. A brief comparison to the less successful Johannesburg movement may demonstrate why an ethnically homogenous population can more easily launch a nonviolent movement. Wealth disparities between whites and black were starker in Johannesburg, the Transvaal's largest city, than in the Cape. Furthermore a large population of well-educated, skilled, and politicized Africans lived in the nation's capital.[31] However in the Transvaal, African leaders agreed to work with Indians and liberal whites making Africans less inclined to join the campaign.

The final factor, which has been discussed the least both other historians, was that Eastern Cape resisters maintained a high religious fervor throughout the Defiance Campaign. The Eastern Cape benefitted from a lack of community influences, which meant that leaders did not have to promote a revolutionary message[32] African leaders held prayer meetings before events where they stuck more closely to the precepts of *Satyagraha* by making references to sacrifice, martyrdom, justice, and truth, and volunteers promised to maintain a code of love, discipline, and cleanliness.[33] Historian Tom Lodge argued that in the Cape, "the ideas of sacrifice, and the notion that 'through our suffering we will find redemption,' resonated quite powerfully among the African masses.[34] James Njongwe, the Eastern Cape's ANC leader, claimed that "suffering we accept" as part of our "Christian faith."[35] He also

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[31] Gerhart, 136.
[32] Pike argues that the Defiance Campaign failed because authorities had arrested many importance radical leaders under the Suppression of Communism Act. Henry Pike, *A History of Communism in South Africa* (South Africa: Christian Mission International of South Africa, 1985), 283-4.
[33] Ibid., 43-4. For a more detailed account of the religious spirit of the Eastern Cape resistance refer to William Cushing, "Third Way: Religion and Non-violence in Early Twentieth Century South Africa," (Honors Thesis: Wesleyan University, 2005).
[34] Quoted in Cushing, 95.
[35] Quoted in Ibid., 93.

emphasized the religious aspect of Gandhian non-violence in telling resisters to "first go to church for prayer and dedication" before participating in defiance. Thus, Eastern Cape leaders chose to focus on the resisters' moral autonomy and their ability through suffering to liberate their community. They made few, if any, references or appeals to the UN Charter.

Chief Albert Lutuli's November 1952 public statement "The Road to Freedom is via the Cross" perhaps best exemplifies how sections of the African leadership reinvigorated non-violence's religious component. Lutuli delivered this address after the government dismissed him from his position as chief of the Groutville Mission Reserve because he refused to resign from the ANC. Lutuli's faith led him to believe that the inherent goodness of man could be used to persuade whites to change their views on racial discrimination.[36] Lutuli claimed that after thirty years, he had concluded that moderate strategies would not convince the government to change their racial policies. He now embraced "the nonviolent Passive Resistance technique in fighting for freedom because I am convinced it is the only non-revolutionary, legitimate and humane way that could be used by people denied, as we are, effective constitutional means to further aspirations."[37] Unlike Indian and African communist leaders, Lutuli viewed non-violence as the only moral form of resistance once petitions and deputations failed. Like Njongwe, Lutuli accepted the necessity of suffering and noted, "it is inevitable that in working for Freedom some individuals and some families must take the lead and suffer: The Road to Freedom is via the

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[36] Lyn S. Graybill, *Religion and Resistance Politics in South Africa* (Westport, CT: Praeger Publishers, 1995), 37.
[37] "The Road to Freedom is via the Cross," in *Lutuli: Speeches of Chief Albert Lutuli*, ed. E.S. Reddy (Durban: Madiba Publishers, 1991), 43.

Cross."[38] Lutuli's statement did not mention Gandhi, rather it alluded to St. Peter's and the other apostles' declaration in Acts 5:29 "we must obey God rather than men" as the inspiration behind defiance.[39] Yet, his Christian interpretation of non-violence mirrored *Satyagraha* in its emphasis on religious principles and suffering.

It is important to note that Africans in the Eastern Cape were not necessarily more religious or more naturally capable of practicing *Satyagraha* than blacks in the other provinces. Rather the decision by leaders, such as Njongwe and Lutuli, to promote non-violence through a Christian framework resonated with popular practices of Christianity in the region. Because leaders made references to Biblical verses and themes which the masses understood, they were more willing to join the campaign. For example, the emphasis on "through our suffering we will find redemption" appealed to the masses who were already suffering under severe poverty. If Eastern Cape leaders had instead made references to human rights and multiracialism, terms which were foreign to the African worker's daily experiences, fewer individuals would have joined the campaign.

The English-speaking churches' endorsement of the Defiance Campaign exhibited the campaign's semi-Gandhian nature. Considering the Dutch Reformed Church supported the apartheid regime, non-whites viewed these churches' support as crucial to their struggle. The English-speaking churches all passed resolutions against apartheid and those with larger black constituencies- the Anglicans, Congregationalists, and Methods- were particularly outspoken against the

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[38] Ibid., 44.
[39] Gandhi had claimed that *Satyagraha* was born out of his interpretation of the Sermon on the Mount.

government's new policies.[40] The Anglican Archbishop of Cape Town, Geoffrey Clayton, cautiously endorsed the non-Europeans' nonviolent method in a public address at the end of 1952. Like Lutuli, Acts 5:29 influenced Clayton's view on nonviolent resistance. He claimed that Christians must be law-abiding citizens, but if the law forced them to act contrary to the will of God, they must obey Him. Because the Indians and Africans could not push for reforms constitutionally, Clayton accepted them using non-violence. He worried the struggle might become violent but could not "see how anyone can avoid having some sympathy" for the campaign.[41] At its 1952 conference, the Methodist Church endorsed the movement, noting non-Europeans could only respond to the new racial laws through active or passive resistance. Because the church opposed the use of violence, it condoned the non-whites' nonviolent struggle.[42] Thus the Defiance Campaign, by using nonviolent protest to counter the government's harsh and sometimes violent repression, successfully captured white religious leaders' sympathy. Non-Europeans hoped that these whites religious leaders would consequently convince their followers to abide by a gentler form of Christianity and show greater compassion for non-whites' welfare.

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[40] John W. De Gruchy, "Grappling with a Colonial Heritage: The English-speaking Churches under Imperialism and Apartheid," in *Christianity in South Africa: A Political, Social, and Cultural History*, eds. Richard Elphick and Rodney Davenport (Berkeley: University of California Press, 1997), 160.
[41] Quoted in Alan Paton, *Apartheid and the Archbishop: The Life and Times of Geoffrey Clayton* (New York, Charles Scribner's Son, 1973), 222.
[42] Kuper, 161.

"Non-European Unity is a Fantastic Dream": The Failure of Cross-Racial Alliances

In Natal, where Indian and African resisters had not internalized *Satyagraha's* principles, the campaign failed to obtain mass support. Though the Defiance Campaign marked the first time Indians participated in an African-led campaign, few Indians participated and most who did were communists. Racial tensions between the masses and leaders caused Natal's failed movement. Since the late 1940s, Natal's ANC branch had worried about allying with Indian groups. Writing to A.B. Xuma following the 1947 Doctors' Pact, H.S. Msimang, leading member of the ANC's Natal branch, claimed Africans could never work with Indians and that his "executive Committee has refrained from declaring what it knows to be the universal feeling of the Africans in this Province as it would not like to hasten a rupture within the ranks of the Congress."[43]

When the National Party had come to power in 1948, the Natal ANC asked the minister of the interior to segregate Indians from Africans because "there can never be a mutual understanding between the two races."[44] The Durban Riots increased many Africans' trepidation to work with Indians. For example, African workers chose to exclude Indian workers from their strikes following the riots. On 2 May 1949, 800 African dock workers went on strike on the Durban docks. Though the campaign lost momentum after authorities arrested its leader, Zulu Phungula, African railway workers, painters, and chippers all went on strike in the late 1940s.[45]

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[43] Quoted in Gerhart, 104-5.
[44] Quoted in Cushing, 77.
[45] David Hemson, "Dockworkers, Labour Circulation, and Class Struggles in Durban, 1940-1959," *Journal of Southern African Studies* 4 (1977): 113-6.

These strikes, which never included Indians, demonstrated African workers' aversion to protesting alongside Indians. Leading up to the campaign, Africans and Indians rarely collaborated. When the ANC and NIC held rally meetings in the weeks prior to the campaign's launch, members of the other racial group rarely attended.[46] Durban African painters and chippers also went on strike in June 1952, displaying African workers greater concern for their economic rights than with the non-whites' fight for equality. This growing sense of ethnic nationalism amongst workers also made it difficult for leaders to recruit the African masses to join the Defiance campaign.

Enthusiasm remained low as the campaign started. Though Indian leaders, including Dadoo, Naicker, and Sita, helped to organize and lead the movement, the Indian masses did not participate. Tom Lodge recalled in a 2003 interview that "there were few instances in Natal that could not have caused the police more than five minutes concern as they were basically 'elite' forms of protest that never involved masses in the street." Durban witnessed only sixteen acts of defiance, eight of which took place at the same train station. Furthermore, leaders rarely use "mixed" groups to defy the law.[47] The arrest of twenty-five Indian and African Congressmen for selling "Freedom Stamps" was the Durban campaign's climax. However, this event was relatively minor compared to larger and more frequent acts of defiance in the Cape. Authorities only arrested 246 resisters in Natal and none outside Durban. The government made twelve more arrests in the Orange Free State, the province where the ANC had deliberately chosen not to prosecute the campaign.[48] A July 1952

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[46] Hamilton Southworth III, "South Africa's Cities: Resistance to the Groups Areas Act in Durban during the 1950s," *The International Journal of African Historical Studies* 24 (1991): 11.
[47] Cushing 85-7.
[48] Kuper, 123.

African attack on Indian shopkeepers in Benoni sealed the fate of cross-racial alliances by reminding African and Indian workers of the 1949 Durban riots.

However, African-Indian tensions were not the only reason Durban's campaign failed. The 1946-1948 passive resistance campaign, in which authorities had arrested over 2,000 resisters, had not convinced the government to abolish any racially discriminatory legislation and had left Indians skeptical about nonviolent resistance's effectiveness. Consequently, Indians leaders had a difficult time recruiting the masses to join 1952 Defiance Campaign. Also following the 1946-1948 campaign, the NIC's organizational structure had collapsed. In 1947, the NIC had twenty-eight branches, but by 1959 it had only twelve.[49] The ANC's Natal branch was also disorganized prior to the campaign. In 1951, Lutuli, then leader of the ANC's Natal branch, had wanted to postpone the campaign because he thought that the ANC was not ready for mass action. Finally, some Indians had benefitted from the Group Areas Act and did not want to protest this legislation.

The Natal movement also failed because leaders, unlike in the Eastern Cape, promoted a message which failed to resonate with the masses. By emphasizing the multiracial nature of the campaign, leaders were ignoring the fact that African and Indian workers were competing against one another in the work place. The 1952 African attack on Indian shopkeepers in Benoni demonstrated that African-Indian tensions persisted following the Durban Riots. Because of these conflicts, most Indians and Africans in Natal did not want to join a cross-racial campaign.

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[49] Davinder S. Dhillon, "The Indians of Natal: Resistance to Apartheid: 1971-1985," (Honors Thesis: National University of Singapore, 1999) 8.

"The Freedom Charter is a Political Bluff": Toward Ethnic Nationalism

Natal's 1952 campaign had shown that non-Europeans could not yet merge their campaigns, but African and Indian leaders continued to encourage cross-racial alliances. In his 1953 NIC presidential speech, Naicker stated that non-Europeans should strive to eliminate all ethnic "congresses" and have one "South African Democratic Congress in which all democrats, no matter to which community they belong, will be able to play their part for a prosperous, free, and democratic South Africa."[50] Lutuli emphasized the importance of future collaboration in 1953, and claimed that the African-Indian alliance was "based on a common genuine regard for true democracy, and is resulting in a growing spirit of friendship between our respective communities." He also downplayed racial tensions and claimed the Africans who cried "away with the Indians" represented only "a few insignificant voices." The future nonracial South African democracy would grant all individuals "open unfettered opportunities for their full development, each according to his or her God-given talents."[51] The 1955 Congress of the People, South Africa's largest multiracial organization would attempt to create a formal document that articulated Lutuli's vision.

In a 1953 speech, Z.K. Matthews, professor at the all-black Fort Hare University and president of the ANC's Cape branch, sparked the idea for the Congress of the People. He told his constituency that the ANC should now consider "convening a national convention, a Congress of the People, representing all the people of this country irrespective of race or colour, to draw up a Freedom Charter for

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[50] "Presidential Address to the Sixth Annual Conference of the Natal Indian Congress," in *Monty Speaks*, 75.
[51] "Let us March Together in Freedom," in *Lutuli: Speeches of Chief Albert Lutuli*, 47-8.

the democratic South Africa of the future."[52] At its December 1953 meeting, the ANC endorsed Matthews's suggestion and adopted a resolution creating the Congress of the People (COP). The ANC announced that the COP would consist of the African and Indian congresses along with the South African Coloured People's Organisation and the newly formed South African Congress of Democrats, a white organization composed primarily of communists and former trade-unionists. Though Youth League members hoped eventually to implement a stronger African Nationalist agenda, they supported creating a multiracial COP for political expediency. The ANC had dropped the slogan "Africa for Africans" in the early 1950s, recognizing it needed to appeal to white voters. The ANC knew that if it promoted a future South African democracy where the African majority dominated, whites would not support their cause. But as ANC leader Joe Matthews, son of Z.K. Matthews, noted in 1954, "it is our slogan [still]…We are only keeping the slogan in reserve whilst we build our strength."[53] Thus, even the African politicians who had created the Congress did not fully support its multiracial message.

On 26 June 1955, the COP convened to ratify "The Freedom Charter." Three-thousand delegates attended the June convention, including 320 Indians, 230 coloreds, and 112 whites. As Surendra Bhana notes, it is difficult to conclude the role Indian leaders played in the drafting of the Freedom Charter from current archival information. Though many Indians attended the conference, by 1954 the government had banned nearly the entire NIC executive leadership, along with Dadoo, from engaging in political activity. Consequently, the strongest Indian voices did not

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[52] Quoted in Holland, Heidi, *The Struggle: A History of the African National Congress*, (New York: George Brazillier Inc., 1990), 89.
[53] Quoted in Gerhart, 95.

present their views during the drafting process or at the June meeting. The charter's final draft opened by declaring, "We, the People of South Africa, declare for all of our country and the world to know, that South Africa belongs to all who live in it, black and white." The Charter envisioned a future South African democratic government as "based on the will of all the people…without distinction of colour, race, sex or belief."[54] The COP's delegates left the conference confident their work would strengthen the non-white movement against the apartheid government. The delegates also received encouragement from abroad, U.N. Dhebar, president of the Indian National Congress, in a message to the delegates predicted their work would "bring your peaceful struggle for elementary human rights to a successful end very soon."[55]

Despite the political leaders' confidence, the masses rejected the charter. The COP had hoped to collect one million signatures endorsing the charter by 26 June 1956, but obtained only one-tenth of their goal.[56] Both African and Indian political activists reported that African and Indians were reluctant to support a future multiracial alliance. E. Tshunungaw, an ANC organizer, noted a general sense of "confusion" in the Western Cape when the masses realized that white "'Congress of Democrats' men are taking the lead in the ANC meetings…a politically raw African who has been much oppressed, exploited, and victimized by the European sees red

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[54] "The Freedom Charter," available from http://www.anc.org.za/ancdocs/history/charter.html; accessed 6 April 2009.
[55] Quoted in "The Freedom Charter and the United Nations," http://www.anc.org.za/un/reddy/fc-un.html; accessed 6 April 2009.
[56] Lodge, 74.

whenever a white face appears."[57] Roy Naidoo, a South African Indian activist, recalled that Indians, following their 1946-1948 campaign and the Durban Riots, thought multiracial nonviolent movements would not convince the government to changes its discriminatory policies. Thus, the ANC and the Indian Congresses in passing "The Freedom Charter" had failed to properly gauge worker sentiments, which had rejected multiracialism because of competition for jobs and urban space.

Once "The Freedom Charter" failed to garner mass support, African and Indian political organizations drifted apart. Even before the first COP meeting, Indians had launched a large scale protest at Curries Fountain in Durban against the Group Areas Act, but only permitted NIC, NIO, and the Durban Indian Ratepayers' Association members to attend.[58] Minutes from SAIC and NIC meetings also showed that by the late 1950s, both groups were working to champion the Indian working class's economic rights rather than to promote the non-white liberation movement.[59] The Indian leadership also stopped emphasizing an international consciousness perhaps recognizing that authorities were more likely to grant small reforms to workers if Indians did not humiliate the apartheid government internationally or align themselves with the larger African movement.

Many African politicians were also eager to focus on fighting for their own community. The 1955 ANC executive report noted that many African leaders did not work to popularize "The Freedom Charter" and "some of them regretted the birth of

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[57] Quoted in Tom Lodge, "Political Mobilisation during the 1950s: An East London Case Study," in *The Politics of Race, Class, and Nationalism in Twentieth Century South Africa* eds. Shula Marks and Stanley Trapido (Essex: Longman Group: 1987), 315.
[58] Southworth III, 24.
[59] Surendra Bhana, *Gandhi's Legacy: The Natal Indian Congress 1894-1994* (Pietermaritzburg: Natal University Press, 1997), 86-7.

this great and noble idea."[60] Potlako Leballo, a member of the Youth League, wrote in 1957 that "the Freedom Charter is a political bluff" that ignored that Africans, not Indians or coloreds, had been robbed of their land and liberty.[61] Finally in 1959, a group of African nationalists, led by Leballo, broke off from the ANC to form the Pan Africanist Congress, which favored an exclusively African agenda.[62] These Africanist leaders claimed the "Freedom Charter" opposed the principles of the 1949 "Youth League Programme" and that the charter claimed "the land no longer belongs to the African people, but is auctioned for sale to all those who live in this country."[63] The members of the Pan Africanist Congress had learned from the Durban riots and the failed "Freedom Charter," that it needed to cultivate an ethnonationalist consciousness which would resonate more deeply with the masses and further politicize them.

Two more notable acts of interracial solidarity took place in 1959 and 1960. During the 1959 Durban Beer Hall Riots, the first Natal riot since 1949, Indians and Africans destroyed municipal buildings, houses, and cars in Cato Manor. Then, following the 21 March 1960 Sharpeville massacres, when police had suppressed a nonviolent African pass law protest and killed sixty-seven Africans, Durban Indians closed their stores as part of an ANC "Day of Observance." But for the most part, the liberation struggle now emphasized African nationalism over cross-racial alliances.

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[60] Quoted in Lodge, 7.4
[61] Quoted in Gerhart, 158.
[62] Anthony Marx, *Lessons of Struggle: South African Internal Opposition, 1960-1990* (New York: Oxford University Press, 1992), 36.
[63] "Letter 'giving notice' of Africanist Dissociation from ANC (Transvaal)," in *From Protest to Challenge: A Documentary History of African Politics in South African Politics in South Africa 1882-1964*, Vol. 3, eds. Thomas Karis and Gwendolen M. Carter (Stanford California: Stanford University Press, 1973), 505.

Though the Defiance Campaign and "The Freedom Charter" had failed to integrate the two communities' movements, non-European political organizations continued to reference "The Freedom Charter" as a symbol of non-white unity against the apartheid government. The NIC, following its resurgence in the 1970s, and the United Democratic Front, a multiracial organization created in the 1980s, also referred back to the "Freedom Charter" in their own petitions. The charter marked an important transition in the history of South African resistance politics. In the 1940s, Indians groups had fought more effectively against the Union government than African organizations. But the Defiance Campaign, in particular, had politicized the African population. Nelson Mandela declared to the Transvaal's branch of the ANC in 1953 that the campaign "released strong social forces which affected thousands of our countrymen. It was an effective way of getting the masses to function politically; a powerful method of voicing indignation against the reactionary policies of the government."[64] The campaign helped to increase ANC membership from 7,000 to 100,000, which made the ANC the leading organization in the fight against apartheid. The African National Congress, Pan Africanist Congress, and United Democratic Front became the leaders in the struggle to bring down the apartheid regime.

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[64] Nelson Mandela, "No Easy Walk to Freedom," in *Nelson Mandela in his own Words: From Freedom to the Future, Tributes and Speeches*, eds. Kader Asmal, David Chidester, and William James (South Africa: John Ball Publishers, 2003), 15.

Conclusion

The Durban riots, the unsuccessful cross-racial 1952 movement in Natal, and the lack of mass support for the 1955 "Freedom Charter" exposed African-Indian tensions over jobs and urban space, and undermined the multiracial message radical Indians had propagated through the 1940s. Dadoo and Naicker nearly flawlessly re-assembled the Gandhian *Satyagraha* message by placing it in a human rights framework. Unlike the moderates, Dadoo and Naicker recognized they needed to integrate their struggle into the larger global fight against fascism and human rights violations. They were confident that this strategy would attract international support to their cause and force Prime Minister Jan Smuts and the United Party to reform its discriminatory policies. Thus, they utilized the necessary rhetoric to make their demands salient, and used the UN to bring international attention to their campaign.

Their movement ultimately failed because the South African Indian leadership did not recognize that the ideologies it espoused internationally had not taken deep root in the Indian community. As Anthony Marx observes, political leaders may manipulate images of race, nation, and class for political advantage, but they "are constrained in this process by the need to project ideas that will resonate with the masses under particular historical circumstances."[1] Indian and African leaders could claim interracial solidarity in their attacks against the South African government and at the United Nations, but racism amongst non-European groups still existed in 1940s South African society. The Indians' monopoly in skilled labor led them to identify

[1] Anthony Marx, *Lessons of Struggle: South African Internal Opposition, 1960-1990* (New York: Oxford University Press, 1992), 236.

themselves as superior to Africans, and to resentment in some of the African political leadership and population. Indian workers' continued competition with Africans over jobs as well as their "clan, religion, and race," dictated their worldviews and political identities.[2] Consequently Indian workers were willing to collaborate with merchants, with whom they shared a common race and culture. However, Indians refused to overcome racial differences and cooperate with Africans even though the government oppressed them in similar ways. Indians continued to view Africans negatively into the 1980s. In an Indian symposium entitled, "Facing the Future," conducted in the late 1980s, J.B. Patel, a Durban attorney, noted that "as far as blacks are concerned, they [the Indian masses] have not forgotten the 1949 Riots" and "have fears and trepidation for the future, if the black majority rule becomes a reality."[3]

On the other hand, the Indian political leadership was in touch with emerging political theories, which the workers could not access. Indian politicians' exposure to these concepts enabled them to move beyond a political identity rooted in race and place and to create a new identity by synthesizing components of various traditions in accordance with their own rules and ethics.[4] Thus, they were able, unlike the workers, to integrate various new ideals, including human rights, into their political movement which highlighted the common elements in the Indian and African struggle.

However, the radicals' decision to integrate communist and human rights discourse into their 1946-1948 campaign weakened *Satyagraha's* force. *Satyagraha*, as Gandhi demonstrated, works best as a non-revolutionary program that seeks to

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[2] Daniel Bell, "Ethnicity and Social Change," in *Ethnicity: Theory and Experience*, eds. Nathan Glazer and Daniel P. Moynihan (Cambridge, Massachusetts: Harvard University Press, 1975), 153.
[3] "Facing the Future," in *The Indian South Africans*: *A Contemporary Profile*, eds. AJ Arkin, KP Magyar, and GJ Pillay (South Africa: Owen Burgess Publishers, 1989), 290.
[4] Gregory Jusdanis, "Beyond National Culture," *Boundary 2*, Vol. 22 No. 1 (Spring, 1995), 54.

unlock the goodwill of the oppressor through nonviolent conflict. Gandhi's emphasis on *swadeshi* probably would have resonated more with the Indian masses who did not view the Africans as part of "their nation." Therefore, the radicals should not have stripped non-violence of its religious origins and relied on the UN to save them from racial oppression. By the mid-1940s, the international stance on racial equality was strong enough for the UN to condemn South Africa's policies, but not strong enough for member states to punish Smuts's government. When the UN failed to rescue South African Indians, enthusiasm for non-violence dissipated. South African Indians had assumed Smuts would abide by a UN ruling and when he did not, the Indian masses were skeptical that their continued protests would convince the prime minister to reform. When the National Party came to power in 1948 and manifested its obdurate unwillingness to bend to international pressures, the Indians were unable to adopt a new strategy. The Union government had demonstrated in the early 1940s that it would not listen to formal petitions by moderate Indians and the community lacked the resources and training to launch a violent movement.

It appears that Indian leaders could have executed a more successful campaign if they had implemented a non-radical form of nonviolent resistance. The 1952 Defiance Campaign had thrived in the Eastern Cape where radicals barely influenced the campaign. Z.K. Matthews noted, "the campaign was strongest and best organised precisely in those areas where so-called 'Communist influence' was weakest….[in] the Eastern Cape the 'Communist' influence was practically nil."[5] African leaders in the Eastern Cape rejected this radical form of passive resistance and opted to initiate a

[5] Quoted in "A Crucial Time," in *From Protest to Challenge: A Documentary History of African Politics in South African Politics in South Africa 1882-1964*, Vol. 2, eds. Thomas Karis and Gwendolen M. Carter (Stanford California: Stanford University Press, 1973), 420.

Satyagraha campaign in which a single racial group sought to liberate itself by accepting suffering.

Considering the apartheid regime's intent onto maintain racial separation, one may argue that no type of Indian resistance would have forced the National Party to grant Indians political equality. However by the 1950s, the Indians, especially the working-class, were more concerned with obtaining economic rather than political or residential rights. As the 1949 Durban Riots demonstrated, competition with Africans for jobs represented a stronger threat to Indian workers' well-being than the National Party's decision to deny them equal rights. Bill Freund observes that in fact a large contingent of middle and working-class Indians supported the Group Areas Act because the legislation separated Indians from Africans. Indian de-politicization continued through the apartheid era; a 1983 survey conducted during the NIC elections reported that more Indians were apathetic to the Congress's proceedings than viewed it either positively or negatively. A 1986 survey also demonstrated Indian support for some apartheid laws as only forty-three percent of the community supported abolishing Black Homelands also known as "Bantustans".[6]

During apartheid the Indian working-class focused on improving its material conditions through strong trade-unionism rather than trying to increase the community's political or social rights. Indian trade unions effectively protected their community's jobs against cheaper African labor. By 1962, Durban industries were replacing Africans with "more efficient" Indian workers.[7] The state's view on Indians

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[6] K. Moodley, "Cultural Politics," in *The Indian South Africans: A Contemporary Profile*, eds. A.J. Arkin, K.P. Magyar, and G.J. Pillay (Durban: Owen Burgess Publishers, 1989), 100.
[7] Bill Freund, *Insiders and Outsiders: The Indian Working Class of Durban, 1910-1990* (Pietermaritzburg: University of Natal Press, 1995), 83.

also changed over the course of apartheid. In 1960, the National Party recognized Indians as permanent members of South African society whom the government could not force to repatriate. The effectiveness of Indian trade unions along with the community's decision to completely stop identifying with India helped shape the government's decision.[8] The trade unions' success during apartheid suggests that the South African Indian congresses could have been more successful if they had worked for the economic welfare of the Indian working-class.

Though the South African Indian political movement ultimately failed and the community slowly depoliticized, the community's campaigns contributed to later non-European struggles against the apartheid regime in three ways. They influenced the Africans' decision to use nonviolent resistance, to internationalize their struggle and invoke a human rights discourse, to alter their political identities in response to new social conditions. As Archbishop Desmond Tutu noted in 1993, "I and my generation of political activists owe a great debt to the Gandhian tradition of passive resistance….It is this spirit which inspired us to launch the Defiance Campaign of 1952."[9] The ANC ultimately created an armed wing called the Umkhonto we Sizwe in 1961, but most of the subsequent fighting against the apartheid regime took place on South Africa's border. Within the country, because of severe repression and the influence of African leaders, the resistance remained mostly nonviolent up to the end of apartheid in 1994.

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[8] Ibid., 84.
[9]Desmond Tutu, "Hindu Light" in *Nelson Mandela in his own Words: From Freedom to the Future, Tributes and Speeches*, eds. Kader Asmal, David Chidester, and William James (South Africa: John Ball Publishers, 2003), 15.

Indian attempts to internationalize their struggle and stress human rights principles had failed, because during the 1940s the dominant countries in the UN were unwilling to take direct action against South Africa. This changed after the March 1960 Sharpeville massacres, in which police opened fire on a group of Africans protesting the pass laws. In total, they killed 69 people and injured over 180 others. In response, the UN General Assembly passed a resolution by a 93-1 vote that criticized apartheid as "reprehensible and repugnant to human dignity." South Africa's claim to domestic jurisdiction over its minority communities lost its remaining international credibility.[10] The General Assembly then ratified the "International Convention on the Suppression and Punishment of the Crime of Apartheid," which identified apartheid as a "crime against humanity."[11] In 1977, for the first time, the UN sanctioned South Africa when the Security Council passed a mandatory arms embargo against the apartheid government. However, UN pressure on South Africa remained somewhat limited because Britain and the United States prevented the Security Council from punishing South Africa more severely.

The sanctions that UN member-states imposed on South Africa independently contributed significantly to ending apartheid. It is important to note that sanctions alone did not cause the fall of the Afrikaner regime. The overabundance of archival information means it is too soon to devise a historical explanation for the end of apartheid. There are, however, several domestic and international factors that do explain the end of the National Party's domination. The collaboration of F.W. de

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[10] Audie Klotz, *Norms in International Relations: The Struggle Against Apartheid* (Ithaca: Cornell University Press, 1995), 44-5.
[11] "International Convention on the Suppression and Punishment of the Crime of Apartheid" in *The Human Rights Reader* eds. Walter Lacqueur and Barry Rubin (New York: Signet Classic, 1979), 252.

Klerk, the final white prime minister, with the African leaders, the growth of educated urban white middle-class, increased violence among Africans in urban "townships", the collapse of the Soviet Union, as well as economic sanctions all contributed to the downfall.[12]

In the United States, anti-apartheid movements in both the private and public sector emerged by the 1980s. Activists convinced corporations to be more socially responsible and divest from South Africa. These actions influenced Western politicians to attack South Africa's racially discriminatory policies. In 1985, President Ronald Reagan agreed to stop exporting computers to the South African military and police and to cease transferring nuclear-related technology to the South African government. Then on 10 December, International Human Rights Day, under heavy political pressure, Reagan publicly denounced apartheid. The next year Congress passed the Anti-Apartheid Act, which demanded the release of African leaders Nelson Mandela, Govan Mbeki, and Walter Sisulu as well as other political prisoners, the freedom of expression for all races, the creation of a timetable for the elimination of apartheid laws, collaboration with leaders from all racial groups to create a plan for the future of South Africa's political system, and the end of all South African military activity against neighboring countries.[13] The act also placed new economic sanctions on South Africa, including restrictions on governmental loans to, and imports from, South Africa.[14]

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[12] Norman Etherington, "Is it too Soon to Start Devising Historical Explanations for the End of Apartheid," in *The Dynamics of Change in Southern Africa* ed. Paul Rich (London: St. Martin's Press, 1994), 103-113.
[13] "President's Report to the Congress Pursuant to Section 501 of the Comprehensive Anti-Apartheid Act of 1986," in *The Human Rights Reader*, 425.
[14] Klotz, 109.

These economic sanctions stunted South Africa's economic growth by hampering the country's ability to obtain the necessary foreign capital to meet debt repayments. The World Bank reported that South Africa's GDP grew at one of the slowest rates in the world between 1980 and 1987.[15] Economic sanctions took on a new significance by the late-1980s. Lawrence Schlemmer argues that by 1989 sanctions were a drag on the economy, but could not force reforms on their own. However, at the same time, the Soviet Union began to collapse and new Eastern European countries interested in trade agreements with African countries emerged, giving South Africa an incentive to further reform and expand its trading partners.[16]

On 2 February 1990, F.W. de Klerk announced in parliament several key governmental reforms. These included lifting state bans on the African National Congress, the Pan Africanist Congress, and the South African Communist Party; freeing all political prisoners who the regime had incarcerated for nonviolent protests; and putting a moratorium on the death penalty. De Klerk also emphasized his "commitment to establish[ing] an internationally acceptable culture of human rights" in South Africa.[17] In March 1992 an all-white referendum, 68.7% of voters endorsed these reforms. Newspapers reported that many whites supported these measures because "we need our jobs and we don't need any places closing down, and that is going to happen if a no vote wins."[18] The apartheid government, which for years had tried to survive in isolation, now had to bend to international pressures.

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[15] Leonard Thompson, *A History of South Africa* (New Haven: Yale University Press, 2001), 242.
[16] Lawrence Schlemmer, "Emerging Conditions in 1990," in *Transitions to Democracy: Policy Perspectives in 1991*, eds. Robin Lee and Lawrence Schlemmer (Cape Town: Oxford University Press, 1991), 18-9.
[17] F.W. de Klerk, *The Last Trek: A New Beginning* (New York: St. Martin's Press, 1999), 163.
[18] Quoted in Klotz, 160.

Africans also adopted the Indian strategy of changing their political identity in response to new historical conditions. In the 1940s, Indians had portrayed themselves as anti-fascists, moderates waiting for liberal reforms, Marxists, Gandhians, and victims of human rights abuses in response to Smuts's and Malan's various Indian policies and emerging global discourses. Similarly, the Africans at different points in their struggle against apartheid identified themselves along class, racial, and national lines. Following harsh governmental repression in the 1960s, the Black Consciousness Movement had emphasized racial identity to unite individuals around the common experience of racial discrimination. Following the 1976 Soweto Uprisings, in which the government reacted brutally against a protest by thousands of black schoolchildren, the Charterists created a national movement to bring in sympathetic whites who had been horrified by the violence. Finally, trade unions tried to promote a working-class consciousness by fighting for workers' economic interests rather than non-Europeans' political demands.[19] The Africans, unlike the Indians, changed their identity in response to domestic developments, both in the regime and within their own community. As Anthony Marx observes, the ideas and rhetoric of the elites only become meaningful if they become "reified among the masses and shape their "regular practices, or 'repertoires.'"[20] The 1952 Defiance Campaign had flourished in the Eastern Cape because the philosophy behind non-violence that emphasized suffering meshed well with popular practices of Christianity. In contrast, the Durban riots and lack of resistance in Natal during the Defiance Campaign exposed a weakness in the radicals' multiracial message.

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[19] Marx, *Lessons of Struggle*, 236-41.
[20] Ibid., 256.

Historians who examine the non-white struggle for equality in South Africa may be correct in focusing on African resistance and marginalizing the Indian political community. As Gandhi had told the African Reverend S.S. Tema in January 1939, "the Indians are a microscopic minority…. You, on the other hand, are the sons of the soil who are being robbed of your inheritance….Yours is a far bigger issue."[21] Thus, scholars should view the government's decision to give Africans equal rights in 1994 as more historically significant than the Indians obtaining these rights. After the 1952 Defiance Campaign, Indian resistance fell apart, and those who wanted to continue fighting joined primarily African-led organizations such as the United Democratic Front. The Africans, mostly through work within their own ethnic community, took over the struggle against racial inequality. However, embedded in the African campaign were the lessons from the Indian fight. African leaders learned from Dadoo's and Naickers' successes and failures, from their ability to politicize their community and to seize the UN spotlight. By watching the Indians, the Africans discovered how to use the tools of nonviolent resistance and internationalization to galvanize their own people and to capture the sympathy of a global audience to end racial injustice in South Africa.

[21] "Interview to the Rev. S.S. Tema," 1 January 1939, *E.S. Reddy Collection*, UDW .

Works Cited

Primary Documents

A Documentary History of Indian South Africans. Edited by Bridglal Pachai and Surendra Bhana. Stanford Hoover Institution Press, 1984.

Andrews, C.F. *Mahatma Gandhi's Ideas* New York The Macmillan Company, 1930.

"Asiatic Land Tenure and Representation Bill." 1946. Killie-Campbell Library Archives.

British Delegation to the United Nations. *Amendment to the Resolution Proposed by the Delegation of India*. United Nations, 1946.

Cape Passive Resistance Council. *Resist: Ghetto Act*. 1946. Killie-Campbell Library Archives.

Committee, South African Indian Penetration. *Report on Indian Penetration*, 1941.

"Charter of the United Nations", http://www.un.org/aboutun/charter/ (accessed February 3 2009).

Dadoo, Yusuf. "We Are Marching On." In *Joint Passive Resistance Council* 1946.

_____. "Facts About the Ghetto Act." In *Facts About the Ghetto Act and a Historical Synopsis of the Indian Question*, edited by Barry White, 1-15 Pietermaritzburg: University of Natal Press, 1993.

_____. "Statement to the Indian People." 9 July 1939. Killie-Campbell Library Archives.

Dayal, Swami Bhawani. *Penetration, Assurance, and Segregation*, 1940.

De Klerk, F.W. *The Last Trek: A New Beginning*. New York: St. Martin's Press, 1999.

Dr. Yusuf Mohamed Dadoo: His Speeches, Articles and Correspondence with Mahatma Gandhi 1939-1983, Edited by E.S. Reddy. Durban: Madiba Publishers 1991.

From Protest to Challenge: Documents of African Politics in South Africa 1882-1964. Edited by Thomas Karis and Gwendolen M. Carter. Stanford, California: Stanford University Press, 1973.

Gandhi, M.K. *Satyagraha in South Africa* Ahmedabad: Naivjan Press, 1928.

_____. *Nonviolent Resistance (Satyagraha)* Edited by Bharatan Kumarappa. New York: Schocken Books, 1961.

Gandhi, Mahatma. *The Essential Gandhi: An Anthology of His Writings on His Life, Work, and Ideas* Edited by Louis Fischer. New York: Vintage Books 1962.

Gandhji and South Africa 1919-1948. E.S. Reddy Collection. University of Durban-Westville.

Hoernlé, R.F. *South African Native Policy and the Liberal Spirit* Cape Town: Phelps-Stokes Fund, 1939.

Indian Delegation to the United Nations. *Memorandum on the Position of Indians in the Union of South Africa*. United Nations, 1946. Yale UN Depository.

Lenin, V.I. *Imperialism: The Highest State of Capitalism*. New York: International Publishers, 1939.

Lutuli: Speeches of Chief Albert Lutuli. Edited by E.S. Reddy. Durban: Madiba Publishers 1991.

Malan, D.F. "Hands off South Africa: Prime Minister's Statement on Indian Interference," 20 October 1952. University of Durban-Westville.

Mandela, Nelson. "We defy: 10,000 volunteers protest against unjust laws." available from http://www.anc.org.za/ancdocs/history/mandela/1950s/defiance.html (accessed 30 March 2009).

Monty Speaks: Speeches of Dr. G.M. (Monty) Naicker, 1945-1953 Edited by E.S. Reddy. Durban: Madiba Publishers 1991.

Natal Indian Congress. "Memorandum on Civic Status Submitted to the Natal Indian Judicial Commission." University of Durban-Westville Archives.

Nelson Mandela: Forging a Democratic, Nonracial South Africa. Edited by Steve Clark. United States of America: Pathfinder Press 1993.

Nelson Mandela in his own Words: From Freedom to the Future, Tributes and Speeches. Edited by Kader Asmal, David Chidester, and William James. South Africa: John Ball Publishers, 2003.

NIC Agenda Books, 1938-1947. University of Durban-Westville Archives.

Pandit, Vijaya Lakshmi. *The Scope of Happiness: A Personal Memoir*. New York: Crown Publishers, 1979.

Passive Resistance 1946: A Selection of Documents. Edited by E.S. Reddy and Fatima Meer. South Africa: Madiba Publishers, 1996.

Passive Resistance Council. "Fives Months in the Struggle." University Durban-Westville Archives.

SAIC. "Letter to Minister of the Interior." Cape Town, 1939. University of Durban-Westville Archives.

_____. *Report of the Deputation to General J.C. Smuts*, 1946. University of Durban-Westville Archives.

SAIC Agenda Books, 1938-1947. University of Durban-Westville Archives.

Sastri Speaks. Edited by S.R. Naidoo and Dhanee Bramdaw. Pietermaritzburg: Natal Press, 1931.

Selections from the Smuts Papers. Jean Van Der Poel ed.: Cambridge University Press, 1973.

South African Communist Party. "The Indian People in South Africa: Facts About the Ghetto Act, http://www.sacp.org.za/docs/history/dadoo03.html (accessed January 20 2009).

South African Delegation to the United Nations. *Further Memorandum by the Government of the Union of South Africa on the Subject of Indian Legislation*. United Nations, 1946. Yale UN Depository.

South African Indian Congress, "Memorandum to the Minister of the Interior," Cape Town, 1939, University of Durban-Westville Archives.

South African Indian Penetration Committee. "Report on Indian Penetration." Durban: 1941.Yale University Archives.

"The Areas Reservation Bill," 3 September 1925. *E.S. Reddy Collection*. University of Durban-Westville.

"The Atlantic Charter," http://www.internet-esq.com/ussaugusta/atlantic1.htm (accessed January 29 2009).

The Collected Works of Mahatma Gandhi. Vol. 9. 10 vols. Ahmedabad: Navajivan Trust 1963.

The Essential Writings of Jawaharlal Nehru. Vol. 1, Edited by S. Gopal and Uma Iyengar. New York: Oxford University Press, 2003.

"The Freedom Charter," http://www.anc.org.za/ancdocs/history/charter.html (accessed April 6 2009).

The Human Rights Reader Edited by Walter Lacqueur and Barry Rubin. New York: Signet Classic 1979.

The Marx-Engels Reader, Edited by Robert C. Tucker. New York: W.W. Norton & Company, 1978.

"The Universal Declaration of Human Rights." http://un.org/Overview/rights.html (accessed February 10 2009).

Third Indian Penetration Commission. "Pretoria Agreement." Durban: 1944. University of Durban-Westville Archives.

"Treaty of Non-Aggression between Germany and the Union of Soviet Socialist Republics," *The Avalon Project: Documents in Law, History, and Diplomacy*, http://avalon.law.yale.edu/20th_century/nonagres.asp (accessed 24 March 2009).

Trotsky, Leon. "Lenin on Imperialism," http://www.marxists.org/archive/trotsky/1939/02/lenin.htm (accessed 1 April 2009).

United Kingdom Delegation. "Amendment to the Resolution Proposed by the Delegation of India," 27 November 1946. Yale UN Depository.

Newspaper Sources

Indian Views, 26 April 1940 (Delhi)

The Harijan, 1938-1939 (Ahmedabad)

The Indian Opinion, 1938-9 (Durban)

The Leader, 1938-1939, 1945-1947 (Durban)

The Passive Resister, 1946-7 (Durban)

Secondary Documents

Bagwadeen, Dowlat Ramdas. "'Indian Penetration' in the Durban Area and Indian Politics: 1940-1946." University of Natal 1984.

Bhana, Surendra. *Gandhi's Legacy: The Natal Indian Congress* Pietermaritzburg: University of Natal Press, 1997.

Bondurant, Joan V. *Conquest of Violence: The Gandhian Philosophy of Conflict* Princeton Princeton University Press 1958.

Brown, Judith. *Nehru: A Political Life*. New Haven: Yale University Press, 2003.

Calpin, G.H. *Indians in South Africa* Pietermaritzburg: Shuter and Shooter, 1949.

Christianity in South Africa: A Political, Social, and Cultural History. Edited by Richard Elphick and Rodney Davenport. Berkeley: University of California Press 1997.

Culture, Globalization, and the World-System. Edited by Anthony King. New York: State Univeristy of New York at Binghamton, 1991.

Cushing, William. "Third Way: Religion and Non-violence in Early Twentieth Century South Africa." Wesleyan University, 2003.

Davenport, T.R.H. *South Africa: A Modern History*. Hong Kong: The Macmillan Press, 1977.

Dhillon, Davinder S. "The Indians of Natal: Resistance to Apartheid: 1971-1985." National University of Singapore, 1999.

Dhupelia-Mesthrie, Uma and Surendra Bhana. "Passive Resistance Amongst Indian South Africans." *South African Historical Journal* 16 (1984).

Durban Vortex: South African City in Transition. Edited by Bill Freund and Vishnu Padaychee. Pietermaritzburg University of Natal Press, 2002.

Edwardes, Michael. *The Last Years of British Rule in India.* London: Cassel and Company Ltd., 1963.

Ethnicity: Theory and Experience. Edited by Nathan Glazer and Daniel P. Moynihan. Cambridge, Massachusetts: Harvard University Press 1975.

Fredrikson, George. *Black Liberation: A Comparative History of Black Ideologies in the United States and South Africa* New York: Oxford University Press 1995.

Freund, Bill. *Insiders and Outsiders: The Indian Working Class of Durban: 1910-1990* Portsmouth: Heinemann, 1995.

Gerhart, Gail. *Black Power in South Africa: The Evolution of an Ideology*. Los Angeles: University of California, 1978.

Giliomee, Hermann. *The Afrikaners: Biography of a People* Charlottesville: University of Virginia Press, 2003.

Glendon, Mary Ann. *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights* New York: Random House 2001.

Goodrich, Leland M. "The United Nations and Domestic Jurisdiction." *International Organizations* 3, no. 1 (1949): 14-28.

Graybill, Lyn S. *Religion and Resistance Politics in South Africa* Westport, CT: Praeger Publishers 1995.

Hemson, David. "Dockworkers, Labour Circulation, and Class Struggles in Durban, 1940-1959." *Journal of Southern African Studies*, 4, no. 1 (1977).

Hancock, W.K. *Smuts: The Fields of Force*. London: Cambridge University Press, 1962.

Herman, Arthur. *Gandhi and Churchill: The Epic Rivalry That Destroyed an Empire and Forged Our Age*. New York: Bantam Books, 2008.

Holland, Heidi. *The Struggle: A History of the African National Congress*. New York: George Brazillier Inc., 1990.

Huntington, Samuel. *Political Order in Changing Societies* New York: Yale University Press 1968.

Huttenback, Robert A. *Gandhi in South Africa: British Imperialism and the Indian Question 1860-1914* Ithaca: Cornell University Press 1971.

Jusdanis, Gregory. "Beyond National Culture." *Boundary 2* 22, no. 1 (1995).

Keith, Arthur. *The Dominions as Sovereign States: Their Constitutions and Governments* London: Macmillan Press, 1938.

Klotz, Audie. *Norms in International Relations: The Struggle against Apartheid* Ithaca Cornell University Press 1995.

Kuper, Leo. *Passive Resistance in South Africa*. New Haven: Yale University Press, 1957.

Lauren, Paul Gordon. "First Principles of Racial Equality: History and the Politics and Diplomacy of Human Rights Provisions in the United Nations Charter." *Human Rights Quarterly* 5, no. 1 (1983).

_____. *The Evolution of International Human Rights*. Philadelphia: University of Pennsylvania Press 2003.

Lloyd, Lorna. "'A Most Auspicious Beginning': The 1946 United Nations General Assembly and the Question of the Treatment of Indians in South Africa." *Review of International Studies*, 16, No. 2 (April, 1990).

Lodge, Tom. *Black Politics in South Africa since 1945* New York: Longman Group 1983.

Marx, Anthony. *Lessons of Struggle: South African Internal Opposition, 1960-1990*. New York: Oxford University Press, 1992.

Mesthrie, Uma. "From Sastri to Deshmukh: A Study of the Role of the Indian government's Representatives in South Africa 1927 to 1946." University of Natal, 1987.

Nandy, Ashis. *The Intimate Enemy: Loss and Recovery of Self under Colonialism*. New York: Oxford University Press 2007.

Pachai, Bridglal. *The International Aspects of the South African Indian Question: 1860-1971*. Capetown: C. Struik, 1971.

Pahad, Essop. "The Development of Political Movements in South Africa 1924-1946." University of Sussex 1972.

_____. "A Proud History of the Struggle " *The African Communist* no. Quarter 3 (1979).

_____. "Yusuf Dadoo." *The African Communist* 78, no. 3 (1979).

Palmer, Mabel. *History of Indians in Natal*. Capetown: 1957.

Paton, Alan. *South African Tragedy: The Life and Times of Jan Hofmeyr* New York: Charles Scribner's Son, 1965.

_____. *Apartheid and the Archbishop: The Life and Times of Geoffrey Clayton* New York: Charles Scribner's Son 1973.

Pike, Henry. *A History of Communism in South Africa*. South Africa: Christian Mission International of South Africa, 1985.

Raman, Parvathi. "Being an Indian Communist the South African Way: The Influence of Indians in the South African Communist Party, 1934-1952." University of London, 2002.

Reddy, E.S., "Indian Passive Resistance in South Africa" http://www.anc.org/za/ancdoc/history/congress/passive.html. (2009).

_____. "Pandit Nehru and the Unity of the Oppressed People of South Africa." *Mainstream* (1987).

_____. "Dadoo, Gandhi, and South African Struggle." *Mainstream* (1989).

_____. "Nehru and South Africa." In *Nehru Centenary Volume*. New Delhi: Oxford University Press, 1989.

_____. "Indians in South African History" http://www.anc.org.za/un/reddy/indiasa.html (accessed July 25 2008).

_____. "The Freedom Charter and the United Nations," http://www.anc.org.za/un/reddy/fc-un.html (accessed April 6 2009).

Rich, Paul. *White Power and the Liberal Conscience: Racial Segregation and South African Liberalism 1921-1960* Manchester: Manchester University Press 1984.

Roux, Edward. *Time Longer Than Rope: A History of the Black Man's Struggle for Freedom in South Africa*. London: Camelot Press Ltd. , 1948.

Russell, Ruth. *A History of the United Nations Charter: The Role of the United States 1940-1945* United States of America: The Brookings Institution 1958.

Simmons, Jack and Ray, "Class and Color in South Africa 1850-1950" http://www.anc.org.za/books/ccsa.html (accessed September 7 2008).

South Africa's 1940s. Edited by Saul Dubow and Alan Jeeves. Cape Town: Double Storey Books 2005.

Southworth, Hamilton III. "South Africa's Cities: Resistance to the Groups Areas Act in Durban during the 1950s." *The International Journal of African Historical Studies* 24, no. 1 (1991).

Spivak, Gayatri. *The Post-Colonial Critic: Interviews, Strategies, and Dialogues*. Edited by Sarah Harasym. New York: Routledge, 1990).

_____. *The Spivak Reader*. Edited by Donna Landry and Gerald Maclean. New York: Routledge, 1996.

Stone, Jim. "M.K. Gandhi: Some Experiments with the Truth." *Journal of South African Studies* 16, no. 4 (1990).

Swan, Maureen. *Gandhi: The South African Experience* Johannesburg: Ravan Press 1985.

_____ .“The 1913 Natal Indian Strike.” *Journal of South African Studies* 10, no. 2 (April, 1994).

The Dynamics of Change in Southern Africa. Edited by Paul Rich. London: St. Martin’s Press, 1994.

The Indian South Africans: *A Contemporary Profile*. Edited by A.J. Arkin, K.P. Magyar, and G.J. Pillay. South Africa: Owen Burgess Publishers, 1989.

The Politics of Race, Class, and Nationalism in Twentieth Century South Africa Edited by Shula Marks and Stanley Trapido. Essex: Longman Group 1987.

Transitions to Democracy: Policy Perspectives in 1991. Edited by Robin Lee and Lawrence Schlemmer. Cape Town: Oxford University Press, 1991.

Vahed, Goolam. "The Liberal Study Group." Durban, 2009.

_____. "Passive Resistance." 2009.

_____. “Race or Class? Community and Conflict amongst Indian Municipal Employees in Durban, 1914-1949.” *Journal of Southern African Studies*, 27, no. 1. Mar., 2001.

_____. "Showtime at Curries Fountain." 2009.

Vahed, Goolam and Surendra Bhana. *The Making of a Political Reformer: Gandhi in South Africa 1893-1914*. New Delhi: Manohar Publishers, 2005.