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# Spotlight

## ON SOUTH AFRICA

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## ANNAS TWELVE

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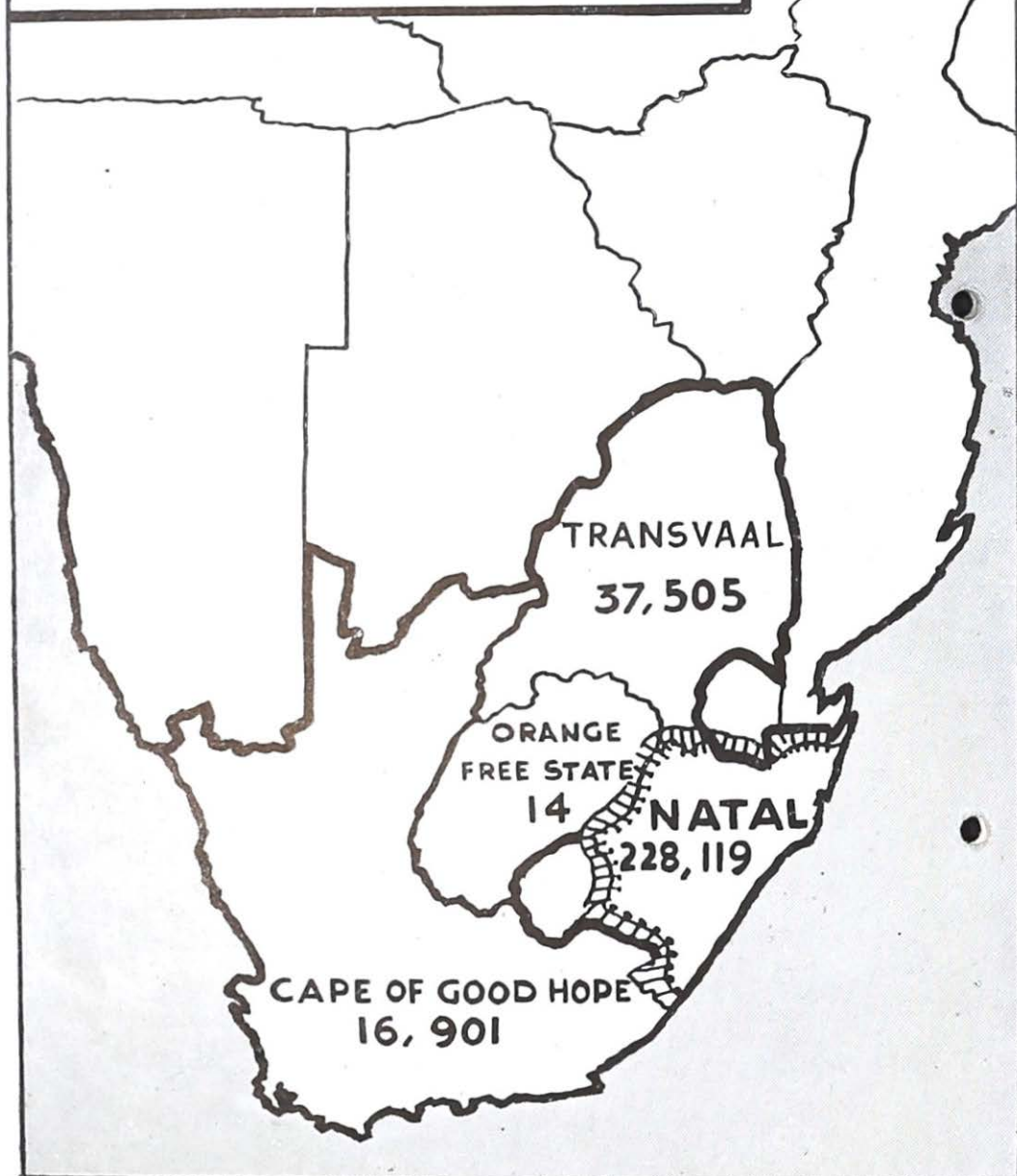
(Except two pictures included under the heading "This Picture and That", all other photographs appearing in this pamphlet were kindly lent for reproduction by Mr. D. M. Anand.)



**IN DURBAN:** Historic march of the Passive Resisters on June 13, 1947, led by Dr. Naicker, Mr. D. Naïdoo and Dr. Dadoo to the Resistance Camp in the City

**Cover Page:** A gathering of Indians listening to Dr. Naicker's address

TOTAL NUMBER OF INDIANS  
IN S.AFRICA (1946) 282,539



## ORIGIN OF THE INDIAN POPULATION IN SOUTH AFRICA

**T**HE existence of the Indian population in South Africa is the result of organised emigration mutually agreed upon between the Government of India and the then Government of Natal, after prolonged negotiations between the years 1855-1860. Indian labourers were brought into Natal under a system of indentured labour to work on the sugar plantations in that Colony. The prosperity of Natal depended entirely on a plentiful supply of labour on such plantations, and hence the arrival of the first Indians in 1860 was hailed as a "vitalising principle".

Except for an interruption of 8 years, Indian labourers continued to emigrate to Natal at the invitation of the Natal Government until the year 1911. During this period Indian traders and others also followed in the wake of Indian labourers. Through their industry and frugality they established themselves as moderately prosperous traders and contributed in no small measure to the development of trade and industry in South Africa.

There are today 282,000 Indians in South Africa. Out of these 228,000 live in the Province of Natal, mostly concentrated in the City of Durban. The number of Europeans is 2,325,000.

### CONDITIONS OF INDIAN EMIGRATION

The then Natal Government specifically agreed to the following conditions:

(1) The labourers were to serve under contract for 3 years (subsequently raised to 5) after the expiry of which they could work as free labourers.

(2) They were eligible to a grant of land in lieu of free passage to India if they wished to settle in the Colony after their terms of indenture.

(3) As affirmed by His Britannic Majesty's Government in 1875, Indian settlers who had completed the terms of service to

which they had agreed, were to be free men in all respects with privileges no whit inferior to those of any other class of His Majesty's subjects resident in the Colonies.

## CONTRIBUTION TO SOUTH AFRICAN PROSPERITY

It has been recognised by everyone — by the Government as well as the European population of South Africa — that had it not been for Indians the development of Natal would have been impossible. Testimony to the part played by the Indians in the development of Natal has come from various quarters. It would be enough to quote the following :—

Sir J. C. Hulett before the Wragg Commission in 1886 :

"The free Indians at present in the colony are an immense benefit, being largely engaged in agricultural pursuits."

The Wragg Commission in 1886 :

"We are content to place on record our strong opinion, based on much observation, that the presence of these Indians has been beneficial to the whole Colony, and that it would be unwise, if not unjust, to legislate to their prejudice."

Mr. Leon Renaud, an experienced Natal settler, in 1920:

"So far as agriculture is concerned, the Indian has fulfilled his duty to the country. They (the Indians) brought into cultivation and under production land which was otherwise idle . . . So far as the coast-belt is concerned here they have done the same thing as the peasants have done in France . . . I know some parts of the land which at the present time have been reclaimed from nature, and which would never have been occupied by Europeans."

Mr. Jan H. Hofmeyr, Deputy Prime Minister, in 1945 :

"There is only one reason for the original introduction of Indians from India to what is now called the Union of South Africa — the desire of the Natal colonists of those days to exploit the potential wealth of the coastal districts . . . . The ultimate end of this policy was clear from the outset. The Coolie was to be welcomed as a permanent settler of the colony and as a contributor to its prosperity . . . . His coming amply justified the predictions of those who favoured it."

## BREACH OF PROMISES

Although Indians had been brought into Natal at the repeated importunities of the then Government of Natal and under conditions agreed to by them with the then Government of India, these were

seldom honoured. There was a systematic deprivation of the rights of Indians, contrary to the letter and spirit of the conditions on which the Government of Natal had secured the consent of the Government of India to the emigration of Indian labourers. Beginning from 1885 measures were taken with the sole object of reducing persons of Asian origin to a position of permanent inferiority *vis-a-vis* the Europeans.

(1) 1885 — From Natal many Indians had migrated further inland into the Transvaal and set up prosperous trading establishments. By an Act passed in 1885 Asians were debarred from acquiring the rights of citizenship and from trading without registration, the registration fee being £25. Asians were also prevented from owning property except in such streets, wards and locations as the Government might assign for the purpose.

(2) 1895 — Indian ex-indentured labourers, who chose to settle in the Colony, were required to take out a licence on payment of £3 per year.

(3) 1896 — Indians were deprived of parliamentary franchise in Natal.

(4) 1898 — A law was passed in the Transvaal by which no coloured person could be a licence-holder or in any way connected with mining.

(5) 1899 — By a proclamation, Asians were segregated for purposes of trade and residence in certain streets; wards and locations in the Transvaal set apart by the Government.

(6) 1899 — The Transvaal Republic prohibited coloured persons from walking on the side walks or *stoeps* serving as side-walks of the streets in its towns.

(7) 1900 — The Natal Government extended the £3 tax to all adult children of Indians liable to similar tax under the Law of 1895.

(8) 1907 — An Act was passed in the Transvaal providing for the compulsory registration of all Asians and their identification by means of finger prints. This law placed Indians and all other Asians on the same footing as criminals.

(9) 1908 — The Precious and Base Metals Act, 1908, commonly known as the Gold Law, was passed in the Transvaal under which Asians could not reside in or occupy any land in any district or proclaimed land except in a bazaar, location, mining compound or such place as the Mining Commissioner might permit.

(10) 1908 — The Townships Act of the same year practically excluded Asian traders from stands inside townships.

(11) 1913 — The South African Parliament passed the

Immigration Regulation Act. This Act closed the door to Asian immigration into South Africa. Amongst other provisions it prohibited Asians from moving from one Province of the Union to another.

## PASSIVE RESISTANCE MOVEMENTS, 1907 AND 1913

The series of legislative measures enumerated in the preceding paragraph and other administrative measures discriminating against the Asian on the ground of his race was intensely humiliating to the Indians who formed the vast majority of the Asian population of South Africa. The systematic breach of the promises implicit in the arrangements by which Indians had been brought into South Africa and the racial stigma and indignity involved in these measures proved intolerable to the Indian community in South Africa. These led to spontaneous moral revolts under the leadership of Mahatma Gandhi who was then a resident of South Africa. The first movement was directed mainly against the law of 1907 requiring compulsory registration and finger prints of Indians. Nearly 120 Indians including Mahatma Gandhi courted imprisonment and were sent to jail. Eventually a provisional settlement was reached in April 1911 under which the Government agreed to introduce legislation repealing the Act of 1907.

The second Passive Resistance Movement was mainly directed against the £3 poll tax and the restriction on the movement of Asians from one Province of the Union to another. Mahatma Gandhi was arrested and sentenced to 9 months imprisonment and about 2,000 other Indians were arrested. There were numerous strikes and 9 Indians were killed and 25 wounded as a result of police firing.

The second Passive Resistance Movement finally ended by the passing of the Indian Relief Bill as a result of correspondence between Mahatma Gandhi and General Smuts. This Bill besides abolishing the poll tax in Natal removed other minor grievances of the Indians. The crux of the settlement was, however, the assurance given by the Secretary for the Interior that it would always be the desire of the Government to see that existing laws were administered in a just manner with due regard to vested interests.

The Indian community set great store by this agreement and interpreted the assurance given by General Smuts as implying that no new law would be passed imposing fresh restrictions on Indians. Subsequent history of the Indian question in South Africa is, however, one of gradual whittling down of the terms of the Smuts-Gandhi Agreement and of introduction of severe restrictions against Indians, culminating in their compulsory segregation under the Asiatic Land Tenure and Indian Representation Act, 1946 which is rightly called the "Ghetto Act."



## II

### 1914 - 1927

**B**ETWEEN 1914 and 1918 little was heard of the Indian problem in South Africa, except in connection with the general question of the disabilities of Indians resident in the various self-governing dominions, which the representatives of India raised at the Imperial War Conferences in 1917 and 1918. In 1917, India was called to the Council Chamber of the Empire for the first time. General Smuts then said, "I have always felt sure that once the white community in South Africa were rid of the fear that they were going to be flooded by unlimited immigration from India, all the other questions would be considered subsidiary and would become easily and perfectly soluble. I think that the door is open now for a peaceful and statesmanlike solution of all the minor administrative troubles which occurred and will occur from time to time." General

#### **SIR LEIGE HULETT**

##### **Ex-Prime Minister of Natal, in July 1903**

"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. They could not find in the whole of the Cape and the Transvaal what could be found on the coast of Natal—10,000 acres of land in one crop—and that was entirely due to the importation of Indians ... Durban was absolutely built up by the Indian population."

Smuts further said: "If any question proves difficult of treatment we can discuss it in a friendly way and try to find in consultation a solution, and I am sure we shall ever find it."

But European public opinion in South Africa evidently proved too strong for these assurances to be given effect to. Anti-Indian measures continued, and after the World War a fresh agitation against Indians was started. It took the form of legislation intended to impose restrictions on land holding and residence in urban areas, the object being in the words of Dr. Malan to treat the Indians as an alien element to be considerably reduced.

In 1921 again the question of the status of Indians in South Africa was raised at the Imperial Conference held in that year. The Government of India claimed full political rights for the resident Indian communities in the various self-governing Dominions. The Conference passed a resolution recommending "that in the interest of the solidarity of the British Commonwealth, it is desirable that the rights of such Indians to citizenship should be recognized." South Africa was the only dissentient to this resolution.

## PROPOSAL FOR SEGREGATING INDIANS

Early in 1924, the Class Areas Bill was introduced in the South African Parliament which aimed at the compulsory segregation of Indians in urban areas both for residence and trade, but the measure lapsed only owing to the dissolution of the Parliament. In 1924, the Natal Boroughs Ordinance was passed, which while safeguarding the electoral privileges of Indians already on the rolls, deprived the community of the right to acquire the franchise of a borough in future. This measure incidentally deprived the Indians of the only means by which they could bring the pressure of Indian opinion on the administration.

In the summer of 1925, the Union Government introduced the Areas Reservation and Immigration Regulation Bill (commonly known as the Asiatic Bill) which was much wider in its implications and harsher in its scope than the Class Areas Bill of a year ago. It purported to introduce segregation of Indians in Natal besides stiffening the immigration law as regards Asians.

## ROUND TABLE CONFERENCE, 1926

This measure roused consternation among Indians in South Africa and wide-spread resentment in India. After prolonged negotiations and exchange of deputations between the two countries, the representatives of both the Governments assembled in Cape Town at a Round Table Conference. Their deliberations resulted in the Cape Town Agreement of 1927. The two Governments later ratified the Agreement through their respective Legislatures.

### III

## FROM CAPE TOWN AGREEMENT TO UNO ASSEMBLY — 1927-1946

THE Cape Town Agreement of 1927 marks an important landmark in the history of relations between the Government of India and the Government of South Africa. This Agreement was solemnly ratified by the Legislatures of both the countries and the Indians in South Africa acclaimed it as their Magna Carta. It has not so far been terminated and on the contrary was reaffirmed in 1932 when its working was reviewed by the representatives of both the Governments at a Conference and a joint statement was issued that the Cape Town Agreement was to continue and that there should be continued co-operation between the two Governments.

### PROVISIONS OF THE CAPE TOWN AGREEMENT

The main provisions of the Cape Town Agreement may be summarised as follows:

(a) The Areas Reservation and Immigration and Registration (Further Provision) Bill which was based on the segregation of Asians was dropped.

(b) Recognition of the right of South Africa to use all just and legitimate means for the maintenance of Western standards of life.

(c) The Union Government recognize that Indians domiciled in the Union, who are prepared to conform to Western standards of life should be enabled to do so.

(d) A scheme of assisted emigration for those Indians who may desire to avail themselves of it to India or other countries where Western standards are not required.

(e) Entry of wives and minor children to the Union in terms of the Reciprocity Resolution of the Imperial Conference of 1918, which intended that an Indian should be enabled to live a happy family life in the country in which he is domiciled.

(f) Principle of equal pay for equal work was accepted.

(g) Appointment of an Agent in the Union by the Government of India in order to pursue continuous and effective co-operation between the two Governments.

(h) The revision of the existing trade laws providing that the grounds on which a licence may be refused should be laid down by Statute, the reason for which a licence is refused should be recorded and there should be a right of appeal to some court or other impartial tribunal.

(i) Upliftment of the Indian community.

The Uplift Clause of the Cape Town Agreement is an important provision, as the Union Government "accepted the view that in the provision of educational and other facilities the considerable number of Indians who remain part of the permanent population should not be allowed to lag behind other sections of the people."

## CONFERENCE OF 1932

The scheme of assisted emigration of Indians from South Africa to India contemplated under the Cape Town Agreement was given a fair trial. As, however, a large proportion—nearly 4 out of 5—of Indians had been born in South Africa, comparatively small numbers of Indians took advantage of this scheme. Many of them were complete strangers to India, found themselves misfits and had to return to South Africa. At the Conference in Cape Town between the two Governments in 1932 which was convened to review the working of the Cape Town Agreement it was admitted by both Governments that the scheme of assisted emigration to India had proved a failure. But nevertheless the Cape Town Agreement was recognised as having proved a powerful influence in fostering good relations between the two countries and was reaffirmed by both Governments in a joint statement issued on the 5th April 1932. In this statement it was further affirmed that both Governments would continue to co-operate in the common object of harmonizing their respective interests in regard to Indians resident in the Union.

## LULL BEFORE THE STORM

The period from 1932 to 1939 was one of comparative quiescence and satisfactory relations between the two countries largely as a result of the Agreement of 1927 as reaffirmed in 1932. In spite of the provisions of the Cape Town Agreement the Union Government gave legislative approval and sanction to the principle of segregation by passing the Transvaal Asiatic Land and Trading Act, 1939. This Act applied to Transvaal only and was intended as an interim measure until permanent legislation could be introduced to cover all the provinces including Natal. It required, *inter alia*, that

Asians could not hire or occupy any premises that were not occupied only by Asians or coloured persons on April 30, 1939. It also compelled an Asian to obtain a permit from the Minister of the Interior before applying for a licence to carry on business or trade or removing his business to other provinces.

Meanwhile agitation by Europeans against so-called Indian penetration in urban areas continued. The Government appointed the Broome Commission in 1940 but the findings of this Commission proved that the agitation against Indian penetration was a false one. Not satisfied with this the Europeans continued their agitation and the second Commission was appointed in 1943, again with Mr. Justice Broome as Chairman. This Commission was asked to find the extent of Indian penetration in the urban areas of Durban. The Commission reported that there had been some penetration but this related to a single urban area in which naturally there had been a concentration of Indians and Indian capital during the war-time boom.

### THE PEGGING ACT (1943)

The Government yielded to the European pressure and in 1943 enacted the Trading and Occupation of Land (Transvaal and Natal) Restriction Act, 1943 commonly known as the Pegging Act. This Act extended up till 1946 the provisions of the Interim Act in the Transvaal and in Natal, prohibited Asians from purchasing property and Europeans from selling property to Asians in predominantly European areas in Durban without the Minister's permission, and provided for the extension of similar provisions to other areas in Natal on sufficient cause being shown after enquiry. This was the first time the Union Government imposed statutory restrictions on the acquisition of land by Asians in Natal in spite of vehement opposition by the Government of India and the Indians in South Africa.

### A JUDICIAL COMMISSION

In March 1944 the Union Government appointed a third judicial Commission with Mr. Justice Broome as Chairman and the terms of reference of this Commission were to enquire into and report upon matters affecting the Indian community of the province of Natal with special reference to housing and health needs, civic amenities, civic status and provision of adequate residential, educational, and recreational facilities, and to make recommendations generally as to what steps are necessary further to implement the uplift clauses of the Cape Town Agreement of 1927, and as to all matters affecting the well-being and advancement of the permanent population of Natal. As its terms of reference would show, this Commission was


charged with matters most vital to the well-being and contentment of the Indian community. This Commission submitted its recommendations in 1945. Its only recommendation was that to discuss the question of franchise and other matters there should be a Round Table Conference between the Governments of India and the Union of South Africa.

To quote from the Commission's report :—

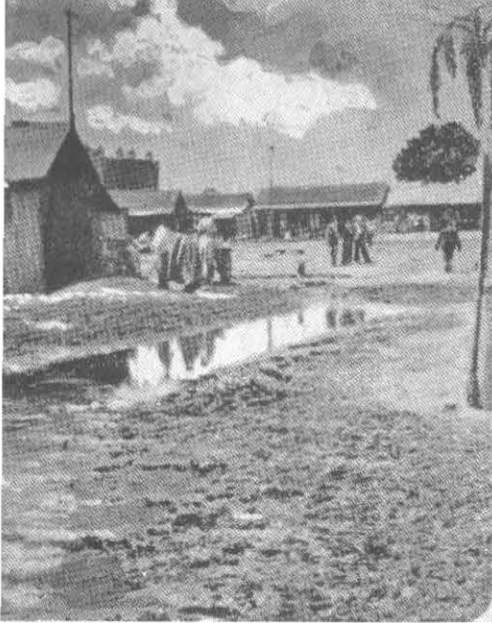
"The only way out of the present impasse lies in the direction of a full and frank exchange of views between the Government of the Union and the Government of India and that the Union Government should invite the Government of India to send to the Union a delegation composed substantially of Indians, for the purpose of discussion with the Union Government and with such representatives as the Union Government may appoint, with such other persons as the delegation may invite, all matters affecting Indians in South Africa."

Totally ignoring the recommendation of its own judicial Commission the Union Government, however, introduced and expeditiously enacted the Asiatic Land Tenure and Indian Representation Act, 1946.

A close-up of the bench at a tram terminus in Johannesburg reserved for "Europeans only"



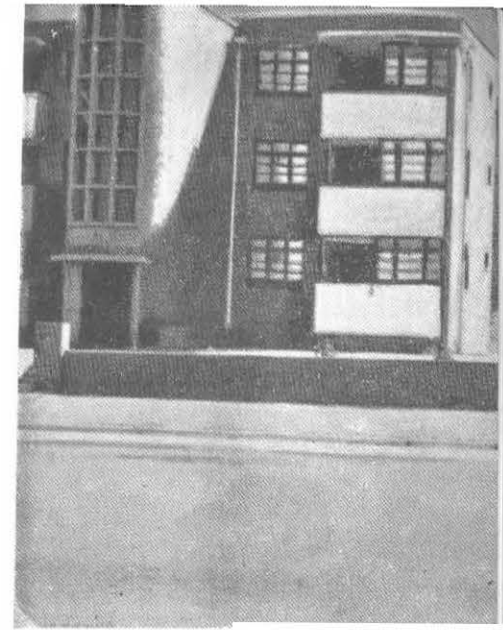
ALLEEN VIR EUROPEANE.  
J. M. T.  
EUROPEANS ONLY.



← **THIS PICTURE – AND THAT** →

View of a segregated area reserved for Indians.

View of a Municipal flat reserved for White workers



**“FOR WHITES ONLY”**

The doors of the churches, gardens, museums, reading-rooms, Government offices, theatres, hotels and cinemas are shut against the Indian. In trams, trains, buses and every kind of public vehicle, he is denied equality of treatment and comfort. Even urinals for whites and non-whites are separate. Wherever he turns, the placard “For Whites Only” stares him in his face.

Below: A Johannesburg tram terminus. The benches are all marked “For Europeans Only” and although Indians take their trams from this very terminus, they have to stand and wait for their trams  
(See next page for close-up of the ‘reserved’ bench)



## THE GHETTO ACT

The Asiatic Land Tenure and Indian Representation Act, which Indians call the Ghetto Act, marks the culmination of the discriminatory policy of the Union of South Africa against Indians and other Asians which has been practised over the last half a century or so. It gives permanent recognition to the principle of segregation of Asians which has been opposed by the Indian community and by the Indian Government over the last 25 years. Throughout Natal and Transvaal the effect of the land tenure provisions of the Act is that except in exempted areas no transfer of land would be permissible between Asians and non-Asians. Furthermore, the effect of the Act is that except in respect of existing mortgage bonds, no Asian can borrow on his property in a controlled area, more than 50 per cent of its value. As a result of this provision which applies discriminatingly to Asians only, it is apprehended that the latter would have to sell away such property to Europeans.

This Act has roused the deepest feelings of humiliation and indignation amongst Indians in South Africa and amongst millions of people in India and other parts of Asia. The Indian community is today resisting the new law on the following grounds, among others:

(i) It abrogates arbitrarily and unilaterally the Cape Town Agreement.

(ii) It extends for the first time throughout Natal and the old Transvaal Republic, anti-Asian segregation laws.

(iii) Its effect will be to reduce the Indian community to economic servitude.

(iv) It will remove whatever incentive there might have been in Natal to improve the living conditions of Indians, especially in urban areas, as it has already done in the Transvaal, because of the neglect by municipal authorities of the interests of non-Europeans.

(v) It reduces that community permanently to a position of racial inferiority and subordination to the Europeans in all respects, at the very time when India is on the verge of independence, and it is thus a humiliation and a cause of provocation to India.


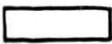


(vi) It effectively closes to Indians the avenues of advancement that had been slowly opening to them and will deprive the younger generation of hope for the future.

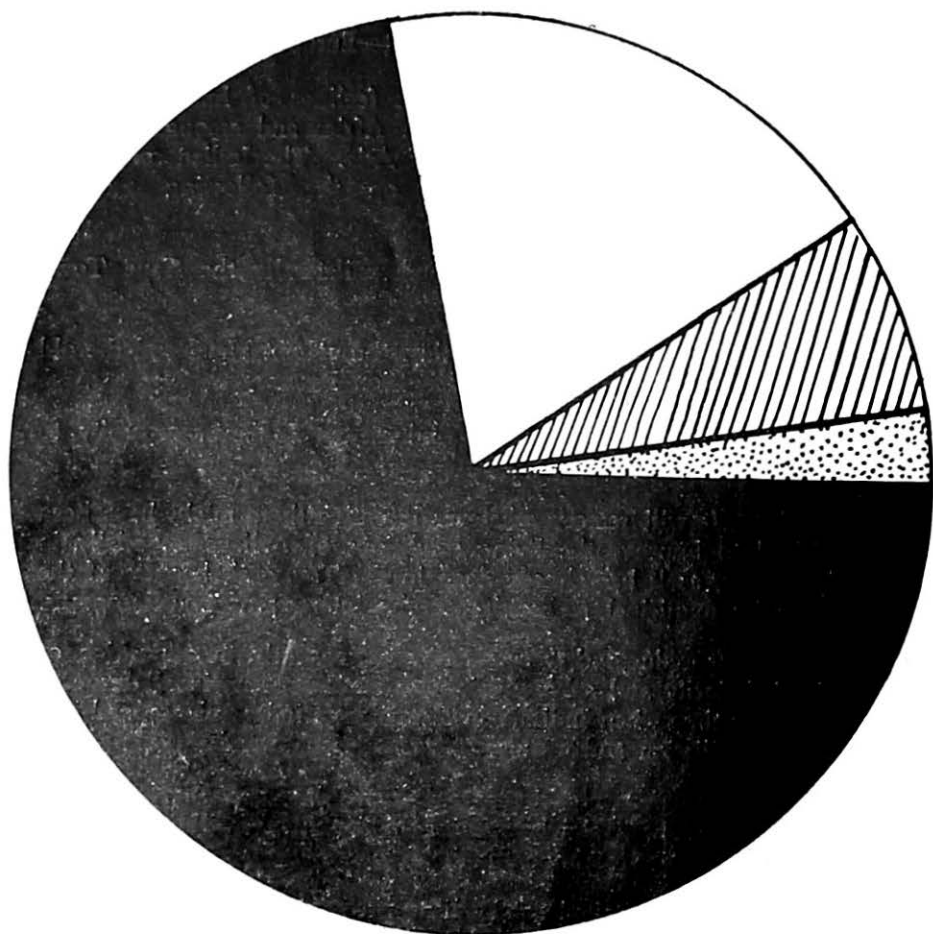
(vii) The limited and disproportionately small communal franchise representation will be ineffective for obtaining the redress



# POPULATION OF SOUTH AFRICA

TOTAL POPULATION OF THE UNION OF S. AFRICA - 11,258,658

	AFRICANS.....	68.7%
	EUROPEANS.....	20.8%
	COLOURED PEOPLES.....	8.0%
	INDIANS.....	2.5%



of grievances, since the elected European representatives in Parliament and the Provincial Council will heavily outnumber the Indian representatives and will continue to be free of any obligation to Indian voters; whilst the doctrine of "no taxation without representation" will virtually still be inoperative.

(viii) Whilst denying the right of India officially to intervene on behalf of her people in the Union, the right of equal citizenship has been denied to them on the very ground of their Indian origin.

(ix) It emphasises the colour-bar, intensifies race-hatred, provokes internal insecurity and discord, and endangers world peace by aligning peoples in terms of white and non-white — the one differentiation which can never be altered !

Prior to the passing of the "Ghetto Act" the Government of India had approached the Union Government to defer consideration of this measure pending a discussion of the problems relating to Indians between the representatives of both Governments at a Round Table Conference, as recommended by the Broome Commission. This request was summarily rejected by the Union Government. As a result of this, the intensity of public feeling in India was so great that the Government of India were compelled to call back their High Commissioner for consultation and gave notice of termination of the Trade Agreement between the two countries. This was subsequently followed by severance of trade relations between the Government of India and South Africa.




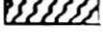
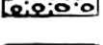
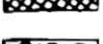
The Act is so obnoxious to Asians generally and Indians in particular that it has brought forth a spontaneous moral revolt by the Indian community in South Africa. For the last 18 months Indians have been carrying on passive resistance against this Act and have been courting imprisonment by hundreds. Up till now over 1,700 persons, including 20 Europeans and several women (both Indian and European) have been to jail.

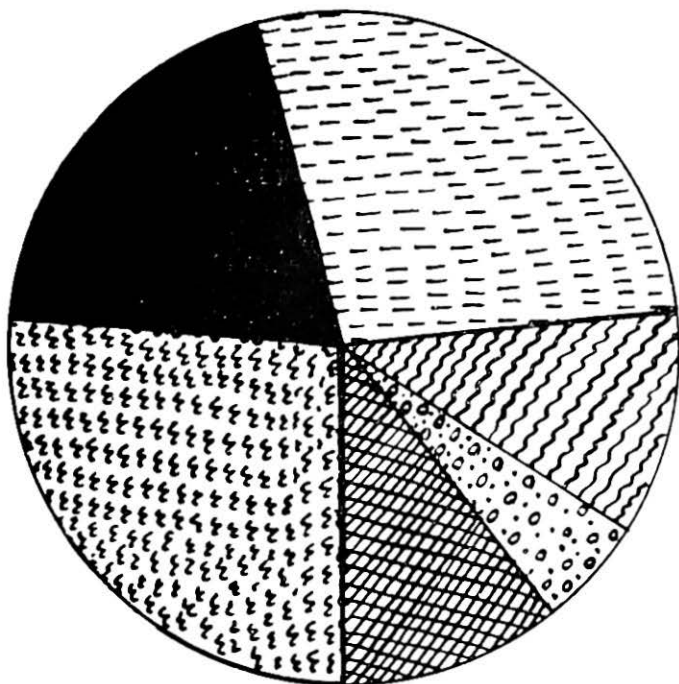


## FIELD MARSHAL SMUTS in 1926

**"We, a handful of whites, are  
ring fencing ourselves, first  
with an inner ring of black  
hatred and behind that with  
a ring of hatred of the whole  
of Asia."**

OCCUPATIONAL DISTRIBUTION OF INDIANS IN S. AFRICA

27.9	.....	AGRICULTURE	
19.2	.....	INDUSTRIES	
26.9	.....	COMMERCE	
11.9	.....	DOMESTIC SERVICE	
4.8	.....	PUBLIC ADMINISTRATION	
9.3	.....	MISCELLANEOUS	



## IV

### UNO RESOLUTION AND AFTER

ON 8th December 1946, the General Assembly of the United Nations passed the following resolution :

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

1. States that, because of that treatment friendly relations between the two Member States have been impaired, and unless a satisfactory settlement is reached, these relations are likely to be further impaired;
2. Is of the opinion that the treatment of Indians in the Union should be in conformity with the international obligations under the agreements concluded between the two governments and relevant provisions of the Charter;
3. Therefore requests the two Governments to report at the next session of the General Assembly the measures adopted to this effect.

This resolution was hailed in India and the greater part of the democratic world as a vindication of the principle of equality of men consecrated in the United Nations Charter and a land-mark in the history of human rights. And yet what followed! The developments subsequent to the adoption of the resolution by the General Assembly are summarised below.

#### REACTION TO UNO RESOLUTION

The reaction in South Africa ranged from reasoned criticism to vehement condemnation of the United Nations, chiefly on the ground that the resolution constituted an interference with the domestic affairs of the Union.

The resolution also proved to be the signal for a fresh outburst of anti-Asian feeling.

On December 10, 1946, Dr. Malan, leader of the Opposition in the Union House of Assembly, declared that the United Nations had become a danger and suggested that South Africa should seriously consider whether it should withdraw from the United Nations. He advocated the wholesale removal of Indians from South Africa as the only basis of any future negotiations between South Africa and

India and suggested that the Union should refuse to carry out the resolution of the General Assembly.

While the views of Dr. Malan appeared to be shared by the majority of the Europeans there were also some indications of the realisation that South Africa would have to take some action to conform to world opinion as expressed in the resolution of the General Assembly. The *Cape Times* commented editorially: "Grudging policies almost negative in their effect will be no answer. If South Africa is honest she must confess that today she has no idea what she is going to make of her millions of non-European peoples. . . . The encrustations of decades of illiberalism and prejudice will have to be scaled off. But South Africa has lived in a fool's paradise over long. The Assembly of the United Nations has brought her back to reality with a challenge that cannot be ignored."

Field Marshal Smuts returned to South Africa about the middle of December 1946. In his first public statement which he made in the course of a broadcast on December 18, he attributed the resolution to the ignorance and the "solid wall of prejudice" against the colour policies of South Africa. According to him the Assembly had taken the decision under the influence of "a flood of emotion."

Two days later, Field Marshal Smuts in a speech at Pretoria denounced the United Nations Organisation as a body dominated by coloured peoples. He further denounced the idea of human equality and said that this simply did not work in South Africa or anywhere in the world.

A clearer statement of Union Government attitude came a week later from Senator Clarkson, Minister of the Interior, who said that the South African Government adhered to the policy formulated by Field Marshal Smuts during the debate on the Asiatic Act of 1946. "There can be no retracing the steps that have been taken."

In January 1947, a debate in the Union Parliament ensued on the United Nations resolution on a motion by Dr. Malan, the leader of the Opposition. Field Marshal Smuts made it clear during the debate that his Government had no intention of repealing or modifying the Asiatic Act of 1946. He regarded that Act as something "which is going to be an anchor to South Africa and to Natal in particular" and must consequently stand. Eventually a resolution was adopted expressing approval of the policy outlined by the Prime Minister in regard to the non-European communities in the Union.

The United Nations General Assembly Resolution has been followed by an intensification of anti-Asian feeling in the Union. A movement was set afoot amongst Europeans to boycott Indian traders and to refuse employment to Indians in European concerns. During its earlier stages the movement was confined mainly to the Transvaal but subsequently it affected certain areas of Natal also.

In many places boycott committees were formed and members of the United Party and the Nationalist Party co-operated. A meeting of Europeans convened at Pietersburg on February 10, 1947 resolved to boycott Indian traders and it was proposed that Europeans entering Indian stores and European girls working in Indian establishments should be "tarred and feathered." Several meetings were organised in many other towns of the Transvaal and retaliatory action was proposed against European customers and employees of Indian stores. At mass meetings large funds were raised for the purpose of the boycott.

The natural result was to subject Indians lawfully carrying on business to the great hardship of economic boycott. In many cases the boycott was accompanied by physical force and several instances of these were reported in the press. In one case a European farmer who had voted against the Indian boycott at a meeting was waylaid and manhandled and he preferred a charge at the police station.

The boycott was unofficial in character, but it had the support — active support — of members of the Union Parliament from both parties. In spite of the condemnation of the boycott by some responsible commercial and political organisations and individual Europeans and request to the Government to take counter-measures and of boycotters having, in many instances, taken the law in their own hands, the Government of the Union of South Africa remained passive.

## PROPOSAL FOR INDIAN ADVISORY BOARD

Meanwhile certain proposals were made by the Union Government in the hope that these would satisfy Indian opinion in South Africa. In February, 1947 Field Marshal Smuts proposed to establish an Indian Advisory Board on the lines of the Coloured Advisory Council, whose functions were intended to be to watch Indian interests and to advise Government on all matters relating to the welfare of the Indian community. The proposal was dropped as it was regarded as segregatory and futile and was opposed by the entire Indian community in South Africa.

The question of municipal franchise in Natal for Indians was also the subject matter of public discussions about this time. But these proposals were defeated by the Europeans through referenda held in various Municipalities. The referenda were, of course, confined to Europeans only!

It was later reported that the Natal Municipal Association was drafting an Ordinance for the provision of Indian Advisory Boards to deal with housing and public health services for the Indian community without giving the latter any kind of representation in the municipal councils. The Indian community rejected this outright. Mr. A. I. Kajeer, a moderate leader said: "Communal franchise or

worse still a third class citizenship based on Advisory Boards, as now contemplated, can only make the Indian's position more ignoble and add to the miseries of his condition."

Field Marshal Smuts informed the press in Durban with reference to this Ordinance that public opinion was not yet ripe for giving Indians municipal representation.

Thus the position in regard to this important civic right for Indians remains today the same as it was when the General Assembly passed the resolution on 8th December 1946. The proposal of the Administrator of Natal, which in itself was not satisfactory to the Indians, founded on the rock of racial prejudice and subsequent proposals were so discriminatory and segregatory in character that they were wholly unacceptable to Indians.

The Indian community continued its campaign of passive resistance to the Asiatic Land Tenure and Indian Representation Act. Since the passage of the United Nations Organisation resolution, nearly 200 persons have courted imprisonment making a total of 1,752 including about 250 women and 6 Europeans (including three women).

The Government of India had already been considering how best they could proceed to implement the Resolution so far as they themselves were concerned. They felt that having regard to the circumstances in which the matter had been referred to the General Assembly and to the Resolution adopted, the Government of the Union of South Africa would take some action to give effect to the resolution.

No move was, however, made by the Union Government and before long it became more and more clear that they had no suggestions to implement the resolution.

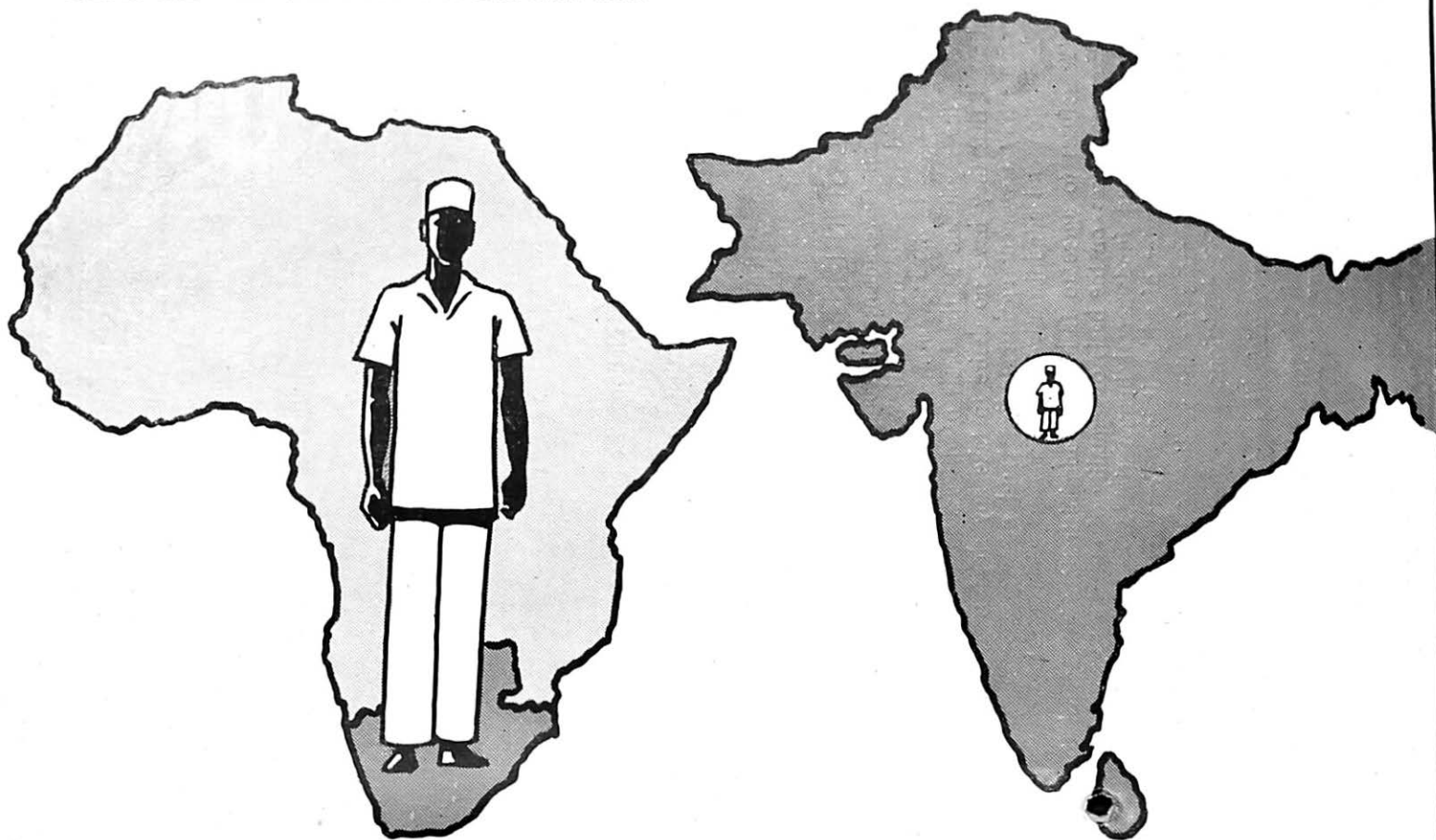
Speaking in the Indian Legislative Assembly on March 14, Pandit Jawaharlal Nehru, India's Foreign Minister stated:

"We do not wish to create any difficulties so far as we can, in the way of a proper solution. That proper solution obviously can only be on the lines of the United Nations Charter.

"We have waited for the last four months and more since the passage of this resolution by the General Assembly of the United Nations for the South African Government to take the initiative because it was for them to take the initiative.

"Still I want to say to this House and to others who may hear that we are prepared to consider this question and to make every effort subject, of course, to the fundamental principles I have stated and by which we stand. We are not going to stand on any question of prestige in regard to talking about or discussing the matter with anybody at any time."

Over 80 per cent of Indians in South Africa today were born in that country and have not even seen India





## THE NEHRU—SMUTS CORRESPONDENCE

In pursuance of this statement, the Government of India decided to address the Government of the Union of South Africa on the question of the implementation of the United Nations General Assembly Resolution. In a personal letter to Field Marshal Smuts, dated April 24, 1947, Pandit Nehru expressed the Government of India's readiness to enter into any discussions the Union Government might see fit to initiate for implementing the resolution and assured the Union Government of the Government of India's co-operation. This was the beginning of a correspondence between the two Governments, the full text of which was released to the press. In all, seven letters were exchanged, four from Pandit Nehru to Field Marshal Smuts and three in reply from Field Marshal Smuts to Pandit Nehru.

The result of correspondence may be briefly summarised as follows :

The Union Government desired the return of the Indian High Commissioner to South Africa for consultations. The Government of India preferred a Round Table conference of representatives of both Governments, but were willing to send back their High Commissioner to South Africa for discussion provided the Union Government accepted the United Nations Resolution as the basis of discussions. The Union Government declined to do so and the net result of the correspondence was that no common basis for discussion could be agreed upon and the effort made by the Government of India proved infructuous. The position, today therefore, is the same as, if not worse than, that existed at the time of the passage of the resolution by the General Assembly last year.

## UNO RESOLUTION IGNORED

The Union Government has completely ignored the resolution. Not only did they take no initiative in implementing it, but by refusing to agree to the Government of India's request to accept the terms of the resolution as the basis of discussions they have clearly indicated that they have no desire to take any steps to remove the discriminatory treatment against Indians and other Asians imposed by legislation and administrative measures.

It refuses to agree to fashion its administration in regard to non-European races on the basis of equality of men, irrespective of race or colour and fundamental human rights consecrated in the United Nations Charter of which it is a signatory.

The world now waits for the verdict of the comity of nations represented in the United Nations.

*"Humanity with all its fears,  
With all the hopes of future years,  
Is hanging breathless on thy fate."*

# EDUCATION OF INDIANS IN NATAL

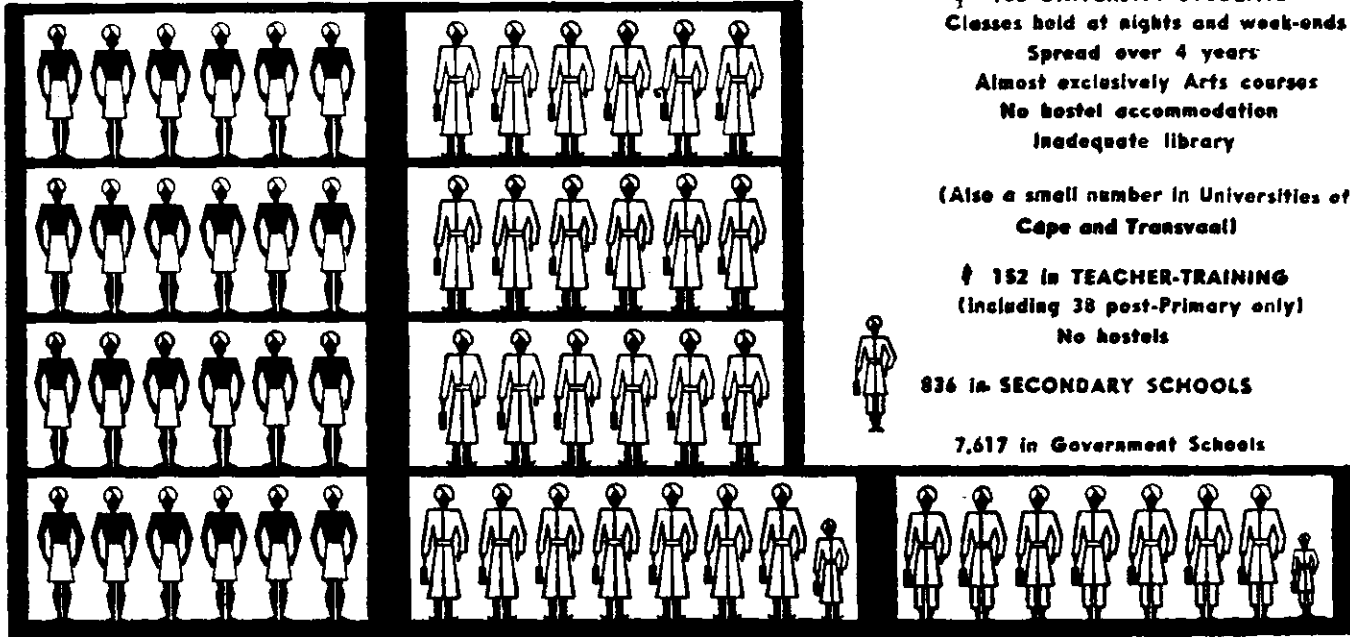
Statistics of 1945

approx. 24,000 aged 6-14  
NOT IN SCHOOL

33,335 in PRIMARY SCHOOLS  
25,718 in Privately established,  
Government-aided Schools

1 figure = 1000 persons

(1946)





### **"IMPLEMENT UNO DECISIONS"**

A section of the huge crowd at the UNO Rally, held in Johannesburg on Sunday 4th May 47 when thousands of Africans, Indians and Coloureds met in Johannesburg, South Africa, at the biggest gathering ever held to declare full support for Non-European co-operation to fight South Africa's colour bar policy. This photograph shows a huge banner at the back asking for the implementation of the UNO decisions.