

THE 1949 DURBAN RIOTS -

A COMMUNITY IN CONFLICT.

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PREFACE

I would like to thank all those who offered me both assistance and criticism during the past two years.

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I would also like to thank Mr E. Webster who took the time to assist me with some of the theoretical problems.

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I hereby state that this thesis, unless stated to the contrary, is my own original work.

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ABBREVIATIONS

ANC	African National Congress
DCC	Durban City Council
NAD	Native Administration Department
NIC	.....	Natal Indian Congress
NIO	.....	Natal Indian Organization
SAIC	.....	South African Indian Congress
SAIRR	.....	South African Institute of Race Relations
SAP	.....	South African Police

INTRODUCTION.

The volume of literature on the structure and development of the South African state and its society has been profuse. (The gradual development of segregational, and finally, apartheid policies led to various theories and analyses which attempt to explain social, political and economic relations within that society in terms of race and class. The interest shown in these diverse relations has resulted in many studies emphasising overt or covert manifestations of conflict and the methods applied by the state to neutralize them. Faction fights, strikes, boycotts, riots and protests have all been studied together with analyses of ideology, the capitalist state, black resistance¹, factions of capital and so on.)

This study will attempt to add to this debate with an examination of the 1949 Riots in Durban. The primary object will be to investigate the inter-group relations between the Africans and Indians within the community, and to trace these relations to the outbreak of violence. In so doing, it will be necessary to analyse the growth of urbanization and the frustrations therein together with the ideological developments taking place. Such an examination will also involve an investigation of the white group within the community and its role in relation to the other groups. While the study recounts those events of significance such an examination will also involve a discussion of theoretical perspectives which are necessary to understand the character of the community

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1. Nomenclature: There is some controversy regarding definitions of the following terms. To avoid confusion I have defined them in the following manner and it is hoped no-one will be offended by them.

Africans : all indigenous inhabitants within Durban.
 Indians : all descendants of India within Durban.
 'Coloured' : all inhabitants of mixed races.
 whites : all inhabitants of European descent.
 black : all inhabitants not of European descent.

and the type of relations which existed.

With so much attention being paid to conflict in South Africa one would have expected to find a large number of works on this topic but it has been sadly ignored. There are a great number of general texts which offer brief outlines of the riots but there are very few which deal specifically with the event.

The first of these, by K. Kirkwood and M. Webb, The Durban Riots and After,² was written shortly after the riots and the Commission instituted to investigate its causes. Both gentlemen gave evidence to the Commission and, as is shown in this piece of work, were less than satisfied with the results. While being useful in its analysis of the Commission, it does not attempt to give a thorough examination of the causes of the riots. Nor had it intended to do so. One of the more obvious reasons for this is because the work was written too soon after the event and had not had a suitable time for reflection. The result is an analysis with some references to the conditions in Durban regarding housing and other amenities. Having been written so close to the event there was little attempt made to study the type of inter-group relations within Durban, an aspect which could have shed some light on the character of the riots.

L. Ladlau's study of the riots, 'The Durban Riots (1949)',³ was more useful as it gives a more detailed account of the riots and outlines some underlying causes. It is a well argued piece of work and empirically sound. Ladlau attempted to place the riots within the context of the 1940s and show how the increasing sense of frustration and anti-Indianism on the part of the whites resulted in a ferocious attack by the Africans against the Indians. Yet the work did not give a detailed account of the inter-group relations prevalent at that time to any great depth.

While both works emphasised important issues related to the riots they were concerned primarily with racial characteristics. This study will not underestimate the undoubted significance of these factors. But the topic requires a more extensive discussion incorporating a class analysis in order to understand the complexities inherent to the topic.

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2. K. Kirkwood & M. Webb, The Durban Riots and After, (Johannesburg, SAIRR, 1949).
 3. L.K. Ladlau, 'The Durban Riots (1949)', (B.A. Hons. Essay, University of Natal, 1974).

The final work related to the riots was by E. Webster, 'The 1949 Durban Riots' - A Study in Race and Class',⁴ is the first attempt to analyse the violence as a manifestation of class differences which gives more structure to the causes. As a working paper it attempted to relate race to the political economy with the subsequent growth of class formations.

The latter exerted some influence on my examination of the riots but this was limited in extent as it is basically a sociological study. While not wishing to become embroiled in debates of academic particularism, the language and methodology of sociology can be extremely useful as an analytical tool. The emphasis is somewhat different to that of an historical study. Therefore, although Webster's work was very helpful to this study and the initial stages of analysis, my emphasis has been different. His attempt at relating the conflict to the political economy was a motivating factor in assisting this work to look beyond the superficial level of the riot. While agreeing with Webster's discussions on the role of class, I disagree with the level allocated to racial and ethnic relations. These relations have a stronger historical influence than class within the context of South African inter-group relations.

Although not dealing with the riots specifically, articles by K. Moodley, 'Ambivalence of Survival Politics in Indian-African Relations', and H. Kuper, 'Strangers' in Plural Societies in South Africa and Uganda',⁶ were extremely useful for their discussions on the development of Indian culture and identity in South Africa.

My approach to this topic is not only due to my interest in inter-group relations in Durban but was dictated, to some extent, by the material available

4. E. Webster, 'The 1949 Durban Riots' - A Case-Study in Race and Class' in P. Bonner, (ed.), Working Papers in Southern African Studies: Papers presented at the A.S.I. African Studies Seminar, (Johannesburg, African Studies Institute Publications, 1977). The wrongly dated title was due to a printing error.
5. K. Moodley, 'Ambivalence of Survival Politics in Indian-African Relations', in B. Pachai, (ed.), South African Indians: The Evolution of a Minority, (Washington, University Press of America, 1979).
6. 'Strangers' in Plural Societies: Asians in South Africa and Uganda', in L. Kuper & M.G. Smith, (eds.), Pluralism in Africa, (U.S.A., University of California Press, 1971).

to me.

The two main primary sources were the Report of the Commission of Enquiry into Riots in Durban,⁷ and the Transcript of the Evidence given before the Riots Commission, 1949.⁸ The former has been covered in detail by the works dealing with the riots. The ~~latter has~~ never been used in great detail as a source. As far as I can ascertain this study has been the first attempt to analyse the evidence in any great detail. It is a voluminous source which requires far more attention than this work has been able to give. Other primary sources were Government and Municipal records,⁹ newspapers and contemporary works.

A topic of this nature inevitably brings to light subjects of a complex nature, for example, the topics of transport and trading. Unfortunately sources on these topics were unobtainable. Therefore I have relied on the above mentioned sources which I regard as quite **reliable** but are restrictive.

This study, the purpose of which has been briefly set out above, will be arranged in the following manner. Chapter One will attempt to postulate a hypothesis within which the riots may be explained. Chapter Two will be a general discussion to the background of the riots and the various levels of inter-group relations. The riots will be discussed in Chapter Three with a discussion of the participants, their reactions, actions and roles. Evidence given before the Commission will be the focus of Chapter Four; and the Commission's interpretation of the evidence will be discussed in Chapter Five. In the Conclusion the nature of the riots will be discussed briefly and an **indication** of the motivation of participants will be given. The main emphasis of this thesis, therefore, will be a study of inter-group relations in Durban and to what extent these relations ~~were reflected in~~ the riots. It is hoped that this study will help in understanding the various perceptions held by different races when attempting to relate to each other in a racially stratified community.

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7. South Africa, Union of. Report of the Commission of Enquiry into Riots in Durban, U.G.36/1949. Hereafter referred to as the Van Den Heever Report.
 8. Transcript of the Evidence given before the Riots Commission, 1949. Hereafter referred to as the Verbatim Reports.
 9. I would like to thank Mr Iain Edwards for drawing my attention to the Municipal Native Administration Department files..

CHAPTER ONE: THEORETICAL PERSPECTIVES.

{ Man is born free;
and everywhere he is in chains.
- ROUSSEAU }

On 13 January, 1949, a minor incident in Durban precipitated three days of riots which were described as 'one of the most devastating outbreaks of mass violence in time of peace within a state subject to the administration of peoples of Western European origin'.¹ Why did these riots occur between two oppressed racial groups? In attempting to answer this question it is not enough to look only at the precipitating incident and superficial characteristics of the riots.² The event must be placed with the broader context of the 1940s in order to understand the forces and relations which affected the community of Durban. Whereas revolutions and coups d'états require a certain amount of leadership and organization, riots appear to be spontaneous and unorganized, but both are a reaction to the general underlying conditions which breed disillusionment and a sense of grievance. It is an understanding of these underlying conditions which are fundamental to any attempt at explaining why rioting occurred in 1949.

In this case such an explanation requires an analysis of inter-group relations on two specific levels. On the one level it is necessary to consider the possible economic determinants and ideological components of inter-group relations. The other level requires an analysis of these relations based on cultural and ethnic diversity.

1. K. Kirkwood & W. Webb, op. cit., p. 20.

2. An analysis of the riots will be covered more fully in Chapter Three.

First, let us examine the economic and ideological components. South Africa's black population has often been viewed as an homogenous entity, a subordinate group under the control of white domination. And yet the riots do not suggest a uniformed group - in this case it was black against black, or more specifically African against Indian. Therefore any explanation necessitates a broader analysis of Afro-Indian relations, as well as a careful analysis of race and class.

✓ At this early stage one may define a racial group 'as a social grouping distinguished from others by physical criteria'.³ Any understanding of inter-group relations must take cognisance of the racial ideology as developed in South Africa. The distinguishing characteristics of the racial groups supports the basis of such an ideology. Cox explains that:

Race prejudice is a social attitude propagated among the public by an exploiting class for the purpose of stigmatizing some group as inferior so that the exploitation of either the group itself or its resources may be justified.⁴

The subsequent relations should not necessarily be argued in terms of some virulent xenophobia. As Greenberg point out:

While racial distinctions may set off some groups they need not pervade the whole society. The divisions may not be so universal that other forms of stratification, including class, are obscured or take on a 'profound racial dimension'.⁵

Within the context of South Africa's racial ideology, how does one define 'class'? Marx defined class in terms of the relationship to the means of

3. S.B. Greenberg, Race and State in Capitalist Development: South Africa in Comparative Perspective, (Johannesburg, Ravan Press, 1980). p. 5.

4. Quoted in E. Webster, op. cit., p. 7.

5. S.B. Greenberg, op. cit., p. 7.

production and argued in the form of inter-class relations. McLellan defined the two major classes in the following manner:

The bourgeoisie are defined as the owners of the means of production and the employers of wage labour, the proletariat as those who own no means of production and live by selling their wage-labour. ⁶

Such a set of relations would be a gross oversimplification of the situation. Let us attempt to examine the main classes in South Africa to obtain a basic understanding of the type of class relations in operation during the 1940s. It will be shown that the black community was not an homogenous group, and that the type of relations were not only inter-class but also intra-class.

Within the white community the white workers, rather than align themselves with the black proletariat, had collaborated with the white bourgeoisie. According to Webster:

The white worker, rather than identify himself with a working class overwhelmingly consisting of what he has been taught to believe is an 'inferior race', has preferred the rather reluctant acceptance he has been given at the lower ranks of the ruling white society. ⁷

The use of cheap black labour within the capitalist system caused a white response to strengthen their own position. The white working class, through pressure, effectively closed the doors of black competition. The use of trade unions, political pressure and strikes eventually gave rise to a series of legislative measures under the policy of 'civilized labour'. It was beneath the dignity of whites to compete with black workers for labour, and wages, whilst adequate for blacks, were unsatisfactory for whites. This policy, which took

6. D. McLellan, The Thought of Karl Marx, (London, The MacMillan Press Ltd., 1980), p. 178.

7. E. Webster, op. cit., p. 6.

the form of various wage acts and job colour bars stimulated the employment of white workers and effectively closed many avenues to the black proletariat. The white workers therefore found themselves involved in an unnatural relationship with the bourgeoisie. The resultant class collaboration within white society did not result in any claims being obtained by the workers against the bourgeoisie but it ensured a privileged and protected position within the dominant group. One can therefore regard the white workers as part of the dominant white class.⁹ From a Marxist perspective not only were classes identified in relationship to the means of production. They were also identified as the basic social groups by means of whose conflict society developed in accordance with the changes to its economic base. As we have seen, within white society conflict had been substituted by collaboration between the classes.

Class collaboration within the dominant white group resulted in the state being used 'as a mechanism for the suppression of the collective bargaining power of the black, particularly the African, working class'.⁹ Class suppression necessary to maintain white dominance had manifested itself through racial ideology and through restrictions placed on social and political institutions. These restrictions were the result of various legislative measures: the Native (Urban Areas) Acts of 1923, 1930, 1937 and 1945 effectively limited the development of proletarianization; limitations on multi-racial trade unions and the non-recognition of African unions prevented the development of a working-class consciousness; restrictions were placed on avenues of employment for blacks through the Industrial Conciliation Act of 1924 and concomitant labour statutes. Not only were the black workers facing restrictions. The acquisition of land, housing and trading rights were effectively denied the emergent

9. Obviously the position within the white group was far more complex than suggested here. For example, different factions within the capitalist sector divided and complicated relations. But for the parameters of this thesis such an in-depth study is unnecessary.

9. E. Webster, op. cit., p. 6.

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African petty-bourgeoisie through such measures as the Urban Areas Acts, the 1913 Land Act and 1936 Native Trust and Land Act. During the 1940s black urban unrest in opposition to actions carried out by the state and local authorities increased. In 1942 rioting occurred in the Alexandra township outside Johannesburg; a year later Alexandra was the centre of a bus boycott; Newlands, Johannesburg, saw rioting between the African and white community, and strikes erupted in Port Elizabeth, East London and Durban among the dock workers. In 1946, in reaction to the Asiatic Land Tenure Act, a massive passive resistance campaign was organized in Durban. Social and economic unrest had become so acute that observers of the time feared an extension of conflict between the black and white communities. Commenting on the second Broome Commission, H.G. Lawrence, Minister of the Interior in Smuts' Government, mentioned 'that feelings were running so high that racial riots were possible in Durban'.¹⁰ In 1946, Selope Thema, speaking at a Native Representative Council meeting, gave the following warning: 'It may not happen in your day ... but it may come about that the black people will stand together against the white people'.¹¹

The riots which broke out in Durban did not involve the white community but were purely between the African and Indian groups. One must therefore assume that economic determinants and political ideology were not merely manifested by divisions between the white and black groups. As John Rex argued:

If there is division, the divisions can be seen to be fundamentally interrelated within an overall pattern of political conflict generated by the capitalist development of the country since the mineral discoveries of 1867 and 1886. Clearly what we have is not something which can be adequately interpreted in terms of some

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10. B. Pachai, Emergence of the Question of the South African Indian as an International Issue, 1860 - 1961, (Cape Town, C. Struik, 1971), p. 164.
11. P. Walshe, The Rise of African Nationalism in South Africa, (London, C. Hurst & Co., 1970), p. 283.

universal Marxist law of class struggle, but a specific kind of class struggle there undoubtedly is, namely one in which the classes are groups of varying histories and ethnic origins who enter the modern society with varying rights and degrees of rightlessness according to the kind of conquest of unfreedom which was imposed on them in an earlier period.¹²

Here we find an attempt to incorporate cultural and ethnic origins into the discussion of class relations within South Africa. Although the majority of the black community in the urban areas were proletariat, there was the embryonic formation of a class structure within each group.

Within the African group one finds the initial emergence of two social classes: a large wage-labouring class of unskilled 'migrant' workers (living in compounds and shacks) who still maintained ties to the rural areas; and a class of more settled semi-skilled manual workers. In the early stages of urbanization there was also a small group of self-employed Africans, mostly traders;¹³ and, with the subsequent growth of urbanization, the emergent petty-bourgeoisie. The Indians, while still forming a large part of the black working class, had in many cases more advantages than the Africans in relation to social, economic and political status. By the end of the 19 Century a number of 'free' passenger Indians had established commercial concerns in Natal. This resulted in a small established bourgeois class and, as indentureship fell away, there was also an emergent petty-bourgeois class. By the 1940s the Indian bourgeois and petty-bourgeois classes had developed a strong infrastructure of trade and transportation facilities in Natal, serving not only the white sector but also the African rural and urban population. With the rise of secondary industry and growth in urbanization in Durban came a progressive competitiveness between the sectors.

12 . Quoted in E. Vassilatos, 'Race and Class: The Development and Influence of White Images of Blacks in Southern Rhodesia, 1890 - 1939', (D. Phil. Thesis, University of Rhodesia, 1977). p. xviii.

13 . E. Webster, op. cit., p. 8.

The emergent, petty-bourgeoisie especially resented the established monopoly held by Indians in the commercial field, primarily those of trade and transport. In addition, the Indian community did not fall foul of the pass laws resulting in freedom of movement; they could belong to recognized trade unions; the aspect of their being a 'permanent' urban dweller meant better job security, and the more wealthy could purchase land and property. Outside the work environment the two groups lived in different residential areas (except in the case of shack settlement areas)¹⁴ with separate facilities which prevented, to some extent, normal social contact. The African worker, therefore, had more social contact with a specific class of Indian as he became a customer of Indian stores, a passenger on Indian buses, and would sometimes be supervised by Indian foremen. While still subordinated to the dominant white group, the Indian community had been subjected to discriminatory legislation as had the Africans. Through a racial ideology and the capitalist sector's need for a docile, cheap black labour force, class collaboration which cut across racial or cultural diversity was prevented. Black workers formed a proletariat class against capital - in this case, a dominant white group - but the conflict tended to be localized against specific employers or groups reflecting a purely economic dynamic. The inability to form into a socially coercive political force or class prevented the black community from forcing a change within the system itself. The inequality of the society as a whole resulted in a specific set of relations where the black bourgeois interests were unrelated to those of the masses. This small group of bourgeoisie were, to a certain extent, similar in relation to status and unrelated to the mass of poor blacks. The difference was they did not share in economic interests. This major difference plus the alienation of the masses made inter-class cooperation more unlikely. The perceptions, then, of the African masses were that the Indians enjoyed a privileged position because the social contact was generally one of the African worker and the Indian bourgeois or petty-bourgeois groups. The inability to discern the system as creating inequality

14. In areas such as Cato Manor, Indians and Africans shared a very close form of social contact but the number of Indians were very small.

resulted in conflict resulting within the black community when, as Webster argued, aggression was displaced against a privileged and vulnerable minority.¹⁵ Also using class analysis, Hemson reached a similar conclusion over the riots when he wrote:

* The most dominated and repressed section of the South African working class turned against a minority group which possessed land and trading rights and preferential treatment in employment.¹⁶

Class analysis is, therefore, useful because it emphasises a set of inter-group relations broadly based on economic determinants and ideological components. The African group suffered exploitative measures initiated by a dominant white minority group. On a more general level this exploitation was continued through their social contact with the Indian bourgeoisie - and, to a much lesser extent, the African bourgeoisie. Within the urban areas the level of Afro-Indian contact was far more informal and obvious than with other groups and this led to a greater sense of grievance. But even allowing for the sociological concept of 'stereotyping' - that all Indians are basically exploiters - a class analysis does not satisfactorily explain why Indian workers suffered the worst of the riots. If the Indian bourgeois classes were the cause of African frustration why did the entire Indian community, regardless of status, suffer. The mass of Indians were also exploited and certainly did not enjoy the economic or social privileges of the higher class Indians.

Address → This is why a second level of analysis must be introduced to clarify Afro-Indian relations in Durban. Inter- and intra-class relations were complicated further by ethnicity and cultural differences than the above class theory suggests. Although the arguments of 'cultural pluralism' have been criticised by their 'failure to apply a perspective that truly integrates the analysis of cultural

15. E. Webster, op. cit., p. 9 - 10.

16. D. Hemson, 'Dock Workers, Labour Circulation and Class Struggles in Durban, 1940 - 1959', (Journal of Southern African Studies, Vol. 4, No. 1, Oct. 1977). p. 111.

rivalries and segmentation with political economy',¹⁷ some pluralistic concepts can, in fact, assist in understanding Afro-Indian relations within the background of capitalism, urbanization and embryonic class formation. Turning again to Greenberg, ethnic differences relate to those of race:

Racial differentiation may also be considered a form of ethnic differentiation, where groups are distinguished more broadly by cultural criteria. Here, differing values and belief are closely correlated with, or stem from, socially perceived physical differences.¹⁸ ?

But racial or ethnic differences do not in themselves cause overt violent civil disorder and rioting. One must take cognisance of changes in the material conditions of society. As Huntington wrote:

Ethnic or religious groups which had lived peacefully side by side in traditional society become aroused to violent conflict as a result of the interaction, the tensions, the inequalities generated by social and economic modernization. Modernization thus increases conflict among traditional groups, between traditional groups and modern ones, and among modern ones.¹⁹

More importantly, the exclusivity of groups should be emphasised because conflict is more likely to arise 'where culturally or linguistically distinct groups remain unassimilated but, for a variety of reasons related to modernization, become mobilized'.²⁰ In this sense, the social perceptions of culturally different 'groups of varying histories and ethnic origins' existed before capitalist development. Ethnic differences need not become a complicating factor to a class analysis but an equally relevant force in social relations. 'Each person has a certain "self-awareness" inherent within him, and which induces him to see his own group as

17. H. Adam, Modernizing Racial Domination: South Africa's Political Dynamics, (Los Angeles, University of California Press, 1971). p.21.

18. S.B. Greenberg, op. cit., p. 5.

19. Quoted in ibid., p. 8.

20. Quoted in ibid., p.8.

aesthetically and socially superior to others'.²¹ If this image of cultural identity between groups is represented through expressions of 'exclusivism', the concept of race is not merely characterized by colour or physical distinctiveness alone. In other words, racism is no longer purely a black-white phenomenon. Race accentuates the cultural elements 'as a result of conformity to one's own group'.²² Racism need not only be used by the dominant group as a divisive force but also serves to explain and legitimize relations between and within the black society.

Within black society one can define two culturally distinct groups - the Africans and the Indians. Both underwent changes during the colonial and imperial periods. African tribalism had to adapt to the necessities of capitalist growth. Similarly, the distinct Indian caste system had to adapt to conditions in South Africa. While both adapted as a result of the changes in the material conditions, both retained aspects of cultural identity making them distinctly African or Indian. The type of social contact between the two distinct groups emphasised those ethnic differences further.

The Indian caste system could no longer function in the traditional sense because of the unequal ratio of men to women during the period of indentured labour. The highly discriminatory practice of endogamy, a fundamental tradition within the caste system, was redefined in local, religious, linguistic and racial terms. As Moodley points out, even aspects of dietary rules, and differing ideals of purity and pollution made inter-dining among Indians of differing religions a rare occasion.²³ The distinction and separation between Muslim and Hindu, which was culturally and socially very important, remained thus establishing a hierarchy within the group. Initially, and during the 1940s, the Muslims considered themselves distinct from, and superior to, the indentured Hindus. It would be difficult to suggest that by the time of the riots the Muslim

21. Quoted in E. Vassilatos, op. cit., p. xvii.

22. H. Adam, op. cit., p.18.

23. K. Moodley, op. cit., p.446.

attitude had changed considerably towards fellow Indians. The emergence over the years of a relatively wealthy and educated élite from the ex-indentured Indians resulted in common interests between the two groups. But the linguistic and religious separation remained, the common interests were of an economic and political nature rather than cultural. Furthermore, the growth of élites created a larger division exaggerating positions of status. This alienated the lower status Indians - and, of course, the African group too.]

As Kuper wrote:

Between indentured Indians and migrant Africans, there was little or no communication and considerable latent hostility. Though the majority of Indians were illiterate, they were aware of a great literate tradition. Many were peasants, but they had knowledge through experience of a wide diversity of occupations and of a money economy. Ideologically and ritually, the Africans with their more specific and exclusive ancestral cult presented sharp contrasts to the values of the more universal religions of Hinduism and Islam. Though the caste hierarchy broke down on the estates, the indentured tried to arrange marriages within narrow religious and linguistic boundaries. They were totally opposed to marriage with Africans, not on the basis of colour but on that of culture. 24

Such attitudes towards marriage led to widely held taboos and folklore in Afro-Indian relations. These influences resulted in the prevalent themes of Indian men wanting to abuse African women; and African men wishing to marry Indian women. Moodley quoted a story which has numerous variations but is used to underline the need for 'presence of mind' and 'tact' on behalf of Indians.

A wealthy merchant in East Africa answered the door one evening to find two young Africans. Upon enquiring the purpose of their visit, it turned out that one of them had come to ask for the hand of the merchant's daughter in marriage. With due decorum, and considered coolness,

24. H. Kuper, op. cit., p.258.

the merchant called the visitors into the livingroom, offered them a drink, and called in his daughter. The proposition was then put to her. Respectfully she replied that she had nothing against it if the gentlemen would take care of her and if she were to have her parent's permission. The merchant then told the young men that, in accordance with tradition, it would only be correct for them to bring their parents to formally approach him. That night, after the guests had left, the family packed its belongings and fled the country for India.²⁵

In retaining traditional values the ethnic exclusivity was maintained. Those factors of endogamy, family kinship, language and religion which are most effective in maintaining cultural distinctiveness, were viewed by the Africans as being anti-African.]

While one may wish to argue that the political alliance formed by the Dadoo-Naicker-Xuma Pact of 1947 cut across such cultural distinctiveness, the attempt to form a 'black solidarity' movement did not permeate down to the grass-root level. Except for the pact, Indians tended to form political movements reflecting exclusivism. This practice was especially pronounced through the Indian bourgeoisie and the formation of the NIO which reflected strong conservative tendencies. Those aspects of 'ideological isolationism' also carried over into African organizations.

It is more logical to argue that for many years black politics reflected the aspirations of the bourgeois and emergent petty-bourgeois within the Indian and African groups, respectively. The bodies formed at a local level retained a distinctly African and Indian character and perpetuated ethnic differences.²⁶ Although there was little in the way of formal tribal associations in Durban during the 1940s the awareness of a tribal system had relevance to the urban

25. K. Moodley, op. cit., p. 445.

26. For a similar analysis see L. Kuper, An African Bourgeoisie, (U.S. A., Yale University Press, 1965).

formation of Africans. (The Government, both of Smuts and Malan, played a major role in ensuring tribal differences remained in order to undermine the possibility of African nationalism and cohesion.) Similarly, (organizations like the Cato Manor Ratepayers Association represented purely Indian interests despite the high number of African tenants.)

The direction of interaction is inevitably asymmetrical, with Asian strangers generally responding to contact rather than initiating it. (In the racial hierarchy of South Africa, Asians were placed by whites in positions inferior to themselves, superior to Africans.)²⁷

Their position, instead of (causing a common bond with other black groups, resulted in reinforcing ethnic bonds within the group.) Indian tradition and custom were bolstered resulting in, as Moodley wrote, a 'womblike structure' regardless of affluence and status.

This identity with the group, which emerged in the process of retaliating against an antagonistic environment, became reified. In so doing, it generated confidence of group members and insulated them from the perception as lower caste members by whites. In some instances this cultural narcissism was so successful that Indians even believed themselves to be morally superior to their dominant group.²⁸

This chapter has attempted to outline two important themes. (Firstly, that no one single theory or methodology adequately explains South African relations, especially those between Africans and Indians.) A Marxist analysis is extremely useful in showing certain relations but, as we have seen, has certain limitations which cannot be glossed over. This leads to the second theme - that of ethnicity. While class relations are relevant the maintenance of identity has a wider historical role. 'Being black or Irish is not like being

27. H. Kuper, op. cit., p. 278.

28. K. Moodley, op. cit., p. 459.

a trade-union member, a carpenter, or a Democrat. Race and ethnicity elicit strong emotional attachments and sense of "sameness"²⁹. At the same time, ethnicity has a subjectiveness which is hard to penetrate, to understand and interpret. But until an attempt is made to assimilate ethnicity and class into the study of racial riots in South Africa, explanations of such events will be sadly lacking. By expanding the concept of race to include not only physical but also ethnic differences one can explain empirical evidence which emphasises racial perceptions not assimilable to class alone. Such evidence cannot be ignored or interpreted as a 'false consciousness'. An adaptation of a pluralistic approach does not undermine the basic precepts in Marxist explanations. The evolution of segregation and apartheid in South Africa requires such an adaptation to clarify why the entire Indian community bore the brunt of African grievances in 1949.

(An African Chief, giving evidence before the Riots Commission, said that Africans were not against the Indian working class but, 'when one sheep in the flock has a scab the whole flock must be dipped'.³⁰ This thesis will attempt to shed some light on what happened and why there was a community in conflict.

29. S.B. Greenberg, op. cit., p. 13.

30. Verbatim Reports, Peter Solomon Africa, Chief in Ladysmith district and Life President of the Natal Catholic African Union Regional Council, p. 421.

CHAPTER TWO: BACKGROUND TO THE RIOTS.

{ Social institutions are what they do, not necessarily what we say they do. It is the verb that matters, not the noun . . . This is the real point of danger for a political party and for the leaders and thinkers who inspire it. For if they are out of touch with reality, the masses are not.

- ANEURIN BEVAN }

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The growth of the capitalist sector, especially secondary industry in the greater Durban area during the 1940s was large and consequently assists in placing the riots into a socio-economic context. By the 1940s, this area was the third largest¹ in terms of the Union's Private Net Manufacturing output. Between 1936-37, 62 per cent of all the industrial workers in the province were employed in this area; from 1944-49 the figure had increased to 67 per cent.² By 1946 a substantial proportion of each population group was living in the urban areas of Natal.³ Industrial specialization lay in textiles, chemicals and rubber but Government-owned institutions - specifically the harbour and railways - were the single largest employer. Durban's economy relied heavily on its port which was controlled by the national government's Department of Railways and Harbours. 113
The state was, therefore, the largest employer of both white and black labour. While the 1938-39 period was regarded as rather slow in industrial growth, the

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1. The largest output came from the Southern Transvaal and the Western Cape.
 2. T.J.D. Fair, Distribution of Population in Natal, (Cape Town, Oxford University Press, 1955), p. 62.
 3. The proportions were as follows:
 - Whites - 82% or 5 out of every 6.
 - Indians - 65% or 2 out of every 3
 - Africans - 26% or 1 out of every 8

Ibid.

The population figures for Durban in 1946 were as follows:

- Whites - 124 972
- Indians - 113 440
- Africans - 102 266

period between 1944-48 was notably fast. The Net Industrial output in the Durban/Pinetown area rose from £11 204 000 in 1938 to £24 461 000 in 1945-46.⁴

[Such rapid economic growth led to an equally rapid growth in urbanization. In the case of Africans, movement and rights were effectively restricted by a number of measures, the more important being the Native Trust and Land Act of 1936 and the Native (Urban Areas) Acts of 1923, 1930 and 1937.] Both of these measures prevented Africans from acquiring land or building homes in urban areas. Walshe pointed out that:

With urbanization proceeding apace while the reserves stagnated, the situation had been reached where approximately two-thirds of the African population lived outside their 'homelands'. Of this two-thirds, one half were to be found in the urban areas and one half on white farms.⁵

It was estimated that if the African population of Natal (1 708 000 in 1946) remained on land allocated to them, the average density would have been roughly 159 persons per square mile.⁶

The Smit Report of 1942 put forward various recommendations for the removal of restrictions on Africans, including the removal of pass laws, the administrative recognition of African trade unions; and it 'reminded the government that it was an illusion to think in terms of a native policy geared to the development of the reserves'.⁷ This Report, like the later Fagan Commission (1946-48) recognised the development of a black urban population as unavoidable. But it has been argued that such observations were a means 'rather than an end'. As Maylam argued:

The end was basically agreed upon: to make full use of a cheap African labour force, while at the same time

4. P. Maylam, 'Strategies of Control and Evasion: African Urban History in South Africa c.1900-1950', (Paper presented to the biennial conference of the South African Historical Society, July 1981). p.3.
5. P. Walshe, op. cit., p. 301.
6. R.H. Smith, Labour Resources in Natal, (Johannesburg, Oxford University Press, 1950), p. 24.
7. P. Walshe, op. cit., p. 269.

preventing that labour force from threatening the privileged political, economic and social position of the whites.⁸

Such factors as overcrowding, overstocking and soil erosion forced Africans to seek subsistence in urban areas. The need for cash to meet tax obligations and the purchasing of goods on a market exchange economy were further reasons for the increase in Africans entering urban areas.

The Urban Areas Act of 1923 provided tighter controls and checks on the urban influx. Upon entering urban areas, African males had to report to the local authority; if there was no employment they were told to leave; and every employer of males had to register a service contract. The Act also empowered municipalities to establish Native Revenue Accounts to cover the administration of Africans. These accounts were kept open through the imposition of fines, fees, rents and the sale of beer through municipal beerhalls. In the case of Durban they had to be self-balancing and separate from the General Revenue Account. An interview conducted with one chief official of the NAD in Durban revealed the following insight to the method of financing:

If there was a shortfall in the Native Revenue Account it was expected of a local authority to make good the shortfall or to contribute from its rate fund towards it - now this has been the practice of most municipalities including Johannesburg, for instance, which at one stage contributed a million and a half from its rate fund to the Native Revenue Account. But in Durban this never happened, and it was the Durban City Council's declared policy not to contribute one single cent to that fund. It had to be self-contained, self-sufficient and fortunately we managed to keep it that way. I don't know what would have happened if this had not been possible.⁹

8. P. Maylam, op. cit., p. 4.

9. Interview with Mr S.J. Bourquin, Deputy-Head of the Native Administration Department during the 1940s. Conducted by Mr Iain Edwards on 8 Sept. 1980. Transcript of interview in Mr Edwards possession.

By the 1930s Durban had embarked on a housing programme for Africans. Lamont Township opened in 1934; Chesterville in 1943. Hostel accommodation was also expanded with men's hostels being built in Dalton Road, the Point, Somtseu Road, Grey Street and Jacobs during the 1930s. (But the townships were generally developed far from the industrial areas and subject to strict control from the authorities). The period of war also increased the influx and housing shortages increased. This, in turn, resulted in the growth of squatter areas close to the city centre. These were not subject to restrictions and developed their own socio-economic structure - but they also resulted in acute social problems. Walshe pointed out:

Between 1936 and 1946 Durban's African population increased by 64 percent to approximately 100 000, one-quarter of this number in slum shacks of makeshift material.¹⁰

Because African workers were regarded as 'temporary sojourners' the accommodation was primarily built to house single men. The problems increased during the 1930s and 1940s as the number of African women entering the urban areas began to rise. It was estimated that between 1936 and 1946, the African population of Durban increased from 71 000 to 114 000 persons.¹¹ By 1939 there were roughly 1 000 African - owned shacks; by 1946 this figure had grown to 4 200.¹² The 1943-44 City Corporation Housing Survey recorded severe over-crowding in shack-settlements, especially at Cato Manor. Mr Justice F. N. Broome described the shacks as a matter of 'social urgency' in his report on 'native' grievances. He concluded that 'the paramount grievance of Durban natives is that there is not sufficient housing accommodation for them'.¹³ In the case of

10. P. Walshe, op. cit., p. 301.

11. L.K. Ladlau. 'The Cato Manor Riots, 1959-1960', (M.A. Thesis, University of Natal, 1975), p.11.

12. P. Maylam, op. cit., p. 11.

13. L.K. Ladlau, op. cit., p. 15.

Cato Manor, the majority of shack dwellers were Africans on Indian-owned land with few Indians as tenants.) A Municipal survey, carried out in 1946, found 5 500 African families (roughly 30 000 persons) living in shacks mainly in this settlement. (Indians capitalized on this growth, not only renting shacks but providing a bus service and trading facilities, especially around the Booth Road area.) The Africans were drawn to these areas because they held a rare opportunity for entering the informal sector. There they could erect shacks or act as unlicensed traders and hawkers. Such settlements developed internalized infrastructures giving opportunities not to be found under the rigid control of townships and locations.

In the case of Indians, this community had already established itself within the urban environment before the influx of African workers. (Traders and merchants, some of whom had established themselves during the previous century, had become an integral part of the commercial infrastructure of Natal.] As Indians became replaced by Africans as manual labourers on sugar plantations and the mines in Northern Natal, they gradually moved to the urban sectors, especially Durban. By 1936, roughly 80 per cent of the Natal Indian community could be found scattered along the coastal area with the majority in or around Durban.

(It is important to note that no law prevented Indians from acquiring or occupying houses and land in Natal.) This situation led to repeated calls from whites to prevent Indian penetration into white areas. It was due to such agitation that the Indian population became subject to a number of Government appointed Commissions.

The first Indian Penetration Commission in 1941, and under the chairmanship of Justice Broome, was instituted to enquire into and report on the extent of Indian penetration since 1927. White agitation at this time varied from province to province. In the Transvaal (also to be reviewed under the Commission) the problem was limited to the tenure of land and trading restrictions. In Natal, it included not only land and trading but also the questions of franchise, employment and the presence of the population itself.

The Commission divided Durban into two portions: Natal excluding Durban, and Durban alone. The City was divided again into the Old Borough as it stood till 1932, and the Added Areas, which Durban gained in 1931. In the Old Borough

the Commission found 512 cases of penetration into predominantly white areas. Of these 150 sites were acquired and occupied while 362 sites were acquired but not occupied. In the Added Areas, the Commission could only find information from 1934, as the DCC did not provide information on the position relating up to 1927. It was found that from 1934, 1 759 divisions had been acquired by Indians and only 730 sub-divisions which adjoined the Added Areas. The latter had already been under Indian ownership. The Commission also found that the greater part of the Added Areas had not been predominantly white in 1927, and therefore concluded that penetration had not been acute. The primary motive for penetration was found to be for investment purposes in trade and immovable property. Penetration was illusionary because of the lack of land specifically designated for Indians. The Commission concluded:

Before we leave the subject we desire to repeat that we do not believe there is any general desire on the part of Indians to live among Europeans. Where they have acquired properties in European areas they have been actuated by the desire to live in areas that are more attractive to them for reasons other than the presence of Europeans there. ¹⁴

Although allegations of Indian penetration were found to be largely unjustified, Pachai quoted a statement made by one of the representatives which was as follows:

The Broome Commission showed that there were 570 odd cases of penetration inside Durban, and I am quite prepared to say that is penetration, even if the Corporation is not prepared to say so. ¹⁵

14. B. Pachai, op. cit., p. 161-162. There was also a large number of Indians, especially the 'free passenger' group who had been living in Durban proper from their arrival in South Africa.
15. Ibid. Unfortunately I was unable to ascertain who this gentleman was and there is no indication in Pachai's work.

The findings of 1941 were unsatisfactory and did nothing to change white attitudes on the question. The Second Indian Penetration (Durban) Commission was instituted, this time to ascertain the extent of Indian property acquisitions in white areas in Durban since 1940. One of the reasons put forward was that, because of the earlier Commission's conveyance of the mistaken idea that no penetration had occurred, the Indian community had felt free to penetrate further. Another reason put forward as possible was the desire of the Indians 'to pass through the door while it is still ajar'. This time the Report agreed with the DCCs allegation of penetration finding that between 1940 and 1943 there were 326 cases. It was held that this growth was due to the abnormal conditions from the war which restricted the normal trade avenues enjoyed by wealthy Indians. The result was an increase in purchasing immovable property.

As Broome point out, the Report was accepted by the Smuts Government, and it was this which brought about the Trading and Occupation of Land (Transvaal and Natal) Restriction Act of 1943, otherwise called the Pegging Act. The object in Durban was to 'peg' the position pending a full enquiry into Indian affairs by another Commission - this was to be the Natal Indian Judicial Commission, with Broome as Chairman again.¹⁶ The prohibition was against Indians occupying or acquiring property owned or occupied by a white prior to 1943. This was to be held as binding until 1946 when it was replaced by the Asiatic Land Tenure and Indian Representation Act.

In response to the Pegging Act, the NIC submitted a memorandum contesting the findings of the Commission and the Act. This memorandum highlighted two interesting points. Firstly, that ownership did not necessarily mean occupation. If this distinction had been made then 326 cases of acquisition would have been set out in correct perspective showing only 54 cases of ownership for

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16. F.N. Broome, Not the Whole Truth. (Pietermaritzburg, University of Natal Press, 1962), p. 187.
 17. This organization was lead at this time by A.I. Kajee, a successful Muslim businessman, and P.R. Pather, an estate and financial agent. It followed a very conservative line preferring to cooperate with the state rather than to confront it.

purposes of occupation. Secondly, it revealed figures related to Indian housing in Durban, arguing:

The Durban City Council was content to confine its 25 000 Indians in an area of 204 acres ... concerning Indian housing in Durban up till 1943: that while 50 economic houses had been built by the City Council at a cost of £26 708 and 225 sub-economic houses at a cost of £117 000 for an Indian population of 90 000, 705 houses costing £659 882 had been built for a European population of 102 000; and while 1 100 sites had been sold to Europeans, only 16 were sold to Indians.

Referring to the case put forward by the DCC it was ^{NIC} claimed the position had been magnified out of all proportion. The memorandum pointed out:

That the value of property held by Indians in the Old Borough was £4 million compared to a European holding of £35 million; Indians owned 1 783 sites as against 12 782 owned by Europeans. If Indian holdings in 16 years had increased by £2,7 million of which £1,7 million was in Indian areas - European holdings had increased by £15,6 million in the same period; of a total acreage of 8 274, Indians held 359 acres or 4 per cent of the total.¹⁸

Senator D.G. Shepstone and NIC members, A.I. Kajee and S.R. Naidoo were among the members of the Judicial Commission which became a protracted affair. While the Commission was still in progress and without waiting for a report, the Smuts Government decided to deal with the situation at once. (Discussions held between Smuts and the NIC resulted in the rather nebulous Pretoria Agreement.) The reaction by Smuts was generally believed to be a response

18. B. Pachai, *op. cit.*, pp. 166-167. It is very difficult to assess the number of houses built for Indians by the DCC. During the evidence given to the Commission it was suggested at one stage that the DCC had built 75% of Indian housing. Mr A.M. Moolla, a member of the NIO, responded to this by arguing that, in fact, the DCC had built less than 10% of the houses. 'In all, the Corporation would not have built more than 1 250 houses'. *Verbatim Reports*. p. 799. According to the figures from the memorandum and Moolla's estimates, this would have meant the DCC had built nearly 1 000 houses in 6 years.

to overseas reactions to the Pegging Act.¹⁹ The Premier agreed to withdraw the Act and substitute the NIC's suggestion of a provincial Ordinance which would create a Board to control penetration and arbitrate on the question of property acquisition and ownership. But this had to be put forward by the Natal Provincial Council, an institution which reflected not only government policy but local white attitudes. The result was the drafting of the Residential Property Regulation Draft Ordinance, which included the Natal Housing Board Ordinance, the Provincial and Local Authorities Expropriation Ordinance and the Town Planning Ordinance, which were 'designed to relegate the Indian community to certain specific areas'.²⁰ This was the very thing Indians were fighting against. The emergent bitterness resulted in Smuts re-establishing the Pegging Act and advising the Governor-General to veto the Ordinance. The Pretoria Agreement was dead - as was Broome's Judicial Commission. It had been adjourned pending the Agreement and when it reconvened the two Indian members resigned, the Indian community boycotted it and the racial bitterness closed its sittings. Broome wrote in the Interim Report:

The negotiation of this agreement was a somewhat unusual step, having regard for the circumstances existing at the time ... If the agreement had not met with general approbation and had in due course been implemented, it would have fully justified itself ... however, this did not happen, and the final result of it was therefore to engender racial discord instead of to promote racial harmony.²¹

| The implementation of the 1946 Asiatic Land Tenure and Indian

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19. Up to 1948, South Africa was under the Premiership of General Smuts whose abilities were more atune to international rather than national dichotomies. While author of the preamble to the United Nations Charter, in South Africa he oscillated between acknowledging African and Indian protests and pacifying the fears of a white electorate. Although willing to meet black organisations, he was reluctant to act for fear of upsetting the white electorate.
20. B. Pachai, op. cit., p. 177.
21. F.N. Broome, op. cit., pp. 188-189.

Representation Act again brought a swift reaction from the Indian leaders.²² The Act was split into two sections. Under the first section, areas were designated as Controlled and Uncontrolled, the latter specifically for Indians. If Indians owned property in a controlled area before 1946 but had not occupied it, they could not do so after January of that year.²³ This was the first attempt at legislated segregation against the Indian community. The second section was added as 'sugar to sweeten the medicine' as it offered the Indians a communal franchise.

The Interim Report submitted by Broome after the failure of the third commission had warned against communal representation as it would, in his opinion, have been rejected outright. As will be seen later, not all the Indian leaders rejected this proposal but one of the reactions was the Passive Resistance Campaign of 1946, held in Durban.

After having discussed the commissions and specific Indian reactions, one must question whether the opposition to segregation, voiced primarily by Indian leaders, also came from Indian workers? According to Calpin, writing during the 1940s, the answer was decidedly negative. Obviously the working class wanted better amenities and living conditions. Indian areas had been largely neglected by the DCC resulting in bad lighting, poor roads and generally unhygienic conditions.²³ There were some very bad slums and Palmer pointed to one in particular, a portion of the Magazine barracks in Durban which was under the direct control of the DCC. It had apparently been condemned repeatedly by medical officers.²⁴ 'Segregation as defined by their leaders had no meaning for them; they were already segregated in a state of "slumdom" '²⁵ Acts pertaining to penetration affected only the wealthier Indians who could afford to buy property.

22. On this Act, Calpin wrote of Smuts: 'The fundamental issue, as he saw it was the preservation of the European orientation of South African society. To ensure this it was necessary to follow a well-known South African principle - the principle of separate land tenure and of separate political representation, which from early times had been the basis of native policy'. G.H. Calpin, Indians in South Africa, (Pietermaritzburg, Shuter & Shooter, 1949), p. 221.

23. These conditions could have been another inducement for the wealthier Indians to move nearer white areas where facilities were much better.

24. M. Palmer, The History of the Indians in Natal, (Cape Town, Oxford University Press, 1957), p. 136.

25. G.H. Calpin, op. cit., p. 127.

This class was involved in widespread rack-renting and exploitation of their own community and was indifferent to the needs of the Indian lower classes. A survey conducted by the Department of Economics at the University of Natal, established that by 1949 more Indians than Africans were living under the poverty datum line; the Institute of Race Relations reported that 70 per cent of Indians in Durban lived under the poverty datum line.²⁶ Other surveys corroborated these results showing 70 per cent of the Indians in Natal were desperately poor.²⁷ These estimates are vitally important as it refutes the argument that the Indian community was a privileged group vis-a-vis the Africans. It was true that there existed a small group of wealthy Indians from the established bourgeois class. Their wealth and business interests made them a highly prominent group in respect to white and African perceptions. A fallacious perception of the average family income was the result of ignorance regarding the Indian community. no - lack of information Because their traditional family system had a tight bond, arguments suggesting that the total wages of working members (for example, £4 which has frequently been used) increased the wealth of a family as a whole. This argument is weakened by two general points. Firstly, during the 1940s it was very rare to find Indian women entering the labour market resulting in these members having to be supported. Secondly, in 1946 only 52 per cent of the Indian community were economically active and participating in the labour market. Of this total, 88 per cent were male compared to nine per cent female. The work participation rates for whites were 54 per cent (85 per cent male: 23 per cent female); and for the Africans the total was 68 per cent (95 per cent male: 40 per cent female).²⁸

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26. Quoted in F. Meer, 'Africans and Indians in Durban', (Africa South in Exile, Vol. 4, No. 4, July/Sept. 1960), p. 32.
27. Van den Heever Report, p. 18. See also evidence in the Verbatim Reports. From the 1950 census it was clear that the Indian group, the Gujaratis, (the group from whom most of the Indian businessmen are drawn and most of whom are Muslim) have a per capita income comparable to the whites, and in fact, was actually higher than that of the Afrikaners. Quoted in J.F.H. Purcell, 'Durban, South Africa: Local Politics in a Plural Society', (Ph.D Thesis, University of California, 1974), p. 51.
28. M.A. Sugden, 'Membership of the South African Labour Force', in B. Pachai, (ed.), South Africa's Indians: The Evolution of a Minority, (Washington, University Press of America, 1979), p. 263.

Basing his figures on the 1936 census, Burrows concluded that the population was 'youthful', as indicated by the fact that 47 per cent of Indians were under the age of fifteen years.²⁹ The result is that there was a high level of dependents relying on the low level of wages being paid to the Indian workers.³⁰ Being utilized as both semi- and unskilled workers one can conclude that the majority of the Indian population could barely make ends meet; whereas the average African worker, while having obligations, did not have to provide for family needs within the urban environment.

Indians and Africans had a high level of contact of the factory floor and competed for employment on the labour market. The main area for competition was in secondary industry where the large majority of unskilled labourers found work. Because the Indians had entered the labour market at an earlier stage of urbanization their capabilities were greater than those of the African entering the labour market. Initially, as the Africans changed jobs so frequently few opportunities were made for acquiring skills and training. This was not the case with the Indian worker who was more urbanized and settled.

The greatest competition for Africans lay in the unskilled field with the result that Indians became more predominant in the semi-skilled positions. The latter therefore tended to dominate the semi-skilled and supervisory roles which the whites shunned. There was a large number of unskilled Indian workers but they were comparatively small when compared to the Africans.

In the case of the trader and merchant classes, the Indian group was definitely in the majority. Between 1921 and 1936 there were estimated to be 2 500 Indian shops in Natal, which were staffed by some 5 600 Indian owners and

29. H.R. Burrows, Indian Life and Labour in Natal, (Johannesburg, SAIRR, 1943), p. 3. See also M.A. Sugden, op. cit.,

30. On an average, the weekly wage paid to Indian unskilled workers was an average 18 shillings to £1.10s in 1940. Trends in wage fluctuations, of course, affected wages paid and there is the added problem of different wages being paid by various companies for labour skills. But this appears to be the average which was still being quoted in the late 1940s. In contrast, African wages were complicated by accommodation and food subsidies. Again, the average wage can only be roughly estimated, which was 15-20 shillings a week. About 5% were paid over 25 shillings.

See H.R. Burrows, op. cit., and R.H. Smith, op. cit.,

assistants.³¹ Occupational figures for 1946 showed 7 612 Indian merchants, general dealers, managers or proprietors of business in both the Transvaal and Natal. There were also an estimated 2 264 hawkers and pedlars, and 6 495 shop-assistants.³² It must be borne in mind that many of the traders were owners of very small-scale businesses. Among the African population there was a very small number of traders who were mainly found in the rural areas. By 1946 there were an estimated 1 769 managers and proprietors of businesses, 2 614 hawkers and pedlars, and 48 'speculators'.³³

Because Indians traded in both the urban and rural areas their contact at grass-root level was very obvious. The absence of a large number of African traders, especially in the urban environment, made the Indian class even more noticeable. The interests and aspirations of Indian and African traders, especially amongst the emergent petty-bourgeoisie, were in sharp opposition. Giving evidence before the Rural Dealers Licensing Inquiry Committee of 1941, A.W.G. Champion, as Chairman of the Natal ANC, argued to the effect that preference should be given to African applicants in African areas.³⁴ Indeed, again in 1941, A.M. Lembede, one of the founders of the ANC Youth League, wrote that it was time the Africans ceased being the 'milk cow of other racial groups', and become an economic and political force to be reckoned with. Followers of Lembede wanted Africans to favour their own businesses and co-operatives, and frequently quoted an American 'Negro' maxim: 'Let the money circulate among the colour line'.³⁵

Even at the grass-root level emphasis was placed on the attainment of status within the African sector. African trade was being fostered in Durban but

31. R.H. Smith, *op. cit.*, p. 78.

32. M. Horrell, *South Africa's Non-White Workers*, (Johannesburg, SAIRR, 1956), p. 40. These figures include the Transvaal which had a high percentage of the bourgeoisie and petty-bourgeoisie classes. Natal also had a large number of these classes but the majority were, in fact, workers.

33. *Ibid.*, p. 76. Again, these figures are inflated because of the Transvaal.

34. D. Hemson, *op. cit.*, p. 108. This demand included the withdrawal of Indian-owned taxis.

35. *Ibid.*, p. 340.

only at the level of petty trade. Handicaps in obtaining licences and trading rights encountered by the emergent petty-bourgeois class (and the established bourgeoisie wishing to expand) in the African community made their position very insecure. The mass of African consumers were predominantly low-income wage earners who could only buy commodities in small quantities. This reflected badly on African traders because by only making meagre profits from small purchases they were unable to offer credit facilities, whereas many Indian traders offered these conveniences. The result was that Africans naturally brought from Indian stores. Kuper conducted an interview with an African tea-room proprietor who stated:

The next door tea-room is Indian owned ... Every year its changing hands (he is emphasising his ability to meet competition). I didn't want to go there and meet all that competition. But I couldn't go anywhere else. Africans are supposed to deal with Africans, but Africans go into the shop next door. I can't complain because I have an Indian land-lord. So I share the Africans with him. But Indians only buy with him. They are so particular that they won't even buy a box of matches from me. They are very particular to buy from their own people. If they can't get anything there, then they might come in to me.³⁶

African pressure was gradually building up for trading rights prior to the riots, but this was blocked by both Municipal control and Indian competition. Before the riots there were 22 licensed Indian traders and 11 licensed African traders. In 1948, the NAD reported that many Africans were waiting to undertake the risks of private enterprise, and that sites were at a premium.³⁷

It can be seen at this stage that Indians appeared to have preferential treatment amongst the black community. Although there were attempts at restricting the opportunity to purchase land, the Indians had had the opportunity to do so in Durban. In contrast, the Africans were restricted, in terms of the 1913 and 1936 Land Acts, to land within the 'reserves' allocated to them. In terms of the various

36. L. Kuper, op. cit., p. 293.

37. Ibid., p. 301.

Urban Areas Acts, the Indians were exempt from pass law restrictions and could move freely within Natal thereby opening new channels for employment. And, in the area of employment, restrictions on work, as applied through the 1924 Industrial Conciliation Act, did not apply to the Indian workers thus giving them more opportunities. The fact that the group was as poor as, if not poorer, than the African community appeared to be of little moment compared to the overall privileges. Furthermore, the issuing to trade and transport licences to Indians and subsequent blocking of African aspirations appeared to be a further indication of preferential treatment. Except in the area of employment, the benefits accrued were generally in favour of the bourgeois and petty-bourgeois groups. The Indian workers appeared to suffer as much at the hands of the privileged Indian group as did the African groups.

Black political organizations of the time did relatively little or nothing to repair the strained inter-group relations. In accordance with Government policy, African political institutions were organized under strict control. The Location Advisory Boards were formed under terms in the Native (Urban Areas) Act of 1923 and operated on a municipal level; on the national level, the Natives Representative Council was formed under terms in the Representation of Natives Act of 1936. Both served only in an advisory capacity with no direct jurisdiction over national or local legislation.

The Natives Representation Council collapsed in 1946 through African reaction towards the 1945 Native (Urban Areas) Consolidation Act and the 1946 Rand Mine Workers strike. This strike was crushed by soldiers and police when an estimated 7 000 workers stopped working. In the Council, when attempts were made to discuss the strike, questions and motions were ruled out of order. The ANC had practical control over the Council by having many Congress members represented thereon. In response to these two events, the Congress members were able to adjourn the Council sine die. African disillusionment in the power of the Council had been growing for some time. The 1945 Consolidation Act had been designed to tighten control on Africans in town and strengthen checks on urban influx. Despite strong opposition from the Council against the Act it was

passed, nevertheless, and signalled the end of the institution. It was no longer viewed as being a functional organ for voicing African grievances or aspirations.

The ANC also participated on the Advisory Boards which comprised of African representatives, elected or appointed, with a white chairman. This organ also served only as a medium for consultation. As Kuper pointed out:

From the point of view of the white authorities, participation in the statutory bodies implies acceptance by the African members of a racially subordinate role and a restricted field of action . . . For Africans, participation does not necessarily imply subordination . . . They provide opportunities for organizing the people, and there are small advantages to be gained in the improvement of living conditions.³⁸

These organs did supply some means of articulation and communication to the African community but the majority of Africans who became members represented the bourgeois group. Leadership of African organizations, particularly the ANC, came predominantly from the Christian missionary schools and, later, universities. Gerhart described the background of African leadership in the following way:

More articulate and more conversant in European languages, and better organized to understand the political and economic forces at work around them, they formed a natural leading sector of African society, standing between the conquered, unassimilated mass and the white conquerors, on whose culture they sought to model their own fast-changing lives.³⁹

In general, this leadership reflected a basically conservative attitude together with an evolutionary view of change, being bourgeois in character. In 1944 the ANC Youth League was formed with Lembede, Jordan Ngubane and Selby Msimang among its founding members. The overriding ideology of the League was 'African Nationalism' in that Africans had to attain a strong cohesion and confidence in

38. Ibid., p. 328.

39. G.M. Gerhart, Black Power in South Africa: The Evolution of an Ideology, (London, University of California Press, 1979), p. 34.

their own ability before they could enter into multi-racial organizations. In 1944 Ngubane wrote in Inkundla ya Bantu:

As long as the African people are not welded into a compact organized group ... they will never realize their national aspirations. When they meet other non-European groups, they will be an unwieldy encumbrance, serving the purpose of being stepping-stones for the better organized groups.⁴⁰

Ngubane was centred in Durban as the Editor of Inkundla ya Bantu, the ANC mouthpiece. Obviously, he emphasised the ideology put forward by Lembede and the League, but was at pains to de-emphasise the racialist overtones. He was aware of the exclusivist African radicalism that was developing through the nationalistic ideology and the inherent dangers of generating anti-Indian attitudes. In 1946 Lembede wrote in 'Policy of the Congress Youth League',

Cooperation between Africans and other Non-Europeans on common problems and issues may be highly desirable. But this occasional cooperation can only take place between Africans as a single unit and other Non-European groups as separate units ... Non-European unity is a fantastic dream which has no foundation in reality.⁴¹

Regarding Indians, he did not feel they were 'intruders' or 'enemies' provided they did not undermine African liberation.

By the late 1940s the League was beginning to have a greater affect on the ANC generally, although the more conservative members, especially Dr A.B. Xuma, as President, reacted against the more radical suggestions. The ANC in Natal had little allegiance to the national ANC body prior to 1945. In 1945 the provisional membership totalled 700, and by 1947 it had grown to 3 000 members. Significantly, by 1949 figures had dropped to 1 200 members.

40. Quoted in ibid., p. 75

41. Quoted in ibid., p. 76

With the support of Msimang⁴² and Ngubane, Champion gained the Chairmanship of the Natal branch in 1945, despite his growing hostility towards the growing militancy of the League. Champion was also a member of the local Advisory Board believing firmly in cooperation with the authorities. But the most interesting facet of Champion was that he was intent on promoting the Natal - Zulu particularism with a strong influence over Natal Africans.⁴³ (The influences of African nationalism and Zulu particularism must have seriously affected Afro-Indian relations to a great extent by propagating an inward-Africanist ideology.)

Indian leadership

The Indian leadership was not better in attempting to promote inter-group relations. The SAIC had split in response to the Pegging Act which had incensed Indians affected by its terms. The SAIC now came under the more radical leadership of Dr Y. M. Dadoo, a Muslim and member of the Central Committee for the Communist Party; and Dr G. M. Naicker, a Hindu and leader of the Congress in Natal. This new group rejected the cautiousness of Kajee and Pather who chose to work within the system of the state. As early as 1939 Dadoo had been calling for closer ties with the African community, and in 1947 this was realized with the 'Doctors Pact' between Dadoo, Naicker and Xuma. Ideologically, this alliance was ill-suited. Dadoo was a Communist and Xuma had to attempt pacifying the militant League with their strongly anti-Communist ideology. But there was a rationale behind the alliance which worked on two levels. Firstly, Xuma wanted to bring the plight of the Africans in the Union to the attention of delegates at the United Nations where Smuts was attempting to bring South West Africa, Bechuanaland, Swaziland and Basutoland within the Union. At the same time, Indians wanted to bring the plight of their community to the attention of the same body, especially with the promulgation of the 1946 Land Tenure and Representation Act onto the statute book. A united black movement

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42. Msimang was a strong ally of Champion during the 1940s and only severed the relationship in the early 1950s because of Champion's attitude towards the League.
43. He also conducted business affairs, including a store in Chersterville; and had strong links with the Zulu Royal Family and Natal Chiefs.

would have had more impact in front of an international forum, especially as the Indians were numerically a minority. But the ANC were financially unstable at this time and lacked the cohesive organization which could raise funds. The second level involved these factors of finance and organizational capability which the SAIC had at hand and this provided the final inducement.

Yet at the local level of Natal the Pact proved very unpopular with both the African and Indian leaders. Gerhart quoted Msimang's expression of disapproval from within the Natal branch to the ANC Secretary-General over Xuma's act of alliance with the SAIC. Written on 30 June, 1947:

The Pact, Msimang implied, reflected a spirit of co-operation only at the leadership level; Dr Naicker, who had signed for the Natal Indians, 'represents a province in which he had, insofar as my executive committee is aware, done nothing to foster the spirit of co-operation . . . Our Executive Committee has refrained from declaring what it knows to be the universal feeling of the Africans in the Province as it would not like to hasten a rupture within the ranks of Congress.⁴⁴

These statements indicate the grave doubts held by the local ANC followers who would not accept such a relationship with Indians. There was evident distrust of Indian politicians, coming most emphatically from the African petty-bourgeoisie.

The formation of the NIO in 1947 complicated matters further for the rank-and-file of the Indian community as now they had come politically split. That is assuming, of course, that the rank-and-file had any interest in their political leaders. Kajee and Pather became the leaders of this new organization thereby re-establishing a conservative approach. Kajee firmly believed in cooperation with the authorities⁴⁵ and strongly opposed the Passive Resistance Campaign and the Pact pursued by the SAIC. The NIO was formed, therefore, to

44. G.M. Gerhart, op. cit., p. 104.

45. This is illustrated by the 'Kajee assurance' of 1936 when the NIC promised the Natal Municipal Association to dissuade Indians from penetrating into white areas.

continue expressing a conservative stance. The political split was described by Purcell in this way:

The NIC strategy was that of total non-cooperation with the government and total rejection of racial separation while favouring a policy of unification with other non-white groups opposing government policy. The NIO, on the other hand, took a much less militant stand and felt that while they disagreed with government legislation, it would be better to try to compromise and at least gain something for their community.⁴⁶

Gaining something for their community is an unfortunate phrase - rather, gain something for their group. As was pointed out earlier, the legislation passed against Indians was directed against those who could afford acquiring property. Their primary motive was to either extend their trading interests or invest in immovable property. In comparison with the total Indian community, this class formed a small percentage. Yet it appears that the more prominent African and Indian leadership had the objective of maintaining or expanding the interests of the bourgeois and emergent petty-bourgeois groups. During the early days of the Indian Congress,⁴⁷ trader interests predominated. As Bhana and Dhupelia pointed out:

They used the issue of indentured labour in Natal for political advantage, but otherwise were not concerned about the indentured Indians' welfare . . . They frequently stressed to the authorities the difference between them and their less fortunate compatriots.⁴⁸

46. J. Purcell, op. cit., p. 61.

47. Originally formed in 1919.

48. S. Bhana & U. Dhupelia, 'Passive Resistance among Indian South Africans', (Paper presented to the biennial conference of the South African Historical Society, July, 1981), p. 12.

Hemson outlined these sectional interests which still dominated the 1940s:

18 *
 The direction of political action was more towards aggressive defence of the trading, investment, and residential rights of Indian people (the African National Congress in Natal, led by A.W.G. Champion, at this time being virtually dormant and almost limited to a pressure group making the same demands for the African people.)⁴⁹

Hemson's choice of 'Indian people' is perhaps misleading (as with 'African people') because, although the phrases of the leaders may have been couched in altruistic terms the interests of the 'people' were not of primary importance. Hemson's choice of phrase would also suggest the homogeneity of the Indian community but one must remember that the community was not only divided in terms of status but also in religious and linguistic terms too. ~~Allowing for~~ these reservations, the basic precepts of Hemson are sound.

The organizational factors of both the NIO and the SAIC did not operate on the basis of grass-root support with branches throughout the province. This meant that the Indian and African workers were not drawn directly into the common campaigns called for at a national level. The inter-group relations involved factional characteristics that became increasingly inward-looking. One form of worker organization, trade unions, developed along racial rather than class solidarity. The 'civilized labour' policy which included the Industrial Conciliation Act prevented African's from registering trade unions but the Indians were not prevented from doing so. War Measure No. 145 of 1942 divided the labour force further by making strikes by Africans illegal and a criminal offence. These measures intensified the gap between skilled, semi-skilled and unskilled workers. Although trade unionism did increase during the 1940s, it evolved along two distinct courses in regard to black labour. Firstly, the level of non-racial unionism increased between Indian and 'coloured' groups with the inclusion of some white workers. The primary examples of such unions in Durban were the Liquor and

49. D. Hemson, op. cit., p. 108.

and Catering unions; the Textile Workers Union; the Furniture Workers Industrial Union; and the Garment Workers Union. The two latter, which were also the largest, were opposed to cooperation with the African workers. Of these, roughly 80% of the members were Indian. By 1943, 17 000 Indians belonged to recognized trade unions. But little or no effort was made to include Africans. The second course resulted from this exclusion. The African trade unions, especially the Natal Zulu National Workers Union which represented the dock workers, became increasingly 'Zulu' or 'Africanist' in its orientation, and, like the Indian counterparts, increasingly inward-looking. Contact between Indian and African trade unions, and consequently the workers, became steadily decreased.

The interests of the black workers were increasingly subordinated to the needs of the bourgeois and petty-bourgeois groups. Leaders, instead of looking at the condition of inter-group relations amongst the rank-and-file - were more respondent to state threats against the acquisition of wealth and opportunity for expansion. The ethnic differences between the Africans and Indians became more pronounced as Africans perceived the Indians as having more privileges on all levels. Enmity developed between the two communities as did the anti-Indianism of the white community.

Anti-Indian agitation had been prevalent to Natal for many decades prior to the riots. It was aimed not only against the Indian leaders and merchants who were seen as competing against the whites in commerce, but also against Indian workers. As Africans began to take up positions in the unskilled labour market, more Indians were entering the semi-skilled fields of employment and sometimes came into competition with the whites. Opinion against the Indians was evident from the 1860s and had steadily grown with industrial development and urbanization. By the 1920s the problem of Indian penetration was becoming evident. The Natal Mercury printed the following on 16 February, 1923:

The failure of the (Smuts) Government to realize the menace caused by the encroachment of the Asiatics and their acquisition of property in European residential areas and farming districts constitutes a grave short-coming which Natal (will) be bound to resent⁵⁰

50. Natal Mercury, 16 Feb. 1923.

The Dominion Party⁵¹ became a small Natalian party which utilized the strong anti-Indian sentiment to the best effect. The agitation was fanned and the 'Indian menace' exaggerated by politicians, particularly within this party. Being pro-British it saw its object as safe-guarding white tradition and interests though it did not wish to forbid the Indians reasonable claims to land and residence. 'To be pro-European', said the members, 'was not to be anti-Indian':

That it (Dominion Party) had no constructive proposals to set before the public was no handicap in a country where no-one else knew what to do with the Indians. The intellectual quality of the Dominion Party's policy rose no higher than the sentiment voiced by one of its members, who emphasised that if he had his way, he would throw the Indians into the Indian Ocean.⁵²

Of course, one cannot assume that without these types of political mandates there would have been no racial tension. But the desire by local politicians to stir the emotions and fears of the white population could have done little to encouraging better relations in Durban.

Even though the Nationalist Party only came into power in 1948 one should not under-estimate the relevance of anti-Indian statements by some members. As early as 1925, Dr D.F. Malan (later to become Prime Minister of the victorious 1948 Nationalist Government), stated the following:

The Indian, as a race in this country, is an alien element in the population, and that no solution of this question will be acceptable to the country unless it results in a very considerable reduction of the Indian population..⁵³

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51. Among its founding members were Colonel C.F. Stallard and J.S. Marwick. The former was essentially a Transvaaler but represented the party in Pietermaritzburg. When the party formed a coalition with Smuts' Government in 1938 he became Minister of Mines. But most important, he was founder of the Transvaal system of segregation. The 'Stallardist principles' (the belief that Africans were temporary sojourners in urban areas) were implemented in the Transvaal in the 1930s. Marwick represented various agricultural and commercial interests, and often publicly complained about the Indians commercial interests and their 'undesirable social habits'.
52. G.H. Calpin, *op. cit.*, pp. 138.
53. Quoted in B. Pachai, (ed.), South Africa's Indians: The Evolution of a Minority, (Washington, University Press of America, 1979), p. 39.

This sentiment was made at a time when roughly 65% of the Indian population were South African born. Again, this time on 20 April, 1948, Malan referred to the community as aliens and that they should be repatriated, 'if not directly by compulsion, by making their lives in South Africa so uncomfortable they would try to escape'.⁵⁴ In an election speech of 1948, Dr E. Jansen (who became Minister of Native Affairs) said in Durban: 'Africa is considered the sphere for the expansion of Indian Colonization and that is what we and what the European races throughout the world have to realize'. Mr C.R. Swart (to become Minister of Justice) regarded Indians as 'an undesirable and foreign element', and to be kept under the Government's thumb; and Mr Sauer (later Minister of Transport), stated: 'We, as a Government, want to help you in Natal ... the Government will not allow one part of the Union to become dominated by an Eastern philosophy'. The statements were quoted by the NIO in a letter sent to Malan in November, 1948, in which the organization pointed out:

For many decades it has been and still is the practice of men seeking parliamentary, provincial and municipal honours, particularly those from Natal, to use the Indian as a pawn in the politics of the country to gain their own end ... We respectfully urge that you ... would request your Ministers to refrain from attacking an unrepresented section of the population of South Africa for they are bound to cause incalculable harm ...⁵⁵

The press reported many of these speeches and quoted both the United and Nationalist Party when attention was drawn to the Indians as 'dishonest',

54. Quoted in M. Palmer, op. cit., p. 141. Palmer relates an interesting incident of an Indian who was being told by a white that he was an alien in South Africa. His response was to enquire where the gentleman was born. The answer was 'In Stockport, England'. The Indian replied, 'Yes, sir, I was born in Isipingo and so was my father. Which of us is the alien?' It was estimated by the Third Broome Commission that the majority of the 220 000 Indians in the Union had been born in Natal. Ibid., p. 133.
55. Durban, City of. Durban Town Clerk's Files, 323B, vol, 2; Letter from P.R. Pather and A.M. Moolla, General-Secretaries of the NIO to Dr D.F. Malan, on 10 Nov. 1948. This letter was also submitted to the Van den Heever Commission. Hereafter referred to as the Town Clerk's Files.

'land-grabbers', 'unscrupulous' and 'unassimilable', as many writers have pointed out with frequency.

The background of white opinion at the time deepened the already established ethnic cleavages which affected inter-group relations in Durban. It would be facile to suppose Africans were unaware of such deep-rooted anti-Indian agitation. Although the utilization of the 'Indian menace' in political party manifestoes was as much a racialistic attitude as a political vote catcher does not mitigate its role of irritating relations within the black community. For example, while the use of this question by the Nationalist Party can be seen as a method of attracting English voters, the attitudes adopted by the politicians filtered through to the African consciousness.

It is too simple to dismiss the factor of white agitation as a means of engendering a 'false consciousness' in the African group to separate the black community. This would be analogous to a conspiracy theory which would be speculative rather than verifiable historically. There was not only hostility between the classes but also an enmity which was ethnically based. This assists in explaining why the Africans attacked the Indian community when whites were to blame for the repressive system, and Indian bourgeoisie and petty-bourgeoisie guilty of exploitation.

↓ The 1940s was a traumatic period due to rapid industrialization and urbanization. Magistrates and various Native Commissioners commented on African attitudes which were becoming anti-State and very nearly anti-white. The rising cost of living against static wages led to urban unrest within the black community throughout the Union. In 1942 there was rioting in Pretoria when promises to increase wages were not met; in 1944 violence erupted between Africans and whites in Johannesburg when an African was run down by a trolley bus; between 1940 and 1942 there were brief boycotts of municipal buses in the Alexandra township and in Durban there were a number of strikes involving dock workers, and workers at Dunlop factory in 1942. These were just some of the eruptions by Africans against various aspects of discriminatory practices, laws and exploitation. It is little wonder that contemporary observers saw the conflict in terms of black reaction to white domination.

Rebirth of the 40s

In Durban the Africans were harbouring the same frustrations but the city had a unique and complex racial character which distorted their perceptions of injustice. Durban had nearly an equal division of racial groups.⁵⁶ The result of racial and ethnic enmity meant the black community was not unified or homogeneous. It has been argued that the Africans felt a great deal of resentment towards the Indian population. The latter group were owners of commercial and transport outlets which catered primarily to the Africans resulting in a close daily contact. On the shop floor, although there were a good number of unskilled workers, supervisory positions were being filled by Indians. The white tended to shun these positions so Indians began to undertake these usually less skilled and lower paid tasks. The inward-looking character of political and union organizations exacerbated the declining relations. The Indian community, despite its own cultural differences in language and tradition was perceived by both Africans and whites as an homogeneous group. This resulted in Indians moulding themselves into a closer knit community as a reaction. Therefore the contact between Indians and Africans became increasingly superficial and ethnically structured. The high visibility of those Indians who accepted the more privileged position within the Durban society overshadowed the plight of the poorer classes. As Hemson described it:

At a time when Indian traders and landowners were coming under increasing pressure from the state (1940) political mobilization in the struggle against segregation of the Indian community subordinated Indian trade unions and workers to the defence of the Indian petty-bourgeoisie.⁵⁷

While aims of black leaders may have been to secure a better position for the lower classes, their activity became increasingly bourgeois in character. The lack of contact with the rank-and-file meant they had little knowledge of

56. J. Purcell, op. cit., p. 45. The population, by 1951, reflected the following percentages:

whites - 30.51
Indians - 33.98
Africans - 31.68

57. D. Hemson, op. cit., pp. 102-03.

→ reported in Inuvab 85.

the emerging cleavages. The Africans watched as Indians appeared to gain more privileges while gradually reinforcing exclusivist tendencies. The state policy of separating the racial groups reinforced these tendencies; and at the same time ? the natural hostility made such policies simpler to carry out. Because of there being more contact between Africans and Indians, the latter became more representative of the injustice within the system. The maintenance of ethnic differences only served to make the Indians appear more privileged thereby compounding the sense of injustices. Encouraged by the white hatred of Indians, the African community transmitted its own sense of grievance against a minority who they saw as preventing the attainment of status for the Africans themselves. The logic was that, with the Indians out of the way or by 'teaching them a lesson', the advancement of the Africans would no longer be blocked. The most exploited group exploded as a means of bringing the injustices of the system to the attention of the authorities, but ~~instead of attacking the ruling white class the aggression~~ was deflected against an exploitative minority. The general conditions in Durban highlighted the differences between the racial groups. Although it is evident that the Indian trading and merchant classes exploited the African community, this in itself fails to explain why the desperately poor sector of the Indian community also suffered. What is being suggested is that cultural and ethnic differences played an important role in forming racial perceptions. The insular behaviour of the Indians, whether in the field of politics, employment or culture, resulted in the Africans seeing the entire Indian community as exploitative, preventing social and economic mobility, and a 'stranger'. Local white attitudes which, over many decades, permeated the African consciousness served as a definite factor in confirming African perceptions. A close study of the dynamics of the riot itself may show how these grievances and perceptions resulted in such a savage conflict.

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CHAPTER THREE: THE RIOTS.

{ For, while they sit contriving, shall the rest
 .. Accept this dark opprobrious den of shame
 The prison of his tyranny who reigns
 By our delay? No! let us rather choose,
 Armed with Hell-flames and fury, all at
 once
 O'er Heaven's high towers to force resistless
 way,
 Turning our tortures into horrid arms
 Against the Torturer ...

- JOHN MILTON. }

mat. conditions
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 spoke .

Any attempt to examine circumstances which generate civil violence requires an analysis of two fundamental factors. Firstly, there are those underlying conditions which create dissatisfaction and grievance. The second are those events which are viewed as the immediate cause or precipitant. Neither, by themselves, are sufficient to result in civil violence but both are necessary. That is, only together are they both sufficient and necessary.

Riots appear as disorganized and spontaneous occurrences aimed at expressing real or imagined grievances against an authority or another social group. A riot can be defined in general terms, as proposed by Marx, as 'relatively spontaneous group violence contrary to traditional norms'.¹ The group violence is due to combined individual reactions to an intolerable situation. Lang and Lang argued a riot would erupt under these situations:

x In such a situation, the members of an aggrieved population act directly and coercively to assert certain norms against established authority, or to impose their conception of justice

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1. G. Marx. 'Issueless Riots', in J.R. Short & M.E. Wolfgang, (eds.), Perspectives on Collective Violence, (New York, Aldine-Atherton, Inc., 1972). p. 50. x

against deviants defined as a threat.²

47
but is the identifier an indicator
of more violence as a riot rather
than as a protest?

X Riots are not an attempt to seize state power or overthrow authority.³

100
The aggression is displaced onto an accessible target, when it involves groups racially or ethnically, with the government or municipal authorities taking the role of bystanders. Factors involving inadequate facilities for the communication of grievances; the remoteness of authority and its inertia in improving conditions; limited opportunities for achieving status; and the high visibility of 'privileged groups' with whom there is regular social contact are considerably important. To a greater or lesser degree, all these factors influenced the sense of grievance experienced by the Africans. While the major sources of grievance were the result of both legislative and institutionalized factors created by economic determinants and ideological components, the subsequent acts of aggression manifested themselves against a specific target. With reference to Durban specifically, X rioting was not against the state or municipal authority but involved violence between two groups divided not only economically but also racially and ethnically. Under these circumstances, Marx wrote:

? A generalized belief is present defining a group as aliens, outsiders, troublemakers, inferiors, degenerates, subversives, or racially and culturally impure, and holding them responsible for various social ills and historical sins ... Although there may be elements of realistic competition present, and the clash of divergent life styles and values, such riots tend not to deal directly with the source of strains experienced by the group.⁴

Subsequent aggression results in the defiance of authority, violation of laws and savage acts of violence and destructiveness out of keeping with

2. K. Lang & G.E. Lang. 'Racial Disturbances as Civil Protest', in L.H. Masotti & D.R. Bowen, Riots and Rebellion: Civil Violence in the Urban Community, (California, Sage Publications, Inc., 1968) P. 122. X

3. Although it can be argued that riots can be turned to these events the absence of leadership, organization and motive in this particular riot makes the possibility highly unlikely.

4. G. Marx, op. cit., p. 55.

normal, reactive behaviour.

Spoke

The outbreak of violence may be due to a precipitant far removed from a political or economic event. It may, as in the case of Durban, coincide with a particularly hot, humid day and not be due to a significant event. As will be shown, the precipitant involved members of two distinct racial groups within the black community who were in a crowded area at the height of summer. The two members were involved in a confrontation where a member of one group was deeply 'wronged' by a member of another. The provocation is usually through assault against a person (as in this case) rather than property and crosses the racial barrier.

crowd present
↓
Police side
↓
rumour
↓
M.V.

Because the incident occurred at a time when crowds of people were preparing to return home, the precipitant resulted in the crowds taking distinct racial lines. With the aid of rumours which influenced and enflamed racial sentiments the incident was transformed from a minor street assault to a confrontation between two racial groups. The place of the incident is of paramount importance as it explains why a street scuffle marked the beginning to a riot.

Times

At about 5 p.m. on 13 January, 1949, thousands of Africans and Indians were congregating at the Victoria Street Bus Rank and the Berea Road Railway Station which was nearby. There was also a beerhall and eating house for Africans in this area. It was peak hour and people were waiting to return to their homes in the suburbs and peri-urban areas.⁵ George Madondo, an African boy of 14 years had a quarrel with a 16 year old Indian shop assistant. A number of rumours raged about the quarrel which led to various accounts: from Madondo stealing some fish or selling scent⁶ to looking into the window

5. Van den Heever Report, p. 4.

6. Evidence given before the Commission of Enquiry. For example, see evidence given by Phineas Cibane and Sergeant I.J. Van Der Walt.

of an eating house when he was pushed by an Indian and received cuts.⁷ The accepted account was that the two boys quarrelled and Madondo slapped the Indian's face. The latter complained to his employer, an Indian store-keeper, who came out of the Indian market into Victoria Street and assaulted Madondo. The latter was pushed through a glass window and blood flowed from the cuts about his head.⁸ The crowd of Africans waiting for transport watched this scuffle and as a result 'went berserk and attacked every Indian in sight'.⁹

The fighting spread from Victoria Street to Grey Street and Warwick Avenue, with Africans chasing Indians, attacking their vehicles and shops. At this stage Indians retaliated by throwing bottles and bricks from strategically situated balconies in Grey Street.¹⁰ The police, who arrived almost at once, dispersed the more dangerous mobs but were unable to put an immediate stop to the sporadic fighting which continued throughout the Indian quarter and spread to Musgrave Road, Tollgate, Mayville, Cato Manor and Overport during Thursday night.¹¹ Kirkwood and Webb wrote that the whites in Durban knew nothing of this outbreak of violence until the next day. The area affected was an Indian area not often frequented by whites in the late afternoon and evening.¹² This assumption is rather strange as many of those areas were predominantly white.

By 11 p.m. order had been restored. At this stage there were no deaths although 22 Indians were admitted to King George V Hospital, with roughly half the admittances being fractured skulls. In total 62 persons were injured, but the newspaper on Friday morning gave more press space to a storm in Mossel Bay.

By midnight on Thursday peace had been restored, but it was an ominous

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7. G.H. Calpin, op. cit., p. 286. A few years later a newspaper reported Madondo was selling naphthalene tablets, Daily News, 14 Oct. 1952.
 8. George Madondo was taken to hospital where his wounds were stitched and sent home. The Indian was fined £1 or 7 days for common assault. Van den Heever Report, p. 5.
 9. Ibid., p. 5.
 10. Daily News, 14 Jan. 1949.
 11. Natal Mercury, 14 Jan. 1949.
 12. K. Kirkwood & M. Webb, op. cit., p. 2.

Rumour

one during which the 'grapevine telegraph' played a fateful role. One story was:

The native youth had been done to death in a brutal manner by the Indians, that he had been decapitated and that the Indians had placed his head in a Mosque, whence they refused to yield it up for burial.¹³

* It was at this stage that rumours became a significant factor. It is useful to point out that the role of agitators can have a bearing at this level. For those ready to exploit the situation for their own gain, the impetus gained by spreading rumours cannot be denied. But, the extent of their responsibility for keeping the riot going cannot be ascertained. There is also the further role of mob psychology. Elements of hysteria and excitement also helped in spreading the riots quicker. These stories also expressed a basic fear and ignorance of cultural aspects of the Indian community. By not understanding the culture properly the incident served as a vehicle on which to base rumours.

Dalton * The precarious peace was broken on Friday morning at 8 p.m. in the vicinity of the Dalton Road location. A number of Indian workers were attacked by the African compound dwellers.¹⁴

Grey St Violence broke out again at lunch-time in the centre of Durban. A band of more than 2 000 Africans came out of the Grey Street beerhall and began attacking Indians indiscriminately.¹⁵ Grey Street was the chief area of established Indian merchants and shop windows were smashed. The violence spread rapidly as far as West Street and up Commercial Road into Broad Street. Pine Street was in ferment for most of the lunch hour as Indian vehicles were pelted with stones and their shop windows were broken. In the wake of armed bands of Africans came the looters.

13. Van den Heever Report, p. 4. Several similar grisly stories were disseminated amongst the Africans. In some cases, police officers also believed Madondo was dead.

14. Daily News, 14 Jan. 1949.

15. Ibid.

Once order began to break down the destructiveness became less discriminating, and looting for personal gain began to proliferate. It can be argued that the rioters were caught up in a 'maddening crowd' situation and agencies for social control, for example, the police, were too few to prevent this behaviour. But this should not be interpreted as another form of criminal behaviour. There were criminal elements, especially the tsotsis¹⁶ gangs who specifically aimed at looting. And there was also a large group of law-abiding citizens which undermines the criminal element being solely to blame. To argue that the participants were, in the main, criminal, fails to explain why the rioters chose specific targets - Indians - instead of causing general chaos. This indicates a direction and selectivity of the rioters and not just the opportunity for material gain.

There were hundreds of cases of looting. Indians crowded into their residences behind their shops while Africans smashed shop fronts and stole goods.¹⁷ White spectators, who were not threatened at any stage, were amused by the antics of looting rick-shaw pullers, one of whom was seen making off with a load of women's shoes. As Calpin observed:

In this second phase, natives smashed shops for the purpose of loot; and there were one or two cases, as there always are, of a few Indians and a few Europeans either helping themselves or helping the natives.¹⁸

There was an ironic invitation on a large banner advertisement over one Indian shop which read: 'Smash and Grab Sale'.¹⁹ From the pavements, comments such as, 'I'm all for the Natives. Serves the Coolies right', were overheard.

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16. These were groups organized for petty thieving or extracting protection money. They were usually operated in groups.
17. Daily News, 14 Jan. 1949.
18. G.H. Calpin, op. cit., p. 292. It was estimated that the cost the loot and damaged merchandise reached approximately £10 000. Sunday Tribune, 23 Jan. 1949.
19. G.H. Calpin, op. cit., p. 292.

The resultant polarization relies on the presence of a mass of individuals ready to go into action at what they perceive to be a provocation. Therefore the more volatile will help polarize the action against another group. The mass of bystanders may be passive and indisposed to committing acts of violence but their very presence may lend support to those who initiate the fight. This is especially true when the bystanders include whites. The knowledge of the anti-Indian sentiments held by this group also aided in the perception of tacit support. Kirkwood and Webb observed whites standing to one side neither helping nor restraining the Africans.²⁰

At 3 p.m. another 300 Africans armed with sticks and chanting war-songs, marched through the City Centre to join the main body of rioters in Grey Street.

Sporadic attacks, accompanied by sacking and looting, continued throughout the afternoon. The presence of white spectators complicated matters for the police. Although soon on the scene of disturbances, police numbers were not great enough to put an end to them.²¹ A police officer expressed his frustration:

* What can we do? As soon as we turn our backs on these people they start hell-raising. When we rush to the spot they look as innocent as angels.²²

Despite difficulties the police did manage to deal firmly on occasions. Charging with batons, sticks and sjamboks, they were successful in breaking up a band of an estimated thousand Africans from the Somtseu Road compound. Similar tactics were used to disperse a big contingent of Africans who had marched from the Point Dock area. As will be seen later, the police did not have complete success

20. K. Kirkwood & M. Webb, op. cit., p. 2. These comments were overheard by the authors.

21. Daily News, 14 Jan. 1949.

22 ?

in discouraging the dock workers from rioting.

By 4 p.m. long queues of Africans were being loaded into Municipal buses by the Transport staff at the Alice Street depot. This continued for most of the afternoon with the DCC providing African transportation services. According to the Town Clerk of the DCC they were 'orderly and good humoured'.²³ At 5 p.m. not a single bus remained at Victoria Street terminus where it had all started. Many had been abandoned by their Indian drivers or were found parked in Old Dutch Road and along Commercial Road.²⁴ By evening the city centre was littered with broken glass and half-bricks but was quieter. Terrified Indians sheltered behind closed shutters or with sympathetic whites. Police were stationed at likely places in the Indian quarters and despite the tense quiet the authorities were fully aware of a real danger that the rioting would spread. Most African workers had received their wages during the day and the NAD officials expressed the fear that civil violence would grow with the aid of the weekend's illicit beer drinking and dagga smoking.²⁵ Arrangements for reinforcements for the police were made. On representation for Dr Vernon P. Shearer, MP (UP, Durban Point), the Ministry of Defence issued a Proclamation enabling the military to be called on if necessary.²⁶ They were, in fact, placed on standby.

There was a definite sense by some officials that violence would continue. A compound official told the Daily News that:

In the 30 years of this sort of work I have seldom seen such racial hatred stirred up among the Natives as today. The word seems to be on every Native's tongue, and from snatches of conversation I have heard between Natives in the compounds, I gather that they are 'all set' for another 'go' at the Indians.²⁷

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23. Town Clerk's Files, 323B, vol.1; African-Indian Riots: January, 1949, Town Clerk's Diary, p. 1. Hereafter referred to as the Town Clerk's Diary.
24. Daily News, 14 Jan. 1949.
25. Ibid.
26. Ibid., It is interesting to note that when D.G. Shepstone, Administrator for Natal, attempted to see Malan regarding the riots, he was refused. Malan's secretary passed messages on to him, including Malan's sympathy. Natal Mercury, 18 Jan. 1949.
27. Daily News, 14 Jan. 1949.

In the same issue of the Daily News a joint statement appeared by Champion and Dr Naicker appealing to their followers for peace:

We appeal to the Indian and African people of Durban to do everything in their power to prevent any further disturbances such as occurred yesterday and today ... We strongly condemn the violence and appeal to all our people to remain indoors as far as possible during this period ... Every effort should be made to avoid provocation. As leaders we appeal to our respective followers to assist to try to discourage the wild and false talk which brought about this trouble.²⁸

This appeal was made on behalf of representatives of the 1947 Pact. Given the widespread sense of grievance it was extremely difficult to organise active opposition once the rampage had begun. Various leaders and officials who attempted to intervene on the side of law and order could not make themselves heard. It also indicates the inability of the leaders to attract the attention of the masses. This was largely due to their lack of interest in or contact with the masses prior to the riots.

Similarly, police chiefs appealed to whites to keep 'their natives' under control and advised 'sightseers' to keep away from the affected areas.²⁹ As the city centre became drained of both Africans and Indians during the evening those who expressed fears were proven correct when the violence spread to the peri-urban areas on Friday night. Called the 'Night of Terror', this period saw the worst phase of the riots. As work finished the rumours spread further afield with Africans moving to the shack settlements such as Cato Manor for shimiyane (illegal home-brewed beer). While looting abated slightly the incidence of ferocious physical attacks increased. It is at this point that the supposition put forward earlier of a mainly criminal intent in the riots falls away. From this stage it is obvious that while certain elements joined in for material gain this was not the main emphasis of the riots. The

28. Ibid.

29. Daily News, 15 Jan. 1949.

targets were no longer the destruction of buildings and merchandise but savage attacks, in a physical sense, on the Indians. The worst excesses of the riots were not to be committed against property but against the physical being of a specifically different ethnic group.

Shortly after sunset Africans from two compounds in the vicinity of the Jacobs Railway Station closed in upon Indian shops in the area. After smashing nearly every shop window they turned on private houses, sacking and looting them. Every Indian encountered was severely assaulted.³⁰

In Umbilo, Wentworth, the Point Dock area and Somtseu Road mobs of enraged Africans indulged in 'bestial orgies'. Among the victims were children of three and four years of age as well as aged men and women. At Inanda, Jordan Ngubane, following Champion's call for peace, nearly had his house burned down by angry Africans when he protested against what had been happening.³¹

Not all Indians fled from or fell prey to their attackers. In Clairwood, some Indians formed a 'phalanx of defensive preparations', and saved their families and homes.³² But not all Indians were aware of their impending fate. At approximately 10.30 p.m. near Umlaas bands of Africans fell upon a large number of Indian houses and stores, plundering them and killing their inhabitants. A Daily News staff reporter who witnessed the attack described it as horrifying. Heavily armed police, reinforced by navel detachments and plain-clothes detectives, arrived on the scene. To the order, 'Come out and give yourselves up'. they received the reply, 'No, we want Indians, not white men'. Those rioters who refused to disperse were shot.³³ As far as Illovo, Africans were

30. Natal Mercury, 15 Jan. 1949.

31. J.K. Ngubane, 'South Africa's Race Crisis: A Conflict of Minds', in H. Adam (ed.), South Africa: Sociological Perspectives, (London, Oxford University Press, 1971). p. 13

32. G.H. Calpin, op. cit., p. 295

33. Daily News, 15 Jan. 1949.

attacking Indians. Domestic workers from Warner Beach marched to attack a refugee camp of about 2 000 Indians, but police and troops were able to intercept them.

Cato Manor, an area populated by both Africans and Indians saw the worst of the riots. And yet there was not a large Indian population in that area. Nevertheless, Cato Manor suffered:

Houses were now burnt by the score, all in the vicinity of Booth Road. Almost all the Indians not evacuated from this area were either killed, burnt to death or left dying. While the men were clubbed to death, Indian women and young girls were raped by the infuriated Natives.³⁴

Constable F.J. Meyer, stationed at Cato Manor, pointed out that Africans came to the area over the weekends to buy shimiyané brewed in the shacks. The violence in the area was not due to Africans living there so much as those who came from different locations and the city. Such a view was confirmed by an African resident of Cato Manor, Esau Laflete. The worst violence came from Africans as they moved up Booth Road from the Point barracks in the dock area.³⁵

As their homes and shops burned, and many of their family and friends lay dead, thousands of Indians no longer attempted to resist and made their way to the refugee camps which sprang up on the outskirts of the affected areas. The police station at Cato Manor became a vast refugee camp while its verandah served as a mortuary.

On Saturday the atmosphere was one of quiet unease. 'It was a brooding and sultry quiet. Lines of figures would appear against the distant skyline and would slink away'.³⁶ Early on Saturday morning forces guarding the Cato Manor camp³⁷ were faced with a band of Africans who wanted to attack the police retaliated with fixed bayonets. The Indians panicked and, carrying their children, ran screaming in all directions, some leaping across a ravine with a 50 foot drop.³⁸ White families in Cato Manor faced surroundings of death

34. Van den Heever Report, p, 4.

35. Verbatim Reports, vol. 1; pp. 66-68 & p. 159.

36. Sunday Tribune, 16 Jan. 1949.

37. By this stage the local police had been joined by Military and Naval reinforcements.

38. Daily News, 15 Jan. 1949.

and destruction. The area offered two images: one of death with burnt houses and shops; the other, peacefully detached as whites hosed and worked their gardens.³⁹

Some isolated attacks were reported, a few of which were caused by Indians as they began recovering from their stunned and bewildered state of the night before. In fact, the fear of Indian reprisals was driving a steady stream of African refugees to the DCC camps for help. At midday, Africans in compounds at Merebank and Jacobs broke out, but were forced back by the police.⁴⁰

All Durban bars and municipal beerhalls were closed on orders of the Chief Magistrate. But it was understood at the time that the action was decided upon to prevent young white men and women drinking and then visiting the disturbed areas and provoking further fights.⁴¹ Meanwhile in the locations, African women continued to brew shimiyane with no threat from a fully extended police force.

The charred bodies of Indian men, women and children were slowly being recovered from the ashes of their shops and homes. Police and ambulance-men were horrified by the sight of the bodies of young children with their heads split open. In the bush around Cato Manor and the Bluff bodies of Africans, shot in encounters with police and troops, were being found throughout Saturday.⁴²

On the whole, Indians seemed to have put up little resistance, and the injuries received by Africans were due mainly to police action. As Mabel Palmer pointed out, the suddenness of the riots and ferocity of the attack should be taken into consideration. At this time there were also very few Indians who possessed fire-arm licences.⁴³ King George V Hospital had admitted 450 riot cases. In some

39. Sunday Post, 16 Jan. 1949.

40. Ibid.

41. Ibid.

42. Daily News, 15 Jan. 1949.

43. M. Palmer, op. cit., p. 158.

cases, as Africans and Indians entered the gates of the hospital, they seemed only too anxious to help each other. 'Several times I saw burly young Natives pick up Indians who had collapsed in the grounds, and carry them into the hospital building'. In contrast, some spoke of Africans brought in with bullet wounds who felt no pain in their 'trance-like' state shouting 'Bulala', (kill).⁴⁴

African and Indian leaders appealed once again to their respective followers. A.B. Xuma announced his leaving for Durban and stated that at the request of the local ANC, the NIC and the Council for Human Rights in Durban, he proposed to investigate the causes of the riots: 'I must urge both sides to end the violence. We must not allow ourselves to be the victims of any political propaganda'.⁴⁵ He came down over the weekend and, with black leaders from the NIC, toured areas of destruction and attempted to stop acts of violence. He, too, did not meet with much success. He reported that on a number of occasions Africans were seen risking their lives to protect Indians.⁴⁶ There were also a number of whites who sheltered Indians.

After midday on Saturday the DCC was approached to impose martial law and call on the Active Citizen Force, which was the usual procedure for civil disorders.⁴⁷ As the worst acts of violence had now died down, this seemed a little late. (Nevertheless, armed detachments of the navy, army and air-force (including the Active Citizen Force) were called out to aid the police.)

From evidence given before the Commission, numerous complaints were made against the police force and its slowness in dealing with the violence. The force was very undermanned and, although some armed forces were present, they were not in sufficient numbers. As we have seen, members of the NAD had expressed

44. Daily News, 15 Jan. 1949. A contemporary observer pointed out that the Natal Mercury was unconcerned about the riots. While Americans were reading what the Baltimore Sun thought about South African whites, Natalians were entertained by the Saturday thoughts of 'Idling is an Art', in the Natal Mercury. G.H. Calpin, op. cit., p. 293

45. Daily News, 15 Jan. 1949.

46. Quoted in E. Webster, op. cit., p. 18.

47. Town Clerk's Diary, p. 3.

fears that the rioting would get worse. Police officials were bewailing the fact that their force was unable to cope. (The Permanent Force had not been called out till 4 p.m. on Friday afternoon, by which time the tempo of the riot had firmly taken root.) The majority of forces remained on standby until Saturday when the ranks of the police and forces were increased to 2 000 men. By this stage the worst of the rioting was over.

By Saturday the number of refugees was estimated to be 20 000 in various camps.⁴⁸ Mosques, schools and police stations throughout the affected areas housed Indians, many of whom were separated from their families. In an Indian residential area south of the Main South Coast Road nearly every home was deserted and clusters of shacks were still.⁴⁹

Realizing that it would be an impossible task to locate relatives to identify victims, the police decided that burials should take place immediately each corpse had been photographed and the picture lodged with the relevant clothing.⁵⁰

By 5 p.m. on Saturday in Durban, Major Bestford, District Commandant stated officially that the position was very quiet. Shortly after 6 p.m. three houses within sight of the Cato Manor Police station were set ablaze.⁵¹

The Natal Mercury reported that many men had left the camps during the day, apparently to go to work, but returned at night to stay under police protection.⁵² In other cases, thousands of Indians visited their gutted homes to salvage their belongings. In Cato Manor the houses and shops remained deserted. Only a handful of Indians returned to scratch among the burned ruins for a few belongings. Scores of Indian-owned houses and shops had not been re-entered

48. Daily News, 15 Jan 1949. Altogether there were 58 camps. Durban had retracted out of the 1940 Poor Relief Act, and was liable to meet all the costs. After a few communications Malan agreed to offer £1 for every £1 collected by Durban. By 22 Jan. £100 had been donated by whites; £6000 by 14 Muslim businessmen; and later £3 000 from the Indian government. Altogether, the fund totalled £85 000.

49. Ibid.

50. Ibid.

51. Sunday Post, 19 Jan. 1949.

52. Natal Mercury, 19 Jan. 1949. Some refugees remained in the camps for up to eight months after the riots.

or touched since rioting broke out.⁵³ By 24 January, although thousands of Indians had returned to their houses, several thousand 'fear-stricken' Indians remained in the camps. Of these Indians many had lost their families, homes and belongings and were in a pitiable state. There now came the threat that they would lose their jobs. Durban industrialists stated that factories were having to operate with less than 30 per cent of the normal staff. Unless Indians employed in the Durban industries returned to work as soon as possible, they faced being replaced by African labour.⁵⁴ And no less a culprit was the Durban City Council who were also discussing - through various Committees - the possibility of deducting wages and leave for periods of absence due to the riots.⁵⁵

By the 19 January, Indian shops were beginning to re-open in Jacobs, Wentworth and Clairwood. Where the buildings were too badly damaged to serve as shops, stalls were being made up on verandahs and on the pavements.

Buses began returning to the terminus near the Indian market. Some Africans used them but the majority preferred to depend on the emergency municipal transport. The Africans feared they would be 'led behind the bushes', by the Indians.⁵⁶ The Indian bus service was depleted by about 30 vehicles which had been destroyed during the rioting. The loss of a number of buses plus the agitation against Indian transport by Africans (especially in Cato Manor) forced the Council to provide transport. Meer pointed out the DCC had neglected black transport, having relied on Indian services. Within days they had placed 210 vehicles on service:

* The officials in charge made such statements as 'There is a strong feeling among the natives, that they will never use Indian businesses again', 'that there is a firm and definite desire on the part of the natives to patronize our depot and to make a complete break with Indian traders.'⁵⁷

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53. Ibid. The Natal Mercury, 20 Jan. reported that an Indian store in Dunbar Road, Cato Manor was set alight. Police investigations revealed it had been set on fire by a party of Indians but no motive was given.
54. Natal Mercury, 20 Jan. 1949.
55. Town Clerk's Files, 323B, vol. 1; Memorandum to all Heads of Department from the Town Clerk, 29 Jan. 1949.
56. Natal Mercury, 19 Jan. 1949.
57. F. Meer, Portrait of Indian South Africans, (Durban, Premier Press, 1969), p. 38.

Claims for insurance from shop owners began the week after the riots. Claims totalling more than £100 000 were made in the city, but it was estimated that the figure represented only a fraction of the ultimate losses from damages and looting.⁵⁸

A detailed casualty list was as follows:

Africans: Killed, 75 males, 8 females; Injured, 1 066 males, 19 females.
 Indians : Killed, 50 males, 3 females; Injured, 685 males, 83 females.
 whites : Killed, 1; Injured, 30.

Of the 247 houses destroyed, most were wood and iron shacks; and the destroyed shops were mainly small premises.⁵⁹

The Government had decided to hold a Commission of Enquiry shortly after the riots. The Natal Mercury, reported that Justice Broome was the most likely person to be chosen as chairman according to Government circles.⁶⁰ The Minister of Native Affairs, Dr E.G. Jansen, stated that the only members who would sit on the Commission would be whites. Given that the Nationalist Government was appointing the Commission, this decision was inevitable. Although unable to name those to serve on the Commission, he stated that it would probably only be asked to find out the causes of the riots. This would be no easy task.

While some whites and Africans were horrified by the violence they were not in the majority. Many whites, if not supporting the riots by their passive observation, joined in by looting, and in some cases urging the rioters on. Inkundla ya Bantu wrote of one incident where a white woman urged on the rioters, saying, 'Fix up the B... coolies... They (the police) are not shooting you'.⁶¹ Others armed Africans to attack the Indians. Those whites who watched

58. Natal Mercury, 19 Jan. 1949.

59. Sunday Tribune, 23 Jan. 1949.

60. Natal Mercury, 18 Jan, 1949.

61. F. Meer. Portrait of Indian South Africans. p. 36.

the looting in many cases joined in, taking what was available. In other cases, whites were seen to drive Africans to shops with the sole purpose of looting.⁶²

Other whites who may have wished to remonstrate feared being attacked themselves because of the mood of the crowd.⁶³

After the riots reactions were mixed. Although some Africans regretted their actions the majority did not. Letters written to the newspapers were, in the majority, justifying what happened. The Indian was shown to be an exploiter of the African population and, therefore, deserving of what happened. These opinions were not only whites but also Africans. Editorials in Die Burger and Die Vaderland placed the blame on Indian leaders who had attempted to form a black alliance.⁶⁴

Others warned the Indian population against regarding themselves as 'superior'.

At the same time the poorer classes of Indians were trying to understand why they had been attacked too:

May I ask as a very, very poor Indian with only a shanty on a plot of ground not yet paid for, as to why I, too, should have suffered . . . What have I done to deserve this? I also am the victim of the Black Marketeers; I also suffered under landlords; I have no shop; I do not carry off Bantu women in taxis. I do not grant licences for shops; I do not ill-treat Native children and women. Yet the thousands who speak with the same tongue as myself are the sufferers.⁶⁵

The riots clearly reflected many of those grievances and perceptions which had gradually been forming many years previously. As one can see, it is somewhat difficult to immediately discern the reasons for rioting if one merely analyses the superficial aspects. (The initial stage was an outlet for anger over the precipitating event, but the development of aggression and mob psychology resulted in stores being damaged.) At that stage the character of the riots changed and there was greater emphasis on looting. The long years of being customers of the Indians produced a mob determined to recoup losses against a real or imagined grievance. Here the role of the criminal element as well as law-abiding people came to the fore with the aid of rumours and the verbal communication of grievances. The inability of the white spectators and the authority to intervene

62. Verbatim Reports, See S.J. Myesa, pp. 927-928; M. Nomiya, pp. 994-995

63. Ibid., F.K.C. Watkins, pp. 992-993

64. Natal Mercury, 19 Jan. 1949.

65. Daily News, 22 Jan 1949

was culpable in allowing the riots to reach the stage of bloody confrontation.

* White looters and those who urged the rioters on revealed a clear disregard not only for the law but also the victims. By Friday night the riot had changed character again. Although looting continued the object of African aggression clearly lay in the Indian population as a whole. The community itself was attacked regardless of status or role. It is at this stage that ethnic differences and a response to these differences becomes vital to understanding the riots.

* In the initial stages aggression was against a specific class of Indian but the progression of the riot reflected a much wider issue. Indians were regarded as one single group and, therefore, the cause of African misery. There was no differentiation. Class and ethnic factors both determined the course and character of the riots. The underlying conditions in Durban aided in explaining why aggressive action was taken against specific targets. The deflection of the riots away from the source of inequality to another social group reveals two possible motives for the growth of the riots. Firstly to achieve possible economic gains by drawing the authorities attention to various grievances; and secondly, to redefine the social hierarchy by displacing the Indians. Let us now turn to the evidence and examine the various reasons put forward to the riots and also the different perceptions of the community.

CHAPTER FOUR: THE EVIDENCE.

{Are words . . . used primarily to convey meaning, the meaning which is symbolically theirs? Certainly not! They fulfil a social function and that is their principal aim, but they are neither the result of intellectual reflection, nor do they necessarily arouse reflection in the listener.

- BRONISLAW MALINOWSKI }

Under Proclamation No. 22 of 1949¹ a Commission of Enquiry was constituted to investigate the Durban Riots. The Commission's terms of reference was as follows:

To enquire into and report upon the events which led to and the cause of the recent riots in which Natives and Indians in Durban and vicinity were involved; and should the Commission find that the riots were preceded by strained relations generally between the said two racial groups, the causes of the strained relations.²

It was suggested in the previous chapter that the most likely candidate for Chairmanship of the Commission was Justice Broome. He had chaired a number of Commissions during the 1940s related to Africans and Indians and therefore his knowledge on Afro-Indian relations and grievances would have been invaluable. Instead Mr Justice F.P. Van den Heever, an Appeal Judge, was appointed Chairman.³ While Broome was Judge President for Natal and presumably had an intimate

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1. The Commission was appointed under Section One of the Commission Act, 1947. The signatories were: G. Brand van Zyl (Governor-General) and C.R. Swart (Minister of Justice).
 2. Town Clerk's Files, 323B, vol.1.
 3. Van den Heever was a jurist, poet and a 'master of scholarly English'. (The Report confirms this aptitude). In 1933 he became a Judge in South West Africa and later, in 1938, in Bloemfontein. He became Judge President of the Orange Free State in 1948 as well as a Judge of Appeal.

knowledge of the province, Van den Heever was Judge President of the Orange Free State with little knowledge of the neighbouring province. The non-appointment of the Natal Judge can be argued in political terms. While not suggesting that Van den Heever was a Government 'yes-man' it is interesting to note that a man not knowledgeable on Durban should be appointed over and above a man who had chaired so many Commissions in the city. Perhaps the appointment becomes a little clearer in the light of Broome being a United Party candidate in the 1938 general election and remained a close supporter and friend of Smuts thereafter.⁴ To suggest that Van den Heever may have been chosen to apply a more 'objective' and fresh approach would be somewhat idealistic. The lack of knowledge shown by the Commission on certain aspects related to Durban resulted in a poor and inadequate enquiry.

Van den Heever's fellow Commissioners were Mr Ryle Masson (Chief Magistrate in the Transvaal) and Mr W. Schultz (Chief Magistrate in Natal). Mr B. C. van der Merwe was appointed Secretary.

Despite representations by both African and Indian leaders, they were debarred from sitting on the Commission with the result that its membership was completely white. The inclusion of representatives from the local black community would certainly have given more credibility to the Commission as they were deeply affected by the riots. A better insight into not only the immediate causes but also the character of relations in Durban would have been afforded to the enquiry as a whole. The appointment of an all-white Commission did nothing to inspire confidence within the black community.

The Commission had hardly begun its sittings when debates opened in Senate on black and white relations in the Union. Dr Verwoerd, then a Senator, had some very interesting remarks to make on the justification of apartheid. He blamed the so-called 'cultural liberals' who dominated the Smuts Government for leaving the country in such 'a bad state of affairs'. 'The worst conditions of all have been inherited, and the hopes of South Africa, of white South Africa, are set

4. See F.N. Broome, Not the Whole Truth, *op. cit.*,

on the salvation which the policy of this side of the House is able to achieve'. The 'inherited' diseases which the Nationalists had to face included 'the Indian clashes', the solution of which lay in seeking 'cooperation and cordiality' of the apartheid policy.⁵ This policy statement made by a member of the ruling Nationalist Party must be seen as highly presumptuous. Since the Commission had hardly begun its work, Verwoerd's justificatory arguments for solving the 'colour problem' could hardly be based on the findings of the Report.⁶ It would be equally presumptuous to assume that the Commissioners, because they were appointed by the Government, held a priori views on the causes of the riots and pursued only those areas.

This chapter will attempt to show that certain areas of evidence given before the Commission and factually substantiated were, to a large extent, dismissed as mere theorizing or irrelevant. This was especially true where evidence contradicted the assumption that relations between Africans and Indians were strained.

The procedure adopted by the Commission caused major weaknesses. Although it had the power of subpoena this privilege was not used. Witnesses were relied on to give evidence voluntarily. That in itself is not a fault as the Secretary of the Commission looked through memorandums submitted by interested parties to judge if the evidence was relevant to the terms of reference. Obviously time was given only to those who had something to offer specifically. Yet, in the case of parties who withdrew from the proceedings yet possibly had evidence of import to offer, a method of obtaining that information was not used. For example, the only Indian organisation to take part was the NIO. To judge whether this organisation's information was accurate the Commission should have subpoenaed the SAIC. Only in this way could it have been ascertained whether evidence put before the Commission was verifiable or made purely for political gain. Evidence of a contradictory nature could also have been clarified if other people involved had been forced to testify.

The most important procedural weakness resulted from the Commission's decision not to allow cross-examination. The reasons given for this decision were

5. South Africa, Union of. Debates of the House of Senate, 1949, cols. 91-96.

6. The Report was released in April, 1949.

two-fold. In the first place Van den Heever argued that the procedure laid out before the Commission was not one of litigation, and therefore the application for cross-examination could not be granted. Secondly, that the process of cross-examining witnesses would have made the sittings last too long. When an adjournment followed this announcement, attempts were made to reconcile the parties. It was pointed out that the Broome Commission of 1947 (Durban Native Enquiry Commission) made reasonable arrangements for cross-examination involving more parties and a wider term of reference. It was completed ten weeks later. Van den Heever was approached and it was suggested that:

By limiting the number of persons permitted to cross-examine the time factor could be met; and to the leading interested parties that they should agree among themselves to restrict the number of persons permitted to cross-examine.⁷

The attempt failed when neither side showed any interest in accommodation.

The result was that 18 organizations withdrew including the Durban branch of the Communist Party; the joint representatives of the ANC and SAIC; the Indo-European Joint Council of Pietermaritzburg; the Combined Native Advisory Boards of the City of Durban; and 13 trade unions.⁸ Most of these organizations could have contributed a much wider knowledge of the socio-economic and racial relations and the concomitant problems. For the black community there remained only the NIO, a conservative body which claimed to represent the majority of Indians. This is highly questionable as it mainly served to promote the interests of the petty-bourgeoisie.⁹ The result was that the Indian witnesses brought forward by the NIO were mainly traders and businessmen. No Indian workers were brought forward nor did they volunteer to give evidence. Alternatively,

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7. K. Kirkwood & M. Webb. op. cit., p. 6. Broome had conducted this Commission in 1947 by himself.
 8. In the Van den Heever Report, it was stated that 'other' organizations changed their mind and gave evidence. op. cit., p. 2. Which ones and why is not stated. And yet a member of the Combined Native Advisory Board, Selby Ngcobo, the Secretary, gave evidence. There is no indication from his evidence that he was a member, therefore one would have assumed him to be an interested member of the public only.
 9. See Chapter Two. Mr P.R. Pather, leader of the NIO, represented the organization together with A.M. Moolla, a member and Director of some leading business concerns in Durban; and A.B. Moosa, also a member and leading businessman e.g. owner of Avalon Cinemas.

some African witnesses did come forward who were workers and expressed their grievances against Indians who had overcharged them in shops and buses, and other accusations levelled against the Indian community. But the majority of participants represented specific petty-bourgeois interests and various social and religious associations. It would be difficult to argue that the participants represented a fair cross-section of society for many voices remained silent.

The above factors eroded any confidence the black community may have held in an all-white Government appointed Commission. The proceedings could have done little to restore faith. The Commission interviewed 146 people¹⁰ ranging from witnesses and participants in the riots to representatives of such diverse organizations as the National Council for Women, Church leaders and the Council for Europeans in Pretoria. The transcript of evidence eventually totalled 1 574 pages including assorted exhibits, for example, newspaper cuttings, a bus ticket, trade licence statistics, memoranda and other assorted items. The testimonies resulted in a labyrinth of accusations, counter-accusations and emotionalism which the Commissioners had to digest and interpret. A number of the participants were illiterate with the result of misunderstandings between the Commissioners and the witness. Such an involution of evidence necessitates a thorough scrutiny of the material and careful attention must be paid to the problems therein. The people giving evidence represented some interests due to their position in society. They were stating either their personal observations of the events or those of a group or community. In some cases the possibility of their presenting one opinion to the Commission while maintaining a different stand amongst the general public has to be considered. If one can argue that interests influenced individual statements then such interests could also affect perceptions of the riots. For example, a person caught in the middle of the rioting would hold a different opinion to someone who was not involved or lived outside the affected areas. Similarly, a middle-class African may argue that the causes lie not only at the door of the Indian trader but also in racial legislation denying African social and economic mobility. This would be in stark contrast to those views held by African workers who justified attacking the entire Indian community on the grounds

10. These were 60 whites, 34 Indians and 52 Africans.

of having been overcharged by an Indian trader some years before. The Indian worker would also differ in his perception of the riots when compared to those of an Indian trader or landowner. Within the white community one would find varying interests from those representing municipal and government policy of the white 'liberals' attempting to articulate the interests of black sectors they represent. Finally, the attitudes of the Commission members are of vital importance for it is they who ask the relevant questions. Each aspect of the evidence can therefore be seen to represent a specific interest, opinion and bias.

The terms of reference within which the Commission had to work were very narrow, restricting the field of enquiry into specific areas. It had to examine the direct causes of the riots involving the attack on George Madondo and the vicinity where it occurred; and also look into the relations between Africans and Indians, if the Commission felt there were problems. One result of this was the preoccupation with the direct causes of the riot and the events of the subsequent three days. The discussion on Afro-Indian relations involved various factors such as overcharging, miscegenation and the 'cultural arrogance' displayed by the Indian community over the Africans. Few of these charges were proven correct: the African had forgotten in which shop overcharging occurred or when; no figures were available for miscegenation, and such attitudes of arrogance were difficult to prove. While not denying that exploitation did occur there is a difficulty in assessing whether these grievances were used as a justification for participating in the riots or as an excuse to loot.

With the Commission not exercising its power of subpoena nor allowing cross-examination, the field of investigation was narrowed even further. This was not only because a number of organizations had withdrawn but also because a large amount of evidence could not be clarified or substantiated and therefore remained, at best, contradictory - if, indeed, major points were not obfuscated.

Such a point was raised before Van den Heever by P. Moonsamy Harry, Secretary of the Union of Durban Non-European Bus Employees who argued that cross-examination was necessary to establish whether an accusation was correct or not. Simply bringing witnesses forward prevented finding the truth:

P. M. Harry: . . . because you (the Chairman) would be left in the invidious position, Sir, as to whether to believe my story or the story of the African who has come forward to give give you evidence.

Van den Heever : That is my funeral, isn't it?¹¹

Such a flippant reply did not engender confidence. It is therefore necessary to analyse some aspects of the evidence involving not only the type of subject matter which arose but also the type of examination carried out by the Commission. Although a number of weaknesses may come to light regarding the latter one may be inclined to sympathise with the Commission members. A lot of the evidence is not only contradictory and emotional but sometimes truth and lies become indistinguishable. And, on the odd occasion, the testimony is bereft of reason.

The question of housing provides some of the most interesting aspects of the evidence, primarily because of the Commission members' lack of knowledge.

In November, 1949, it was estimated by the NAD that the population of Africans in the city was 150 000 persons. There was suitable accommodation for 82 700 in various government, municipal and privately owned buildings. Of the remaining 67 300 persons, between 30 000 and 35 000 lived in shack settlements while the rest sought shelter in kyaas in and around the city.¹² Mrs. Asher, representing the National Council of Women argued that the root cause of the riots was inadequate housing. The shacks and barracks which the African worker lived in propagated social evils and left the inhabitants with a sense of frustration. Inadequate transport facilities and the shortage of food supplies during and shortly after the war also served to compound this situation. Maurice Webb, on behalf of the SAIRR, touched on similar matters. He used past decisions of two Commissions to put some of his points forward. The first was the De Waal

11. Verbatim Reports, pp. 448-449.

12. Durban, City of. Municipal Native Administration Department, Cato Manor Housing Programme, vol.1. Manager, NAD to Town Clerk, 28 November, 1949. A kyaas is a building for the accommodation of African domestic workers attached to white residences.

Commission (1929) which stressed the need for adequate housing facilities for the African population. The Broome Commission (1947) stressed the same point. Yet, as Webb pointed out, in neither Commissions, particularly the latter, and with the use of cross-examination, was there any mention of hostility towards the Indian community. The lack of housing undermined the growth of a stable, family life in the city. According to the Broome Commission, 10 per cent of the Africans lived in the locations which catered for families, whilst 90 per cent lived in barracks. He pointed out through newspaper accounts that African 'mobs' came from the barracks at Jacobs, Bell Street and Somtseu Road. While not denying grievances brought before the Commission were important, Webb argued that something far more acute caused the riots. Both Asher and Webb emphasised the social problems suffered primarily by Africans. In the case of Asher, Van den Heever appeared to have difficulty tying her arguments up with the outbreak of the riots, and showed a decided lack of knowledge regarding African housing in Durban. In the case of Webb, Van den Heever asked why the Africans who gave evidence at this Commission had not stated housing was a grievance. Webb replied that the Africans had not been asked.¹³

William Nagle was the first member of the DCC to give evidence, and he suggested that temporary housing be built for the Africans until permanent housing could be built in specific areas to alleviate the problems.¹⁴ His evidence dealt chiefly with the system of sub-tenancy which had arisen on Indian-owned land in Cato Manor. The level of ownership spread from the original owner to the Indian sub-tenant then down to the African sub-tenant who was also renting rooms. Nagle was not asked questions regarding the DCC's role in providing houses or why such a system of sub-tenancy had been allowed to develop. Later evidence given by C.J.D. Nel, who was Acting Native Commissioner between 2 January and 11 February, 1949, revealed further information. He felt the influx of Africans into the towns created major social problems with shack settlements

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13. Only eight Africans preceded Webb so there was still an opportunity to examine the question of housing. To Van den Heever's credit he did attempt to question some Africans.
 14. It is difficult to ascertain whether this was a bona fide policy of the Council or whether it had arisen because of the riots.

developing and Africans living on Indian-owned land. At a meeting he attended in Cato Manor with the Zulu Royal Family, 15-20 000 Africans took part in voicing their grievances. Three major factors had emerged: firstly, Indians bought and owned large tracts of land while the Africans were hemmed in in small locations; secondly, no trading facilities were made available nor any method whereby they could help themselves; and lastly, Indian buses were serving almost the entire African population. Cato Manor was overcrowded, unhygienic and privately owned by Indians thereby making it difficult to control. He went on that Africans also exploited tenants: African tenants rented land from Indians and then sub-let to other Africans. In some cases, an Indian family would have been surrounded by African tenants and sub-tenants. Perhaps Councillor Nagle did not have a thorough working knowledge of the shack settlements in Durban. But he should have at least raised these issues. Alternatively, a thorough examination by the Commission could have brought further factors to light. But a witness' unwillingness to commit himself together with the Commission members' ignorance on Durban resulted in important issues coming to light almost by chance. Assistant Native Commissioner C.V.A. Alborough confirmed much of what Nel had to say. The African's flocking to the urban areas found accommodation on Indian-owned land. The latter were willing to break Act 24/13 (Native Land Act) which prevented African's renting land without the Governor-General's permission. Approximately 95 per cent of the complaints he received involved Africans and Indians which could be explained by the fact that Indians supplied the necessary services. The mass movement of Africans to the Indian-owned land was due to action taken by the DCC in connection with unhygienic shacks in the other sectors of the urban area. Having no other place allotted them the Indians provided shelter. What subsequently occurred was an African reliance on sectors of the Indian community for food, shelter and transport. When an African was evicted nothing could be done by the NAD because the Indian had not issued receipts for rent taken as under Act 24/13 he was breaking the law. The only exceptions to Indian monopoly were African reserves and the Clermont township in Pinetown ¹⁵

15. African hostility against the Indian petty-bourgeoisie was confirmed somewhat by Alborough who, accompanying the Native Commissioner for Pinetown, went to Claremont when Africans smashed two Indian-owned buses in 1944.

which would not allow Indians trading facilities. From the above evidence it can be inferred that the DCC's role in providing social amenities was somewhat lacking.

Having been given indications as to the situation in shack settlements and the number of Africans living there, the members of the Commission should have gained some intimation as to the subject of housing. The role of the DCC had been queried in evidence given by Asher and Webb; and the information given by Nel and Alborough implied that the position had grown out of control. The Commission had ample opportunity to examine the Council when they came forward to present their statement. But it will be shown that lack of knowledge concerning Durban proved to be a major defect operating to the detriment of the Commission.

The DCC's statement on the problem of a housing shortage for Africans saw it not as merely a local problem but one having a general effect throughout the country. The suffering brought about by this problem was one for which the Indians could not be held responsible as the legislation regarding blacks originated from the Union Government. But, because the Africans lived in close contact with the Indians in Cato Manor and had closer social relations with them in other areas the Indian gradually came to be seen as the exploiter. In other words, the DCC did not wish to accuse Indians of exploitation but thought that the level of social contact gave this impression. The DCC felt that by reducing social contact between the groups a total solution would not be obtained as the heart of the problem lay in providing better living conditions and economic opportunities for Africans. But this problem was not only for the local authority to solve but also the central government. This theme of the central government covering such costs was part of the DCC's policy. Under the Housing Act of 1920, the Urban Areas Act of 1923 and the Natal Ordinance of 1945, the local authority could be compelled to provide housing at its own cost. Yet, as we have seen, the DCC did not think it valid that African housing be subsidized out of the General Rate Fund because:

If the Local Authority refused to impose upon its city a burden that was too great for it to bear, then the Local Authority would be right and the coercing authority would be wrong. ¹⁶

16. Durban Native Administration Commission, Oct-Dec., 1947; Evidence of the DCC., 10 Dec. 1947, p. 11.

In other words, the Council refused to allow white ratepayers to contribute to African housing - the Native Revenue Account had to be self-balancing. The Native Revenue Account was controlled by the City Treasurer (not by the NAD) under the surveillance of the Minister of Native Affairs. Funds for the account came from private African and municipal-run trading concerns, for example, beerhalls and eating houses. The largest source was from the Municipal control over the manufacture and sale of sorghum beer. The self-balancing principle was substantiated in evidence given by Mr E.G.Green, the City Treasurer, to the Broome Commission in 1947:

Commissioner : There is nothing to prevent the City Council supplementing these funds (the Native Revenue Account) for native welfare?

E.G. Green : There is nothing in the law to prevent it.

Commissioner : But in fact it has never been done.

E.G. Green : No. There have always been substantial balances in the Native Revenue Account and the Kaffir Beer Account.¹⁷

With regard to sub-economic housing schemes the Council could no longer afford the deficit¹⁸ from the programmed. The Kaffir Beer Account was showing a profit but was being put into the Working Balance Reserve to subsidize further trading outlets. In the Native Revenue Account there was little to subsidize and further sub-economic schemes. Hence the argument that the central government together with local finance (African employers) should also contribute. The rationale behind the DCC's statement now becomes much clearer.

This being the case it is ~~disconcerting~~ to find Mayor Boyd stating the opposite to Van den Heever when discussing the financing of Lamont township:

Van den Heever : Now, these housing schemes, are they similar to the housing schemes which have been instituted elsewhere, are they sub-economic?

17. Ibid.

18. Ibid., pp. 54-55.

L. L. Boyd : Yes, the houses are all sub-economic, Sir, and the Council loses at the moment about £94 000 annually on Native housing in sub-economic losses. Those losses are borne at the present time by the 'Native Revenue and Kaffir Beer' accounts, but this year we budgeted for part of the losses to be borne by the 'Borough Fund' account.¹⁹

Boyd thereafter went immediately into discussing the consultations held with the Union Government over the Umlazi Mission Reserve lands. There is no evidence to show that the council ever budgeted from a white ratefund to cover African housing deficits during this period. To have done so would have negated strict council policy. This distortion was not picked up by the Commission resulting in a complete misunderstanding of housing finances. The error found its way into the final Report. One must also bear in mind that in the case of Cato Manor, because it fell within the jurisdiction of the municipality, it was an illegal settlement. By avoiding the issue, the DCC was not asked why it had allowed this place to flourish.

The DCC did not give evidence until 14 March, approximately one month after the commencement of sittings although the Commission had called them to do so earlier.²⁰ Yet given their reluctance to come forward earlier, the DCC was well prepared in regard to what had been discussed before their arrival. Arrangements had been made with the council's solicitors for the latter to attend the daily sittings, 'until such time as the Deputy Town Clerk and Legal Advisor is available, in order to watch the proceedings on the Council's behalf'.²¹

Reports from Shepstone and Wylie duly began arriving relating to various

19. Verbatim Reports, p. 1073. Boyd stated that Lamont was housing 25 000 persons. But, according to estimates made by the NAD on 13 Aug. 1948, this township was housing 2 787. Town Clerk's Files, File 323B, vol.1; Memo submitted by Town Clerk to Council's Deputation to Cape Town to interview Minister of Native Affairs: re. Implementation of Broome Report, 13 Aug. 1948, Annexure C.

20. The Commission commenced its sittings on 11 Feb.

21. Town Clerk's Files, File 323B, vol.1; Note to Deputy Town Clerk from Junior Legal Assistant, 22 Feb. 1949.

aspects of each days proceedings, drawing attention to specific areas affecting the council. On the 28 February, the Deputy Town Clerk wrote a note to the Town Clerk, on the Commission after having read the reports and realizing the council would have to give evidence on many points.²² He wrote:

This morning I had individual consultations with Mr Havemann, Mr Godwin and Mr Malley, each of whom now has the preparation of a memorandum on their respective fields. When they are ready I think a meeting between these officers and the Mayor and the Chairman of the Native Administration Committee should be convened, to approve the memoranda.²³

The meeting was convened to discuss the contents of individual memoranda which had been required of all those going before the Commission. This was meant to maintain agreement on policy and to avoid contentious and contradictory statements. This helps to explain Havemann's evidence. As Manager of the NAD he disagreed with local and state policies regarding housing for Africans. His philosophy was to encourage a stable family background in the urban environment which would then produce the labour necessary to Durban. In his evidence he explained that the requirements for daily labour at the docks created the impression of large unemployment; and that rents in Cato Manor, on average, were reasonable. In Boyd's statement, mention had been made of complaints put forward to the NAD.²⁴ Mr Schulz invited Havemann to comment but the latter declined. It can be argued that an authority must give a semblance of consensus when facing a public enquiry. But the fact remains that this, at times, prevents important issues being raised. In this case the Commission gave a good opportunity for clarification or additional information to relevant socio-economic topics, but it failed.

At the same time the Commission failed to interview another member who may have added to the general discussion. Throughout the submission of evidence tendered by the DCC, Van den Heever had repeatedly stressed he wanted

22. It is interesting to note that the majority of witnesses who ascribed the riots to poor socio-economic conditions e.g. housing, to the riots had already given evidence. These included M. Webb, Senator Brookes, Prof H.R. Burrows. There were few left to give evidence who could have contradicted the DCC's claims.

23. Town Clerk's Files, File 323B, vol.1; Note to Town Clerk re. Riots Commission by Deputy Town Clerk. Written in red letters next to the proposal was 'Mayor agrees, 1.3.49.' Mr. Godwin was Assistant Licensing Officer and Mr Mulley, General Manager of the Transport Department.

to examine those people who had contact and knowledge of African affairs.²⁵ Amongst the DCC delegation were two superintendents of locations and the Victoria Beer Hall superintendent.²⁶ Also with the delegation was Senator Nicholson, who was Chairman of the Native Administration Committee and the Combined Natives Advisory Board. Boyd repeatedly offered to put Nicholson forward to give evidence while Van den Heever kept stressing he wanted someone who had contact with Africans, and promptly left Nicholson out.²⁷

The two location supervisors denied the rioters had come from their specific locations - Beaumontville and Lamontville. This, fortunately, corroborates the impression gained when analysing the riots and that the worst excesses were committed by workers from the barracks.²⁸ When asked what type of African participated, both affirmed that the majority were unemployed together with gangs of youths. Now this must be compared to Havemann's argument that the number of daily labourers in Durban gave the impression of mass unemployment:

There may be 3 to 4 000 casual labourers employed at the Docks alone. Now then, in the case of casual labour, to get one man days work one ordinarily requires a reservoir considerable larger than one man. Casual labourers tend to work for two or three days a week so that, in order to supply the demand for the Docks, there tends to be a very much larger number of men in and around Durban than would be required under a system of regular employment.²⁹

After having clarified the difference between casual labourers and the Commission called the 'I.W.W's' (I Won't Work) elements, it was decided that the excessive

25. Why he could not have examined Havemann more thoroughly cannot be ascertained.
26. Van den Heever was most disappointed with this gentleman's evidence as he was only in charge of a beerhall!
27. Nicholson did not agree with the way the DCC responded to the riots. After a motion by Boyd to have a vote of thanks for the way the police acted, Senator S.M. Petterson rose to say he was not happy with certain aspects:

He considered that the City Council was just as much to blame as the Government for what had happened. The Council's planning had been abominable.

Natal Mercury, 20 Jan. 1949. Nicholson supported Petterson.
28. H.A. Robson, in charge of Beaumontville was also Superintendent for the Sontseu Road hostel. He was not question on the participants from this hostel which was unfortunate as it may have established the incidence of rumours, where the rioters were intent on going and other aspects.
29. Verbatim Reports, p. 1100.

hours of leisure given to these workers resulted in lawless behaviour. Here, it can be established that the dock workers, mainly sheltered at the Point barracks took part in the riots. It must be pointed out at this stage that the evidence given by the DCC as to which type of African rioted is highly confusing. It was denied that Lamontville or Beaumontville residents were involved; some residents from Chesterville were involved due to their close proximity to Cato Manor but they were in the minority. Boyd, who went to Somtseu Road to help pacify the residents saw an armed mob sweep down Old Fort Road³⁰ but denied adamantly that they were Somtseu Road residents or from any barracks.³¹ Clearly one can see that the blame for the rioting was being placed gradually on the 'unemployed' and tsotsis gangs in Durban. To have argued otherwise would have cast grave doubts as to the ability of authorities and police in containing the Africans to the locations and barracks.

The role of the police is an interesting area as some doubts were raised, by the Indian community in particular, as to their ability in quelling the disorders. But the actual strategy used by the police was not queried, or indeed raised. In some cases, Indian witnesses who complained about police action (or the lack of) during the height of the riots were clearly confused or harassed about the colour of the uniforms. It appears from the evidence that police (both SAP and municipal) and armed force unit worked together during the riots at night. Both fears and the dark obviously caused confusion at times. But even when it was established under examination which uniform it was, only the SAP were questioned.³² Therefore the amount of information regarding the police and armed forces is exceptionally limited. Yet in some cases it is necessary to analyse what was stated in the evidence.

Among the 18 policemen brought before the Commission there was a general agreement that not many Africans had been shot. In fact, the general

30. The police had opened fire on this group. How many were killed was not mentioned.

31. Verbatim Reports, p. 1030. This occurred in the late afternoon. No discussion was made as to what happened subsequently, especially Friday night.

consensus was that shots had been fired above the rioters rather than at them.³³ Considering the number of deaths caused by gun-shot wounds the questioning was very superficial. There was also agreement that the riots had been spontaneous and not planned.³⁴ The major cause of the riots was argued to be overcharging by Indian shopkeepers and owners, but there was much dissent as to whether only one class of Indian was being attacked or the community itself.

Constable Meyer, stationed at Cato Manor, claimed that Africans had many grievances against Indians including exploitation by traders; Indians mixing with African women; and Indian drivers running Africans over 'on purpose'. An interesting point is that Meyer did not believe the violence was due to Africans living in Cato Manor. He said the majority of Africans came to the area to visit the shebeens and buy illicit beer. When the violence spread to Cato Manor it was due to their coming from different areas, especially the city rather than local residents. The rationale behind this observation was not explored. He was not asked why he felt Africans should specifically attack Cato Manor, or how they managed to get past the police stationed in the city. Later on his evidence was supported by Esau Laflete, a resident of Cato Manor and the unofficial spokesman to the Commission. According to Laflete some residents did riot but stopped when the police arrived. He also argued that the majority of rioters were from Durban who committed the more ferocious attacks, especially those who moved up Booth Road from the Point barracks.

Some interesting points emerge from evidence given by Detective-Sergeant Ferreira and Chief Constable Olivier of Overport. Evidence given by

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33. The total number of deaths by gun-shot wounds were: 1 white; 1 Indian; 35 Africans. Sargeant Greyling, of Cato Manor, actually saw 1 African shot by a defence force member, but it was an accident. Sargeant Coetzee, of Mayville, also saw some shooting in Canal Road where Africans were looting. How many died and who shot them was not established.
34. Sargeant Coetzee had heard a general discussion at a bus stop between some Africans that a riot had been planned for March but the attack on Madondo had precipitated the event sooner. Whether he heard this conversation during the riots or after is not clear and was not pursued by the Commission. Chief Constable van Wyk, stationed at Wentworth, thought the riots were planned because no whites were involved. The relevance of this point was not examined either. Van Wyk had been stationed in Zululand for 31 years and considered himself quite knowledgeable on African grievances against Indians.

Meyer related to events in Cato Manor. It is therefore logical to assume that Ferreira was asked how far Overport was from Cato Manor to establish the validity of Meyer's contention that rioters came from other areas. This assumption would be wrong because immediately after this question the focus of attention turned to something entirely unrelated.

Both Ferreira and Olivier differed in opinion over the causes of the riots, and the riots themselves. Olivier saw no connection between socio-economic problems and the riots but admitted a few Africans were employed by Indians³⁵ and there were also cases of overcharging. But he said Africans preferred to shop in Indian stores because of the credit facilities available to them whereas the white stores wanted cash only. In comparison Ferreira offered a number of reasons for grievances involving conditional buying; the inability to obtain trade and transport licences; being forced to work for Indians and being ridiculed by them, and Indian drivers deliberately knocking African pedestrians over. Ferreira concluded that these factors led to dissatisfaction generally rather than social tension, leading him to conclude the riots were spontaneous. The most important contradiction stems from their knowledge of the actual riots: Ferreira maintained he knew nothing of the riots until Friday afternoon, and had not known of the trouble in Durban on Thursday evening. Yet it was established earlier that violence had spread to Overport on Thursday. Furthermore, Olivier had spoken to a number of Africans and Indians on Thursday evening who had told him of Madondo and the subsequent skirmish.³⁶ Olivier was not asked why he had questioned the people on the riots or if he expected rioting to spread.

35. Most of the evidence given by police was in Afrikaans led to some problems in translation. While it is not improbable that Africans worked for Indians, it may have been that these complaints were aimed against Indian factory supervisors. But the direct translation has been given as Olivier and Ferreira may have been referring to Indian employers of African labour.
36. Apparently these people felt it was none of their business that rioting had broken out in Durban. For areas that were affected on Thursday night, see Chapter Two.

He continued in his evidence to say that the rumours of Madondo had not reached Overport station until Friday. This is a questionable statement in view of the fact that he knew on Thursday. Nor was he asked why, with the knowledge of the trouble, he had not reported this information to his station for possible preparation of renewed violence. The whole question of a breakdown in communication within the station was disregarded.

Sergeant Greyling, also stationed at Cato Manor, revealed very little during his period of giving evidence, except to mention overcharging as a possible cause. Later in the evidence, A.I. Jeebhai, a trader in Cato Manor,³⁷ complained that he had lost £10 000 from looting on the Friday night. He felt that he had not been given adequate protection as only one policeman was on duty near his, and several other shops. Although the officer was armed he did nothing to stop either the rioting or the looting. Jeebhai stated he had phoned the police 'more than a dozen times', but received no assistance. The Chairman was somewhat surprised at Jeebhai's suggestion that the policeman could have done something - 'One man against all that large mob?'³⁸ The policeman turned out to be Sergeant Greyling. When he was re-examined he said the rioters were African children and that he could not stop them from damaging stores as there were no other policemen available.³⁹ Once again, specific areas were not queried. Greyling was not asked why he had not fired above the heads of the rioters or even whether all the rioters were children. The questions had been answered satisfactorily enough for the Commissioners. When Jeebhai and his brother, M. Ismail, went to the Durban Central station to report their losses, the white policeman, using an obscenity, told them to go away. Although they could identify the officer the latter was not called.

37. His premises were just off Booth Road, an area that saw the worst rioting.

38. Verbatim Reports, p. 1027.

39. Greyling was interview by the Secretary, Mr Van der Merwe.

Accepting the fact that the police force were grossly understaffed, the style of examination applied was exceptionally poor. Even accepting for elements of bitterness on the part of Indian witnesses which could have resulted in exaggeration, the number of complaints were very high. There must have been elements of truth in some of the complaints and yet no action on behalf of the force was questioned or doubted. Most of the shooting was attributed to the armed forces but no representative or members came forward to the Commission. It was also unsound planning to allow the police to give evidence first. The investigation should have begun by looking at where the rioting occurred and what happened in specific areas. The role of the police in quelling the events could then have been approached in a more analytical way. It is in these areas that the failure to allow cross-examination becomes very apparent. In such cases all one can do is accept what was said unless further evidence places doubts on the substance of the evidence.

The types of grievances which were put forward as reason for rioting were numerous, but perhaps the most frequent were those related to overcharging, unequal opportunity in employment and miscegenation.⁴⁰ In actuality, few complaints were made against renting shacks in Cato Manor even though the area was ravaged. Wilfred Dhladhla had prepared a list of reasons to justify tension between the Africans and Indians. Although he had since moved to Cherterville he had rented some land with a 12 year lease from an Indian in Cato Manor. There he had erected a shack and had been quite happy. From the evidence of a number of African shack-dwellers, the complaints were generally about the size of the room and not the rent. The average rate for renting a shack was 10 shillings per week. What the Commission had difficulty in establishing was whether the rent was going to an African who was sub-tenanting or the original land-owner. One Cato Manor resident who did attempt to point this out was Esau Laflete. According to Laflete over 2 000 Africans were living in the area⁴¹ and a large number rented

40. Miscegenation will be covered in the next chapter although it will be brought up occasionally within this analysis. The problem is very difficult to cover statistically but it was a very real grievance.

41. This figure is too low. At this time the number of Cato Manor residents was roughly 6 000 to 7 000 persons. Cato Manor Housing Programme, vol. 1; City and Water Engineer to Town Clerk, 26 Aug. 1949.

from Africans. Other Africans sub-let so the relationship of tenant-landlord was highly complex.

The 'language' of the evidence is, in itself, often problematic. Is the phrasing reflecting bitterness or can the witness be saying specific things in order to justify the event rather than because it really was a cause for tension? Turning to Dhladhla again, one grievance he put forward was that of Indian men becoming 'acquainted' with African women. He then argued that Indians obtained taxi licences merely as a ruse for what was 'just another avenue which they explored to get hold of our womenfolk'.⁴² Obviously this is an indication of bitterness as he was also an aspirant taxi driver but the business had failed. His evidence thereby becomes distorted and one has to question its worth in ascertaining the reasons for animosity.

A labourer who gave evidence, Phineas Cibane from Chesterville, cited the ill-treatment of Indians by Africans as the cause for rioting, with specific reference to overcharging. When asked why he did not shop elsewhere after being so obviously overcharged, Cibane said he did not do so because of 'being ignorant' and expecting prices to be the same. His experience of overcharging had been in Grey Street but, because it had occurred so long ago, he had forgotten which shop. Overcharging was raised by Joseph Shandu which also occurred in Grey Street and he, too, could not remember the shop.⁴³

A. M. Moolla, a member of the NIO and director of Lockhat Brothers, came forward to give evidence on the accusations of overcharging. His evidence ran into nearly two days of discussion which proved, at times, confusing. The accusations put forward by Africans, while difficult to prove in the circumstances of the Commission, were simple to refute with the use of rhetoric.⁴⁴ But, in

42. Verbatim Reports, p. 663. While travelling around Natal he had seen at least 200 illegitimate offspring from Afro-Indian relations.

43. Both Cibane and Shandu gave different accounts as to why Madondo had been attacked.

44. Moolla was quite taken to using quotes from W.S. Churchill to G.B. Shaw.

mitigation, Moolla did make some relevant points. Mr Godwin, as Assistant Licensing Officer for the DCC, submitted a schedule listing the number of convictions made against traders for Price Control irregularities. The Indian trader was in the majority, drawing the inference that these accusations were well founded. Moolla went into great detail concerning the Price Control Regulation Act and the subsequent notices under War Measures⁹⁵ of 1943 and 49 of 1946 to prove how difficult it would be for the average trader to understand. By doing so he hoped to prove 'that in many cases these convictions or causes for complaints have been due to genuine mistakes, on the part of the trader and not out of any deliberate and calculated intent to overcharge.'⁴⁵ Having made this point Moolla continued to point out the difference between 'high prices' and 'black marketeering', the latter phrase being quite frequently used:

In the case of high prices there can always be an explanation. In the case of black-market prices there can be no explanation ... It may be that to his mind (the African) anything where he is called upon to pay three or four times the price to that he paid in 1939 might be construed as black-market prices, whereas in reality and in truth it may not be the case ... the abnormal conditions brought about by the war have raised the prices of commodities to a very considerable extent.⁴⁶

As one looks through the evidence one finds many of the accusations being explained in terms of unfamiliarity with relevant legislation which led to misconceptions. Moolla was attempting to outline one set of regulations which created misunderstanding. He also pointed out that the high prices were an international problem which the Indians in commerce had no control over. In fact, the Commission appeared to find his arguments quite acceptable - if a little protracted. Another factor which emerged from the evidence suggested that

45. Verbatim Reports, pp. 815-816.

46. *Ibid.*, p. 816. Moolla's decision to compare prices with those in 1939 is not surprising as the biggest price fluctuations had been brought on because of the war. One must also bear in mind that in some cases, incidents had occurred as far back as 1944.

assistants hired by shop-owners were more to blame for overcharging than the owners themselves.

Moving to commercial competition, the difficulty inherent to specific legislation is brought up by Mr Selby Ngcobo.⁴⁷ He explained that the biggest concentration of African traders was to be found in the 'Native' market which was owned by the municipality. Stalls were provided by African traders but it was also close to the Indian market. If the African wanted to trade outside those areas designated to him he had to come to some arrangement with the landlord, whether he was white or Indian, or obtain special permission from the Governor-General which was an exceptionally lengthy business. In both cases, business arrangements and interests held by the Africans could be prejudiced. Opposition in the form of Indian interests against the African obtaining a licence was very strong. This led to the attitude by African traders that their business applications were made unnecessarily difficult by laws and the system of objections. At a time when the African wanted to expand he had come up against the Indian, but Ngcobo stressed that resentment would have been felt whether the opposition had been any other race. In relation to bus transportation, a similar system and resultant attitude existed. He gave an account of a successful application he had placed before the Transportation Board,⁴⁸ where he had noticed a few Africans also wanting bus certificates. There were approximately 20 Indians also interested in the applications. The Africans thought the group were there purely to oppose their applications and little else. It would appear that, although accusations of overcharging were real enough they were founded on a wider base of African aspirations. The resentment - and consequently the harsh descriptions made of Indian traders and bus-owners - stemmed from wider issues than those loosely outlined by Moolla and Ngcobo. While not detracting from their evidence it is

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47. Ngcobo's presence as a witness raises some questions. He was Secretary to the Combined Locations Advisory Board, a body which withdrew at the beginning of the proceedings. In his evidence his position on the body was never mentioned.
48. The application was to service the Lawlands Secondary School which was owned by the municipality. In this instance he had the DCCs support behind his application.

manifestly clear that their outlook reflects bourgeois interests. Ngcobo did some investigational work among the refugees and found one of the major complaints and reason for the unrest was the high rent they paid to Indian landlords for poor accommodation. But the evidence does not suggest this as a motive. Very few complaints were made regarding tenancy on Indian land. Vis-a-vis the evidence, these accusations are extremely difficult to substantiate. Yet having pointed out this fallacy what does emerge are references to lack of housing. In other words, while those few who lived, or had lived in Cato Manor, did not complain they justified having to live there because of the lack of adequate alternative housing.

Employment was another issue which could be explained in two ways. Professor Burrows explained that with the expansion of secondary industry the competition increased between the two groups. He also gave an estimated percentage increase in employment for four major fields between 1938 and 1943:

	<u>Africans</u>	<u>Indians</u>	
Metal & Engineering	57.1	30.6	
Food & Drink	61.6	7.1	
Clothing & Textiles	100	51.7	
Leather	114.5	67.0	49

In 1943 more Indian males than whites were being employed in private industry as a whole which may have led to competition between those groups. But the number of Africans exceeded the total of both whites and Indians. At this time there were no shortages in labour from either the Indian or African group, and vacancies were promptly filled. In fact, competition was growing within the two groups. Reporting on employer attitudes, McWhirter quoted one source as saying:

There is a super-abundance of Indian labour to draw on which makes for a relatively amenable force: indeed the remark 'there are two waiting outside for every job inside' epitomizes the labour supply position.⁵⁰

One would therefore expect to find complaints against Indians being chosen for a specific task instead of an African. Instead the complaints are against Indians being made foremen or supervisors. Mliji Mkwanaza, from the

49. Verbatim Reports, p. 613.

50. J.F.C. McWhirter, op. cit., p. 21.

Natal Estates complained that while Africans had been working and had given 10 years service an Indian would be made a fitter within 10 days. Similarly, Peter Khumalo complained that while he worked in the garage of the Torquay Hotel the Indian Head Waiter accused him of stealing and he was fired. It is difficult to find whether he was complaining about the incident or the fact that when he was being paid £5.2.0 per month plus quarters and food, the Indian was earning £12 per month.⁵¹ In these cases it appears that racial perceptions and aspirations become one and the same. The complaints were not that the workers had a supervisor or that the supervisor was paid more but that he was an Indian.

Another area where race became entangled with wider issues was that of trade unions. Turning to Ngcobo, his evidence outlined three types of union: those with African executives; others under the wing of registered white trade unions; and finally those with Indian members and executive. This clearly indicated the racial character which the organization adopted. While his evidence suggested that these characteristics did not necessarily create racial problems, the evidence put forward by an African union leader did reflect these issues.

Zulu Pungula was President of the Natal Zulu National Workers Union which was a very strong organization at that time.⁵² Pungula felt that the Government was to blame for racial disharmony because, through legislation, races were taught to look down on others as inferior. The riots were the result of the opportunities given to Indians and 'coloureds' to 'Lord it over' the African population by receiving better wages and opportunities. Referring to the Nationalist Government, Pungula said:

Last year another paper appeared in which we were told that in actual fact the Government had now been elected, that now that Government having been elected, they would set about sending the Indians back to their homes in India.

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51. Verbatim Reports, pp. 554-555. Khumalo was serving 2 months hard labour for assaulting Indians in the riots. When asked why he had rioted his reply was that he intended attacking Indians.
52. For a detailed analysis of this Union and Pungula's leadership see D. Hemson, op. cit.,

The native races rejoiced immediately when they heard that this Government was very busy sorting out the races and that they were going to send this one away.⁵³

Two important issues are raised here. Firstly, Pungula indicated that legislation played an important part towards the development of racial animosity. Each group, according to this witness, is taught from being a child to look down upon the African. As society develops, these attitudes continue to grow. But what is also important in this statement is that one's attention is drawn to the ability of racial legislation to expose ethnic cleavages. Pungula, although referring to government policy, analysed the problems faced by Africans in terms of the Indian community. The argument is based on a logic which condemned a community as well as state legislation.

The argument put forward by Pungula is not based on a naïve dismissal of class struggles for that of racial differences. Pungula was the leader of a large union for dock workers⁵⁴ and strove intensively for working class action despite bannings. Yet his attitude reflected the feelings of the mass with regard to Indians - that the Indian was not of the country.⁵⁵ Laflete's conviction that rioters came from the barracks, especially the Point now appears more credible. The form of class struggle, as reflected through Pungula, included the added dimension of ethnic identity. He had included the 'coloured' community when referring to privileges being obtained through the legislation but the animosity was decidedly against a community who came from a different country.

53. Verbatim Reports, p. 172.

54. In 1948 the union was able to call on some 2 000 workers as united action against regulations brought out by dock employers. D. Hemson, op. cit., p. 109.

55. Pungula referred to Champion as being the representative of all workers in Natal while he represented only those of Durban. This relationship must be noted as Champion believed in the Zulu identity, as did Pungula.

The second issue brought up by this witness concerns the reference made to newspaper reports. Although this issue will be covered at a later stage in this chapter, it is important to realize that state policy did, in fact, concern the African community. State policy and ideology was disseminated through sectors of the African community by individuals, such as Pungula, who also emphasised the strong ethnic cleavages. Existing prejudices were thereby given further substance because of the dominant white groups attitude. The racial composition of Durban would not have made the growth of misconceptions and prejudices difficult.

Alpheus Zulu, speaking on behalf of the Natal Bantu Ministers Association, gave evidence reflecting realism succinctly:⁵⁶

African welfare in the town depended very largely upon the Indians for residence; for transport; and for the satisfaction of almost all their material needs the African looked to the Indians.⁵⁷

In other words, because the African was not considered to be a resident in the urban environment, he was not able to obtain the same standard of proficiency for employment as the Indians. The latter naturally took advantage of the opportunities given to them. One can therefore argue that the Indians' growth in both private commercial enterprise and on the labour market made him stand out rather obviously from those deprived of such opportunities.

To return to a point raised earlier, that of reported anti-Indian sentiments on the part of the dominant white group, one or two pieces of evidence are worthy of mention.

On being asked about anti-Indian statements made by politicians and Government Ministers, Boyd made the generally accepted criticism that Indians had brought the problem on themselves through such actions as passive

56. This gentleman became the future Bishop Zulu.

57. Verbatim Reports, p. 226.

resistance and penetration:

I cannot help feeling that if statements were made by public men in regard to it, it was very largely the actions of the Indian community themselves that brought about those statements.⁵⁸

What he failed to bring up was a slogan he had used during the question of Indian franchise when he publicly announced that what the Indians needed were 'boats not votes'.⁵⁹ Ngcobo had listened to a conversation among some Africans during the riots and one of the things said was, 'give us two days and we shall pack all the Indians into boats'.⁶⁰ The relation in this instance cannot be denied.

In a statement given by the NIO, Senator Petterson was quoted as saying the following:

Speaking at a public meeting, at Congella (Daily News report 12 May 1948) Mr S. M. Petterson, well known for anti-Indian utterances, said:- 'Personally I would like to solve the Indian problem by shooting them, but a man cannot lay himself open to a charge of murder.'⁶¹

Senator Petterson had charged the DCC with 'abominable' handling of the riots and argued that the police reaction of 1929 had been far better.⁶² He also intended speaking before the Commission of Enquiry. Unfortunately he did not because evidence given by Detective Sergeant Palmer also mentioned Petterson. Palmer was attempting to prevent about 40 Africans from looting a store in Grey Street:

I had a stick, and I ran over to them and I belaboured the Natives with the stick in order to disperse them. I did not disperse them, and as I turned away I saw Senator S. M.

58. Verbatim Reports, p. 1067.

59. L.K. Ladlau, op. cit., p. 28. Information was obtained from a personal communication.

60. Verbatim Reports, p. 655.

61. Verbatim Reports, p. 759.

62. Natal Mercury, 20 Jan. 1949. He was referring to the 1929 Beer Hall Riots in Durban.

Petterson, in a car, and he shouted to me, 'You had no B.... right to hit those Natives', so I told him to move on and not to interfere. Then he pointed his finger at me and said, 'I know you, and I am going to report you'. So I said, 'Well get busy, and report me, but', I said, 'move on from here'. Then he drove off.⁶³

Petterson was a small shipowner who was attempting to organize a white union for sailors in Durban. Not only did the Natal Mercury refer to him as a Communist⁶⁴ but he was very successful at losing municipal and government elections. That is, until 1948 when the Nationalist Party made him a Senator.⁶⁵ It is little wonder that he never came before the Commission.

There are many areas within this evidence where the Commission must have been tried to the utmost to retain patience. A Mr M.S. Badat, a trader and social worker, allocated responsibility for the riots solely to the DCC.

Chairman : Now, do you seriously contend that in order to capture the whole carrying trade in Durban, the Municipality really incited, by devious ways, the Natives into this insurrection?

M.S. Badat: Well, that is my opinion.

Chairman : Well, if that is your opinion, it is so foolish that I do not think I need to hear you any further.⁶⁶

As one can see, when analysing the evidence given before the Commission, more questions seem to arise than there are answers. It requires a wide knowledge of Durban and its community to be able to interpret the allegations correctly. Having pointed this out, the problem still arises that only specific areas can be clarified because such knowledge must be restricted to some degree. A continual dialogue is necessary between the source and external factors. The Commission

63. Verbatim Reports, p. 1228.

64. Natal Mercury, 12 June 1930.

65. Personal communication from Professor J. Horton, Professor of the Department of History, University of Natal, Durban. Now retired. Oct. 1981.

66. Verbatim Reports, p. 1227.

members suffered from such a lack of knowledge and they were subsequently misled in many topics. Similarly the narrowness of analysis adopted by the Commission ensured that the examination remained on a limited number of themes. Wider issues involving employment or housing were disregarded if they could not be tied down specifically to the actual outbreak of violence. This is unfortunate as it would have provided the members with a clearer understanding of the issues involved. The skirmish between Madondo and the Indian may have been the precipitating factor behind the outbreak of violence but the underlying causes had to be discussed in order to rationalize why the Africans sought such an aggressive action. What remained was a series of allegations which could not be corroborated sufficiently.

The basic participants in the riots were workers. Yet very few witnesses were brought forward from this class. As was stated earlier, no Indian worker was represented and therefore a very important voice remained silent. While not wishing to censor the members, the inherent weaknesses within the system of examination adopted proved to be the Commission's downfall. The issues brought up necessitated the abilities of a psychologist, sociologist, race relations expert and someone who understood the problems facing the black community. From the evidence, the members reflected few of these abilities. Bearing these and other issues raised in the chapter, the Report requires an analysis which carries through the evidence and subsequent interpretation of what was put before the Commission.

CHAPTER FIVE: THE RIOT COMMISSION REPORT.

{ The effect of a parade of
sonorous phrases upon human
conduct has never been
adequately studied.
- THURMAN W. ARNOLD }

The Report of the Commission was presented on 7 April, 1949, and as a source to the causes of the riots left much to be desired. It can, of course, be argued that the type of evidence given was unenlightening and misleading in many ways. As will be shown such evidence resulted in misconceptions on behalf of the Commission members and, finally, led to erroneous conclusions. Yet, at the same time statements made in the Report distorted the evidence itself. An example of this latter point can be seen in the Report's reference to 'evidence' given by Dr Lowen, legal representative of the allied ANC and SAIC. The Report stated that Lowen's position as representative of 'two organizations each of which purports to have at least the interests of one of the two sections between which the clash occurred' was 'no enviable one'. The Report continued,

It is not surprising therefore that he sought the causes of the collision between the two not in the movements of either or both - not in the contacts between the two sections or the relations between them - but in external events.¹

While accepting that these organizations had little effect on grass-root relations one wonders how the Report reached this conclusion as neither Lowen nor the organizations concerned gave evidence. The Report, in this instance, based its findings on Lowen's introductory statement given prior to the Commission hearing formal evidence, and not from the replies given under proper examination. The Commission has no basis for assuming that Lowen would not have covered specific areas of relations other than 'external events' as the opportunity never arose. With regard to his statement which emphasised

1. Van den Heever Report, p. 3.

'external events', for example, slum conditions and policies propagating racial differences, may have brought forward important issues related to the riots. But these - along with similar evidence given by other parties - were dismissed as mere theorizing. Obviously it is therefore necessary to analyse the Report in some detail in order to understand how certain conclusions were made, and how they were substantiated.

The fact that a number of black organizations boycotted the proceedings did not, in the opinion of the Commissioners, vitiate from the findings. It was argued that nothing could be gained by examining them because:

From the admitted reasons for their conditional tender of evidence and subsequent abstention it is clear that their aim was not to uncover the truth and establish facts, but to make propaganda - not to shed light but to engender heat. Some of the organizations concerned are domiciled far from the scene of the trouble.²

A majority of these organizations had offices in Durban; a majority of them had knowledge of specific inter-group relations in the city. From reading the evidence there is certainly little evidence to suggest their primary motive was to engender heat. In fact, other than the ANC, SAIC and the Combined Native Location Advisory Boards, none of the other organizations appeared to have submitted any statements whatsoever. One can only surmise that the character of the organizations led the Commission to believe their evidence would make propaganda. To return to the point on organizations being based far from the scene of trouble, the rationale behind accepting evidence from the European Council based in Pretoria is not made clear. Other organizations which did give evidence, for example the SAIRR, were dismissed as 'theorists' and 'intellectuals' despite their expertise on race relations. Obviously the Institute was not deemed qualified enough to diagnose the forms of social contact and relations. The President of the Briardene Ratepayers Association (a suburb of Durban North), and the National Council of Women were two groups that

2. Ibid.

suggested bad housing, unemployment and exploitation of Africans created a sense of frustration which subsequently had a bearing on the riots. The Report stated it was significant, however, that this idea emanated from the intellectuals, and continued to intimate that the African was quite 'happy with his lot'.³ Charges against the DCC for failing to provide adequate facilities were made by 'facile critics';⁴ and Africans became frustrated with conditions and their positions because of being told they were so by 'Native intellectuals'.⁵ Despite attempts to lay emphasis on possible factors of economic and social discontent as underlying causes of the riots, such arguments were not fully developed due to their being dismissed as intellectual theorizing. Alternatively, evidence which imputed racial differences as being the singular cause for conflict were received as both responsible and credible. Such a deficiency resulted in stereo-type images of the black community and an obvious avoidance of socio-economic and political factors leading to an oversimplification of the event.

In section V, 'The Casualties and the Damage', attention is drawn to the amount of damage to property and an unfortunate assessment is made of witnesses who suffered such losses. Whilst acknowledging that many were ruined, it was decided that the witnesses were 'inclined grossly to exaggerate'.⁶ There was certainly nothing to prove exaggeration in the evidence. But a more disturbing aspect of this section arises when attention is drawn to the use of firearms and related deaths. Earlier the Report notes an aggressive response by the Indians to the disturbances, then passivity, then aggression. The period of passivity during the riots surprised the Commission. During our analysis of the riots it was shown that the Indians fought back during the initial stages of violence and looting, especially in the Grey Street area. After the riots there were isolated incidents when groups of Indians physically attacked Africans.

3. Ibid., p. 11.

4. Ibid., p. 20.

5. Ibid., p. 21.

6. Ibid., p. 5.

It was during the height of the riots when, according to witnesses, the Indians were the least prepared and that the community were most passive. One could postulate a number of reasons for this aura of passiveness: the Indians lived in the peri-urban areas and did not expect the riots to spread from the city centre; the police did not expect the riots to spread and were unprepared for what consequently happened; and that the mass of Indians, thinking only a certain sector of their community was being attacked, were unready and unable to retaliate. No reason for the passivity was put forward. The Report went on to state that Indian witnesses saw the disturbances not as riots but as a massacre where Africans were the aggressors and Indians the passive sufferers. While accepting the 'allegation' as true for the period of passivity, the Report argued that such a view was, in general, incorrect.

87 Natives died in the riots, 35 as the result of gunshot wounds. Some Indians are known to have used firearms against the Natives. It was suggested to us that all the Natives who died as the result of gunshot wounds were killed by Government Forces in restoring order. This is not true. Some deaths were caused by firearms of different calibre from those used by the various Forces.⁷

It would be unjustified to suppose the Commission was condemning those Indians who protected themselves, especially with the use of firearms. One would expect those in possession of firearms⁸ would use them so the fact some deaths were not caused by Government Forces is acceptable. But there is no indication of how many of those deaths were the responsibility of the forces as opposed to firearms of a different calibre. One can find no comparative figures in the evidence. Compared to the 35 Africans who were shot,

7. Ibid.

8. The figures for licensed firearms owned by Indians could not be found but the following figures refer to possession of unlicensed firearms discovered during the riots: 24 Indians were arrested for unlicensed possession (5 were convicted; 8 acquitted; and 1 pending); 4 Indians were arrested for pointing firearms (2 were convicted and 2 acquitted); 13 Indians were charged with murder (still pending) but there is no indication of these involving firearms. One African was charged and convicted of possessing an unlicensed firearm. No charges were made against whites. Ibid., pp. 1505 - 1507.

one white and one Indian died, plus one Indian police constable. Africans, being the mass of rioters, were statistically higher but the onus of responsibility cannot be examined.

The role of the police and white inciters is the topic for discussion in section VIII, 'Alleged Concomitant Causes'. The opening sentence asserted, 'It is abundantly clear that prior to the riots the Police had no reason to believe that the relations between Natives and Indians were otherwise than cordial', under paragraph '(a) Neglect on the part of the authorities to prevent the initial outbreak'. It was shown that even 'mixed organizations', such as the SAIRR, were surprised by the outbreak and concluded:

On the face of it, everything was quiet in Durban. To suggest that the authorities are to blame for failing to prevent the initial outbreak is to reproach them with not having powers of divination.⁹

One can surely not condemn the authorities for failing to have these powers, but a more practical application in relation to the known problems in Durban would have sufficed. Later on the Report decided that:

It became apparent to us that prior to the riots tension between the Indians and the Natives was gradually but surely building up.¹⁰

This appears to be a contradiction to the earlier assertion that 'everything was quiet in Durban'. It is possible that the Commission was saying that under the surface tension was rising but in view of the apparently good relations between Indians and Africans everyone was surprised when it surfaced. The Report is very confusing on this and other issues. It has already been argued that tensions were growing considerably in Durban during the 1940s and yet the spontaneous outbreak of violence may indeed have shocked the authorities. The tensions had certainly never surfaced sufficiently enough to suggest hostility. Yet once

9. Ibid., p. 6.

10. Ibid., p. 13.

rioting had erupted the response by the authorities certainly left much to be desired. The allegations made against the police for not foreseeing a renewal of violence on Friday was rejected.

Nothing has been placed before us to show that the Police had, or should have had, reasonable grounds for believing that there was a likelihood of the Natives reverting to the utter barbarism on the 14th.

In fact, 'Nobody warned the Police, as no one expected a resurgence of the riots - not even the Indians themselves'.¹¹ It has been pointed out that one of the possible reasons for passivity on the part of the Indians was the element of surprise in being attacked. Yet can one suggest that after the resurgence of violence at mid-day on Friday the authorities, especially the Police, did not expect violence to spread. Newspaper reports mentioned that many African workers would have been leaving the city centre to the peri-urban areas over the weekend. The Africans received their wages on Friday and visited the shebeens in these areas, especially Cato Manor.¹² The fear of rioting spreading was a valid assumption. And yet, as Meer points out, the police were caught unawares:

The Police, though warned well in advance by strongly circulating rumours of the outbreak of more violence, and kept continually informed by the Natal Indian Congress, were caught unawares and ill-equipped on the worst night of the riots.¹³

As we have seen from the evidence, some of the police were aware of events in Durban yet were not ready for what subsequently happened. The attitude of others would make one believe the event was happening miles away. Of course, in many instances the police were called out on false alarms

11. Ibid., p. 7.

12. See Chapter Three.

13. F. Meer, op. cit., p. 33.

by Indians who were jittery and frightened. But the reaction of this organ of law and order appeared to be painfully slow in the light of evidence given at the time. It was also under-manned as the black police were not fully utilized. Under paragraph ' (e) Failure of the Police to put down the renewed outbreak with vigour', the Report stated:

If Major Bestford had employed his non-European Police actively in quelling the riots, they would in all probability have taken sides promptly and aggravated the disorders.¹⁴

As far as can be ascertained, black police were used to guard shop frontages in, for example, Grey Street - many of which had already been looted. Such a decision not to use black police suggests that only white members were capable of dispassionate actions.¹⁵ If such a suggestion is valid it shows a shocking weakness in an institution designed to protect all members of the public. Why would the black members have promptly taken sides? Surely a decision such as this one could only have been made from apriori knowledge of the relations between the two groups. Or the rationale may have simply reflected contemporary white attitudes inter alia only white police could be trusted in these situations.

This decision is open to wide speculation as these points were not thoroughly discussed either during the Commission or in the Report. On Friday Bestford had 11 officers, 460 other ranks and 504 black police at his disposal. Of these, 8 officers, 214 whites and 203 blacks were placed in the central area of the city. Where the remaining 301 black policemen were situated cannot be established but one can definitely state the majority were not utilized - even the Report confirms this assumption. Perhaps one can argue that they were

14. Van den Heever Report, p. 7.

15. Various studies carried out on race riots during the 1960s and 1970s have arrived, through assorted methods, at one general conclusion - the use of an all white police force against black rioters tends to exacerbate the situation whereas the use of black riot police had a stronger affect in quelling civil disturbances. It is unfortunate that these methodologies and results were not available during the 1940s.

used to help transport survivors to the various camps, or at the camps and police stations. The responsibility for quelling the riots in the peri-urban areas fell to the remaining 246 white policemen, a pitifully small number for so large an area.¹⁶ It is significant that no evidence suggested rioters set out from Lamontville, Baumannville or Chesterville locations. The rioters largely came from the barracks, especially Somtseu Road, Jacobs and the Point. To have reached the peri-urban areas, especially Cato Manor, one can only assume the rioters moved through the city. Other than evidence from Boyd which mentioned a large mob of Africans who managed to avoid a small police contingent in Old Fort Road, no indication was made as to how the Africans were able to move through the city without being stopped. If the full contingent of men on the force had been utilized then the mobs would surely have been more easily contained to some extent.

Regarding the role of the police, two important points emerge: firstly, the size of an already small force was diminished further by not using the black members to their fullest potential; and secondly, the Report's analysis of the force is unsatisfactory. While sympathising with the Indians and the bitterness they felt, the Report charged that each Indian expected a 'platoon' on their doorstep. 'To him it meant nothing that disorders and fires were breaking out all over the landscape and that the Police were hard-pressed'.¹⁷ This observation, when placed in the general style and content of the Report, is quite sympathetic to the fears of the Indian community. There is much to be desired with regard to treating their complaints more seriously. Calpin, who impressed the Commission as an observer, argued that in times of crises authorities are always accused of failure. Yet, in the final analysis, he decided

16. The area known as Cato Manor consisted of 4 500 acres. The total area of the municipality was estimated to be 67 square miles.

17. Van den Heever Report, p. 8.

that the police in Durban were in fact 'too few and too late'. The Commission's response to this and other similar accusations was 'since none of the critics foresaw the riots, it is not remarkable that the Police were too few and too late'. It was also noted that:

The Mayor of Durban was, as far as this complaint is concerned, an impartial witness. He was in a position to survey the situation as a whole, and was an eye-witness to the successive stages of its development. He maintains that in the circumstances the Police did all that was possible, and we accept his evidence.¹⁸

This decision to accept Boyd's observations over and above alternative criticism suggests an impenetrable logic. His role as senior representative of the DCC, an institution whose role was brought to question, belies the assumption of impartiality. In the previous chapter it was mentioned that the police included members of the SAP and the Municipal or City Police. To some extent, then, the city authorities were responsible for the deployment of forces under their command.¹⁹ The distinction is not made in the Report leading one to make a simple, if mistaken, deduction to assume that only the SAP were involved. Instead of a more rigorous examination of the police force, the Report dismissed accusations and sought alternative explanations. The police were inundated with false alarms from a panic-stricken Indian community, and the available force were therefore 'frittered away upon foolish quests'. From the Report it would appear that the police and authorities could not be held responsible in any way for the slow reaction to events. One is left with the impression that other factors were responsible, especially the fears of Indians plus an 'undulating country covered with bush and plantations, intersected by winding

18. Ibid.

19. It would appear through evidence given to the Commission, that the the City Police were under the SAP during the riots.

and indifferent roads'.

Turning to paragraph '(h) Incitement by European civilians during the riots', similar problems occur in interpreting the rationale of the Report. It was established that some whites did play an active role during the riots, and that:

It would appear that such conduct on the part of Europeans relates to the initial phase of the disorders, when the Natives contented themselves with assaulting Indians and breaking windows. We have no evidence of Europeans lending countenance to the Natives when they had recourse to murder, arson and rape.²⁰

The first sentence agrees with evidence put before the Commission that whites were seen taking Africans to the city and outlying areas, especially Cato Manor, to participate in the riots. With regard to the second sentence, is it any wonder that whites did not admit to being involved with such heinous crimes?²¹ When analysing a bloody act such as a riot, 'silence' does not necessarily mean innocence.

Calpin is again quoted in respect to the role of the whites, pointing out:

There was a tragi-comedy atmosphere about the affair, with heavily uniformed policemen trying to disperse groups of brawlers, with the 'coons' chasing the 'coolies' and the 'cops' chasing the 'coons'. There was more laughter than terror ... Wittingly or unwittingly the European as a spectator, a spectator who could do little else than be convulsed at the spectacle before him, was a direct incitement to the Native brawlers. Natives love a European audience.

This observation is a sad indictment on the whites in Durban. As rioting increased in viciousness the Report acknowledges the growth in white incitement. Calpin continued, 'the feeling was, and still is, very strong and articulate that

20. Van den Heever Report, p. 9.

21. One white male was arrested for inciting Africans to burn down an Indian store although his trial was still pending at the time of the Report. Verbatim Reports, p. 1505.

Indians deserved what they got, and this feeling at the time, and more especially since, was translated to the Native mind'.²² The opinion that acts on the part of the African were due to the presence of a white audience can, to some extent, be admissible. Within the background of racial enmity in Durban and the attitude of the whites during the early stages of rioting, these factors could have had a positive effect on subsequent events. The majority of whites did not effectively attempt to prevent acts of aggression by Africans. The resultant impression became one of condoning and not condemning such acts. The evidence of Mrs Singh, who lived in Grey Street, emphasised the role of whites, especially women who urged the Africans to 'hit the coolies'. The Commission wrote: 'Most people love sensation and a spectacle; to impute racial antagonism to those who like to watch any commotion would be to lose perspective'.²³ In the case of the Durban riots this imputation would not lose perspective due to the role of the whites. It is assumed by the Commission that white spectators did not see the riot as one of Africans against Indians. This is not the case at all. The very acts of partisanship by whites undermines the suggestion that it was merely a spectacle to watch. The Report went on:

We are satisfied, however, that the type of European who actively incited the Natives to violence were rare exceptions. To any one acquainted with social conventions in South Africa it must be clear that the women who went dancing up the street were degraded specimens of their race.²⁴

What is meant by 'social conventions' is obscure. It appears that the Commission meant white women should not act in this manner otherwise they were degraded specimens of their race - the white race. Therefore the 'social conventions' are racially based which, in turn, implies racial perspectives; a perspective the Commission previously denied.

22. Van den Heever Report, p. 9.

23. Ibid., It is interesting that the Commission mentioned they 'believed' Mrs Singh.

24. Ibid.

In section VIII 'Alleged Antecedent Causes', a number of points advanced by Lowen in his general opening statement were covered.²⁵ These included slum conditions, propagation of racial hostility by the central government (which included both Smuts and Malan), and speeches by politicians.

Attention was paid to political statements with the following observation in the Report:

One Senator went so far as to state that, were it not for the danger of being prosecuted for murder, shooting would be a solution of the Indian problem²⁶... On the other hand, Indian spokesmen are inclined to regard all resistance to their demands, whether reasonable or unreasonable, as the propagation of racial animosity.²⁷

This type of reaction on behalf of Indian leaders is hardly surprising if one was marked out to be shot! It is difficult to believe that from the way this statement was formed, the Commission believed both attitudes to be condemnatory. Anti-Indianism, whilst being prevalent to Natal for many years, had reached a ferocity by the late 1940s which could not have left racial attitudes unaffected. Meer highlighted the following examples:

A local United Party pamphlet described the Indians as 'unassimable' and 'distasteful to all races in South Africa' ... The white press ... spread such headlines as: 'How Indians are penetrating into white areas'; 'European Girls - Senate to hear of Durban's luxurious Indian brothels'.²⁸

Anti-Indian speeches were made by national politicians, including E.G. Jansen

25. It must be reiterated that Lowen is quoted specifically even though he did not give direct evidence for the ANC or SAIC. But all the points were covered by other witnesses where they were open to examination by the Commission.
26. The Commission did qualify this by pointing out that in a country with so many racial problems public speakers should be moderate and cautious in their statements.
27. Van den Heever Report, p.10.
28. F. Meer, op. cit., p. 31.

and C.R. Swart, both future Governor-Generals of the Union; and local political members, for example, S.M. Petterson and J.C. Marwick. The Commission, nevertheless, thought it significant that allegations of racial incitement through speeches 'emanated from the intelligensia; from intellectuals and from the representatives of Indian and mixed organizations'. The accusation was viewed as 'superficially plausible' in the final analysis. The Report continued:

We made every attempt to elicit reliable evidence which could establish a causal connection between the public speeches complained of and the riots, but were unable to do so.²⁹

But Africans must have been aware of the white contempt for the Indians. African witnesses repeated anti-Indian statements made by white leaders - if not word for word then by paraphrasing. The statement made by Boyd which referred to giving Indians 'boats' and not 'votes' when speaking against Indian franchise rights was parodied by a number of Africans.³⁰ A particular speech may not have been a direct cause of the riot but, over a long period of time, such speeches fanned racial enmity. By 1946 literacy was increasing with newspapers and periodicals having a mass circulation of between 250 000 and 500 000 amongst the African population of the Union. Inkundla ya Bantu, the ANC mouthpiece emphasised the ideology of 'African Nationalism' while alternative papers emphasised predominantly bourgeois views because the owners held commercial interests. Those who could not read had items of news transmitted to them through oral communication while in the market place, bus ranks and not necessarily directly from public speeches. The ability, therefore, by African witnesses to paraphrase various racial sentiments made by whites makes the importance of such speeches more that superficial. They served to pronounce racial and ethnic differences thereby strengthening stereotypical characterizations. Unfortunately a full discussion of this issue becomes lost in the Report amidst unrelated points, one of which came from Calpin: 'One of the great dangers every time a European enters the field of Native reactions

29. Van den Heever Report, p.10.

30. See evidence given by Zulu Pungula to the Commission and quoted in in the Verbatim Reports, See also Indian Opinion, 4 March, 1949.

is that he brings to it a European analysis'. Wise words when one remembers the Commission was all white. But this was not the point Calpin was trying to make. He was trying to stress that when Indians gave evidence as to the causes of the riots they were guilty of 'arguing from his hurt that the causes are this and that outside himself'.³¹ The Commission used Calpin's statement to conclude: 'The Indians, in the hope of receiving compensation, were anxious to place responsibility for the riots squarely on the shoulders of the Government'.³² After interviewing a number of Africans sentenced to jail terms for their participation in the riots, the Commission decided it was clear they were not motivated by 'outside influences'. There was no disillusionment on the part of the Africans that the authorities and whites prevented them from liquidating the Indians. The Commission concluded:

The only ground for resentment we discovered was the naïve complaint that the authorities interfered when Natives had an opportunity by looting to recoup themselves for losses sustained at the hands of the Indians.³³

This is quite correct but the statement begs the question - Why did the Africans assume the authorities would not interfere? There was an assumption on the part of the rioters that the authorities would have ignored looting. This must have been based on the anti-Indian sentiments expressed by the white community from time to time. The Report should have covered this aspect more thoroughly instead of applying a superficial argument resulting in merely denying the factor of white prejudice. One is left with the impression that the African community was ignorant of white sentiments. This would be a false impression.

In response to the argument that Africans were frustrated by the conditions they lived and worked under, paragraph '(c) A feeling of frustration on the part of the Natives', has this to say:

32. Ibid.

33. Ibid., p.11.

It is significant ... that this idea emanates from the intellectuals. It is surprising, that the type of Native who took part in the riots is in general quite satisfied with the housing available to him, with the amenities he can enjoy and with the 'disruption' of his family life, for this last is in accordance with his tradition.³⁴

Can it be seriously argued that the African expected no better than the conditions which surrounded him? One of the reasons for the growth of shack settlements was as a reaction to the stringent terms imposed in locations and barracks as well as the lack of housing. Even the Commission later described the conditions prevalent in areas like Cato Manor as a 'cesspool'. It is also questionable that the disruption of family life is traditional when the Commission was dealing with the urban environment. This developed a new system of values and social needs. The Commission's reasoning was based on erroneous assumption. The members had concluded that traditionalism played a major role within the urban society. Although rural traditions were still evident their role was adapted to urban restrictions and necessities. The reasons advanced in the Report for African not wanting his wife with him were 'to retain his footing in the tribal area and organization', and 'not to expose his wife to the corrupting influences of the city.'³⁵ But the influence of state policy in regard to rural areas was not mentioned as a significant factor, nor was the system of migrant labour. The position of the African as a 'temporary sojourner' meant he had to maintain social ties with the rural areas. The lack of housing for family units also precluded the presence of wives. And yet, in contradiction, the urban population was becoming more permanent. This, in turn, led to a large increase in the number of women entering the urban areas. Evidence therefore contradicts the Commission's suppositions regarding the African's way of life and his family ties. As Maylam points out:

First, African women, who were supposed to obtain their subsistence in the reserves, were increasing

34. Ibid.

35. Ibid.

in numbers seeking their living in the urban areas. And second, their growing presence made for a more permanent urban African population, in that the family life of a growing number of labourers would become city-based rather than rural based.³⁶

These issues would have necessitated the recognition of a permanent African labour force in the urban areas, and a weakening of the rural areas policy and migrant labour system. The overriding proposition of the Report that Africans were, in general, quite satisfied with urban conditions should also have been viewed against the backdrop of social and economic unrest during the 1940s. Of course, the Commission had a reply to these manifestations of unrest when they stated,

In our opinion many of these organizations confuse cause and effect; they are continually drumming it into the Native's ears that he is unhappy and suffers many grievances. It would be surprising if he does not become discontented and does not get out of hand.³⁷

In other words, the African was only unruly and 'anti-social' because the 'intellectuals' had told them they were so. One can only surmise that the intellectuals carried out a remarkable feat of suggestion. But the Commission finally states at the end of this section that there was an element of truth in the sense of African frustration, but then continues rather vaguely to argue that 'it has different origins to those suggested and operates in a different manner'.

Finally, in section IX 'The Causes of the Riots', the Commission comes to terms with the major factors affecting the outbreak of civil disorder. Allegations and other issues put forward in the previous sections had all been dismissed as relevant to some degree or another. The matters raised in this particular section were those found by the Commission to be the actual causes of the riots.

36. Ibid.

37. Van den Heever Report. p.11.

The first topic to come under discussion was the 'Increasing lack of discipline on the part of the Native'.

It is apparent that urban Natives in the mass are increasingly given to lawlessness and are ready to take the law into their own hands. The Durban riots provide this, but instances were not lacking before the disorders ... With Natives a strike or a simple collision in the street may easily develop into serious riots.³⁸

Certainly there were riots in the Union prior to 1949 which involved African and white participants. Nor can one deny the fact that a minor incident can lead to a serious outbreak of violence. But two points must be made. Firstly, the Durban riots were the first serious outbreaks of violence to erupt within the black community. One must therefore assume that, in this particular case, a different set of conditions were prevalent. And secondly, although various incidents had occurred between the Africans and Indians, for example, pedestrians being run over by Indian drivers or even increases in bus fares, these incidents did not lead to rioting. Again, a different set of conditions must have been necessary to those which existed in the early or middle 1940s. To argue differently would suggest rioting could have happened at any time. Yet the fact remains that it did not and therefore the distinctiveness of this particular riot should have been emphasised by the Commission. In this section the particularity of the riot was ignored for the more simplified use of generalizations.

The Commission contradicted itself when it continued:

If the disorders are put down with determination, there is always an outcry in this country, and abroad, which reacts harmfully upon the Native mind.³⁹

How can this be? When discussing the influence of political statements on the attitude of the African, the accusations were dismissed as superficial and unestablished. And yet here we find the African being influenced by the outcry from both local and international sources. This is a clear contradiction underlining the ability of the Commission to benefit from specific

38. *Ibid.*, p.12.

39. *Ibid.*

arguments while dismissing the same arguments as specious when directed by individuals against local or national bodies. These distortions only serve to question the impartiality of the Commissions members'.

Turning its attention to 'Bad precepts and bad examples',⁴⁰ the leaders and various black political parties involved in the Passive Resistance campaign came under harsh criticism from the Commission. The pact of the ANC and SAIC, and their attempts at uniting Africans and Indians had caused a 'feeling of unrest and dissatisfaction to stir amongst the Natives, always a dangerous course with a section of the community not yet ripe for responsibility'.⁴¹ The result was that 'the Indians were hoist with their own petard'.⁴¹ The logic of the Commission was that Indians were whipping up discontent which was subsequently deflected against them. Yet, at the same time, Xuma was also articulating grievances of Africans at the local level and included his supporters in the campaign. Obviously the Commission did not feel this aspect was relevant as Xuma and his followers were not hoist on their own petard. Rather than giving a convincing discussion explaining why the Africans should have been influenced, the rationale in this case reflects the Commission's opposition to the movement and its policy. Strangely enough, the Passive Resistance movement did not have a strong following among the African community. In any case, black political organizations had great difficulty establishing themselves at the grass-root level indicating their inability to motivate the masses in the campaign. Nevertheless, it was felt that the Passive Resistance campaign of 1946 had, by 'flouting authority and the laws of the land', encouraged the Africans to riot in 1949. Responsible and moderate Indian witnesses admitted the causative connection of this example'. These 'responsible and moderate witnesses' were members of the NIO, a conservative and predominantly bourgeois party which gave evidence before the Commission. Ideologically opposed to the policy of

40. Scattered within the body of the Report are quotes from Francis Bacon (1561-1626), a testimony to Van den Heever's literary tendency.

41. Van den Heever Report. p. 12.

the SAIC, the NIO rejected the campaign and chose to work within the system for concessions. The manifestation of responsibility and moderation was due to ideological motivations which were more acceptable to the Commission.

The concluding argument on this topic was a vague and unnecessary generalization regarding the campaign:

The method proved successful elsewhere, but not because of its transcendental spirit. You could lie on the rails and stop all railway traffic, not because you were brave unto self-immolation, but because you knew that the Englishman is a gentleman and will not drive over human flesh.⁴²

This is completely irrelevant to the topic.

Racial characteristics were the theme for the following paragraph, ' (c) The character of the parties to the riots'. Although the Commission was well aware of those differences between whites and blacks the emphasis was on those within the black community. The section specifically outlines the characteristics of the African who was the aggressor in the riots. But the outline relies primarily on stereotypical characterization representative of contemporary white attitudes. The African 'has a better physique than the Indian' whereas 'the Indian has nimbler wits than the Native'⁴³ physical strength against mental alertness; the warrior against the trader. One may be inclined to derogate these images but it is worth bearing in mind that they were typical of the times.⁴⁴ The Report was only reflecting a widely held belief concerning racial characteristics and concomitant attributes to such fields as labour. This is perfectly acceptable but the Report begins to lose sight of the question at hand by becoming immersed in historical romanticism:

42. Ibid.

43. Ibid.

44. Contemporary studies made of manpower reflect similar images as criteria used by prospective employers. See D.J.L. McWhirter, op. cit., and R.H. Smith, op. cit., . . .

The Zulu is by tradition a warrior. The veneer of civilization which has come to him during his urban existence is but a thin covering. When this breaks under the stress of ... the emotion of a mob - he again becomes one of the braves of Chaka.

No sooner is one's mind filled with the past glories of the Zulu Nation than one reads, 'The practice of civilized nations is not much different, but it is sugared in nicer forms';⁴⁵ next is a short resumé covering the legal systems of Ancient Rome and Medieval Europe. The Report revels in 'red herrings' and the reader has to remember he is reading a riot report and not an anthropological treatise. Its salvation lies in the Report having made some salient points which are relevant to the topic. The Report develops the Africans perception that people who are different are 'strangers' and 'un-African'. We have argued that these perceptions affect inter-group relations, especially those between the Africans and Indians. Although the white group should be more obvious in terms of racial differences, the level of relations are closer within the black community. The Indian is the same colour and yet assuredly is ethnically different. Although the Report relies on unnecessary eloquence the final comment is important, as the following quote shows:

This attitude explains the reasons why the Natives, incensed, among other things, by the profiteering of the merchants, wreaked their vengeance upon a class of Indian which suffered in the same way and was as poor as or poorer than they themselves.⁴⁶

There were 11 factors put forward under the paragraph '(d) Increasing tension between the Indians and the Natives'. The first one was covered in the preceding paragraph in relation to the Indian being a 'stranger'.⁴⁷ But

45. Van den Heever Report, p. 13.

46. Ibid.

47. The treatment meted out to Indians in Central and East Africa supports the Commission's view to some extent although other factors such as general conditions must be taken into account. See also H. Kuper, op. cit., for discussion on the concept of 'strangers' in society.

the discussion on the relevance of this factor was very cursory. It is not until later that the Commission makes an attempt to form a connection between the differentiation of Africans, Indians and whites. The white community was more obviously a stranger and yet it was not they who were attacked. The Commission attempted to explain this in the following manner:

The native thinks on colour lines, and could not understand why a man of colour should exact himself above his fellowman ... 'We (the Africans) accepted the European as our master - we will not tolerate this other black master'.⁴⁸

While the terminology may be excused as peculiar to the Commission, the argument suggests that Africans accept whites as the dominant group but not the Indians who, though different, are also people of colour. There is also the point that whites, being the dominant group, had the power of the State behind them. To attack this group would have brought the power down upon the rioters. The Report also showed how the rapid industrialization caused a large influx of African labour creating the concomitant problems in housing and socio-economic adjustment. One of the results was a rapid growth of shack settlements on Indian-owned land. Allegations of rack-renting against Indians were found to be without substance and it was stressed that Africans also took advantage of renting shacks.

One of the most frequent complaints made to the Commission is covered in paragraph '(vii) Miscegenation'. Webster discussed this in the following way:

It is extremely difficult to speak accurately about inter-racial sex as the subject is surrounded with fantasies and there are no statistics of Indo-African children. Impressionistic accounts record that liaisons did take place and that marriage was rare, so that

48. Van den Heever Report, p. 13.

the offspring would certainly create a 'social problem' especially in such a race conscious society. Of course the objective facts are less important when looking at motives than the subjective perception - and clearly some witnesses appeared to feel very strongly about a situation where they felt Indian men were taking advantage of their 'privileged position'. How representative of African feeling these witnesses were, or indeed, why they choose to give evidence to the Inquiry at all, is not yet clear to me.⁴⁹

This factor came up in the evidence a number of times. Witnesses did not give evidence on this subject only but included it amongst their general grievances. Senator Edgar Brookes pointed out that this was the second most important complaint made by Africans before the riots. Therefore its significance cannot be underestimated even though, as Webster points out, it is a subjective perception. Being an emotive issue the evidence was littered with accusations and counter-accusations making the topic a confusing one. Relying on the evidence, because figures are unavailable, the number of offspring can be taken as very small and that, as the Report points out, the incidence was exaggerated. But it is also worth emphasising that while the term 'miscegenation' is used many of the complaints refer to sexual relations and not only the number of illegitimate offspring. The entire question goes beyond the creation of a 'social problem' and emphasises racial and ethnic prejudices. The folklore of 'illicit sex across the colour line' was not only a white phenomenon but one that belonged to all groups, as this complaint indicates.⁵⁰ The Reports suggestion to solving the problem supported one of the basic principles of apartheid:

We have found this grievance to be one of the most powerful motives of anti-Indian feelings on the part

49. E. Webster, op. cit., p. 35.

50. Evidence in the Verbatim Reports reflects how wide ranging the accusations are. W. Dhladhla estimated he had seen roughly 200 children while S. J. Myeza found none recorded at the Edward VII Hospital. It is unfortunate that the incidence of prostitution was not raised.

of the Natives. If the provisions of the Immorality Act could be extended to illicit carnal intercourse between Natives and Indians it would in some measure repress the evil.⁵¹

Instead of proposals to erode racial misconceptions and taboos, the Commission reflected the State's policy of social closure which further widened ethnic cleavages.

When discussing paragraph '(viii) Treatment of Native passengers in Indian - owned buses', the Report does make a valid point. Accusations of bad treatment, assaults and discrimination were viewed as exaggerated. 'In a large measure we think this grievance is kept alive by Natives who are anxious to compete with the Indians in running bus lines'.⁵² In other words, this complaint was the result of conflicting bourgeois and emergent petty-bourgeois interests between Africans and Indians. The Indians, at this time, controlled approximately 58 per cent of all the buses catering for some 86 per cent of black transport.⁵³ It is not surprising that the African would want to serve African needs and further their own economic aspirations. The frequency of licences being issued to Africans had been increasing but competition abounded in a sector where Indians had been established for some time.⁵⁴ In terms of the Motor Carrier

51. Van den Heever Report, p. 14. This type of repressive measure was unnecessary, not only morally but also as an expedient to maintain white dominance. Studies conducted in the 1950s showed that such relations were inherently held as taboo by all races. See P.L. Van den Berghe, 'Race Attitudes in Durban'. (Journal of Social Psychology, 1962).

52. Van den Heever Report, p. 15.

53. E. Webster. op. cit., pp. 33-34.

54. Van den Heever Report, p. 17. Although the following figures may favour the Indian one must bear in mind these may include applications to extend existing services and not necessarily new applications:

		Buses		Carriage of Goods		Taxis	
		Indians/Africans		Indians/Africans		Indians/Africans	
<u>Durban</u> .	No. Applied.	105	2	117	4	61	3
	No. Granted.	31	0	102	4	46	3
<u>Rural</u> .	No. Applied.	69	65	100	16	54	27
	No. Granted.	35	48	80	12	42	17

Transportation Act of 1930, the owner had a right to protect established interests against the incursion of a competitor. Because Indians had been long-established in this commercial sector the Africans had difficulty in having their applications accepted. The result was that Africans would lay the blame for refusals of applications on the machinations of the Indian.

His impression is that the Boards - or the Government - give the Indian preferential treatment, and that the Indian secures this by bribery and corruption and by obtaining the services of a shrewd counsel whom he can afford 'to buy'.⁵⁵

Although accepting this viewpoint to be based on misconceptions, the Report failed to explain why this should have been so; why the Indian was blamed directly instead of the rules laid out in the relevant legislation. It is useless justifying the situation in the following manner found in the Report:

The Native does not understand the policy of the law. All that he understands is that he is obstructed by the Indian, and his blood pressure goes up.⁵⁶

The Report does point out that these misconceptions are carried downwards to the African commuter thereby instituting further resentment against the Indian. But in these cases it was a clear failure on the part of the authorities - and to some extent the aspirant African - to explain or attempt to understand, respectively, the requirements and provisions laid down in the existing legislation. The lack of communication served to create misconceptions between a competing class, and which finally filtered through the African group.

The Report argued that one had 'to reckon with the workings of the Native mind', when reviewing the complaints of bad treatment on buses.⁵⁷ Such

55. Van den Heever Report, p. 18.

56. Ibid.

57. Ibid., p.15.

an attempt by an all white Commission may have been the cause of repeated stereotyping of the African character. It was hardly the fault of the African when he misinterpreted the carrying of axes on buses - an example of the 'Native mind' used by the Report. Again, it was rather the lack of communication and education that led to further misunderstanding. Furthermore, the general inability to take those bona fide grievances to court due to general ignorance of the law or insufficient funds only compounded resentment. Major Bestford mentioned that the police were unable to give exact figures regarding these complaints but the total number of complaints, of any given type, ranged from 7 500 to 10 000 a month.⁵⁸

The various problems leading to misconceptions can also be found in paragraph '(ix) Exploitation of Natives by Indian storekeepers'. One of the opening statements on this topic was as follows: 'Here again racial characteristics come into play. To the average Indian trader commerce is not a remunerated public service, but high adventure and a contest of wits'.⁵⁹ This is hardly an enlightening statement. Commercial enterprise is rarely viewed by its practitioners as an exercise in philanthropy, but rather one where the impetus is profit.

As in the case of transport, the Indian had established commercial trading facilities prior to the advent of the African bourgeoisie. The type of grievance voiced were not only from African customers but also the aspirant African trader. As with transportation, the types of allegation were of a subjective and individual nature. Accusations were made which could not be verified because of their nature ; sometimes they had happened long before the Riots, or the person could not remember which shop. In some cases it was not the witness who had been cheated but a member of his family or an acquaintance. Therefore much was based on hearsay as well as fact. And one must bear in mind

58. Ibid. Joseph Shandu had thought the axes were for attacking African passengers whereas they were a basic safety requirement laid down in the relevant Act.

59. Ibid.

that complaints were also made by Indians against malpractices. The Report gave figures for those convicted under the Price Control Regulations for the two years ending 31 December, 1949:

For selling at excessive prices, 64 Europeans; 162
Indians; 21 Natives and 3 Chinese; for exposing goods
for sale on which prices were not marked, 10 Europeans;
95 Indians; 6 Natives and 1 Chinese.⁶⁰

These figures were certainly to the discredit of the Indian traders and store-owners. Yet despite these figures the African consumer still shopped at Indian stores. 'The Native prefers to make his purchases at the Indian store, where he feels more at home than in the European emporia'.⁶¹ During this period it was highly unlikely that the African would be made welcome in a white shop, much less served. The preponderance of Indian outlets compared to alternative sources resulted in Africans having more contact with Indians. There were also the added advantage of the credit facilities offered by the Indian trader. In addition, the Indian was willing to sell small quantities of specific commodities whereas the white outlets would only sell the prepacked amounts. For example, instead of being able to buy six ounces of flour the white shop would only sell the African a prepacked quantity of one pound.

The frequency of contact was therefore not only one of choice but also availability. As the Report stated, allegations of short changing, conditional buying⁶² and over-charging were viewed as valid. An interesting statement in the Report suggested a particular group was responsible for elements of exploitation:

A number of Indian 'Merchant Princes' appeared before us and denied that sharp practice in commerce was the

60. Ibid., p. 16. The number of general dealer licences in Durban by Feb. 1949 were: whites, 1 491; Indians, 1664; Africans, 14. Assembly Debates, 1949., col. 1110

61. Ibid.

62. This refers to the practice of selling one commodity to the purchaser on condition that he buys something else too. The extra commodity was usually something the trader was trying to clear, for example, old stock.

prerogative of any particular race. Obviously, it is in their interest to keep on good terms with the Natives and for them honesty is no doubt the best policy. It must be obvious, however, that the hired shop assistant or the small trader is not equally impressed with the importance of long-range policies, but is prepared upon occasion to sacrifice future goodwill to present gain.⁶³

While this may appear to be defending the established bourgeoisie there is a decided internal logic. Rather than having humanitarian concern for the Africans, the denial of sharp practice may be due to their having more to lose through prosecution and closure. In comparison, the small store-owner and emergent petty-bourgeois are concerned with profit and growth. There does appear in the evidence more complaints against the small trader, for example, in Cato Manor than against the larger, established businesses.

Given that some traders exploited the Africans, the whole problem went much deeper and, unfortunately, the Report merely scratched the surface. It was argued:

The Native had difficulty in understanding why the cost-structure should wax after the war had come to an end. To him the explanation was simple, and he attributed world economic trends to the rapacity of the Indian. Then, too, our involved system of price controls during the war years sorely puzzled the Native.⁶⁴

Again, there is some validity in this argument. The African, being unable to compare prices in the white shops, had possibly accepted that the latter were higher than Indian prices. The sudden increase in prices and his inability to make comparisons resulted in the Indian traders being accused of overcharging. And, of course, there were cases of deliberate overcharging in the knowledge that the African had little choice. But this would be simplifying the matter greatly.

63. Van den Heever Report, p. 16.

64. Ibid.

One must remember that black wages, particularly those of the Africans, were not rising in accordance with the cost of living. It is not enough to merely state international trends were causing prices to go up. The national trend of near-static wages resulted in the consumer's money buying less. It would be erroneous to view the changing cost-structure on the same level as the Report as internal Government policy also served to exacerbate the situation.

Referring to trading facilities for the emergent African petty - bourgeois class, the Report stated:

From the figures relating to trading licences granted within recent years it would appear that the Native has no real grounds for complaint. It is the policy of the Native Affairs Department to give Natives preference in their own areas. No Native is refused a licence merely on the ground of proximity to an Indian store. He wants more, however; he demands that requirements based on hygiene should be waived in his favour and that Indian stores, legally opened and properly conducted, should be closed so that Natives can deal entirely with Natives.⁶⁵

But again, the analysis by the Report is superficial. The African complaints were not as fatuous as this quote implies. Although the DCC did foster African trade, it was only on the level of petty trade. The lack of business acumen and capital were serious disadvantages and official policy did little to encourage development. Property could only be leased in some African areas and if the trader fell into financial difficulties money could not be borrowed against the lease. Kuper conducted an interview with a Senior Supervisor of locations who had this to say:

Not until the 1940s did the Department NAD begin to give them better facilities ... There were too many who went into it with the idea that everything was a profit. They made no arrangements for depreciation and so on. Any number could not meet their dues and were turned out by the municipality ... The policy of the Department was nailed to two principles. First of all, one man, one business. Secondly, that there should be daily tenancies with no good will and no inheritance.⁶⁶

65. Ibid., p. 17.

66. L. Kuper, op. cit., p. 290.

Kuper clarified further problems:

The right to occupy trading premises under municipal control may be readily forfeited for certain offences, and trading tenancies can be terminated on one month's notice in the locations and even on twenty-four hours' notice in the eating houses and beer halls, where tenancy is on a daily basis. Building one's own shop may be an alternative opportunity, though hardly where the land is held in lease for a relatively short period or for no guaranteed period.⁶⁷

National and local policy created a far more complex barrier against African aspirations than Indian competition. Of course, the latter is very important and cannot be ignored. The Report indicated that aspirations rather than grievances are accentuated in this area (and also in transport), and concluded 'it serves as a powerful motive for inter-racial trouble'.⁶⁸ This was a salient point which the Report made as a conclusion but it must be interpreted as meaning that petty-bourgeois aspirations spearheaded the rioting. Indeed, such a conclusion would lead to the belief that only a certain class of Indian incurred the wrath of the rioters. Certainly, these aspirations, both in commerce and transport, were very important for they certainly reflected a rivalry of class interests. But it is of equal importance to analyse other levels of inter-group relations in order to understand why the Indian community suffered as a whole, and not only a specific class within that community.

Such an analysis would have to include the questions of employment and social status within the black community. The areas were covered by the Report in a very unsatisfactory manner. The Report turns once again to comparisons of the Indians' 'mental wits' and the Africans' 'physical prowess'. Although these expressions were characteristic of the period, the Report avoids discussing legislation and other measures which split the black labour force giving better opportunities to the Indian than African group. The Industrial Conciliation Act

67. Ibid., p. 292.

68. Van den Heever Report, p. 17.

of 1924 debarred Africans from specific areas of employment and forming trade unions. This was not applied in such a strict sense against the Indian community. Those Indians that belonged to a trade union could use the organization to some extent whilst War Measure 145 of 1942 made strike action by Africans a criminal offence. The permanent nature of the Indian urban community was also a factor in their ability to consolidate specific areas of employment within the labour force. As the Report indicated, this final factor was seen by the African as a distinct disadvantage: 'The Native feels that by having a footing in the City the Indian has gained many advantages in the form of commercial, educational and health facilities'.⁶⁹

And yet, although the Indian community was subjected to the same forces of exploitation suffered by the black community as a whole it can be seen that in some cases the application was not as stringent. This is not to suggest that the community was singled out for 'favouritism', or that his 'mental wits' brought him a higher standard of living. It was because discriminatory legislation did not affect them in exactly the same way as it affected the Africans. Because of this, areas of conflict developed within the black community and the above-mentioned stereotyping became a simpler method of explaining the discrepancy. The large and prosperous Indian middle class was highly visible and this was interpreted as indicating that the community as a whole, was more successful. This has been shown to be a fallacy as the majority of Indians lived below the poverty datum line. The Report itself points out this discrepancy.⁷⁰ Palmer discussed similar examples which highlighted the position of the majority of Indians:

Many Indian locations ... are a disgrace to any civilized country ... large numbers of Indian children could not and still cannot find schools which they may attend ... the average wage of an Indian unskilled labourer was at the time £1.10s a week.⁷¹

69. Ibid., p. 19.

70. Ibid., p. 18.

71. M. Palmer, op. cit., p. 154.

Within the unique socio-economic, ideological and racial structure of South Africa, the authorities succeeded in dividing the black population. This division dissipated a united black opposition by emphasising ethnic differences. In paragraph '(x) Discriminating Legislation', which covers liquor, pass laws and land tenure, the Report stated:

Save for the occasional intellectual or the revolutionary, Natives in the mass are quite reconciled to discrimination as between themselves and the Europeans. They accept it that many apparent anomalies were conceived in their protection. On the other hand, any discrimination as between themselves and the Indians which favours the latter fills them with violent resentment.⁷²

There were indications in the evidence that the Government was viewed in terms of a paternal overseer. Nevertheless, the fact that such discrimination was a result of statute from a white Parliament rather than by sanction of the Africans makes the statement problematic. This could also be true for the last statement in the quote as the Indians could not be blamed for elements of 'favouritism'. And yet, it is clear the Indian was not entirely without fault. The tactics of dividing the black population would not have succeeded if the less underprivileged Indians (and 'Coloureds') had not accepted discrimination against the African in their favour. The practice of Indian leaders to create organizations which were exclusively 'Indian' inadvertently favoured divisive tactics. Similarly, by joining trade unions working within the white system, Indians alienated themselves from African workers. As a result, the underprivileged Indians, who generally gained little from these practices, were nevertheless viewed as congenious. Credit should be given to the Report for the attempt to acknowledge the misconception that all Indians were privileged. At the same time, a more detailed examination would have been highly valuable in understanding the origins for these misconceptions. Unfortunately this lack of detail was a very real weakness in the Report.

Three areas are covered in section IX 'Causative Factors arising out of the situation itself', which related to transport facilities, undesirable elements and housing. Although admitting that the sudden industrial expansion overtook efforts to provide facilities and services, the Report concluded that no adequately

72. Van den Heever Report, p. 18.

determined attempt had been made to alleviate the problems. Attention is made to the fact that inadequate transport termini had a direct bearing on the riots. This conclusion is correct. The congestion of workers at the bus ranks certainly was an important factor in the resultant outbreak of violence. The suggestion that more facilities and termini be provided was also a valid one. But the suggestion that separate facilities would have prevented the riot was rather presumptive. The Reports advice may have been a means of preventing violence occurring again in a similar way but was by no means a solution to countering friction between the two groups.

In the area of undesirable elements, the Report mentioned that eye-witnesses stated that 'this unruly element [Tsotsis] took a leading part in the assaults'.⁷³ There is no doubt that tsotsis gangs formed a part of the rioters, but not a leading part. Further evidence showed that groups of workers from the barracks also formed a large bulk of the African rioters - workers who were usually law-abiding. Once again, the Report brought to the fore one aspect while ignoring others thereby giving a deficient account. The removal or breakdown of these undesirable elements, again, was not sufficient to removing friction.

On the question of housing, the Report stated:

There is some truth in the allegation that the slum conditions in which many Natives live have a bearing on the subject of our inquiry; but it bears from a different angle from that suggested by the organizations referred to.⁷⁴

These organizations included rate-payer associations, the National Council of Women, and remarks by Lowen, when blame was placed on the authorities for not providing housing. The Report did not agree and argued that 'the Corporation

73. Ibid., p. 19.

74. Ibid., p. 11.

has done much to alleviate the congestion and provide housing for Natives and Indians'.⁷⁵ It can be admitted that the DCC did try to provide housing under the conditions of rapid industrialization. But, as the following remarks from Broome suggests, more contact between the authorities and the African community in particular could have improved overall relations. Referring to Durban after completing the Native Administration Enquiry Commission of 1948, Broome wrote:

At the present moment, the general atmosphere is friendly and the outlook for the future is bright. How long this will continue, it is impossible to say. All that is certain is that it cannot continue indefinitely. Its continuance, so far as the Natives are concerned, depends, not only upon the speed with which their needs are met and their grievances remedied, but also upon the extent they are made to understand just what is being done in that regard, and the reasons for delay where delay is unavoidable.⁷⁶

Closer relations between the groups may have been achieved through more channels of communication. Explanations for delays in remedying specific grievances could have resulted in fewer misperceptions as to causes for these grievances. Instead of responding to complaints, ignorance was allowed to breed misconceptions. This point was not picked up by the Report at any stage. But its comments on housing carried strong condemnation for the state of affairs in the city. It found the shack settlements on the outskirts of Durban 'a disgrace to any community which calls itself civilized', and found them to have a direct bearing on the riots:

You cannot expect to get pure water from a cesspool.
In these human rabbit-warrens something like 23 000
Natives live under most sordid conditions. The shack

75. *Ibid.*, p. 20.

76. *Town Clerk's Files*, File 323B, vol.1; Letter from C.A. Heald, Secretary for Native Affairs to Town Clerk, Durban, containing copy of Supplementary Report by F.N. Broome, Commissioner of Inquiry to Governor-General G. Brand van Zyl, 2 April, 1948.

areas are difficult of access; roads are non-existent, bad or indifferent, and there is no lighting.⁷⁷

The compounds were also criticised and it was found that these men played an important part in the riots. No further elaboration was made on this point. But it is interesting to note that one of the reasons for turbulence in the compounds was the lack of family life. The Report had stated earlier that this lack was in keeping with the traditional system and, therefore, acceptable. This was another contradiction which marred one of the more positive features in the work.

In reply to the 'facile critics' who accused the DCC of criminal neglect, the Report stresses the rapid growth of industrialization together with the enlargement of the city in 1931. Both these factors increased the number of Africans under the DCC's authority. By the time housing projects were underway, the war intervened placing a further burden on the authorities. The difficulty of purchasing land or obtaining permission to extend African areas created further difficulties. On this latter point, the Commission passed the following remark which is worth noting:

The good altruists who levy charges of criminal neglect against the Corporation would be the first to protest if the Corporation proposed to extend a location in the direction of their residential area.⁷⁸

The attempts made by the DCC to alleviate the housing problem for both African and Indian community was emphasised. Yet much needed to be done. Using figures from the Durban Housing Survey, Meer showed that 662 houses had been built by the DCC for Indians. It was estimated a further 3 210 were necessary to alleviate overcrowding in Indian houses, and some 1 380 for African overcrowding up to 1949.⁷⁹ The Report continued:

From the nature of these undertakings they are sub-economic and charge the city revenues with an

77. Van den Heever Report. p.20.

78. Ibid.

79. F. Meer, op. cit., p. 32. In the case of the latter figures it is uncertain whether these figures refer to family units or single quarters.

annual expenditure which the general rate-payer is inclined to consider out of all proportion to the indirect advantages which he derives from the expansion of industries. ⁸⁰

Here the Commission reacts to the alleged white prejudice towards paying for African housing. The Report reminded the white population that it was benefiting from the presence of Africans who formed the majority of industrial workers. Without the Africans, the industrial expansion of Durban would have been severely restricted.

Unfortunately, their argument was based on misinformation given by the DCC. Although the General Revenue Account did have to provide services, for example, sewerage and roads, ⁸¹ the Commission was under the false impression that it also subsidized housing. This was regrettable as the Commission's remarks on this point was one of the few meritorious observations in the Report.

In the final section X 'General', one does not find a summation of the Report's findings but a general discussion of 'unsettling influences' including, amongst others, the overseas press; the British political system; and the African support for segregation. 'One of the most unsettling influences', stated the Report, 'upon the Native mind is the fact that South Africa has a hostile press abroad'. ⁸² African leaders, intellectuals and the English-speaking press were subject to hostile criticism. They were accused of taking up the criticism and thereby persuaded the mass of Africans, who were 'incapable of independent thought', ⁸³ that they had grievances. The Commission could not make up its mind on certain issues because previously it had been argued that: a) the Africans were not influenced by white political speeches which were anti-Indian; and b) the African had not been affected by the ANC/SAIC Pact of 1947 in relation

80. Van den Heever Report, p. 20.

81. In the case of shack settlements in Cato Manor, this was not strictly true. Cato Manor was an 'illegal' settlement within the municipality of Durban and therefore not eligible for these services.

82. Van den Heever Report, p. 21.

83. Ibid.

to their attitudes towards Indians. The Commission's observations on these points appear to be largely speculative as they had no more evidence of what the masses thought than did observers from the liberal 'Intelligensia'. The level of debate during the Commission's hearings' suggests that both sides speculated rather than factually proved these points.

The Report argued that Africans supported state policy and segregation, especially under the incumbent Nationalist Party. The Report closed on an ominous note. It warned that while everything appeared quiet on the surface, the possibility of more violence was very real. Africans had expressed their intention of 'squaring the account'; underprivileged Indians had threatened to attack the wealthy of their own community because they had caused the bad relations. This observation is of great importance as it clearly outlines the various levels of perception at work in Durban. The underprivileged Indian saw a separate class as creating friction, a class which exploited their own community as well as the African. On the other hand, the Africans saw the community as an homogeneous entity and subsequently attacked the entire race. The rationale behind these perceptions should have been explored in much greater detail. The Commission was not asked to make any prescriptive recommendations towards the alleviation of strained relations. The Report subsequently refrained from offering advice 'in the conviction that once the underlying causes are diagnosed the remedies - in so far as the condition is capable of cure - will suggest themselves'.⁸³ In the light of the Commission's ability to avoid, and in some areas repudiate, relevant issues any 'cure' suggesting itself seems unlikely.

The Report itself, while making some keen observations which have been noted, was far too superficial and failed to offer a lucid discussion for the causes of the riots. The tacit dismissal of 'intellectuals' deprived the

84. Ibid., 20-21.

work of a necessary discussion involving fundamental issues related to social, economic and political factors.⁸⁵ In avoiding the allocation of responsibility for general conditions the Report denied any level of accountability being made against local or national authorities. We have repeatedly argued that racial and ethnic differences were important to the development of Afro-Indian relations. But the Report's over-concentration on these relations led to the exclusion of other important issues. The reference to partisanship made earlier against the Commission can be supported in light of their frequent references to the Africans support of segregation. Nothing was done to analyse the discriminatory and ideological factors which exacerbated racial perceptions within the black community. Race and ethnicity, by themselves, do not cause conflict but the different levels of inter-group relations during the period of capitalist growth in a multi-racial society may. While attempting to break away from traditional white prejudices occasionally the Commissioners, generally, relied on stereotyping the black community. To find the causes of the riots one must look beyond the Report to the overall conditions in Durban. The causes certainly do not present themselves clearly in this piece of work.

Of course, one can find oneself being too critical. The Commissioners did not have a thorough knowledge of Durban. For political expediency, the more obvious choice of F.N. Broome was dismissed for members more sympathetic to the Nationalist Party. Because the Commission relied on witnesses who volunteered evidence, the lack of intimate knowledge on behalf of the members resulted in their being unable to pinpoint misleading information. As a result the Report reflected misguided observations and sweeping generalizations. The added complications of emotionalism and distress from some witnesses resulted in accusations and recriminations from which the Commission had to elicit information. The problems facing the Commission members were such that the

85. These involved M. Webb for the SAIRR; K. Kirkwood for the Indo-European Council and Senator Brookes. When discussing land tenure, the Report wrote: 'In this connection we may as well quote from the evidence of Senator Brookes', which did not really suggest encouragement for his argument.

ability to elicit objective information was questionable.

Having pointed to these problems one cannot deny the fact that the Commission was in a position to interpret the tragedy which occurred in Durban. It had the opportunity to emphasise those forces which exacerbated inter-group relations with the result of a community in conflict. The inherent weaknesses which characterized the Commission resulted in its failure. The final word on the Commission and its Report I will leave to Webb:

The best that the Commission can say in the light of the tragedy of the Durban riots is a piece of complacency as smug as it is dangerous; "unfortunately South Africa is full of grave and exceedingly interesting problems, many of which are insoluble."⁸⁶

86. K. Kirkwood & M. Webb, op. cit., p. 9.

CONCLUSION

It can be argued that the 1949 Durban riots, although a tragedy, brought about a different set of relations within the community on specific levels. A brief discussion of these relations will be useful in evaluating the role of the riots and thereby assessing the validity of this argument.

The 1947 Pact continued after the riots with more militancy directed against the apartheid laws and regulations. Between 1950 and 1952 there was the Programme of Action, adopted in 1949, which defied the state through nonviolent civil disobedience, boycotts and strikes. By 1952 South Africa saw the largest organized nonviolent resistance movement including both Africans and Indians in the Defiance Campaign. Yet this multi-racial action did not engender better relations. As we have seen, Africanism, while running through African politics for decades, became more virulent during the late 1940s. This racially exclusive orientation was still predominant after the riots, especially among the politically conscious. Reacting to the Joint Action Committee between the ANC and the SAIC, Chief Luthuli wrote that it was a 'sign that all but the white races in South Africa were beginning to think and act across the barriers of race'.¹ And yet, in Durban there was still strong reaction against these moves. Turning to Luthuli again; he pointed out that while the Defiance Campaign had been ratified elsewhere the anti-Indianism of Natal was still causing problems.²

The ambiguity of black leadership was never shown more clearly than through Champion himself. It has been shown that his attitudes towards Indians and racial cooperation were exceedingly doubtful. During the riots he attempted, with Naicker, to appeal to the participants to stop fighting for the sake of racial harmony. Yet, in an interview with Webster, it was suggested that these actions were made under the pretence of multi-racialism:

1. A. Luthuli, Let My People Go, (London, Collins, 1968) p. 110. By 1951, with the aid of Ngubane, he became President of the Natal ANC. In 1952 he was elected ANC President-General.
2. Ibid., p. 103.

I had two minds but I supported it (1947 Pact) because it was supported by the ANC ... in 1949 the Indians deserved to be assaulted. They had become too big for their shoes. They were too proud. They looked upon us as nothing except a labourer and kaffir.

He continued arguing that the Indians controlled the businesses preventing African bourgeois mobility. He then referred to the decision not to give evidence before the Commission saying that it had helped him as he would have suffered under cross-examination when believing the Indians had been taught a lesson.³ This attitude is highly important. The whole issue of leadership and their perceptions comes under questioning. He not only reflects a breakdown of Afro-Indian relations on an organizational level but also the level of perceptions at grass-roots. If the leaders rationalized in these terms what of the rank-and-file?

Speculation abounded as to the causes of the riots from within the community, especially the Indians. One Indian newspaper, The Leader, wrote, 'The origin of the racial disturbances in Durban seems to be an organized move by certain trading interests.'⁴

There appears to be no justification for supposing that a conspiracy or organization was the motivating factor behind the riots.

It is true that the biggest gains were obtained by African traders in Cato Manor. By 1950 their numbers had increased in this area. There were, at this time, 26 licensed Indian traders, 18 licensed African traders and 38 unlicensed African traders. Three years later the number of African traders had increased to 105.⁵ But this was the result of a vacuum caused by the riots and not a cause of the event. It has been stressed that Cato Manor suffered the worst during those three days. Yet it has also been pointed out that the shack settlement had its

3. E. Webster, op. cit., p. 51-52.

4. Quoted in, ibid., p. 27.

5. L. Kuper, op. cit., p. 301.

own social dynamic. It was not policed, it had created its own socio-economic infrastructure and therefore had few restrictions. Why specifically Cato Manor is difficult to assess but the opportunity to enter the commercial vacuum afterwards is certainly evident. Kuper pointed out that white opinion sympathized with African aspirations in this area which were 'no doubt assisted . . . by anti-Indian sentiment.'⁶ African cooperation and buying clubs developed rapidly, for example, the ZONDIZITHA (Hate the Enemies) Buying Club, which promoted those stores evacuated by the Indians. But of more consequence was the Zulu Hlanganani Association which commemorated the riots every year. Kuper wrote:

A leading member of the African National Congress, who was associated professionally with Hlanganani, attended a celebration in 1951. He commented that there was nothing really anti-Indian about it: they celebrated on the grounds that they had focused the attention of the Government and of the Africans, with the result that there were now more traders. He did not think this anti-Indianism was something to worry about. It is difficult to agree with the informant.

The DCC was quick to respond to the bourgeois and petty bourgeois aspirations of the Africans. The authority condoned the growth of illegal trading while an amendment to the Motor Carrier Transportation Act allowed Africans to build up services for their own group. But the latter was relatively short lived and by 1961 there were no services inside Durban.

The so called 'battle for Cato Manor' seems appropriate after the event as the DCC's attitude changed to one of openly attempting to assist African aspirations. But this assistance only affected the bourgeois and petty-bourgeois classes. While the Indian commercial sector may have lost control of Cato Manor, their businesses continued to develop in other areas of Durban. It was a bourgeois victory due to the quick exploitation of disrupted Indian interests. But these factors, while apparent in the competitiveness of these two groups prior to the riots, do not suggest that the 'battle' was a fundamental

6. Ibid., p. 303.

7. Ibid., p. 304.

cause. It has been known that Indians were also attacked in other areas with no indication that such areas were of importance to Africans.

Although there were elements of competition present between the groups together with a clash of divergent cultures, this riot did not deal directly with the source of strains experienced by the group. Nor did it lead to any changes in government policy. By 1950 the riots were used as an example of racial strife. On the introduction of the Group Areas Bill in 1950, Dr. T.E. Donges, as Minister of the Interior said:

The Durban riots of last year ... show the dangers of residential juxtaposition for the peace and quiet of the country. Consequently the solution of separate areas for different races, compulsorily enforced if necessary, is not a novel solution. ⁸

The Nationalist Government of 1948 pursued a policy which upgraded segregation. The principles enforced were those of racial separation and development. Black workers, but specifically Africans, faced a barrage of legislation which racially separated trade unions and enforced job reservation, which was ratified under the 1956 Industrial Conciliation Act. Those very ethnic differences which had been one of the principle factors towards conflict breaking out in Durban were entrenched even further into the state system. The pursuit of white supremacy still dominated inter-group relations.

As we have seen, the ethnic diversity within Durban's black community was an exceptionally important factor regarding the outbreak of civil violence. The ability by the authorities to manipulate these differences bred misperceptions and mistrust between the Africans and Indians. The growth of secondary industry and rapid industrialization brought a different set of relations in their wake. The increase in industry did not bring concomitant purchasing power in the case of the Africans. There was also the inability for this group to acquire and utilize special skills because of his movement to and from the rural environment. The lack of housing was a further factor which prevented this group from acquiring a stablized life and wage. Legislation directed against

8. South Africa, Union of, Debates of the House of Assembly, 1950, col. 7442

the African forced him to carry passes, register for work, and accept unskilled positions in the work place. The Indian, on the other hand, while also a victim of segregation and apartheid, did not come under the full pressure of legislation. The result was a misconception of the working class Indians position within the community. Having been urbanized for a longer period of time their ability to acquire skills and exploit the resources offered to them stigmatized the Indian group. The level of social contact was such as to confirm the Africans belief that the machinations of the Indian population was the cause of their problems.

The higher number of Indians involved in trade and transport was also a major source of grievance. Undoubtedly, the accusations of overcharging and exploitation were true to some degree. But the competitiveness of the African bourgeois and petty-bourgeois groups provided much of the background for the accusations. The inability of these classes to relate to the lower classes perpetuated the distorted conceptions held between the groups.

The ethnic exclusivity preserved within the black community was perpetuated further by white politics. The virulent anti-Indianism which characterized Durban whites was a support to African perceptions.

[As one can see, an analysis of the riots necessitates studying not only the economic determinants and ideological components which structured the community as a whole, but also the ethnic and cultural factors. To only look specifically at the riots would result in a superficial assessment. It may appear that the Indians were a privileged minority and therefore vulnerable to violent aggression from a group more subordinate than themselves. On a closer analysis of the society, this would be misleading. Ethnicity is an historically important factor. Ignorance and misconceptions plus the exclusive quality and desire for 'sameness' created a dangerous mixture in Durban. The riots were not directed towards a specific goal but were the result of injustices and frustration as perceived by one group. That they attacked an ethnically different group because of its supposed preferentiality was not surprising when one analyses the underlying conditions which served as a background

to the riots. The opportunity given to the Commission to examine the problems was not taken advantage of. The Commission's narrow approach resulted in a superficial and sometimes nebulous assessment of the riots. Only the more obvious aspects were analysed rather than the underlying conditions. (On the other hand, it was used as a forum whereby the white power structure could focus attention on 'troublemakers' and racially stereotyped characterizations thereby avoiding the serious issues affecting the black community.) Organizations like the NIO used it as a means of political expediency. The majority of witnesses produced by the NIO were themselves traders. The apparent inertia of the Commission to analyse beyond the obvious resulted in a misleading assessment of the riots.

The subjectivity of ethnic and cultural perceptions are difficult to penetrate. But this study has attempted to analyse levels of both class and ethnic inter-group relations. As has been shown, a Marxist interpretation is useful when analysing the relations which developed from the rise of secondary industry and urbanization. But it has been pointed out that while class relations are relevant the maintenance of identity has a wider historical role. Evidence which emphasizes subjective racial perceptions can be incorporated into the overall discussion of conflict without necessarily working against class explanation. This adaptation is necessary when analysing a racially stratified society - a society in which the entire Indian community bore the brunt of African anger in 1949. It is disappointing that one of the most important events in Natal history has been ignored.

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