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Indians in South Africa

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1. POPULATION

According to the 1951 Census the Indians number:

299,000 in Natal
48,892 in the Transvaal
17,528 in the Cape
16 in the O.F.S.

More than 95% of these people were born in S.A, are citizens according to the Citizenship Act of 1949. The overwhelming majority of them are the descendants of the first settlers who came to South Africa in the second half of the 19th Century. South Africa is their only home.

2. THE "INDIAN PROBLEM"

European governments have refused to recognize Indians as a permanent part of South Africa e.g. in 1896, a tax was levied on ex-indentured labourers who chose to settle in the colony to discourage them from remaining. In 1927, a Round Table conference between the Indian Government and the South African planned a system of "voluntary assisted repatriation". In 1948 Dr. Malan said in Parliament "Indians are a foreign and outlandish element and are to be uprooted and expatriated from the country."

As part of their apartheid policy, the Nationalist Government are threatening the Indians with ruin, and with confinement to ghettos. Indians are discriminated against:

In the economic field, by limitations of trading and property rights, and by restrictions on their entry into skilled trades.

In the political field since they have no vote (except in the Cape where their position is the same as that of the Coloured voter, now imperilled.)

In the social and educational fields, by the poor facilities, inadequate schools, the social colour bar, and residential segregation.

The S.A. Indian Congress is opposed to segregation and to expatriation.

Dr. Dadoo said in 1950 "We say to the Government 'you cannot expatriate us, you cannot doom us to extinction.' We are the sons of the soil and together with all the other sons of the soil we shall vindicate the cause of truth justice and equality."

3. EARLY DAYS

A. INDENTURED LABOURERS 1860-1911

Firstly, they came at the express and urgently repeated wish of the white colonists. An address to the Natal Government from the Durban Corporation in 1855 says " -- we believe your Excellency will find occasion to sanction the introduction of a limited number of coolies, or other labourers from the East, in aid of the new enterprises on the Coast lands, to the success of which sufficient and reliable labour is absolutely essential." The Lieyt-Governor of Natal wrote "Labour is very scarce and there is a pressing present demand."

Secondly, they contribute greatly to the prosperity of Natal.

"We are satisfied that several industries owe their existence to Indian Immigration -- sugar, tea wattle, farming, coal-mining" (Natal Government Commission of 1908-9)

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"The condition of the colony before the importation of Indian labour was one of gloom; it was one that then and there threatened to extinguish the vitality of the country, and it was only by the Government assisting the importation of labour that the country began at once to revive. The coast had been turned into one of the most prosperous parts of South Africa ... and that was due entirely to the importation of Indians. (Sir L. Hulett, one-time Prime Minister of Natal, a speech in 1903).

The conditions of indenture were very close to slavery. The recruit in his ignorance signed away his freedom by entering into a contract, of the content of which he was usually wholly or partly ignorant. He was then brought to Natal by ship, and was virtually the slave of his employer for the period of his legal indenture.

The British Government permitted the indenture system on conditions: "Above all things we must confidently expect, as an indispensable condition on the proposed arrangement, that the colonial laws and their administration will be such that Indian settlers, who have completed the terms of service to which they agreed, as the return for the expense of bringing them to the colonies, will be free men in all respects, with PRIVILEGES NO WHIT INFERIOR TO THOSE OF ANY OTHER CLASS OF HER MAJESTYS SUBJECTS RESIDENT IN THE COLONIES." (Lord Salisbury 1875)

After their contracts expired some of the indentured labourers returned to India, some reindentured, and some settled down as small farmers, fishermen, hawkers or traders around Durban.

B. INDIAN TRADERS These men followed the indentured labourers. They came as free men, from Mauritius, East Africa, and India. They were the pioneer shop-keepers in the country areas, and in the new villages opening up in Natal, Transvaal, and later, the O.F.S. They served Indian African and European customers, proved to be efficient businessmen and patient creditors, and their trade prospered. At first, they were alone in the field, but as the European realised the possibilities of the country trading stores, the Indian was regarded as an unwelcome competitor.

4. ANTI-INDIAN AGITATION -- ITS ORIGINS.

"The Asiatic cancer which has already eaten so deeply into the vitals of South Africa ought to be resolutely eradicated."
(Smuts 1918)

Natal Government Commissions of 1885 and 1908, and Union Government Commission Report of 1913 all have practically identical findings to the causes of the anti-Indian feeling among Europeans.

1. "The evidence is practically unanimous that the Indian is undesirable in this colony other than as a labourer." 1908.
2. "Indians carry on business which should be carried on by Europeans and close avenues of employment which should be open to Europeans". This was the gist of evidence led against the Indians in 1913, and earlier.
3. "One argument appears insuperable, that it is not possible, in the interests of the superior races of South Africa, and never should be possible, to have the white and black races labouring side by side upon the same class of work." (1908) i.e. the progress of the Indians was seen to constitute a threat to white domination, as indeed it was and is.

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5. ANTI-INDIAN LEGISLATION — BEFORE UNION (some of the main points)

A. In Natal. Responsible Government was granted to the Colony, 1893.

1. 1896.. a £3 tax was to be paid annually by every Indian who remained in Natal after expiry of his indenture. The British Government assented.
2. 1897 .. the Indians were disenfranchised. (In 1896, a bill which specifically excludes Indians from the vote, was vetoed by the British Government; the revised bill employed a circumlocution (on the advice of the British Secretary for the colonies) by which those people, or their descendants, who had come to the colony from a country where they did not enjoy democratic rights, were to be excluded from the vote. This was allowed by the Imperial Government.
3. Free Indians were prevented from immigrating to Natal, also in 1897. "We regret the necessity for restrictions which exclude the British Indian subjects from South Africa but accept the prohibition of further immigration in order to secure the free treatment of those who are lawfully settled there," wrote the Secretary of State.
4. A series of Licensing acts were passed. "We do what we can to restrict further licences" said the licensing officer in Durban to the 1913 Commission. "A European licence is granted almost always as a matter of course; whereas the Indian licence is refused as a matter of course, if it is a new one."

(PRIVILEGES NO WHIT INFERIOR ! --- see above)

B. In Transvaal

In 1884 the South African Republic was given its independence subject to British "suzerainty" in terms of the London Convention signed with Great Britain, Article 14 of the Convention states "All persons other than natives conforming themselves to the laws of the S.A.R. (a) have full liberty to enter travel or reside in any part of the Republic (b) to hire or possess houses shops or premises"

In 1885 Law 3 was passed by which Asiatics, cannot obtain the Burgher Right of the S.A.R. and "Cannot be owners of fixed property in the Republic except only in such streets, wards and locations as the Government for purposes of sanitation shall assign to them to live in."

This was passed by the British without objection.

In 1907, Immigration of Indians into the province was restricted, and the Asiatic Laws Amendment Act imposed the carrying of passes on Indians.

C. THE CAPE

The immigration Act of 1906 restricted the entrance of Asiatics.

D. O.F.S.

In 1891 a law stated "No Arab Chinaman Coolie or other Asiatic person may settle in this state or remain here longer than 2 months without permission to do so from the President". This law is still in operation today.

6. GROWTH OF INDIAN POLITICAL ORGANISATIONS.

Phase 1. 1894 -1919 (Ghandi Era)

Mahatma Gandhi started his political career in Natal.

In 1894 he founded the Natal Indian Congress.

In 1903 he established The Indian Opinion.

In the same year the Transvaal British Indian Association was formed.

The next step was a Passive Resistance Campaign, to protest against discriminatory laws against Indians, especially the £3 tax in Natal, and the Asiatic Laws Amendment Act in the Transvaal (vide supra). Gandhi had a tremendous following among local Indians, and several prominent Europeans also joined him in his struggle. The culminating event of the campaign was a strike action taken by 2,200 Indian coalminers in Newcastle, in 1913. These men laid down tools, and joined by Gandhi and others made a historic march into the Transvaal, thus defying the immigration restrictions in that province. The Commission of 1913 was the direct result of their action; the £3 tax was abolished in Natal, and the Pass Law clause of the Asiatic Law in the Transvaal was modified.

The Passive Resistance movement received world-wide interest and recognition and Gandhi developed his technique of Satyagraha, based on non-violence, in the struggle of the S.A. Indians. Seen in retrospect against a background of modern developments, however, his policy had certain weaknesses. "Our rulers profess to safeguard our rights because we are British subjects, and what little rights we still retain, we retain because we are British subjects," he said. "In view of this attitude, he supported the British against the Boers in 1892-1902 (though .. "justice is largely on the side of the Boers" he said, "The Bambata rebellion of 1906 was a revolt of Africans against the polltax -- a struggle very similar to that the Indians were themselves waging. Gandhi offered his support to the British, and organised an Indian Ambulance Corps to help them. In fact, however most of the wounded were Africans and thus most of the work of the Corps, was among the Bambata) He failed completely to recognise the Africans as his allies in oppression, nor did he recognise the basic antagonism of British Imperialism to the oppressed people of the colonies.

Phase 2. Between the World Wars. Era of Anti-Indian Measures, and vacillation on the part of Indian leaders.

Anti-Indian Legislation:

1. Land tenure laws were passed in the Transvaal further restricting rights of Indians regarding ownership and occupation of property and trading rights.
2. Renewed attempts to segregate Indians into ghettos ... Class Areas Bill of 1924.
3. Deprivation of the municipal franchise in Natal, 1924.
4. Restrictions on trading licences in Natal.

The general attack on the Indian people in all the provinces resulted in the formation of the S.A. Indian Congress in 1919. The nature of the Congress is federal because its constituent bodies were established long before. The provinces are autonomous because the laws in the different provinces vary, as far as the Indians are affected. The S.A.I.C. consisted at first of the Natal I.C., the Tvl. British Indian Assoc., and the Cape Indian Council. In 1926 the Tvl. British Indian Association became defunct; its place was taken by the Tvl. I.C. formed in 1927.

The S.A.I.C. was dominated, during this second phase,

by compromising elements of the commercial and capitalist groups, who sought to protect their own interest, while making no effort to represent or mobilise the masses of the Indian people. Appeasement, compromise and vacillation weakened the Indian cause on every issue. The leaders accepted the Cape Town Agreement of 1926, which allowed for voluntary assisted emigration (though it also contained a clause by which the Union promised to provide educational facilities for Indians.) They gave evidence and co-operated with the Lawrence Committee in 1941, whereby Indians would be "asked" not to reside in European areas. In 1944, they took part in the Pretoria Agreement, which allowed Indians to buy property where they liked, as long as they did not live in European areas -- safeguarding their own rights of property and ignoring the urgent claim of the Indian masses for housing.

The Indian leaders thought if they could win concessions for themselves, while acquiescing in the general oppression of their people, they would be able to safeguard their own economic interests. Events proved their folly. The Indian trader is an economic competitor to the European. The basis of white supremacy and domination is economic privilege for the white, and a challenge to that privilege is a challenge to the whole background of segregation in South Africa

Phase 3. Wartime and Post-War Struggle

The reactionary leadership met growing opposition and resentment Dr.Y.M.Dadoo, a newly-returned Indian doctor became the new champion of the Indian cause in the Transvaal. In Natal, Dr.G.M. Naicker and others gained ground in the N.I.C. In the face of further threats from the Government, the Community rallied round the new and progressive leadership, which decided to defeat the reactionaries from within the existing organisations, i.e. the N.I.C. and the T.I.C. They formed the Nationalist bloc in the Transvaal and the Anti-Segregation Council in Natal Both these groups had as their aims :

1. A militant struggle in defence of the rights of the Indian people and a rejection of the old policy of compromise and vacillation.
- ii. The unity of all democratic elements among the peoples of South Africa in their common struggle against white domination and for freedom and democracy for all races.

This new programme found support from all sections of the Community To the middle class, it was made clear that economic freedom for them demanded a militant and united struggle of the oppressed peoples. Trade Union leaders in the Transvaal and Natal joined and gave strength to the new leadership, as it became a group which represented the needs of the people as a whole, the workers among them. The former leaders were isolated.

The old policy was soon completely exposed. In 1943, a test of strength took place at an election of the T.I.C., and the progressives lost by 3%. In 1947, Dr. Dadoo had become President, but still did not have control of the Executive. He summoned a meeting of the T.I.C. from his prison cell (He had protested against the Ghetto Act) At this Conference, the progressives ousted the reactionaries completely from office, and the new policy could take shape.

In 1945, the Anti-Segregation Council defeated the reactionaries in the N.I.C. and Dr.G.M. Naicker became President.

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In 1946 the Government introduced the Ghetto Act and the S.A.I.C. to carry on a protracted struggle against the Act.

On June 13, 1946, Passive Resistance began against the Act. Over 2,000 men and women from all walks of life participated in the struggle and courted imprisonment in defiance of the Law. The most important feature of the movement was the participation of African, Coloured and European volunteers in the campaign. The struggle was suspended in May 1948, when the Nationalists came to power.

7. THE NON-EUROPEAN PEOPLES UNITE.

In 1938 a Non-European United Front was formed to mobilise opposition to the "Servitude Scheme", which aimed at segregating Indian and Coloured people. The Government was forced to shelve this scheme, and the progressives in the Indian movement gained ground for their policy of co-operation among the Non-European people.

Post-War events, with the progressive leadership well-entrenched, showed a closer and more wholehearted co-operation growing apace. On V.E. day, a mammoth demonstration in Johannesburg emphasised the unity of all progressives, whatever their race. In 1949 Drs. Dadoo and Xuma made a pact on behalf of the S.A.I.C. and A.N.C. to join in a common struggle for the rights of the oppressed. The Defend Free Speech Campaign, the National Strike Days of May 1st. and June 26, 1950, were evidence of the value of joint action. In December 1951 at the A.N.C. Conference in Bloemfontein, the S.A.I.C. were asked to participate in a Joint Action Council. The result was the Defiance Campaign, starting in June, 1952, to defy unjust laws. Between June and December of last year 8,065 persons had been imprisoned for defying unjust laws, and the first to defy were Dr. Dadoo and M. Kotane of the S.A.I.C. and A.N.C. respectively. Throughout the Campaign, the Congresses emphasised "The struggle which the national organisations of the Non-European people are conducting is not directed against any race or national group, but against the unjust laws which keep in perpetual subjection and misery vast sections of the population. It is for the creation of conditions which will restore human dignity equality and freedom to every South African." Defiers have been drawn from all races - Africans, Indians, Coloured and Europeans.

OPPOSITION TO NON-EUROPEAN UNITY.

The Government, which aims at dividing the ranks of the Non-European people, has made repeated attempts to break down the growing alliance of Africans and Indians against apartheid; introducing shady elements such as Bhenga and losing no opportunity of spreading dissension.

In Natal in January 1949, and again in September 1953, the ugly fruits of this policy showed themselves in anti-Indian rioting and hooliganism.

Despite such manifestations of political backwardness among certain sections, whose misery and frustration is diverted into anti-Indian outbreaks (much as the Hitlerites diverted Germans against the Jews) the firm alliance between the S.A.I.C. and the A.N.C. has been strengthened in their common struggles and sacrifices, and is today closer than ever before.

8. THE S.A. INDIAN CAUSE AT UNO

1. The S.A.I.C., after the passing of the Ghetto Act in 1946, took the case of their people to UNO. The General Assembly resolved that the treatment of S.A. Indians should conform with the international agreements between the Governments of India and South Africa, and the relevant portions of the U.N. Charter.

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2. In May '49 the governments of India Pakistan and South Africa were recommended to hold a round table conference. The South African Government has avoided this.
3. December '49 the General Assembly of U.N. specifically called upon South Africa to refrain from enforcing Group Areas Act. This call was completely ignored (At this very moment this law is being applied, mainly against Indians so far, in Carolina, Lydenburg, Burghersdorp, and Nylstroom.)
4. The UN have appointed a Commission to investigate racial discrimination in South Africa. A memorandum has been submitted by both Congresses, and also by the European organisation, the Congress of Democrats.

9. WHAT OF THE FUTURE ?

The Indian minority in South Africa has never faced such bitter persecution as it now faces under the Nationalist government, which has not only intensified the segregation policy of its predecessors but also openly and crudely preaches race-hatred and inflames a "pogrom-spirit" against the Indian people.

From its inception the Group Areas Act Land Tenure Board has been mainly concerned with plans for the exclusion of Indians from residential and commercial sites in the dorps and towns.

The vicious boycott movement against Indian traders is sponsored and encouraged by Nationalists.

Hardly a month goes by without some new vindictive anti-Indian measure: the exclusion of wives and children of Indian South Africans from immigration into the Union; the Transvaal Licensing Amendment Ordinance (1953) designed to prejudice Indians; the attempts to cripple the S.A.I.C. by banning its leaders, Dadoo, Naicker, Cachalia.

Above all there have been the deliberate attempts to encourage racial hostility between Indian and Africans, ranging from "undercover" incitements by police agents, to open Nationalist sponsorship of elements like Bhengu (now awaiting trial on a number of charges of fraud) the "Bantu Supreme Council", the "Kleurling Volksbond" and others who crudely fan racial hostility.

Against all these attempts to crush their spirit the Indian people of South Africa have rallied with courage and dignity. They have asserted their rights as South Africans, born and bred, to equal citizenship and equal rights. They have strengthened their principled alliance with the African National Congress, in the common struggle against racial discrimination.

"On behalf of the overwhelming majority of the people of South Africa, the A.N.C. and the S.A.I.C. claim and demand the fundamental human rights of the non-white people of our country to equal opportunities for economic and cultural development, to land and freedom.

As South Africans, we love our country and wish to redeem it from the universal disrepute which its government has incurred. As citizens of the world we uphold the principles enshrined in the United Nations Charter. As oppressed peoples we refuse to submit to bondage. "

(Concluding words of Memorandum submitted to U.N. Commission Aug. 53)

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