

WALSHE, Peter  
The rise of African nationalism  
in South Africa

## CHAPTER XI

# THE REACTIVE PROCESS AND A NEW RADICALISM: SEGREGATION, TRUSTEESHIP AND APARTHEID 1939-1952

### i INTRODUCTION

From its foundation in 1912 to the Hertzog legislation of 1936, Congress had articulated its ideology and developed its policy by opposing specific bills and statutes in a process of reaction against the Union's evolving Native policy. By the early years of World War II, this response had changed to a sweeping general condemnation of the entire structure of discrimination. This led in turn to the preparation of policy statements offering a radical and sweeping alternative to segregation, trusteeship and later apartheid. In part this was the result of continuing frustration under existing legislation. In addition, the outbreak of war against Nazi Germany, Hertzog's removal from office and then the Atlantic Charter of 1941 aroused hopes for a fundamental reorientation of Native policy. Moreover it appeared that this might just be achieved from within the confines of constitutional politics. Congress therefore took the initiative itself in formulating a programme for the anticipated period of post-war reconstruction.

This renewed optimism was dashed in the years following the general election of 1943. Smuts, with his policy of trusteeship, did little to change the existing legislative structure and he was followed by Malan and deliberate reassertion of racial discrimination under apartheid. Hope was gradually replaced by dogged determination, a more vehement defence of non-racial policies and a new willingness to employ methods of protest based on non-collaboration, mass support and the assertion of African nationalism as a counter-vailing force to white supremacy.

### ii INITIAL REACTIONS TO WORLD WAR II

Upon the outbreak of World War I, Congress had ceased agitating against the Union's Natives policy and the Native Land Act in particular. Not wishing to embarrass the Government during a time of domestic as well as international tension, it resolved to support the war effort, offered to help in recruiting troops and expected loyalty to King and country to be rewarded by the recognition of an African stake in the common economic and political order. Twenty-five years later World War II raised the same issues of loyalty and support, but to a King now more obviously without influence and a government which had used the inter-war years to entrench segregation and to deny Africans any prospects of full citizenship rights and equal opportunities. The ANC's response was consequently less than enthusiastic. Support for Britain as opposed to Germany was emphatic, and the Smuts Government was recognised as the bulwark against an incipient pro-Nazi Afrikaner rebellion. Support for the war effort was, however, made conditional and recruiting was not deliberately encouraged. From the earliest years of the conflict, the demand that African soldiers be enlisted and armed on the same basis as Europeans went hand in hand with an insistence on a complete reorientation of Native policy.<sup>1</sup> The fight against racialism was seen to be both an international and domestic issue of acute importance; one that could brook no truce on either front.<sup>2</sup>

Although African political organisations were prepared to give public expression to their qualified support for the war, and to back up their Native Representative in Parliament who had voted with the Government on this momentous issue, it is clear that their wariness was grounded in the widespread disillusionment amongst the African population. While it was left to the Communist Party and the Non-European Front actively to oppose the war (until Hitler attacked the Soviet Union),<sup>3</sup> others took a firm and critical line. 'Our brothers faced shot and shell and bore the perils of war,' wrote Walter Nhlapo, yet there was no 'cenotaph . . . to honour our fallen dead.'<sup>4</sup> As one of the Native Representatives in Parliament, Mrs Ballinger took up the theme of reconstruction and a new social order after the war,<sup>5</sup> but she found widespread apathy and cynicism. People recognised the need to defeat the Nazis, but had 'no intention of doing anything about it themselves' unless there was some 'clear indication of a change in the Government's policy towards them'. Throughout a tour of the Eastern Cape she found discussion of the war revolving around these central questions: 'If we fight for you in this war, shall we get back the rights we have lost? Shall we get back the franchise? Shall we get back the right to buy land?' The main



speech by an African at her New Brighton (Port Elizabeth) meeting was delivered in a truculent tone and received general applause: 'Why', the speaker asked, 'should we fight for you? We fought for you in the Boer War and you betrayed us to the Dutch. We fought for you in the last war. We died in France, in East Africa . . . and when it was over did anyone care about us? What have we to fight for?'<sup>6</sup>

### iii FORMULATION OF AFRICAN DEMANDS PRIOR TO THE ATLANTIC CHARTER

Having experienced a gradual recovery in the late 1930s, stimulated by the outbreak of war and the advent of Dr A.B. Xuma as President-General in 1940, Congress turned its attention to formulating a comprehensive policy for the ordering of race relations in a 'Christian Democracy'. Racial discrimination was to be progressively abandoned and the logic of equal opportunity pursued to its ultimate consequence – a predominant African influence in the economic and political life of South Africa. At the same time, past failures to influence Government policy resulted in a determination to build up a mass membership. This was to prove that Congress did in fact represent the 'full voice of the African people'. It was also to provide a pressure group and a basis for passive resistance should Native policy not be reoriented during the course of the war.

Xuma explained the new position of ANC leaders very clearly in an exchange of letters with Professor Hoernlé, a leading member of the South African Institute of Race Relations:

You say that 'To denounce laws or policies based on discrimination is emotionally more satisfying but tends to harden the opposition.' I am afraid this defeatist philosophy is overworked and yet the so-called opposition to African advancement by frontal attack drives the so-called liberals into hiding and silence. . . . One cannot wait for public opinion to be ready for reforms. One must lead public opinion to see the need for reforms by stating the case to its final and logical conclusions no matter whose interest it affects.\*<sup>7</sup>

These conclusions were spelt out by so moderate a member of the National Executive as its Secretary-General and President of the Cape, the Rev. James Calata. Arguing from his belief in Christian values and in the context of a war being fought for democracy,

\* This increasingly firm stance can also be seen in the address by the Rev. Mahabane, President-General at Kroonstad after the 1939 ANC delegation to Cape Town.<sup>8</sup>

Calata went on to recognise that Congress was asking for the ultimate abolition of the Native Affairs Department. He was also prepared to recognise that Africans would, one day, have to face the great responsibility of exercising power with justice amongst the several population groups of South Africa.<sup>9</sup>

From the moment of his election in December 1940, Xuma took up the old non-racial theme with a new vigour.<sup>10</sup> This was no innovation, but his contribution was coherence and a sense of purpose at the centre. Addressing a packed hall in Port Elizabeth, he pursued two main arguments: the urgent need for improved organisation and a clear programme. No race could rise unless it expressed itself through a 'recognised organisation for common action'. It was time for the African to realise that his salvation lay in his own hands, and Congress was consequently determined to establish ties of brotherhood amongst Africans and with the 'races with whom they lived'. The prerequisites for a peaceful and just society had, however, to be plainly spelt out. Africans demanded representation in all governing bodies, including municipalities. They wanted recognition of their trade unions, the abolition of passes, social security benefits, freehold land in the cities, repeal of the Masters and Servants Acts and full opportunity to reach the highest standards of education.<sup>11</sup>

This programme was expanded and clarified in Xuma's presidential addresses of 1941 and 1942,\* in the 1941 *Policy and Platform of the ANC* and, in the case of the franchise, by the proposals of the NRC Recess Committee on Native Representation which reported in 1943.

Although Xuma described the 1936 Act as the 'Mis-Representation of Natives Act', the ANC did not at this stage argue for its abolition and a return to a common roll. Neither did it insist on immediate repeal of the colour bar clauses in the South Africa Act and the right of Africans to sit in the legislature. At the parliamentary level, Congress reluctantly accepted separate representation, although there was an insistence that the existing representation in the House of Assembly be extended to the northern provinces. In addition, a universal franchise was to replace both the indirect elections to the Senate and the qualified franchise used for electing the three Cape Native Representatives in the House of Assembly. 'In a democratic country', Xuma argued, 'all members of the State

\* Xuma's thoughts appear to have been stimulated by letters and a lengthy manuscript from A.S. Mbelle, the nephew and successor of Bud Mbelle as chief interpreter for the Native Affairs Department. Functioning as interpreter for the NRC he also proved a shrewd behind-the-scenes adviser to the Councillors.<sup>12</sup>



must be part of the policy-moulding machine. They must have a voice and a vote in the affairs of State.<sup>13</sup>

Details of this approach were filled in by the NRC Recess Committee at a time when Congress was supporting the elected Councillors, as well as the Native Representatives in Parliament, as official spokesmen of African opinion.<sup>14</sup> Indeed the Committee itself was composed of leading Congressmen, Z.K. Matthews, Seloape Thema and R.H. Godlo, together with L.P. Msomi and S. Mabude. Their recommendations involved increasing the number of Native Representatives in the House of Assembly from three to ten (four Cape, three Transvaal, two Natal and one for the Free State) with male suffrage over the age of twenty-one. In this manner the African vote was to be brought back into line with the European vote, so revealing an important shift away from the qualified franchise.<sup>15</sup>

This insistence on increased African participation in Parliament led in turn to renewed opposition to the pattern of Native administration based upon the Governor-General as Supreme Chief. In Xuma's terms, a move had to be made away from this 'dictatorial approach', that is, away from Government by proclamation in Native affairs towards the 'participation of Africans and citizens in the building of a Union policy acceptable to all sections'.<sup>16</sup> In short, these claims were seen as the basis for a European pledge of good faith, as the minimum constitutional advance that would signify a move from trusteeship to citizenship, a move from segregation and parallel political institutions to an acceptance of the Africans' future place in the affairs of a united South Africa. At the same time this approach reflected a new concern with the African masses and their individual membership of the national movement.<sup>17</sup>

Outside the sphere of parliamentary representation, Congress supported an increase in the size and responsibilities of the NRC which, it was argued, should concern itself essentially with the problems of the reserves. This was to involve legislative powers and the replacement of indirect elections with the individual vote.<sup>18</sup> In matters of local government, Native Councils had already been welcomed as the ideal arrangement in the reserves and Advisory Boards accepted as a first step in the urban areas.† By the early 1940s, however, what had always been the ultimate goal was being explicitly re-emphasised – Africans had the right to participate at all

\* The suggested increase in the number of Representatives in the House of Assembly was based on Hertzog's original bill of 1926. The position of women was deferred, pending a Government decision on extending Native Representation in the House of Assembly to the north.

† See above, pp. 100–6.

levels of representative government. Congress consequently claimed direct representation in both Provincial and Municipal Councils.<sup>19</sup>

Closely related to this policy of African representation at all levels of government was a land policy designed to retain the reserves as minimal tribal homelands, but to permit individual Africans, groups or syndicates, to participate in freehold or leasehold tenure in both rural and urban areas throughout South Africa. To eradicate what was seen as a calculated system of repression, Congress argued for the removal of those restrictions which had been established under the 1913 Land Act and entrenched by the Native Trust and Land Act of 1936. It also called for Land Bank facilities to permit Africans to take advantage of the opportunities which would ensue.<sup>20</sup>

Behind these franchise and land policies lay the long-established realisation that South Africans of all races were irretrievably dependent upon each other in one developing economy. Migratory labour was condemned. Africans were recognised as the bulk of society's workers, producers, and consumers, and it was correctly assumed that they would form an increasing and permanent part of urban communities. As such, it was argued, they were entitled to unrestricted economic opportunities and to civil rights on a comparable basis to Europeans. The central point was that South Africa was not 'a white man's country', but the open inheritance of all her peoples.

There were further practical implications for a comprehensive policy based on such a stance. Drawing on its past decades of fruitless protest, Congress therefore brought together a range of supplementary demands designed to eradicate the legislative and *de facto* obstacles to African progress in industry, and to ensure full participation in the welfare services of the State. These involved a minimum 'living wage', the recognition of African workers and trade unions under the Industrial Conciliation Act, and the eradication of the colour bar in skilled trades. Africans were also to be 'trained and employed in graded positions in the Civil Service and Public Service according to standards and qualifications required of other sections'. Trading rights were to be opened up in all areas. Africans were to enjoy social welfare benefits 'on the same principles as other sections', in particular, pensions, disablement allowances, preventive health services and hospital facilities. Married quarters within walking distance of employment were demanded for all labourers, including miners and domestic servants. The earlier plea for per capita grants in education was renewed, and although the integration of schools was not asked for, Africans were to enjoy a State-sponsored and free education financed from general revenues and of the same excellence as that enjoyed by other citizens. Special



taxation, based on the Native Tax and Development Act of 1925, was to be replaced by bringing Africans into the general progressive tax structure of the country and abandoning the penalties of criminal law used to enforce payment. Finally, as confirmation of its general intent, Congress policy was simply stated as the 'removal of all special statutory restrictions against Africans' excluding them from the benefits and opportunities which should be open to all in a 'declared Christian and Democratic country like South Africa'.<sup>21</sup>

In propounding such a policy Xuma had hastened the reorientation of Congress away from Seme's concern with the chieftaincy and economic self-help. The intent was now a deliberate cultivation of mass support as an integral part of the movement's commitment to a colour-blind justice for all. An ANC platform for the reordering of South African society was consequently evolving by the time the Atlantic Charter was signed in August 1941, a platform based on non-racial ideals proclaimed and nurtured in earlier decades and now propounded before the authorities with the aid of the Native Representatives in Parliament and the elected members of the NRC. Discussion of the Charter was to encourage this process. The first two years of the war had, however, already produced a resolute move towards the full logic of equal opportunity in a programme presented as the true expression of South Africa's highest Christian and democratic ideals.<sup>22</sup>

#### IV NATIVE POLICY AND EUROPEAN POLITICS

The Native policy against which Congress was struggling had been developed under General Hertzog who, at the outbreak of war in Europe, split the Pact Government when he opposed South Africa's entry on the side of Britain. By 1942, shortly before his death, Hertzog was calling from the remoteness of his retirement for the *Afrikaner volk* to unite against their 'two deadly enemies': British dominance and the 'outworn' system of parliamentary democracy.<sup>23</sup> His one-time Minister of Justice, Oswald Pirow, and his 'New Order' followers were openly pro-Nazi.<sup>24</sup> Conscious of their consistent loyalty to the State, African leaders hoped to see a recognition of this fact in a move away from the legislative pattern of racial repression developed by these men in earlier decades. But although an extensive debate ensued in European political circles, the new doctrine of 'trusteeship' remained tethered to the old structure of segregationist legislation and to a totally unrealistic notion of

\* The Government had to arrest 300 European police as a result of these pro-Nazi sentiments.<sup>25</sup>

African progress that was still geared essentially to the reserves. When Heaton Nicholls addressed the NRC in 1941, his theme was the 'great success' of the Council and the distinct advance of the policy of separation over the old Cape situation.<sup>26</sup>

Although this ultimate reliance on established policy remained, there was a short period from late 1941 to the early months of 1943 when it appeared as if the gap between African demands and government policy was narrowing. Native affairs were debated with a new flexibility in government circles, and Congress was encouraged in the belief that there was some prospect of significant reform through the vigorous use of constitutional channels.

A Native Military Corps was established in 1940 and Denys Reitz, as Minister of Native Affairs, had been prepared to defend the arming of these troops in North Africa when circumstances demanded it.<sup>27</sup> He had also been prepared to admit that Africans had major and legitimate grievances and quoted the Atlantic Charter to the NRC as a basis for reform.<sup>28</sup> At least for the optimistic, it appeared as if new advances in Native policy might be attempted. Smuts too had defended the arming of troops in North Africa. He had also gone on record against bitter Nationalist Party opposition as being prepared to arm every Coloured and Native in the face of a Japanese invasion.<sup>29</sup> Speaking on domestic matters to the SAIRR, the Prime Minister recognised the permanence of African urbanisation and admonished white South Africans for neglecting their duty to the African, particularly in matters of social welfare. 'Isolation has gone', he said, 'and I am afraid segregation has fallen on evil days.' The concept of trusteeship would have to be worked out in practice, but, he argued, it offered the only prospect of harmonious race relations in a country with a mixed population of ten million people. It was a gross insult to speak (as the Nationalist Party Leader did) of a total population of two million, for the Native was 'carrying the country on his back' and was clearly an integral part of the common economic order. This address was widely reported in the African press, and Mrs Ballinger, writing under a heavy headline 'Prime Minister Repudiates Segregation Policy', described how in political circles it had been received as of 'epoch-making importance.'<sup>30</sup>

To understand the political atmosphere of this period as seen from the African viewpoint, it is also necessary to recognise that the 1942 Smit Report on 'Social Health and Economic Conditions of Urban Natives' recommended the administrative recognition of African trade unions as well as the abolition of the pass laws. This Report also reminded the Government that it was an illusion to think in terms of a Native policy geared essentially to the develop-



ment of the reserves.<sup>31</sup> A ministerial promise of impending trade union recognition was subsequently made and the enforcement of the pass laws was relaxed.\* Then, while Secretary of Native Affairs but speaking presumably as Chairman of the Commission, Smit called publically for the eradication of the economic colour bar. Europeans and Natives, he said, were so interdependent that the policy of segregation could never be carried to its logical conclusion. Restrictive laws and artificial barriers to the African's industrial progress were therefore 'unjust, and we should take courage in our hands and abolish them all'.<sup>33</sup> Xuma, responding to Smit's initiative, wrote thanking him 'on behalf of my people [for your] bold and courageous statements'. The ANC's fight, Xuma continued, was for the removal of Native disabilities. It was 'not a fight against the Government, but a fight for justice for all'.<sup>34</sup>

This period of optimism was brought to an end in early 1943 by the impending general election. In an interview with a delegation from the Christian Council in January, Smuts expressed great sympathy for the African cause but spoke of 'tremendous snags' in granting Africans parliamentary representation. He also showed hesitation on the recognition of African trade unions and asked the delegation to 'accept the will for the deed'.<sup>35</sup> The emphasis was clearly shifting, under the influence of racist electioneering by Malan and his Nationalist Party, from a radical rethinking of Native policy to maintaining the existing legislative structure with improved social amenities for the African. Matters came to a head in March when Mrs Ballinger, closely supported by Congress and as the spokesman for the Native Representatives in Parliament, moved a resolution in the House of Assembly urging the revision of Native policy to bring it in line with the country's industrial development, the needs and aspirations of the Native population and the principles of the Atlantic Charter. The existing policy, she argued, had failed. It was contrary to the whole economic trend in South Africa and had effects on the Native population, including the destruction of family life, which were morally indefensible. Antagonism between the races would inevitably increase if the country refused to face up to the reality of a permanent African population in the 'white' areas, a population which should be encouraged to make a decent living and be given stability and security. It was in reply to this speech that the Minister of Native Affairs had stated the Government's determination not to depart from policy based on the 1936 Hertzog

\* Smuts, prior to the 1942 mine strike, had also promised to amend the Industrial Conciliation Act and place African employees on the same basis as others.<sup>32</sup>

legislation lest the whole Native question be brought into the forefront of politics.<sup>36</sup>

While Congress had experienced some initial encouragement as Xuma led it towards a renewed formulation of policy, the climate in European politics had clearly changed in the course of 1943. It was consequently with some apprehension, and a growing determination to pursue its ideals to their full logic, that the ANC turned its attention to interpreting the Atlantic Charter and its back on compromising with the structure of existing legislation.

#### V AFRICAN CLAIMS AND THE ATLANTIC CHARTER

The policy that had been developing under Xuma's presidency was brought to greater precision by the Atlantic Charter. By using the Charter to give added weight to its claims, Congress hoped to elicit a positive response from the authorities and a clarification of official policy for the eagerly anticipated period of post-war reconstruction. Here was a document of international significance, a statement of the war aims of the Allies and a preparatory step towards a United Nations. It was hoped that both the Government and a majority of white South Africans would come to see its principles as the basis for an alternative policy to segregation.

While setting out to produce its own document made up of two sections, 'The Atlantic Charter and the Africans' and a 'Bill of Rights', Congress worked in collaboration with Councillors of the NRC in an attempt to confront the authorities with its viewpoint from within the constitutional channels available. Simultaneously Xuma sought to establish direct contact with Smuts. The NRC elections of 1942 had resulted in the return of new Councillors including Champion, Matthews and Paul Mosaka, a recent graduate of Fort Hare.\* As Godlo, Dube, Thema and Xiniwe were amongst those retaining their seats, Congress enjoyed an informal but real influence through at least seven of the sixteen-member Council. Given the state of his organisation, Xuma had wisely decided not to formally nominate ANC candidates<sup>38</sup> but, as Calata said, they had 'succeeded in sending Congressmen to the NRC without saying so'.<sup>39</sup> It was at this time that Z.K. Matthews, who had recently taken out ANC membership, began to function as leader of an NRC caucus.

In December of 1942 the Council set out to seek clarification of

\* Although Mosaka left Congress in 1943 to form the African Democratic Party, he had written to Xuma prior to the first session of the new Council asking for advice and declaring his willingness 'to act on the instructions of your Congress'.<sup>37</sup>



the Government's long-term Native policy at precisely the time when the Annual Conference of the ANC accepted Xuma's resolution to appoint an Atlantic Charter Committee. The political matters at stake had already been raised in earlier ANC policy statements, and the issue of African representation was now forcibly put in the NRC. Paul Mosaka immediately went to the heart of the matter. Africans were not concerned with sovereign rights and self-government for a colonial territory; it was too late for that, too late to get rid of the white man and drive him into the sea. 'We are here', he continued, 'on the understanding that we want the white people and the white people want us.' The choice involved the type of Government South Africans were to enjoy. In his opening address to the Council, Denys Reitz as Minister of Native Affairs had accepted the cardinal points of the Atlantic Charter as freedom from fear, want and oppression, but he had limited his comments to matters of social security and the prospects of the NRC. This in Mosaka's judgment was inadequate; the NRC gave 'the shadow of this substance', it did not give Africans political freedom. The Charter stated explicitly that a people should be free to determine the type of government under which they lived, and the only satisfactory interpretation as far as Africans were concerned was one which envisaged a place for them in the parliamentary machinery of the country. Even Churchill and Roosevelt had differed in their interpretation of the Charter, and the Council now expected the Government to be more precise. In Godlo's words the African people had a right to participate in the 'making of laws for the good government of people of all colours'. A patchwork approach to Native policy would not do. They wanted equality of opportunity in every sphere and to be 'treated as co-partners in this country'. According to Thema, Africans in South Africa were the most advanced of the continent (with the possible exception of the Egyptians) and the time was ripe for their participation in the reform of South African society.<sup>40</sup>

After preparatory drafting had been initiated in the course of the year with Xuma as co-ordinator, the Charter Committee met in December 1943 to produce *African Claims*.<sup>41</sup> The General Conference of Congress simultaneously accepted a new constitution, the aims of which stated succinctly what *African Claims* spelt out in detail. Congress was pledged to 'attain the freedom of the African people from all discriminatory laws whatsoever' and to 'strive and work for full participation of the African in the Government of South Africa'.<sup>42</sup> Full political rights were to be the prerequisite for a just social and economic order, and the Government's defence of the legislative *status quo*, although allied to a concern for improved African social conditions, was clearly unacceptable.

Xuma had written to Smuts after his election victory of July 1943 offering the 'humble congratulations' of Congress. Africans, he said, admired and supported the Prime Minister's defence of the country in two wars, and recognised that he had done a great deal through courage and daring to bring about closer co-operation between the white races of South Africa. Writing as President-General of Congress, Xuma nevertheless went on to state his view that the election victory provided Smuts with his 'last and God-given opportunity of serving your country in a great measure by bringing about freedom and prosperity for the non-European sections who have sacrificed their all, their lives, in defence of and for the freedom of South Africa'.<sup>43</sup> What was a heartfelt plea from Xuma may well have appeared a precocious threat to Smuts. In any case the Premier had already committed himself in opposing Mrs Ballinger's motion earlier in the year, and he further exasperated Xuma by pursuing a post election theme of having to unite the European population before facing up to the basic issues in Native policy.<sup>44</sup>

Having discerned the changed atmosphere within European politics, the President-General began to take a less restrained line at the National Congress of December 1943. South Africa's Native Policy, said Xuma, was a blind alley; Africans now insisted on the same freedoms as other people. Smuts' real intentions, he continued, had now been revealed. The Premier spoke of there being no forgotten people after the war, but like the South African National Convention of 1909 and the Cape Native issue, it was all to be on a 'suspense account' – delayed until some remote day when European unity had been achieved. Africans would not stand for such an approach and insisted on 'full citizenship now' as the reward for loyalty and sacrifice. In making this clear in their forthcoming pamphlet *African Claims*, the Atlantic Charter Committee had bestowed a 'legacy of freedom' on future generations and established a national ideal for all South Africans drawn up by Africans themselves.<sup>45</sup>

Matters came more obviously to a head in the course of 1944. In August the NRC passed a unanimous resolution proposed by Godlo, who in addition to being President of the Advisory Board was now on the National Executive of the ANC. This condemned the Government's Native policy as the root cause of inter-racial mistrust, and urged the abandonment of all segregationist legislation in favour of unlimited opportunity for every individual irrespective of race.<sup>46</sup> Almost simultaneously Xuma sent *African Claims* to the Prime Minister in manuscript form, that is before it was printed and prior to its official adoption by Congress. He also asked for an interview. Smuts replied at some length through his Private Secretary, stating that he



had read the document and regretted that an interview would serve no useful purpose. The letter continued:

Your study is evidently a propagandist document intended to propagate the views of your Congress. As such it is free to you to do your own publicity to secure support for your views. The Prime Minister cannot agree to be drawn into the task by means of an interview with him. He does not agree with your interpretation of the Atlantic Charter and with your effort to stretch its meaning so as to make it apply to all sorts of African problems and conditions. That is an academic affair which does not call for any intervention on his part.

What concerned the Prime Minister was practical improvements in African welfare, and what pained him was that there was no recognition of the present effort in Xuma's document. There was, Smuts claimed, a 'great and growing practical sympathy with the lot of Africans' and a serious desire to provide practical assistance. But the claims and demands of Congress and 'the spirit in which you make them will not only cloud that sympathy, but raise fears and resentment which will make this task all the more difficult.'<sup>47</sup> *African Claims* was then printed and soon sold 'like hot cakes'.<sup>48</sup> Xuma read Smuts' letter to the delegates at the Annual Conference and went on to declare that, in spite of the Prime Minister, the Africans' Charter set out 'once and for all what the ANC stands for'.<sup>49</sup>

By the end of the war, Congress had therefore prepared a full statement of its policy, a programme of radical and sweeping reforms which was unanimously adopted by the annual conference.<sup>50</sup> What was wanted in practice, when all the dust of annual conventions had settled, was a gradual but assured abandonment of existing Government policy. The statement set out the long-term goals that were to be pursued with an increasing intransigence in the face of their complete rejection by Smuts and later by Malan and his Nationalist Government. After working in harmony with the elected members of the NRC to no good effect, and after unsuccessfully seeking discussions with Smuts on the reorientation of Native policy, Congress was being forced back on its own determination to organise for the social, economic and political emancipation of the African people it claimed to represent. It was simply a matter of time before a major confrontation would develop with the authorities.

*African Claims* was divided into two sections, both of which were designed to impress upon South Africans and the future United Nations that a just and permanent peace would only be possible 'if the claims of all classes, colours and races for sharing and for full participation in the educational, political and economic activities

are granted and recognised'. As for Africans themselves, the document was to set out their goals at the 'beginning of a long struggle entailing great sacrifices of time, means and even life itself'. It was to be a

... challenge to organise and unite themselves under the mass liberation movement, the ANC [in a struggle which was to go on] until freedom, right and justice are won for all races and colours to the honour and glory of the Union of South Africa whose ideals – freedom, democracy, Christianity and human decency – cannot be attained until all races in South Africa participate [in the full rights of citizenship].<sup>51</sup>

The first section, 'The Atlantic Charter and the Africans', harked back to Smuts' and Reitz' acceptance of the Charter and went through its eight points in an attempt to clarify their meaning and applicability to Africa. Under Point one and 'no aggrandisement', specific reference was made to Ethiopia's right to full sovereignty and to independence for the former Italian colonies under the protection of the 'future system of World Security'. In the case of southern Africa, this point was deemed to support the earlier ANC stand against any transfer of the High Commission Territories to the Union.<sup>52</sup>

Point two of the Charter involved 'no territorial changes that do not accord with the freely expressed wishes of the people concerned'. This was used to counter Smuts' recent if tentative suggestions concerning regional regrouping in west, east and southern Africa, and to press for the self-government of African peoples who were no longer to be treated as 'pawns in the political game of European nations'. The Union, however, was judged as coming under Point three: 'the right of all peoples to choose the form of government under which they will live'. This principle Congress accepted as the right to self-determination, not only for small nations, but for Africans under European tutelage as in South Africa where there existed 'the peculiar circumstances of a politically-entrenched European minority ruling a majority non-European population'. In contrast to the normal colonial situation and the need for self-government and sovereign rights for an independent state, Congress demanded 'full citizenship rights and direct participation in all the councils of the state'.<sup>53</sup>

Under the remaining six points the document insisted on economic development for the benefit of all peoples in the state concerned, improved labour conditions under the conventions of the ILO, training facilities, social security, adequate housing for all races and removal of the colour bar. The destruction of Nazi tyranny was to



be the precursor of eradicating 'racial domination in all lands, including the Allied countries'. Freedom of the seas was to be maintained, and the use of force limited by disarmament and the establishment of 'a wider and permanent system of general security'. While accepting the need for police action in any society, the document deplored the use of force in South Africa 'as a method of suppressing the legitimate ventilation of their grievances by an oppressed, unarmed and disarmed section of the population'.<sup>54</sup>

The second section comprised a 'Bill of Rights' in which Xuma's earlier themes and those of the *Policy and Platform of the ANC* were repeated and elaborated.

In the case of the franchise there was still no explicit return to a common voters' roll, separate representation apparently being acceptable. Three clarifications were nevertheless discernable. Although earlier documents referred to the African's right to the franchise, the implication of this in relation to women was not clear and the NRC Recess Committee of 1943 had left the vote for women in abeyance. In *African Claims* Congress came out clearly not only for the abolition of the qualified Cape Native franchise but for the extension of the vote to 'all adults'. Second, while insisting in earlier years on increased parliamentary representation, Congress had not objected to the continuance of the NRC. Now the elimination of all political discrimination based on race was to include the abolition of that Council. Third, earlier policy statements had been vague on the European representation of African interests and could have been interpreted as claims for increased representation under the old system. This uncertainty was ended as the ideal of eradicating the colour bar clauses in the South African Act was firmly restated under the right of all adults to be elected to Parliament, provincial and municipal councils.<sup>55</sup>

In addition to representation, the entire range of long-standing issues was raised – access to land throughout the country; rights of urban residence including the inviolability of the home against police raids; equal justice in the courts including nomination to juries and appointment as judges, magistrates and other court officers. There were to be competitive examinations for the civil service; opportunity to engage in all lawful occupations; free and compulsory education; freedom of movement, and in the case of the social services, 'inclusion on an equal basis with Europeans'.<sup>56</sup>

These demands were then developed under particular headings.

\* Under separate representation this would not necessarily have involved African majority rule. However, once a common voters' roll was adopted, the implication was clear – Africans were to exercise predominant political influence. See below, p. 285.

In the case of land there was now an insistence not only on African access to its ownership and use in urban areas, but, as in Congress Youth League documents, a demand for 'fair redistribution of the land' as a prerequisite for open purchase, sale and leasing. Although the abandonment of enforced residential segregation was not explicitly stated, this was implied by the demand for 'freedom of residence' and repeal not only of the Land Acts, but of the Native Urban Areas Act and the Native Laws Amendment Act.<sup>57</sup>

The central issues under 'Industry and Labour' involved the eradication of the legislative and *de facto* colour bars in every walk of life; adequate housing; equal pay for equal work; a minimum wage for the unskilled; insurance schemes, and the recognition of Africans and their trade unions under the Industrial Conciliation Act. For equality of opportunity to become a reality, training facilities had to be comparable to those enjoyed by other groups, including the availability of technical colleges and access to the universities.<sup>58</sup> In the field of commerce, the old claim for African trading rights in the townships and reserves gave way to a condemnation of 'the confinement of African economic enterprise to segregated areas and localities', and a demand for freedom of entrepreneurial activity throughout the country.<sup>59</sup>

Education was seen as the bedrock upon which African progress depended. As such it was the responsibility of the State and the birthright of every individual as the means to the full development of his talents. That there was a peculiar type of education best suited to Africans was rejected. Per capita financing from general revenue was once again insisted upon, with a minimum demand for free compulsory primary schooling. This was to be followed by the rapid expansion of secondary and higher education. Segregated schools were not directly attacked, but the free access of individuals to all higher institutions of learning was explicitly stated.<sup>60</sup> In addition, conditions of service for African teachers were to be brought up to par with those of Europeans of comparable qualifications, while the control of African schools was to fall 'more and more largely into the hands of Africans themselves'.<sup>61</sup>

Finally, a public health service was outlined, comparable in its scope and aims to that of the British Labour Party's programme for the United Kingdom. The recognised decline in African health was correctly ascribed to underlying economic causes, and the successful function of the health services was therefore seen to be based on the economic reforms outlined in the earlier pages of the document. Free medical and health services were to be made available to all sections of the population, and this would in turn necessitate the expansion of medical and nursing schools.<sup>62</sup>



It is not surprising that Smuts, dependent on a European electorate and out of touch with African thinking over the past decades, was flabbergasted by such a programme. Yet this was not simply a sudden burst of African political assertion born of impatience and aggression. Rather it was the end product of over three decades of Congress activity, the culmination in one document of a prolonged insistence on the ideal of non-racialism as opposed to the racial discrimination at the core of official policy. Detailed protests had been levelled at particular pieces of legislation from the time of Union onwards and, as if to remind one of these earlier struggles, the Committee's work concluded with a list of major colour bar acts due for repeal.\*<sup>63</sup>

*African Claims* became the basic policy statement upon which later ANC documents were essentially based. While it reflected past ideals, it was also supported by the new radical pressure group within the movement – the Congress Youth League, founded in 1944. What was to be at issue from now on was the means of confronting the white power structure, the timing and methods of protest. Veteran congressmen – Seme, Selope Thema, Thomas Mapikela, the Rev. Z.R. Mahabane, the Rev. A. Mtimkulu, and the middle-aged men of more recent times such as the Rev. James Calata, Dr R.T. Bokwe, R.H. Godlo, Moses Kotane, Z.K. Matthews, Dr J.S. Molema and Dr Xuma – had together provided a comprehensive articulation of Congress policy.

Gradually in the course of the next six years, these older men came reluctantly to see the need for passive resistance. At first this was in disgust at the Smuts Government's inability to rethink its Native policy in a courageous fashion, taking into account the reality of increasing urbanisation. Later it represented a sharp reaction to the advent of Malan in 1948. Concurrently, and working from within Congress, the younger generation of the Congress Youth League, with new names like Lembede, Mda and Ngubane, developed the concept of 'African nationalism' as a means towards disciplined mass support in preparation for the emergence of Africans as the predominant political power in the Union. Both the established ANC

\* The demand was for repeal of all colour bar clauses in the South Africa Act of 1909, repeal of the Natives Land Act of 1913, the 'Colour Bar' or Mines and Works Act 1926, Native Administration Act of 1927, Native Trust and Land Act of 1936, Representation of Natives Act 1936, and Native Service Contract Act, Masters and Servants Act, Native Labour Regulation Act, Native Urban Areas Act, and the pass laws. The Industrial Conciliation Act was to be amended so as to place African workers on a par with Europeans.

leaders and the CYL agreed that the long-term goal was the removal of every form of racial discrimination.

## vi THE GROWTH OF DISILLUSIONMENT

By the time *African Claims* was formally accepted by Congress in 1945, the initial optimism that the war would lead to a reorientation of Native policy had been dissipated by a series of official policy decisions. These had been taken before and after the rejection in 1943 of Mrs Ballinger's plea for a new approach to Native policy.\* Late in 1942 industrial unrest and a series of African strikes in Natal coalfields and on the Witwatersrand led to an emergency proclamation, War Measure No. 145. This prohibited African workers from striking, imposed criminal sanctions of up to three years' imprisonment and/or a fine of £500, and provided for compulsory arbitration of disputes by a civil servant from the Department of Labour.<sup>64</sup> Africans had been singled out once again for special control at a time when there was widespread expectation that their trade unions were about to be recognised under the Industrial Conciliation Act. In the same year the Pretoria City Council failed to implement a Wage Board decision in favour of a minimum wage for African employees. The demonstration which followed was fired upon by an army unit. Sixteen Africans died and over 100 were wounded, the great majority being shot in the back by firing which the Commission of Enquiry condemned as unwarranted.<sup>65</sup> Many Africans were therefore aware that they were being harshly dealt with in spite of recent conciliatory statements made in high places, and at a time when thousands of their men were fighting in North Africa.†

Hostilities in Europe had given a major boost to the South African economy, but with rapid urbanisation, burgeoning slums and increased lawlessness in grossly overcrowded locations, police raids also increased with 11,000 arrests in Johannesburg during a blitz period of thirteen nights.‡<sup>67</sup> By 1944 the earlier relaxation of the

\* The Government simultaneously took a major step towards entrenching segregation by supporting a 'Pegging Act' (Trading and Occupation of Land Restriction Act) designed to freeze the existing Indian residential and business holdings in Durban. This 'temporary' act was made permanent in 1946 as the Asiatic Land Tenure Act.

† By the end of the War 76,371 Africans had enlisted at a salary geared to that offered by the mines for migrant labour. One thousand two hundred lost their lives on active service, 800 were wounded and 1,600 taken prisoner.<sup>66</sup>

‡ Professor Hoernlé noted that many law-abiding Africans had suffered



pass laws had been abandoned, giving rise to a further increase in police activity.<sup>68</sup> The Government had also refused to utilise the provision of the 1936 Representation of Natives Act permitting an increase in the number of African representatives in the Senate from four to six after 1943.<sup>69</sup> Then to confirm these depressing signs, and just two and a half years after her article headlined 'Prime Minister Repudiates Segregation', Mrs Ballinger had reluctantly to tell her African readers that segregation was 'on the move again'.<sup>70</sup>

Given this situation of renewed inflexibility in official circles, Xuma became Chairman of an Anti-Pass Committee geared to mass protests against the laws he had fondly hoped were on the verge of being repealed. By 1944 the gap between the authorities and moderates within Congress was also growing rapidly as established leaders came under pressure from two new sources. The African Democratic Party, led by a young erstwhile Xuma supporter, Paul Mosaka, was formed in 1943 with the same goals as Congress but committed to what it claimed would be a more determined organisation of mass support. Our times, its manifesto declared, call for 'unity, organisation and action'. It went on to list the shootings at Pretoria, urban residential insecurity, the inadequate pay of African soldiers, the curtailment of Indian rights and the continued application of harsh laws, as a 'reaffirmation of the policy [which] portends a new post-war world in which the rights of the masses will be studiously ignored and violated'.<sup>71</sup> The CYL, founded in the following year, had come to a similar decision about the Government's long-term commitments. In a manifesto of April 1944 it recognised that in spite of the conflict against Nazi Germany, it would be the 'highest folly to believe that after the war South Africa will treat the African as a citizen with the right to live free'. South African blood, of Africans and whites alike, was being shed to free the white peoples of Europe while Africans within the Union remained in bondage.<sup>72</sup>

Both Hofmeyr, as Minister of Finance and Education, and the Secretary of Native Affairs turned down invitations to address the 1945 Annual Conference of Congress at Bloemfontein.<sup>73</sup> In the same year of victory, the Native (Urban Areas) Consolidation Act was passed, tightening up control of Africans in the towns and attempting to check the urban influx.<sup>74</sup> Writing with restraint but revealing something of his deep disappointment, Xuma contrasted the 'spate of promises' Africans had experienced when the Axis powers were in the ascendancy with the reality of the post-war situation which was 'a mockery of South African ideals'. There had nevertheless, he

in the raids and felt 'embittered, excited and filled with impotent resentment'.

argued, been one hopeful sign in the last three years: the African now realised 'that the entire South African native policy [was] for his exploitation, oppression and retardation'.<sup>75</sup> It was at this time that D.G.S. Mtinkulu, Headmaster of Adams College, Natal, wrote that racial bitterness and distrust had increased sharply in African political circles, and that the main effort of moderate leaders had turned to keeping some sense of balance and trying to check a tendency towards hate and African prejudice.<sup>76</sup>

By 1946 Xuma was co-operating with the Indian Congress at a time when the latter was involved in passive resistance against the perpetuation of the Pegging or 'Ghetto Act'. He also persisted in his attempt to gather mass support by opposing the pass laws. Addressing the Second Anti-Pass Conference, he warned delegates that although the war in Europe was over, the spirit of Nazism dominated race relations in South Africa.<sup>77</sup> In the same year he travelled to New York to protest at the United Nations against a Union mandate in South West Africa on the grounds of South Africa's repressive Native policy. It was in this context of disillusionment and rising frustrations that the NRC entered into direct confrontation with the Government, so revealing in an acute form Smuts' vulnerable position within European politics and the gulf that had now emerged between the authorities and Congress.

'General Smuts has disappointed us in many ways', wrote Calata, 'but most of all after this last war; because he must have known that we looked to him to give us freedom.'<sup>78</sup> Congress had now to face up to a fact of which it had been uneasily aware since 1936. Freedom was not going to be given to Africans by anyone except themselves. Gradually, painfully, and eventually without Xuma's leadership, the ANC now moved towards a policy of non-co-operation, passive resistance and civil disobedience in a belated and desperate effort to check the retention and then reinforcement of the whole pattern of segregation against which it had protested since 1912.

#### vii ADJOURNMENT OF THE NATIVE REPRESENTATIVE COUNCIL

A sense of frustration within the NRC had mounted steadily during the war years, both on account of the wider context outlined above and as it became increasingly clear that neither Parliament nor the Government was taking its resolutions seriously. Far from achieving consultation and a final consensus, the Council was constantly having to challenge the basic tenets of Government policy, and experienced in reply the defensive front of civil service officialdom.

The war-time cessation of land purchases in the scheduled areas had aroused deep dissatisfaction. This mounted steadily to produce



a resolution in 1944 condemning the Government's failure to 'honour its solemn pledge' of 1936. During the same session the Council passed its blanket resolutions against the principles of segregation, and complained once more of the lack of freehold tenure and security in the urban areas.<sup>79</sup> In addition, it must not be forgotten that the major and not unrealistic initiative of the 1943 Recess Committee had remained within the principles of the 1936 Representation of Natives Act, and had been discussed and supported over the following two years by Native Councils and Urban Advisory Boards. It had nevertheless been pigeon-holed by the Government.

When at the end of the war, and after this long series of disappointments, the Native (Urban Areas) Consolidation Bill was placed before the Council, at the last moment and supposedly as a 'matter of courtesy', the atmosphere deteriorated sharply. The farce of symbolic consultation was bitterly attacked; Government's failure to reorientate Native policy by providing freehold tenure in the urban areas and African representation in municipal and provincial government was roundly condemned; the possibility of the Councillors resigning *en bloc* was explicitly recognised.<sup>80</sup> The resolution to adjourn the Council *sine die* at the August 1946 Session was not therefore a sudden and unpremeditated act. Indeed Xuma had written to every Councillor in the month prior to the NRC decision, calling on them to 'support a motion of adjournment and non-cooperation' unless the Government agreed to abolish the pass laws, to recognise African trade unions under the Industrial Conciliation Act, and to repeal the oppressive sections of the Native (Urban Areas) Consolidation Act and those sections of the Native Administration Act which permitted the banning of African leaders without trial. 'You must declare yourself', his letter continued, and 'come out and help organise the masses for the achievement of those things for which you have worked so hard.'<sup>\*</sup>

The Council was consequently poised on the brink of publicly displaying its utter frustration when the African mine workers' strike broke out in August 1946, providing the immediate cause of adjournment. Founded in 1941, the African Mine Workers' Union had managed to survive in spite of hostility from the Chamber of Mines and severe obstacles placed in its way by the Government's refusal to recognise African trade unions. After pursuing a restrained policy during the war years, and trying unsuccessfully to negotiate with the Chamber of Mines after the war, it formally accepted as its

\* Xuma signed himself as 'Your servant in the service for full citizenship for all in South Africa'.<sup>81</sup>

goal an increase in wages from 27.75d. per shift<sup>\*82</sup> to a minimum wage of 10s. per day. The resulting strike broke out on the Rand two days before the NRC was due to meet in Pretoria on 14 August. By the time the Council was in session, approximately 50,000 Africans were out, involving thirty-two of the forty-five mines and a total stoppage on eight. Police were already clashing with the strikers and hundreds suffered injuries. At the Sub-Nigel Mine they opened fire, wounding six men and initiating a panic which led to six Africans being crushed to death.<sup>†</sup>

In Pretoria the Council refused to take up its agenda without an authoritative statement on the strike situation, but this the Chairman was not in the position to offer. In an outburst of frustration, Godlo declared they had reached a stage where journeying to Pretoria was 'just a waste of time'.<sup>84</sup> After a day of high tension a unanimous resolution was passed attributing the strike to the Government's refusal to recognise African unions, condemning 'the wanton shooting of mineworkers' and calling for a Board of Arbitration.<sup>85</sup> This was followed up by a further unanimous resolution condemning the post-war continuation of South African Native policy as the 'antithesis and negation of the letter and spirit of the Atlantic Charter and the United Nations Charter'. In protesting against this 'breach of faith towards the African people in particular, and the cause of world freedom in general', the Council then resolved to adjourn *sine die* calling upon the Government to abolish all discriminatory legislation.<sup>86</sup> The short but anguished debate had been wound up with a well timed warning from Selope Thema: 'It may not happen in your day', he told the Council Chairman, 'but it may come about that the Black people will stand together against the White people.' The world was 'not moving backwards' and the wellbeing of all demanded an abandonment of the old ways of the white pioneers.<sup>87</sup>

Smuts reacted to the NRC crisis by calling a representative group of Councillors to Cape Town. In the resulting discussion he admitted that he had very little time to keep in close touch with Native affairs. He then outlined his scheme, or rather his initial thoughts, for reviving and strengthening the NRC by granting it executive authority within the reserves and linking the Location Advisory Boards to the Council in 'a system of Native government which will

\* Income in cash and kind was 3s. 11d. for surface work and 4s. 2d. underground per shift.

† Xuma telegraphed the Prime Minister and then wrote expressing the demand of his ANC Working Committee for the 'immediate withdrawal of exhibition and use of force', and for negotiations between Government representatives, the Chamber of Mines, the AMWU and the ANC.<sup>83</sup>



be unified for the whole country'. In a meeting where his strong personality came across in what was clearly intended as a display of good faith, Smuts spoke of the need for one hand to wash the other, the necessity of working together:

There is no other way. Providence has put both of us here. Bantu and European came to this country at the same time. That wonderful century in history – the seventeenth – brought both of us here. You came from the north by land; we came from the farther north by sea and here we both are, and here we shall both remain. It is our country; it is your country. . . . We are all together in one society.<sup>88</sup>

The Councillors in turn reiterated their long-established hopes of harmonious race relations, but there was no enthusiasm for the scheme.<sup>89</sup> Although Smuts had come to recognise the inevitability of a large and permanent urban population of Africans, he had not in fact offered any fundamental change in policy.

Xuma described the offer as 'vague and disappointing' in the sense that it sidestepped the central issue. This was not the progress of Africans in the administration of their own reserves or in the administration of their own townships under the existing legislation. Rather it was the repeal of discriminatory laws throughout South Africa.<sup>90</sup> His public reply to Smuts was therefore to support the Council in an indefinite adjournment, and to invite the Government to accept a 'minimum programme' which had been passed as the basis for 'a powerful and nation-wide campaign' at the annual conference of Congress in December 1946. This called for the direct representation of Africans in all legislative bodies, national, provincial and municipal 'through a common franchise'. Allied to this were precise demands for the abolition of the pass laws and recognition of African trade unions including those in mining and agriculture. There were also general claims for property rights, improved educational and health facilities, 'adequate social security benefits' and equality before the law.<sup>91</sup>

In advising his fellow-Councillors, Z.K. Matthews made the same assessment of the Prime Minister's response: the primary demand of the African people was for a 'change in the nature and content of Native policy and not for a share in giving effect to a policy with whose fundamental principles they were in total disagreement'.<sup>92</sup> When the Councillors later met informally in Bloemfontein there was unanimous agreement. With an NRC election pending they called upon Africans to support a boycott ticket, that is, individuals who would take a firm stand and insist to the point of non-co-operation on a reorientation of Native policy.<sup>93</sup>

Although Congress and Council had responded in unison to the Smuts proposals, there were signs of a more moderate reaction from the Councillors *vis-à-vis* the greater impatience of Congress. This impatience engendered its own complications. The ANC, after impetuously accepting a boycott resolution in December 1946, had to moderate this response in the face of the forthcoming election of Councillors and Native Representatives and the possibility of the field being left open to collaborators. Encouraged by those congressmen on the Council, by Xuma and its National Executive, Congress reinterpreted the boycott resolution and accepted the Council's method of a boycott ticket, an adaptation which set up severe internal dissensions.\* There also appears to have been important differences of detail in the franchise proposals being propounded, a difference with far-reaching implications. While the retiring Councillors were still concerned with the recommendations of their Recess Committee which involved separate representation in Parliament, the 1946 resolutions of Congress made specific reference to a 'common franchise'. In addition Xuma had begun to talk not only of a universal franchise but of a 'return to the old Cape principle of a common voters' roll'.<sup>94</sup> This policy of a universal franchise allied to a common voters' roll now clearly implied the possibility of African majority rule.

Having been politically embarrassed by this confrontation, Smuts refused to reconvene the adjourned NRC. The result was that the Council did not meet again until after the general election of 1948. Then, following the United Party's unexpected defeat, it was called to Pretoria in January 1949 to be confronted by the new Malan Government and its apartheid policy.

#### viii REACTION TO APARTHEID

The United Party had entered the general election with a Native policy based on Smuts' proposals to the NRC and the Report of the Native Laws (Fagan) Commission.<sup>95</sup> Having rejected total segregation as impracticable, and a policy of identity as sentimental avoidance of the differences between the races and between tribal, transitional and urbanised Africans, the Commission came out in favour of an evolutionary policy which would take account of the economic interdependence of the races.<sup>96</sup> While rejecting the assumption that urban Africans were temporary residents or migrant labourers serving white interests, the Commission nevertheless left any

\* See below pp. 290–2, 350–1, 399.



further fundamental changes for what it hoped would be the flexible and empirical approach of the future.\*<sup>97</sup>

In the context of its earlier disappointments, and having rejected the plan to reform the NRC, Congress reacted negatively in spite of the Commission's acceptance of economic interdependence. The report, according to Xuma, was a 'typical South African political and legalistic document which recognises the facts of the situation but avoids recommending the obvious remedy. It merely wants to palliate the system within the framework of existing policy.'<sup>98</sup> Jordan Ngubane of the CYL posed the country's choice as being between a greater South Africa of equal opportunity, and a small white-dominated State of eventual tragedy. Africans, he insisted, had not lost their vision of racial harmony, but they did insist on guarantees that the country was evolving towards a full and equal partnership amongst all its races.<sup>99</sup> Unfortunately the United Party's policy did not offer such guarantees.

Unable to co-operate with the Smuts régime, Congress was completely alienated from the Nationalist Party. Malan's election manifesto contrasted apartheid with the United Party's acceptance of permanent African residents in 'white' areas. Unlike this racial integration, apartheid was supposedly the culminating wisdom of South Africa's historical experience and designed to 'safeguard the racial identity of the white population'. The country's racial groups were to be rigidly segregated with a view to self-sufficiency in their own areas; the reserves would become the national homelands of the Bantu, and Native labourers in the remaining white areas would be regarded as migratory and not entitled to comparable rights with Europeans. Detribalisation was to be checked and Native local government developed along the lines of the Transkeian Bunga. The NRC and Native Representation in the House of Assembly and the Cape Provincial Council were to be abolished.<sup>100</sup>

While lip-service was paid during the election campaign to 'total apartheid as the ultimate goal of a natural process of separate development',<sup>†101</sup> the reality behind this policy was nothing new. As Xuma realised, the Nationalists were using a "Black Manifesto", the hardy election bogey with a new name'. Like trusteeship,

\* The Commission recommended the replacement of Advisory Boards with 'Native Village Boards' elected directly by residents on a ward or block system. These were to enjoy local responsibilities delegated by municipalities. The pass system was to be retained but modified, the long-term goal being a system of personal identification applicable to all citizens on a non-racial basis. Voluntary labour bureaux were to be established and adequate family housing provided for a stable labour force.

† Author's italics.

apartheid was a 'political fraud . . . a mere euphemism for exploitation'.<sup>102</sup>

Once the Nationalist Party was in power, any remote hope of a constitutional process of adjustment between Congress and the authorities had finally disappeared. Racial discrimination was rapidly entrenched and many of the hesitant gestures of reform initiated during the war were abandoned. A project designed to train African artisans for the construction of African housing was checked;<sup>103</sup> an Industrial Conciliation (Natives) Bill, offering official recognition of African trade unions under more stringent control than their European counterparts, was withdrawn;<sup>104</sup> African school feeding schemes were curtailed; requirements for pass exemptions were raised;<sup>105</sup> a civilised labour policy was revived in a directive to heads of Departments and to Provincial Administrations, and Africans were excluded from unemployed insurance.\* It was only with the greatest difficulty that the Minister of Education, Dr Stals, managed to ward off an attempt by his own party to reduce the vote on African education.<sup>107</sup>

These administrative actions were followed by Malan's legislative programme. The Group Areas Act of 1950, with extensive powers of ministerial proclamation, set out to segregate each racial group in its own residential areas. In this it extended to other non-Europeans the restraints already applied to Africans.<sup>108</sup> At the same time the Suppression of Communism Act was passed, with communism so widely defined that the Act threatened the liberties of a far wider group than the Communist Party which chose to go into voluntary if temporary liquidation. The Minister of Justice was given discretionary power to ban individuals and organisations under an Act in which communism was deemed to involve not only the doctrines of Marxian socialism as expounded by Lenin, Trotsky, the Comintern or the Cominform, but what was later described as 'statutory communism'.<sup>†109</sup> Two major acts followed in 1952. A Native Laws (Amendment) Act granted administrators increased powers to 'endorse' or order individuals out of the urban areas, and the Bantu Authorities Act abolished the NRC and sought to revive the authority of chiefs and their tribal councillors.

\* When accepting the Programme of Action, the ANC listed eleven cases of increasing administrative pressures under the Nationalist régime.<sup>106</sup>

† Statutory communism was any doctrine or scheme 'which aims at bringing about any political, industrial, social or economic change within the Union by the promotion of disturbances or disorder, by unlawful acts or omissions or by the threat of such acts or omissions or by means which include the promotion of disturbances or disorder, or such acts or omissions or threats'.



Addressing the last session of the recalcitrant NRC in 1950, the new Minister of Native Affairs, Dr H. Verwoerd, tried to persuade his listeners of the positive merits of this programme. His Government believed in the 'rule or mastery (*baaskap*) of the European in his area', but believed equally in the rule and mastery of the Bantu in his own area. As the alternative policy of integration would lead to a demand from the Bantu for equal voting rights and an inevitable clash of interests, the Government was determined to pursue apartheid, the kernel of which was that 'when the Bantu has no further need of him, the European will withdraw altogether from the Native area'. A measure of local self-government would become available in white areas, but the main region of Bantu progress would be in the agricultural and industrial development of the reserves. Verwoerd concluded his address by asking whether the Bantu leaders were going to 'succumb to the influence of communistic agitators' and seek 'a form of equality that can never be achieved', or accept the invitation to walk a road leading to peace and happiness for black and white.<sup>110</sup>

In giving evidence to the Fagan Commission, the ANC had put forward its policy as outlined in *African Claims*.<sup>111</sup> When disappointment in the Commission's report was then followed by the Nationalist Party's victory of 1948, Congress responded by asserting its own contrasting ideals with greater vehemence. It also moved, under increasing pressure from its more radical groups, towards new methods of protest.

The ANC National Executive and NRC caucus, meeting in Bloemfontein shortly after the general election, issued simultaneous statements condemning apartheid as a mere continuation of the long-established policy of segregation and exploitation of African labour which would inevitably lead to racial strife. Apartheid, it was argued, flew in the face of economic reality and was a corruption of the functions of the State which, properly viewed, required government to be in the interest of all citizens and not only of one select group. What was required was an emphasis on common interests rather than the deliberate exaggeration of differences.<sup>112</sup> Two months later, in October 1948, a meeting of twelve African leaders was called by Xuma in an attempt to end the division between Congress and the All-African Convention. The result was a statement lamenting the 'marked deterioration' in the prospects open to Africans and condemning 'the callous disregard of the fundamental rights of the African by the Government, largely with the acquiescence of European public opinion'. This in turn had 'undermined any confidence [Africans] might have had in the justice of white men'. The gathering then committed itself to greater unity as a

prerequisite for a programme of action designed to liberate the African people.<sup>\*113</sup>

In this atmosphere of resolute opposition, the CYL, supported by an independent initiative from the Congress left wing, presented a 'Programme of Action' to the ANC annual conference of 1948. Although this programme was referred back to the National Executive and the Provincial Congress,<sup>114</sup> it was a clear indication of rising pressures which centred increasingly on the Youth League's concept of 'African nationalism'. This, as an ideological discipline, was to be allied with mass support, boycotts, strikes, civil disobedience and non-co-operation.

Xuma's presidential address revealed his basic sympathy with such an approach. After contrasting the Congress way to 'a greater, united and progressive South Africa through inter-racial and colour co-operation' with the 'national suicide, race and colour conflict' of apartheid and race domination, he exhorted the delegates to take up their responsibilities as African Nationalists. Their immediate task, he said, was to improve Congress organisation and then campaign in mass unity for their ideals. In this they would rely on the African worker, the 'backbone of the economic and industrial structure of South Africa . . . the invincible atomic bomb'. After a detailed survey of oppression going back to the earliest attempts to eliminate the African's political influence in the Cape – an influence acquired under his 'Charter of Citizenship in 1853' – Xuma turned to reject the Government's claim to be defending white civilisation. Such a thing did not exist: 'Only world civilisation exists, because all races and colours have contributed to it.' Civilisation would only be maintained in South Africa 'by admitting all races and all colours to share its benefits, make their contribution for its enrichment and become its torch-bearers and defenders'. If Africans were branded as agitators and communists in the pursuit of these ideals, this would be no disgrace in the face of 'injustice and human oppression'.<sup>115</sup>

During the following year, 1949, the debate within Congress over the 'Programme of Action' continued at branch and provincial levels. It was also a year in which political tensions were aggravated by urban unrest as Africans moved in increasing numbers to the cities and experienced a rising cost of living in urban slums. Magis-

\* Those involved were A.B. Xuma, Z.K. Matthews, B.T. Bokwe, R.H. Godlo, R.G. Baloyi, A.W.G. Champion, R.V. Selothe Thema, all of the ANC; P.R. Mosaka represented the virtually defunct ADP; D.D.T. Jabavu, J.S. Moroka, L.K. Ntlabati and Z.R. Mahabane represented the AAC. This initiative to unify the AAC and ANC in an All-African National Congress failed at a joint meeting in December, largely due to friction between communist and Trotskyist elements in Congress and the AAC respectively.



trates and Native Commissioners commented on attitudes which were anti-State and very nearly anti-European.<sup>116</sup> In Durban, Indians and Africans rioted in 'one of the most devastating outbreaks of mass violence in times of peace within a state subject to the administration of peoples of western European origin'.<sup>117</sup> On the Rand there were intermittent disturbances involving loss of life.\* In the face of pressing social as well as political grievances, more moderate congressmen came gradually and reluctantly to see no alternative but to accept the methods of protest being advocated by younger men.

It was in this context of the ferment that Xuma's Working Committee made a forlorn request to the Government to consult with non-European leaders. At the same time, however, it asserted the African's birthright to a full share of all rewards and opportunities in society.<sup>119</sup> The Transvaal Congress noted the 'dark and desperate phase into which the African peoples of South Africa are entering',<sup>120</sup> and Selope Thema, in an address at the opening of a new school built with funds raised by the Ethiopian Church, spoke of Africans as the 'coming people' with time on their side. They were being oppressed by brute force. But those who relied on the sword would, as history had shown, perish by it.<sup>121</sup> Z.K. Matthews, after condemning apartheid as a betrayal of the past co-operative efforts of black and white in building the modern South Africa, warned that 'the increasing influence of non-co-operationists among Europeans [was] giving rise, as it was bound to do, to the emergence of a group of non-co-operationists among Africans'.<sup>122</sup> With this sense of desperation developing and individual congressmen being forced into an anguished reappraisal of their earlier commitment to consultation and constitutional endeavours to obtain redress, Congress finally endorsed the 'Programme of Action' in December 1949. This in turn led to a series of protest demonstrations which culminated in the Defiance Campaign of 1952.

#### ix THE 'PROGRAMME OF ACTION'

In accepting the 'Programme of Action', Congress had also challenged the cautious if committed leadership of its President-General. When Xuma's third term of office expired in 1949, he failed to secure re-election and was replaced by Dr J.S. Moroka.† In essence

\* These occurred at Randfontein, Newlands, Krugersdorp, Sophiatown and Newclare. A spontaneous and successful bus boycott took place at Alexandra Township in protest against a fare increase. There was also an outburst of severe rural unrest in the Witziesshoek Reserve.<sup>118</sup>

† See below, pp. 399-401.

his removal involved a dispute over the timing of mass protests, and more immediately the boycott of elections under the 1936 Act.

The original boycott resolution had been taken shortly after the NRC adjournment in 1946. Xuma was on his visit to the United Nations at this time and returned to find Congress formally committed to what he considered an unrealistic course of action. His National Executive was divided on the issue, and a further marked improvement in branch organisation was, in Xuma's judgment, an essential prerequisite for any successful mass protest. He consequently worked in co-operation with the NRC caucus for the contentious reinterpretation of the resolution as a 'boycott ticket'.\* In this he was opposed by the CYL whose members continued to insist on the immediate resignation of Councillors and the boycott of all elections.

According to the League's analysis, the very process of attempting mass action would activate latent support for Congress and provide the opportunity to place its organisation on a mass footing. Although there were personal frictions, in that Xuma after nine years of leadership was unduly sensitive in objecting to the pressure group tactics of his Youth League rather than co-operating more deliberately with them, the essential cause of his defeat was a disagreement over tactics. When in December 1949 he appealed for a determined attempt by congressmen to gain election to the NRC, Native Councils and Urban Advisory Boards with a view to leading African opinion into a policy of non-collaboration, he was countered by the acceptance of the 'Programme of Action' with whose goals he was in full agreement, but which also involved a commitment to the straight boycott rather than the boycott ticket.<sup>123</sup>

In addition to accepting the Programme, Congress authorised an official ANC sign - the clenched right hand with thumb pointing to the right shoulder. This was to be a symbol for Africa and 'a sign of Unity, Determination and Resolution' which, with the Congress flag and the anthems 'Nkosi Sikelel'i Afrika' and 'Mayibuye Afrika', became the outward signs of a renewed search for self-confidence. The Programme itself accepted the Bill of Rights in Part II of *African Claims* and was 'inspired by the desire to achieve national freedom', that is, freedom from white domination, segregation, apartheid, trusteeship or white leadership. 'Like all other people', the African claimed the 'right to self-determination', which would be achieved under the 'banner of African Nationalism'.<sup>124</sup>

\* Xuma may also have been concerned to keep up his liaison with the NRC as only councillors were exempt from the requirement to obtain permission to hold meetings of more than ten persons in the rural areas. Such permission had otherwise to be obtained from chiefs and District Commissioners. See below, p. 388.



What was involved in this concept of freedom was therefore the long-established claim to unrestricted political and economic influence. But it involved too an explicit recognition that this would mean in practice the predominant influence of the African majority. The Programme set out to stimulate this majority into greater political consciousness through a boycott of all differential institutions created especially for Africans, and by the tactical use of strikes, civil disobedience and non-co-operation as decided upon by a Council of Action. This Council, enjoying delegated authority from the National Executive, was to implement the boycott, prepare for a one-day general strike in protest against apartheid, and then move on to further selected targets.<sup>125</sup>

The ideological intent behind these methods of protest was the eradication of any lingering sense of self-pity and its replacement by 'a certain mental attitude on the part of the African whereby he will be taught to hold in utter contempt' all aspects of white supremacy.<sup>126</sup> A National Fund, improved propaganda outlets, a policy of economic self-help, 'national centres of education', a cultural programme and the establishment of international contacts were to bolster political action in what was to be a concerted drive to heighten national self-consciousness and pride.<sup>127</sup>

While the CYL, as the prime exponent of 'African Nationalism' and the fierce supporter of the 'Programme of Action', had accepted the full logic of predominant African power in South Africa and encouraged Congress to do likewise, it is nevertheless clear that a real concern persisted amongst these radicals to avoid any move towards a vindictive black racialism. It is true that the balance would be hard to maintain, but African Nationalism, it was argued, 'unlike the narrow and rabid nationalism of say the Malanites', was prepared to 'accommodate the minority groups in the Country'. Moreover, whereas nationalism's chief objective was 'usually to get rid of foreign domination', in the case of South Africa this did not mean ridding the country of Europeans, but of white supremacy.<sup>128</sup>

The ANC National Executive appointed its Council of Action in February 1950.<sup>\*129</sup> Given continuing problems of organisation and internal friction, it then moved uncertainly towards the implementation of non-collaboration and mass action.† A 'stay at home' National Day of Protest was called for 26 June 1950 in opposition to the Suppression of Communism Act, the Bantu Authorities and Separate Representation of Voters Acts,<sup>130</sup> and in mourning for

\* It comprised Moroka as President-General, G. Radebe of the Transvaal Congress as Secretary, the Transvaal President, C.S.R. Ramohanoe, and two members of the CYL, G.M. Pitje and O. Tambo, products of Fort Hare.

† See below, pp. 401-5.

eighteen Africans killed in disturbances on the Rand during an earlier 'stay at home' called by the Communist Party.\* At the National Conference in December, Moroka spoke of the last 300 years in which Africans had been unequal partners in a dishonourable contract of master and servant.<sup>131</sup> Later in the Conference, Moroka and Matthews agreed to resign from the NRC, and did so shortly before it was abolished by the Bantu Authorities Act.

Under the immediate stimulus of apartheid legislation, and in an attempt to avoid any recurrence of the Durban riots of 1949, the Indian and African Congresses moved into closer co-operation. On 17 June 1951, after attending Seme's funeral with 2,000 other mourners, the Congress National Executive met with its Indian counterpart. They subsequently agreed at a joint meeting in July to recommend a mass defiance campaign to their respective annual conferences. This was to be directed towards the repeal of the pass laws, the Stock Limitation Act, the Suppression of Communism Act, the Group Areas and Bantu Authorities Acts and the Separate Representation of Voters Act of 1951 which had been designed to remove Coloured voters from the Cape common roll.<sup>132</sup> A Joint Planning Council composed of members from the two National Executives was established, and in their report of November 1951 they emphasised the peaceful nature of the proposed passive resistance. They also reiterated the fundamental principle guiding their actions, namely the attainment of full democratic rights for all 'South Africans', a term which Dr Moroka defined as independent of a person's origins and dependent solely on whether he had made South Africa his home.<sup>133</sup>

At its December Conference of 1951, Congress agreed to start planning for this defiance campaign to commence on 6 April 1952 – the tercentenary of Van Riebeeck's arrival at the Cape – or 26 June. Moroka, as President-General, then wrote to the Prime Minister, Dr Malan, explaining the ANC's motives and intentions; the struggle was not against any race or national group, but against the continual insult and degradation of particular laws: 'Posterity will judge', he concluded, 'that this action we are about to begin was in the interest of all in our country and will inspire our people for long ages to come. We decide to place on record that, for our part, we have endeavoured over the last forty years to bring about conditions for genuine progress and true democracy.'<sup>†134</sup>

\* The Party's 'stay at home' had been called on 1 May in protest against the Suppression of Communism Act.

† On 26 June disciplined volunteers began entering locations without permits, moving about without passes, and entering railway coaches and the European sections of post offices.<sup>135</sup>



## X THE ALTERNATIVE TO APARTHEID

Xuma's early statements of 1941-2, *African Claims*, the Minimum Programme of 1946 and the 'Programme of Action' in 1949 all reveal the wide scope of Congress demands and the way in which these became a clear-cut alternative to segregation, trusteeship and apartheid - a rejection of the very concept of a distinct 'Native policy'. They also reveal a growing awareness within Congress that Africans would themselves have to shoulder the onerous responsibility of developing their political influence and using it for the reform of South African society.

At first, this more precise formulation of a long-established ideology resulted from the stimulus of the war and Xuma's leadership. It was then encouraged, prior to the deleterious effects of the 1943 election, by a new willingness in high places to question the basic assumptions of past Native policy. By the middle 1940s these revived hopes were replaced by profound disillusionment. It was precisely at this time, however, that the full impact of the Atlantic Charter and the formation of the United Nations reassured congressmen of the justice of their demands, and although there was a severe reaction against the Nationalist Party victory of 1948 and the subsequent policy of apartheid, this did not move Congress to abandon past ideals and take up a counter-racialism.

The result of Smuts' intransigence and the election of 1948 was the initiation of a search for new methods of protest. Increasingly unsympathetic governments gave rise to the reluctant acceptance of non-co-operation, as in the adjournment of the NRC, and eventually to the search for mass support in the defiance of unjust laws. The goal remained a reversal of official policy, but it was now to be achieved by extra-constitutional pressures. Closely involved with these new methods was the realisation, fostered by the CYL, that Congress was ultimately committed to the deliberate creation of a mass organisation as a base for African political power, to one man one vote, a common voters' roll and the eventual exercise of authority. This authority was nevertheless to be exercised within the confines of the long-established goals of non-racial justice.

## REFERENCES

1. Presidential Address, Dr A.B. Xuma 1941, pp. 1-10; Resolutions of Annual Conference, Bloemfontein, 20-2 December 1942, mimeo.

2. Umteteli, 18 March 1939, Dr Xuma's Address at Medi Day Memorial Service; 'Xuma Papers': 'Meeting of the National Executive, 5 July 1939'. typescript minutes; 'Mendi Memorial Address, 23 February 1941'; Resolutions of ANC Annual Conference 1940.
3. Statement of Dr Y.M. Dadoo, Secretary of the Non-European United Front Transvaal before Court on Friday 6 September 1940 (Johannesburg, 1940), pp. 1-8; Indian Opinion, 13 February 1942.
4. Star, 16 February 1939.
5. South African Outlook, November 1939.
6. 'Ballinger Papers': 'Report of a Tour of the Eastern Province by M. Ballinger in October and November 1940, for the information of the Prime Minister, the Rt Hon. J.C. Smuts', p. 3, typescript.
7. 'Xuma Papers': Xuma to Hoernlé, 30 December 1942.
8. Umteteli, 22 July 1939.
9. South African Outlook, August 1943, address to Cape African Congress at New Brighton (Port Elizabeth), 28 June 1943.
10. Minutes of ANC Conference, Bloemfontein, 17 December 1940, p. 4.
11. Umteteli, 16 August 1941.
12. 'Xuma Papers': Mbelle to Xuma 10 March 1941, 8 August 1941, and undated ms probably written in 1941.
13. Xuma, ANC Presidential Address, December 1942, p. 3, mimeo; Xuma, The Policy and Platform of the ANC, pp. 1-3, c. October 1941; 'Ballinger Papers': 'Transvaal ANC (Johannesburg Branch) Chairman's Address'.
14. ANC Presidential Address, December 1942, p. 3.
15. Verbatim Report of Proceedings of NRC held at Pretoria, 1-9 December 1943, Annexure B, pp. 1-4, Recess Committee on Natives' Representation.
16. Xuma, ANC Presidential Address 1941, pp. 3, 7; Xuma, ANC Presidential Address 1942, pp. 1-7.
17. Minutes of ANC Conference 1940, p. 4; Resolutions of ANC Conference 1942, No. 4, mimeo.
18. Xuma, ANC Presidential Address 1941, p. 3; Resolutions of ANC Conference 1942, No. 5, mimeo; Verbatim Report NRC 1943, Annexure B, pp. 1-11.
19. Policy and Platform of ANC, pg. Biii; Resolutions of ANC Conference 1942, No. 6.
20. Xuma, ANC Presidential Address 1941, pp. 3-4; Policy and Platform of ANC, pg. E.
21. Xuma, ANC Presidential Address 1941, pp. 5-7; Policy and Platform of ANC, pg. F.
22. Policy and Platform of ANC, p. 3; Xuma, ANC Presidential Address 1942, p. 1.
23. Die Vaderland, 25 February 1942; Walker, History of South Africa, pp. 692-4.
24. Rand Daily Mail, 16 March 1942.
25. South African Outlook, February 1942.
26. Verbatim Report NRC 1941, pp. 103-10.
27. Die Transvaler, 5 August 1941.
28. Verbatim Report of the Proceedings of the NRC held at Pretoria 7-15



December 1942, pp. 2-3. See also *South African Outlook*, August 1941, Reitz' Address at Lovedale Centenary.

29. *Rand Daily Mail*, 12, 20 March 1942; *Die Transvaler*, 20 March 1942.
30. *Umteteli*, 31 January 1942; *Bantu World*, 21 January 1942.
31. *Report of Inter-Departmental Committee on the Social, Health and Economic Conditions of Urban Natives* (UG1942), pp. 4-24.
32. 'Ballinger Papers': Mrs Ballinger to Smuts, 5 January 1943.
33. *Bantu World*, 24 October 1942.
34. 'Xuma Papers': Xuma to Smit, 31 October 1942.
35. *Rand Daily Mail*, 19 January 1943.
36. *Star*, 16, 17, 26 February 1943.
37. 'Xuma Papers': Mosaka to Xuma, 11 November 1942.
38. *Umteteli*, 3 January 1942.
39. 'Xuma Papers': Calat to Xuma, 26 November 1942.
40. *Verbatim Report NRC, December 1942*, pp. 264-5.
41. For the full Committee of twenty-five, see ANC, *African Claims in South Africa* (Johannesburg, 1945), pp. 15-16.
42. *Constitution of ANC*, December 1943, pgs. 2b, d, mimeo.
43. 'Xuma Papers': Xuma to Smuts, 31 July 1943.
44. *Rand Daily Mail*, 30 July 1943; 'Xuma Papers': Mbelle to Xuma, 3 February 1942.
45. Xuma, *ANC Presidential Address 1943*, pp. 8-10, mimeo.
46. *Report of Proceedings of NRC, August 1944* (UG11-45), p. 2.
47. 'Xuma Papers': Prime Minister's Private Secretary to Xuma, 29 September 1944.
48. 'Xuma Papers': Godlo to Xuma, 12 January 1945.
49. *ANC Presidential Address 1944*, p. 3, typescript.
50. *African Claims in South Africa*, Congress Series No. 11, Preface.
51. *ibid.*, Preface, signed by Dr A.B. Xuma, 'President-General of ANC, and Secretary-Organiser of Atlantic Committee of South Africa'.
52. *ibid.*, pp. 3-4.
53. *African Claims*, pp. 4-5.
54. *ibid.*, pp. 5-8.
55. *ibid.*, p. 8, 'Full Citizenship Rights and Demands'.
56. *ibid.*, pp. 8-9.
57. *ibid.*, pp. 8-9.
58. *ibid.*, p. 9.
59. *ibid.*, p. 10.
60. *ibid.*, pp. 10-11.
61. *ibid.*, pp. 10-11.
62. *ibid.*, pp. 14-15.
63. *ibid.*, p. 15.
64. *Handbook on Race Relations*, pp. 167-8; E. Sachs, *The Choice Before South Africa* (London, 1952), p. 155; J. Lewin, 'The Recognition of African Trade Unions', *Race Relations*, 9, 41, 1942, pp. 112-15.
65. *South African Outlook*, June 1943.
66. *South African Outlook*, August 1945.
67. *Star*, 24 April 1943.

68. *South African Outlook*, May 1944.
69. *Forum*, 6 May 1944, E. Brookes, 'Political Growing Pains'.
70. *Umteteli*, 8 September 1944.
71. African Democratic Party, *The Call to United Action: Party Manifesto*, p. 14, mimeo.
72. *Congress Youth League Manifesto*, p. 3, issued by the Provisional Committee of the CYL, March 1944, mimeo.
73. 'Xuma Papers': Private Secretary, Secretary of Native Affairs to Xuma, 21 November 1945; Secretary, Minister of Finance and Education to Xuma, 27 November 1945.
74. *Handbook on Race Relations*, pp. 234-8.
75. *Forum*, 28 July 1945, Dr A.B. Xuma, 'An African's Vision of Post-War South Africa'.
76. D.G.S. M'timkulu, 'The African', *Race Relations*, 13, 1, 1946, p. 4.
77. *Presidential Address Before the Second National Anti-Pass Conference*, 23 June 1946, p. 1, mimeo.
78. 'Xuma Papers': Calata to Xuma, All Saints Day, 1946.
79. *Report of the Proceedings of NRC, August 1944* (UG11-45), pp. 2-3.
80. *Verbatim Report of Proceedings of NRC, August 1945*, pp. 271-310. See also *Forum*, 14 September 1946, Z.K. Matthews, 'Why Africans have lost Faith in the Government'.
81. 'Xuma Papers': letter to NRC Councillors, 26 July 1946.
82. *Report of the Witwatersrand Native Wages Commission on the Remuneration and Conditions of Employment of Natives on Witwatersrand Gold Mines* (UG21-44), p. 70.
83. 'Xuma Papers': Xuma to Smuts, 14 August 1936.
84. *Verbatim Report of Proceedings NRC August 1946*, p. 10.
85. *Report of Proceedings NRC August 1946* (UG 12-47), p. 3.
86. *ibid.*
87. *Verbatim Report Proceedings NRC, August 1946*, p. 51.
88. *Bantu World*, 24 May 1947, verbatim report of Prime Minister's Meeting with NRC Group.
89. *Bantu World*, 31 May 1947, verbatim report of Councillor's Reply to Prime Minister.
90. *Bantu World*, 17 May 1947.
91. *ANC Resolutions Adopted by the Annual Conference held at Bloemfontein from 14 to 17 December 1946*, p. 2, Resolution no. 8.
92. *South African Outlook*, June 1947, Statement by Z.K. Matthews as Chairman of the NRC caucus, being 'his own observation on the proposals and some suggestions as to the line to be taken by his colleagues'.
93. *Star*, 3 November 1947.
94. *Resolutions of ANC Conference, December 1964*, p. 8; *The Friend*, 17 December 1947, President's Address to ANC. See also *Bantu World*, 25 October 1947, Xuma's evidence to the Moroka Enquiry Commission; also *Statement Issued by Dr A.B. Xuma, President-General of the ANC, at a Press Conference held in Johannesburg on 5 April 1948*, p. 4, mimeo.
95. *Star*, 24 April 1948, Manifesto of the United Party.
96. *Report of the Native Laws Commission, 1946-1948* (UG28-48), pgs. 29-31.



97. *ibid.*, pgs. 32-6, 44-6, 61.
98. Xuma, press statement, April 1948, p. 5.
99. *Forum*, 10 April 1948, J.K. Ngubane, 'African Hopes and Fears'.
100. *Die Transvaler*, 21 April 1948; D.W. Kruger, *South African Parties and Policies, 1910-1960: A Select Source Book* (London, 1960), pp. 402-7.
101. *ibid.*
102. Xuma, press statement, April 1948, pp. 2-3. See also 'Xuma Papers': 'Apartheid and Africans of the Union of South Africa', pp. 1-3, typed undated article written after the Nationalist Party victory.
103. *Star*, 16 June 1948.
104. *Rand Daily Mail*, 9 August 1948.
105. *Report of Department of Native Affairs 1948-1949* (UG51-50), p. 25.
106. *Resolutions of ANC Conference, December 1949*, No. 3; *Bantu World*, 28 August 1948; *Star*, 28 April 1949; *South African Outlook*, February 1950.
107. *Bantu World*, 9 October 1948.
108. K. Kirkwood, *The Group Areas Act*, (Johannesburg, 1950), pp. 6-16, 29-30.
109. G.M. Carter, *The Politics of Inequality*, p. 65.
110. *Daily Dispatch*, 6 December 1951, verbatim report of address to the NRC.
111. *Memorandum Submitted to Native Laws Commission of Enquiry*, pp. 1-16.
112. *Minutes of National Executive Meeting, 1 August 1948*, pp. 1-2, type-script.
113. *Bantu World*, 16 October 1948, 'A Call for African Unity'.
114. *Bantu World*, 25 December 1948, 23 April 1949; *Rand Daily Mail*, 18 December 1948; *Treason Trial*, pp. 17886-8, evidence given by Z.K. Matthews.
115. *Bantu World*, 1 January 1949, 'Address of President-General to ANC', verbatim report.
116. *Rand Daily Mail*, 25 October 1948.
117. M. Webb and K.K. Kirkwood, 'The Durban Riots and After', *Race Relations*, 16, 4, 1949, p. 20.
118. *Report of Department of Native Affairs for the Years 1949-1950* (UG61-51), Report of Secretary of Native Affairs, Ch. VI, 'Urban Areas'. See also *Rand Daily Mail*, 28 May 1949, 30 January 1950.
119. *Statement by the Working Committee of ANC, 20 January 1949*, mimeo.
120. *Resolutions Adopted at Annual Conference of ANC (Transvaal) 1-3 October 1949*, No. 1.
121. *Bantu World*, 16 April 1949.
122. *Forum*, 12 February 1939, Z.K. Matthews, 'An African Policy for the Union'. See also *Forum*, 27 May 1949, J. Ngubane, 'How the Tragedy of Apartheid went Astray'.
123. *Bantu World*, 24 December 1949, Xuma address.
124. *Resolutions of ANC Conference, December 1949*, 'Programme of Action', preamble and pg. 7.
125. *ibid.*, pg. 3a, b.
126. *Memorandum of Resolutions of ANC Conference, December 1949*, p. 3, mimeo. This document is not signed but its contents suggest very strongly

that it was the work of a group within the CYL, possibly its Transvaal or National Executive.

127. *ibid.*, pp. 2-6.
128. *Lodestar* (official organ of ANCYL, Transvaal), May 1950, 'The Message', mimeo.
129. *Minutes of Executive Committee of ANC, 5 February 1950*, p. 3, mimeo.
130. *Report of Executive Committee of ANC, December 1951*, p. 1, mimeo.
131. *The Friend*, 18 December 1950, 'Address of President-General of ANC'.
132. *Report of Executive Committee of ANC, December 1951*, pp. 1-5; *Bantu World*, 23 June 1951; Benson, *African Patriots*, p. 172.
133. *Report of the Joint Planning Council of the ANC and the SAIC, 8 November 1948*, reproduced in L. Kuper's 'Passive Resistance in South Africa' (New Haven, 1957), Appendix C; *Daily Despatch*, 3 July 1951, quotes Moroka's speech to Joint Meeting of SAIC and ANC Executives.
134. L. Kuper, *Passive Resistance in South Africa* (New Haven, 1957), Appendix B; undated letter to the Prime Minister signed Dr J.S. Moroka (President-General), W.M. Sisulu (Secretary-General); Dr Malan's reply (29 January 1952) is also printed and a second letter from Moroka and his Secretary-General (11 February 1952).
135. For a detailed description of the defiance campaign see Kuper, *Passive Resistance in South Africa*.

54  
4L